

# Environmental and Social Due Diligence Report

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Project Number: 47083-004  
December 2019

## INDIA: Accelerating Infrastructure Investment Facility in India – Tranche 3 Mytrah Vayu (Pennar) Private Limited (Part 7 of 9)

Prepared by India Infrastructure Finance Company Limited for the India Infrastructure Finance Company Limited and the Asian Development Bank.

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## Concrete base

The concrete base is the foundation on which the whole turbine is to be erected. Turbines typically have bases of between 7 m<sup>2</sup> and 18 m<sup>2</sup> in size (nowadays even larger).

Wind turbines, by their nature, are very tall slender structures; this can cause a number of issues when the structural design of the foundations is considered.

The foundations for a conventional engineering structure are designed mainly to transfer the vertical load (dead weight) to the ground, this generally allows for a comparatively unsophisticated arrangement to be used. However, in the case of wind turbines, due to the high wind and environmental loads experienced there is a significant horizontal load that needs to be accounted for. This loading regime causes large moment loads to be applied to the foundations of a wind turbine. As a result, considerable attention needs to be given when designing the footings to ensure that the turbines are sufficiently restrained to operate efficiently

Electronic control systems for safe operation

They are composed of one or more subsystems of microcontrollers and their job is to ensure safe and regular operation of the wind turbine in all conditions. These may be located inside or outside the wind turbines depending upon the design of the turbine.

## Transmission line

The transmission lines are required for transmission of electricity from the transformer to the nearest substation or connecting the different wind mills in the grid before finally connecting them to the nearest substation. In India, the cables are generally not led underground, but are laid over the ground owing to some specific issues.

## Module mounting structure

The module mounting structure is usually made of steel, with vertical posts rammed in to the Ground. The posts support longitudinal steel rails, which in turn support traverse rails.

## Modules

A photovoltaic module is a packaged, connected assembly of solar cells. The solar module can be used as a component of a larger photovoltaic system to generate and supply electricity in commercial and residential applications. Each module is rated by its DC output power under standard test conditions (STC). A single solar module can produce only a limited amount of power; most installations contain multiple modules. A photovoltaic system typically includes a panel or an array of solar modules.

## Inverters and Accessories

Advantage of using a central inverter (instead of module oriented inverters) is that the module fields are less sensitive towards partial shading which is generally the case with String Inverters. Due to higher system voltage the central inverters also reach very high efficiency level.

## Medium Voltage Transformer / Inverter transformer

Step up transformers are provided to transform the power generated from the inverter to 11KV/ 33 kV level depending upon the grid voltage requirement.

## Power Transformer

Power transformer will step up the power from the inverter transformer to the grid voltage level if the grid voltage is above 33KV.

## Buildings

There will be a Control Room cum administrative building that will house the Operation & Maintenance personnel, who shall operate and maintain the plant.

## Cable

Special DC rated solar cable for connecting the PV module strings to the DC combiner boxes. This cable shall be resistant to UV irradiation, halogen free and flame resistant.

## Communication Cables

Data communications between the inverters and DC distributions boxes are with underground cables.

Lightning protection and earthing/ grounding system

The PV array substructure vertical posts act as earthing or grounding posts. All PV module rows will be connected at both ends of the substructure. The whole system will have a ground resistance of less than or equal to 10 ohms. All inverter stations have an external ground which is connected to the PV array substructure thus forming a single ground for the whole power plant. The inverter and MV substations also have an external lightning protection system installed.

## B.2. Typical Solar Project And Summary of Key Activities

### B.2.1 Solar Energy - A Back Ground

World over, Solar Energy utilization is on the rise as a clean source of energy for power generation. Solar energy technologies tap into the abundant energy available from the Sun and is utilizes the same to generate electricity the world over. Presently, this energy is being harnessed by two distinctly different methods:

- Photo Voltaic (PV) technology and
- Concentrating Solar Power (CSP)

The PV technology relies on photoelectric effect to convert sunlight into electric current by using specially selected and fabricated materials that use the sun's energy to liberate bound electrons in the material which are then captured and channelled to produce electric current.

On the other hand, concentrated solar power (CSP) uses mirrors or lenses to focus a broad field of solar energy onto a smaller receiver. The concentrated thermal energy is then used to drive some form of heat engine that produces either electricity or mechanical work.

### B.2.2 Photovoltaic Systems

Photovoltaic (PV) cells or solar cells using the photoelectric effect produce electricity when sunlight falls directly on them. PV cells are often connected together to form PV modules and

modules in turn are combined and connected to form PV arrays in a typically large solar power plant. Based on the construction of PV cells, there are two types of technology that is currently in use:

- Crystalline silicon technology (Mono crystalline, Multi crystalline)
- Thin film technology (where photovoltaic material can be coated or sprayed onto a flexible glass substrate material)

Based on the way the solar modules are mounted, the PV systems can be classified into:

- Fixed-tilt systems.
- Tracking system.

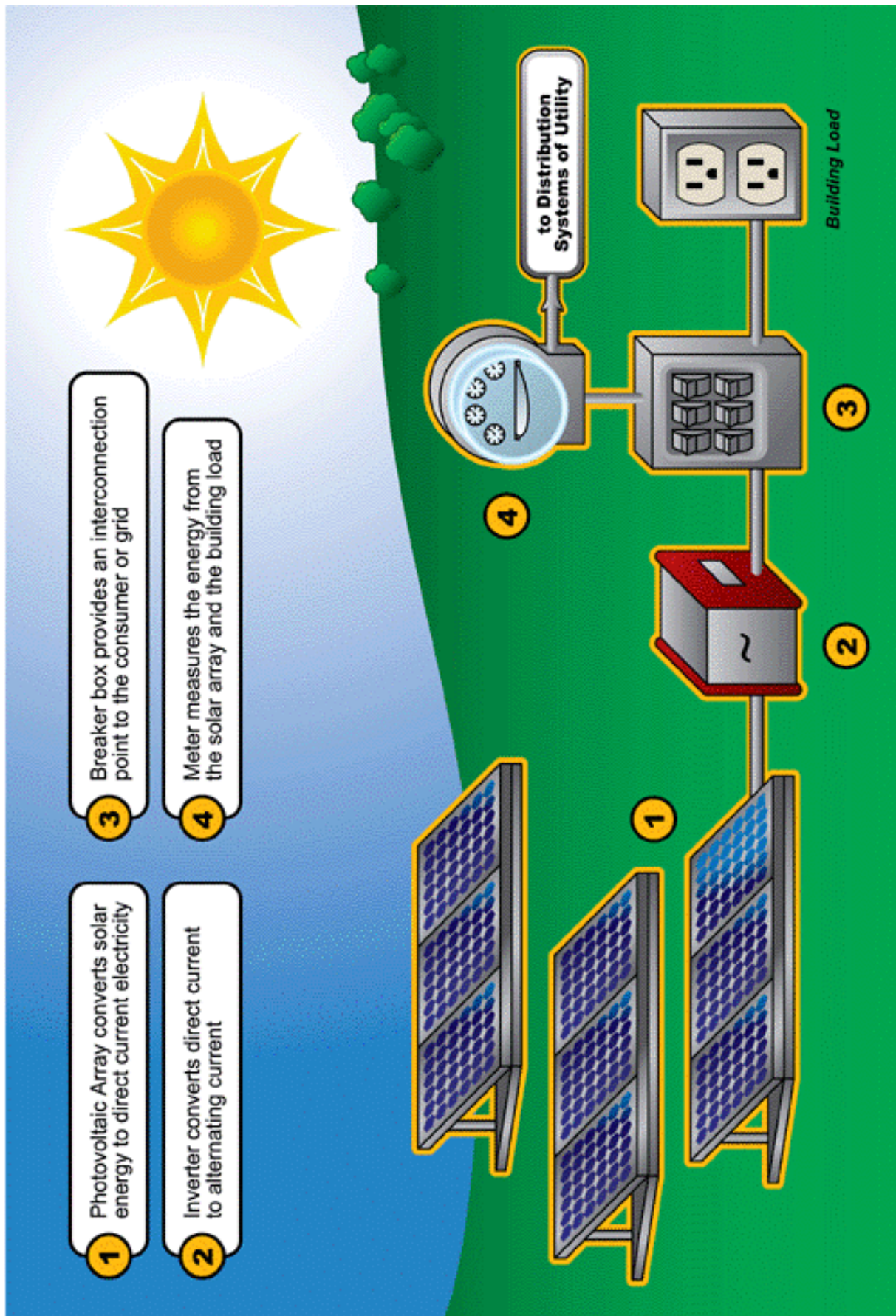
In the fixed tilt system, PV arrays with modules are mounted at a fixed tilt angle and orientation. The array may be mounted on a rooftop, on a pole, or on the ground. In the tracking system, the PV system with modules is mounted on a tracking unit that follows the path of Sun movement. Single-axis trackers follow the sun daily from east to west and two-axis trackers include elevation control to correct for daily sun movement. Tracked systems are more expensive than fixed-tilt systems, but also produce more electric energy per unit area because the array "follows the sun" to increase capture of available irradiance at all times.

### B.2.3 Solar Technology Used By MEIPL

MEIPL current business model focuses on PV system based technologies and nothing much into CSP systems.

### B.2.4 Components Of A Solar Photovoltaic System Plant

The Project modules are distributed in number of blocks each having an inverter connected with it. The components include the following:





# Annexure C

## Corporate Policies







**Mytrah Energy (India) Private Limited**  
 (CIN : U40108TG2009PTC065804)  
 # 8001, S.No.109, Q-city, Nanakramguda,  
 Gachibowli, Hyderabad - 500032, India.  
 Tel: +91 40 33760100.  
 www.mytrah.com

## **Quality, Safety, Health & Environmental Policy**

**Policy Statement:** Mytrah Energy (India) Private Limited (MEIPL) , wholly owned subsidiary of Mytrah Energy Limited (MEL) with its all Special Purpose Vehicles (SPVs) are committed to provide Safe, Clean and Healthy Working Environment to its employees and stakeholders as an integral part of its business ethics and philosophy.

Company reaffirms continual improvement for its Quality, Safety, Health & Environment (QSHE) performance with full satisfaction of customer in Power generation through renewable sources and transmission services by implementing a structured QSHE management framework in a sustainable and balanced manner.

**Scope:** Policy applies to employees, contractors across all its operative and applicable stakeholders at large in the periphery of Asset management and will be displayed suitably in office/public domain

### **Objectives:**

- 1) Ensure customer satisfaction with product and services offered by us with proper feedback mechanism.
- 2) Promote a Safe, Clean and Healthy Environment to eliminate/minimise and/or control adverse environmental impact and occupational health and safety risks arising out of our operations.
- 3) Establish and achieve QSHE objectives and Targets with adequate management plan and programs.
- 4) Adhere and comply with applicable QSHE legislations, regulations and other requirements pertaining to EHS and community at large.
- 5) Conserve natural resources and energy and promote waste avoidance and recycling measures in a sustainable way not impacting the nature.
- 6) Ensure involvement of employees, contractors, stakeholders by providing appropriate training and awareness with effective communication for sound QSHE performances.
- 7) Focus on continual improvement of applicable process and performances through reporting, monitoring and reviewing at regular intervals.



(Vikram Kailas)  
Managing Director

Date : 21.05.2016





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 Website: www.mytrah.com, E-mail: mail@mytrah.com

## **Corporate Social Responsibility Policy**

At Mytrah, Corporate Social Responsibility begins with the conviction that the business we do is pertinent and important to the society. Social Responsibility is a proposition that is aligned with our core values and commitment to contribute to the creation of infrastructure and energy security.

### **Vision**

**"To be the catalysts of positive change in the society"**

### **Mission**

**"To contribute towards improving the quality of life of our neighbourhood communities and society at large following a participatory development-oriented approach"**

Our Corporate Social Responsibility encompasses the social, economic and environmental facets that are interlaced with our stakeholders' engagement. To achieve sustainable development, we focus on meeting the needs of the present without compromising the ability of future generations to meet their own needs.

As change catalyst, our key focus areas in CSR intend to empower entrepreneurship to contribute to the economic growth of the country, foster higher education to nurture the pool of young talent in India and help develop and promote divergent sports and sports persons in India.

We deliver CSR Projects and Programmes in adherence with the laws of the land and with passion and professionalism.

Date: 20.6.2016



(Vikram Kailas)  
**Vice Chairman &  
 Managing Director**



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## **INTEGRATED HUMAN RESOURCES POLICY**

### **Vision**

- To attract, engage, develop and retain talent through effective people practices.
- To build Credible, Reliable and Capable Human Capital to deliver superior individual and business performance.
- To facilitate, create & maintain a safe and friendly work environment.

### **Key Policy Objectives**

- MEIPL is committed to comply fully with the employment objectives of the policy on Staffing and comprehensive requirements of the different businesses of the group.
- MEIPL identifies and select individuals to ensure the best suitability for the current job level, experience and expertise for future needs.
- MEIPL provides equal opportunity to all sections of the society. MEIPL believes, provides and maintains equal opportunities irrespective of caste, creed, gender, race, religion or disability.
- MEIPL is committed to ensure that all new employees are given on-boarding support with a structured induction on the first day of joining at corporate office as a process of integrating the new joiner with the working environment of the organization.
- MEIPL promotes wellbeing of its employees by implementing & maintaining the best people's practices with high standards of work performance and professional conduct across all its services.
- MEIPL is governed by company values & policies which believes that all employees have a right to work in an environment in which the dignity of individuals is respected and which is free from any kind of harassment. MEIPL is also committed to eliminating intimidation or harassment of or in any form.



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- MEIPL strategies the usage of different approaches by segmenting needs for **Capacity Building** of individuals across all levels. It is defined as the "process of developing and strengthening the skills, instincts, abilities, processes and resources that the organization needs to survive, adapt, and thrive in the fast-changing world".
- MEIPL through a robust Performance Management Process endeavours to establish and maintain sustained competitive and equitable compensation and benefits for employees.
- MEIPL provides an equitable platform to all of its employees for registering any form of complaints and grievances and shall oversee addressal of such grievances to a level acceptable to the aggrieved employee.
- MEIPL will adhere to all applicable statutory and regulatory requirements and desired practices as applicable.
- MEIPL strictly forbids the use of any form of illegal labour practices such as child, forced or bonded labour within any of its operations or associated supply chain services.

Date: 26.07.2016

  
 (Vikram Kailas)  
**Vice Chairman &  
 Managing Director**



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## LAND PROCUREMENT POLICY

### **Policy Statement**

As a responsible corporate, MEIPL identifies, selects and optimizes the land usage in line with industry best practices, regulatory requirements and uses its innovative plant design practices to minimize environmental and social impact.

### **Scope**

The term "Land" with respect to this policy is defined as any physical part on the earth's surface, not covered by water, identified for the purpose of purchase or lease by MEIPL or any of its subsidiaries for the sole purpose of establishing a solar or wind power project or any associated component to such project.

### **Policy Objectives**

The key policy objectives are as follows:

1. MEIPL will optimize its land requirements as per the government guidelines and best practices.
2. MEIPL will procure only from willing sellers after negotiations in a free and fair manner. The purchase price is arrived at after such mutual discussions.
3. MEIPL will purchase or acquire land as per the legal and statutory requirements governing land procurement in India in a free, fair and transparent manner. Special emphasis will be laid, while procuring land in Scheduled Areas, on lands with possible claims under relevant laws, rules and guidelines by government.
4. MEIPL will minimize the land uptake from small and marginal farmers or land sellers without any other viable landholdings.
5. MEIPL shall lay emphasis on land without any major settlement (structure), important and recognized local heritage or widely used common property resources to the extent possible.
6. MEIPL has a detailed procurement process/norms incorporating the above broad policies, which is strictly adhered to in its procurement of land in different regions.

Date : 26.07.2016



( Vikram Kailas )

**Vice Chairman &  
Managing Director**





# Annexure D

## Register of Regulations







## D. Applicable Legislative Framework

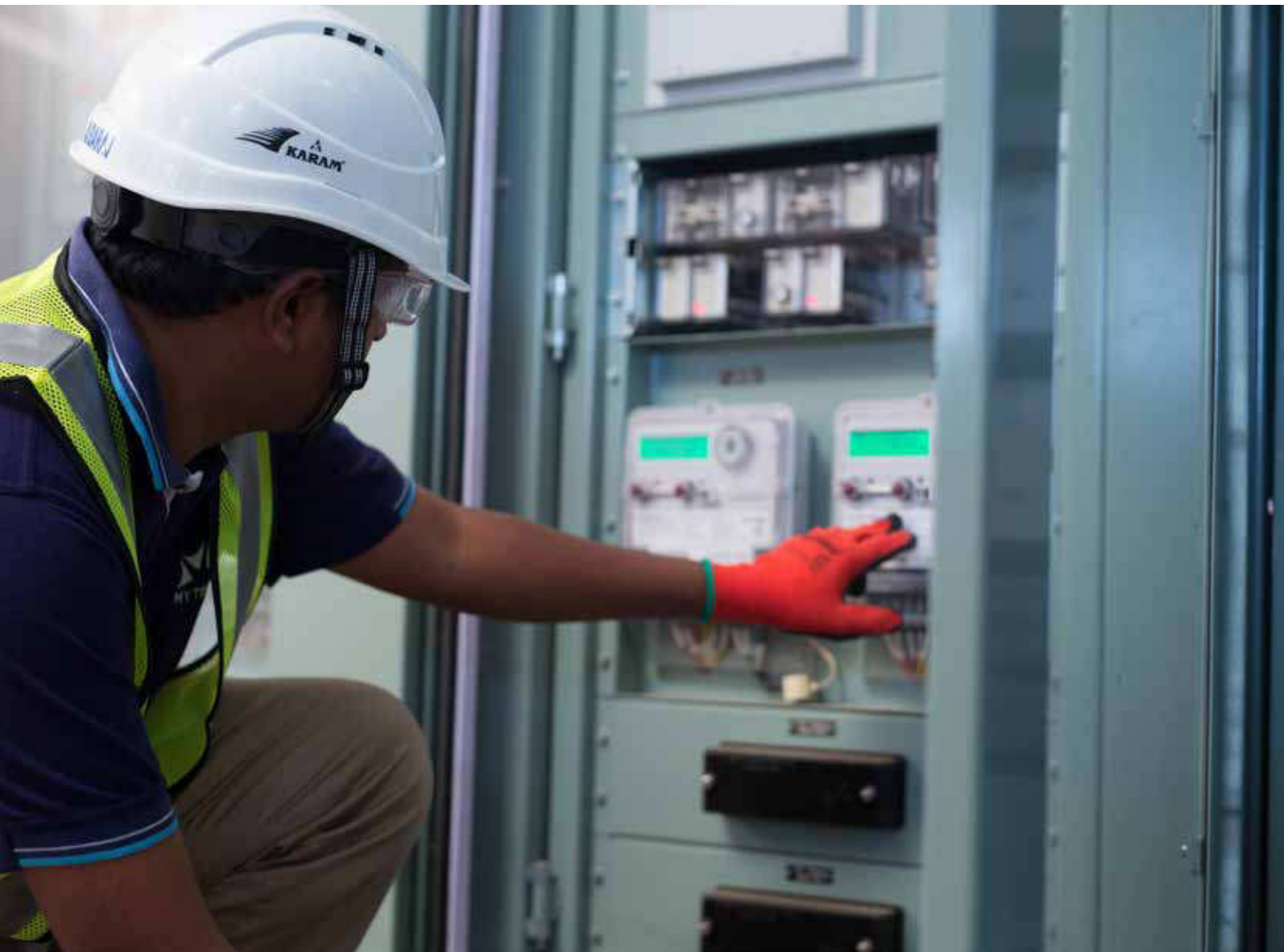
### D.1 Environmental and Social Legislative Framework

Primary legislation in India is in the form of Acts, which provide a framework for environmental protection and control and are applicable at the National level. The key acts and rules on environmental protection and social aspects are given in Section 1.3 which captures the key applicable regulatory guideline for Wind Power and Solar Power Projects in India. The regulatory guidelines are limited to Environment, Land, Labour and Occupational Health and Safety related regulations and statutory norms within the country. It also has to be noted that the table only encompasses the key legislations and policies in

the aforementioned fields and may not take into account other statutory requirements that also have direct or indirect relevance to wind and solar projects in India.

#### D.1.1 Institutional Framework - Enforcement Agencies for Wind and Solar Power Projects

A brief description of relevant enforcement agencies and their functions is described in the Tables below:





**Table D.1 Enforcement Agencies – Wind and Solar Power Projects**

Sl. No	Agency	Functions
<b>Central Level</b>		
1	<b>Ministry of Environment and Forests (MoEF &amp; CC)</b>	<p>The Ministry of Environment and Forests (MoEF), Government of India is responsible for the environment management at Union of India level. The specific functions of MoEF &amp; CC are as follows:</p> <ul style="list-style-type: none"> <li>• Environmental policy planning</li> <li>• Effective implementation of legislation</li> <li>• Issuing guidelines under EP Act for environment protection</li> <li>• Monitoring and control of pollution through Central Pollution Control Board and State Pollution Control Boards</li> <li>• Environmental clearance for industrial and development projects covered under EIA Notification</li> <li>• Monitoring of compliance conditions stipulated in Environmental clearance through its regional offices</li> <li>• Promotion of environmental education, training and awareness</li> <li>• Forest conservation, development and wildlife protection</li> <li>• Protection of Coastal areas</li> </ul> <p>MoEF &amp; CC is responsible for the implementation and enforcement of the Environment Protection Act, 1986 and Rules issued under the Act, including the EIA notification. Under sections 3 and 5 of the EP Act, 1986, it retains enormous powers to issue directions in the interests of environment protection</p>
2	<b>The National Green Tribunal (NGT)</b>	<p>The National Green Tribunal (NGT) has been established on 18th October, 2010 under The National Green Tribunal Act, 2010 for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental there to.</p>
3	<b>Central Pollution Control Board</b>	<p>The Central Pollution Control Board (CPCB) has been constituted for the control of water, air and noise pollution, land degradation and hazardous material and waste management. The specific functions of CPCB are as follows:</p> <ul style="list-style-type: none"> <li>• Prevent pollution of streams and wells;</li> <li>• Advise the Central Government on matters concerning prevention, control and abatement of water and air pollution;</li> <li>• Co-ordinate the activities of SPCB's and provide them with technical and research assistance;</li> </ul>

Sl. No	Agency	Functions
		<ul style="list-style-type: none"> <li>Establish and keep under review quality standards for surface and groundwater and for air quality;</li> <li>Planning and execution of national programme for the prevention, control and abatement of pollution through the Water and Air Acts.</li> </ul>
4	<b>Central Ground Water Authority</b>	The Central Ground Water Authority (CGWA) was constituted in 1997 to regulate, control and manage groundwater development in the country, under the EP Act 1986. One of the main functions of CGWA is to regulate indiscriminate boring and withdrawal of groundwater and to issue necessary regulatory directions with a view to preserve and protect the groundwater.
5	<b>Ministry of New and Renewable Energy (MNRE)</b>	<p>The Ministry of New and Renewable Energy (MNRE) is the nodal Ministry of the Government of India for all matters relating to new and renewable energy. The broad aim of the Ministry is to develop and deploy new and renewable energy for supplementing the energy requirements of the country.</p> <p>The Ministry facilitate research, design, development, manufacture and deployment of new and renewable energy systems/ devices for transportation, portable and stationary applications in rural, urban, industrial and commercial sectors.</p>
6	<b>Indian Renewable Energy Development Agency Limited (IREDA)</b>	<p>IREDA was established on 11th March, 1987 as a Public Limited Government Company under the Companies Act, 1956 and it promotes, develops and extends financial assistance for Renewable Energy and Energy Efficiency/Conservation Projects.</p> <p>The main objectives of IREDA is to provide financial support to specific projects and schemes for generating electricity and / or energy through new and renewable sources and conserving energy through energy efficiency.</p>
7	<b>Central Electricity Authority (CEA)</b>	<p>The Central Electricity Authority (CEA) is a statutory organization constituted under Section 3 of the repealed Electricity (Supply) Act, 1948, here in after replaced by the Electricity Act, 2003. Some of the functions performed by CEA include the following:</p> <ul style="list-style-type: none"> <li>Advise the Central Government on the matters relating to the national electricity policy, formulate short-term and perspective plans for development of the electricity system and coordinate activities of the planning agencies for the optimal utilization of resources to sub-serve the interests of the national economy and to provide reliable and affordable electricity to all consumers;</li> <li>Specify the technical standards for construction of electrical plants, electric lines and connectivity to the grid;</li> <li>Specify the safety requirements for construction, operation and maintenance of electrical plants and electric lines;</li> <li>Promote and assist in the timely completion of schemes and projects for improving and augmenting the electricity system;</li> <li>Collect and record the data concerning the generation, transmission, trading, distribution and utilization of electricity and carry out studies relating to cost, efficiency, competitiveness and such like matters;</li> </ul>

		<ul style="list-style-type: none"> <li>• Make public from time to time the information secured under this Act and provide for the publication of reports and investigations;</li> <li>• Advise any State Government, licensees or the generating companies on such matters which shall enable them to operate and maintain the electricity system under their ownership or control in an improved manner and where necessary, in coordination with any other Government, licensee or the generating company owning or having the control of another electricity system; etc.</li> </ul>
<b>State Level</b>		
1	<b>State Energy Development Agency</b>	Different states have created Energy Development Agency as the designated agency to co-ordinate, regulate and enforce the provisions of the Energy Conservation Act and implement schemes under the said Act within the State. The objective is to undertake development of renewable energy and facilitate energy conservation, as a state nodal agency under the umbrella of the MNRE.
2	<b>State Environment Department</b>	<p>The Environment Department is the apex body in the States for implementation of all the environment related matters including Environment (Protection) Act, 1986, which is an umbrella Act on environment in the country. The main mandate of the Department is to achieve the sustainable development in the State and introducing the sound environmental management practices.</p> <p>Activities like pollution Control &amp; Monitoring of Water, Air, Noise and other related areas, Conservation of Natural resources, Environment Monitoring, Environment Education etc. are co-ordinated by this department.</p>
3	<b>State Pollution Control Board</b>	State Pollution Control Boards are responsible for implementing various environmental legislations in the state, mainly including Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, Water (Cess) Act, 1977 and some of the provisions under Environmental (Protection) Act, 1986 and the rules framed there under like, Biomedical Waste (M&H) Rules, 1998; Hazardous Waste (M&H) Rules; Municipal Solid Waste Rules, etc. SPCBs functions under the administrative control of Environment Department of the State.
4	<b>State Electricity Transmission Company Limited</b>	In accordance with Electricity Act, 2003, the State Electricity Transmission Company Limited is involved in erection of transmission lines and its commissioning for evacuation of power from generation projects. The major role is to plan, develop, operate and maintain the State Transmission System.
5	<b>State Labour Department</b>	The Department of Labour is responsible for formulation, implementation and enforcement of the labour laws in the Maharashtra state. It also undertakes prevention and settlement of industrial disputes, Industrial safety, Health and promotes welfare of workers in the undertakings falling within the sphere of the State.
6	<b>Directorate Industrial Safety and Health Department (DISH)</b>	The Directorate Industrial Safety and Health Department enforces the provisions of Factories Act 1948 and State Factories Rules and the rules made there under to ensure the safety health and welfare of the workers. It also plays a significant role in regularizing working hours and working conditions and reducing the accident and dangerous occurrences in the factories, redressal of the grievances of the workers in respect of Safety Health and Welfare through a set of policies and programs

Sl. No	Agency	Functions
		<p>developed by both the Central and State Government. Some of the functions of DISH are</p> <ul style="list-style-type: none"> <li>• Eliminating inequality and discrimination in the work place;</li> <li>• Enhancing occupational health and safety awareness and compliance in the workplace;</li> <li>• Workforce and community participation, to employers, employees, workplaces, communities, businesses and unions; and</li> <li>• Providing policy advice and analysis to government on labour and employment related matters.</li> </ul>
<b>Other Institutions</b>		
1	<b>Centre for Wind Energy Technology (C-WET)</b>	<p>Centre for Wind Energy Technology (C-WET) has been established in Chennai in the year 1998, as an autonomous R&amp;D institution by the Ministry of New and Renewable Energy (MNRE), Government of India. The Centre provides the services such as</p> <ul style="list-style-type: none"> <li>• Research and development for wind turbine technologies;</li> <li>• Identification of wind resource rich regions in the country;</li> <li>• Testing of complete Wind Turbine Generator Systems (WTGS) according to international standards (IEC) and Type Approval Provisional Scheme (TAPS-2000); and</li> <li>• Provisional Type Certification of Wind Turbines as per the Indian Certification Scheme.</li> </ul>



**Table D.2 Applicable Environmental and Social Legislative framework for Wind and Solar Power Project**

Sl. No	Specific Regulation/ Policy	Key Requirement(s)	Enforcement Agency	Remarks
<b>Environment</b>				
1	<b>National Green Tribunal Act, 2010</b>	<ul style="list-style-type: none"> <li>Instituted for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal rights relating to environment and giving relief and compensation for damages to persons and property.</li> <li>The tribunal will have jurisdiction over all civil cases relating to implementation of the following regulations: <ul style="list-style-type: none"> <li>The Water Act, 1974;</li> <li>The Water Cess Act, 1977;</li> <li>The Forest Conservation Act, 1980;</li> <li>The Air Act, 1981;</li> <li>The Environment Protection Act, 1986;</li> <li>The Public Liability Insurance Act, 1991;</li> <li>The Biological Diversity Act, 2002</li> </ul> </li> </ul>	National Green Tribunal	
2	<b>The Environment (Protection) Act; 1986 and Environment (Protection) Rules 1986 and amendments</b>	<p>This Act is an umbrella legislation that provides a single focus for protection of the environment. Several sets of Rules and notifications are promulgated under the E(P) Act ranging from approvals required for a new development project to those required for environmental management during their operation phases The salient provisions of the Act include but not limited to the following:</p> <ul style="list-style-type: none"> <li>Restrict or prohibit industries, operations or processes in specified areas;</li> <li>Undertake environmental impact assessment for certain categories of industries to inform the decision making in approval of new or expansion projects;</li> <li>Restrict or prohibit handling of hazardous substances in specified areas;</li> <li>Protect and improve the quality of the environment and prevention, control and abatement of environmental pollution;</li> </ul>	Ministry of Environment and Forests (MoEF & CC)	Environmental statements are usually sent to SPCB as per the consent condition. However, it is not applicable at present as Consent is exempted for Solar/ wind projects as a White Category industry.

Sl. No	Specific Regulation/ Policy	Key Requirement(s)	Enforcement Agency	Remarks
		<ul style="list-style-type: none"> <li>Lay down standards for the quality of the environment, emissions or discharges of environmental pollutants from various sources;</li> <li>Lay down procedures and safeguards for the prevention of accidents, which may cause environmental pollution;</li> <li>Bar on filling of any suit or legal proceedings against the Government or officials empowered by it for action taken in good faith, in pursuance of the Act;</li> <li>Bar of jurisdiction to Civil Court to entertain any suit or proceedings in respect of anything done, action taken or directions issued by the Central Government or any other authority empowered by it, in pursuance of the Act.</li> </ul> <p><b>Environmental Statement</b> Environmental Statement is required to be submitted under Rule 14 to the Environment (Protection) Rules, 1992 as amended in 1993 in a prescribed format i.e. FORM V by 30 September each year for the relevant financial year ending 31 March.</p>		
3	<b>EIA Notification 2006 - Environmental Clearance and Public Consultation</b>	<p>The EIA notification divides all projects into two categories i.e. category A and B, based on spatial extent of potential impacts on human health and natural and manmade resources. All 'category A' projects or activities require environmental clearance from the MoEF &amp; CC, Government of India on recommendations of the Expert Appraisal Committee (EAC) while projects under 'category B1' (Category B is subdivided into B1 and B2) require prior clearance from State /Union territory Environment Impact Assessment Authority (SEIAA), based on recommendations of a State Level Expert Advisory Committee (SEAC).</p> <p>The Environmental Clearance under the EIA notification is granted based on prior EIA study conducted as per Terms of Reference approved by Expert Appraisal Committee of MoEF &amp; CC. Based on EIA study and conduct of Public Consultation, the EAC of MoEF &amp; CC appraises projects requiring Environmental Clearance.</p>	MoEF & CC/SEIAA	Wind and solar power projects are exempted from obtaining environmental clearance.
4	<b>Forests (Conservation) Act, 1980 and Rules 1981 as amended 2004</b>	The Forest Conservation Act (FCA) was adopted in 1980 to protect and conserve forests. The Act restricts the powers of the state in respect of de-reservation of forests and the use of forestlands for non-forest purposes. An advisory committee has been created to oversee the implementation of the statute. The FCA is relevant for the power sector for the siting guidelines for solar power plants and for passage	MoEF & CC/State Forest Department	Applicable to site where forest land has been taken including land for construction of

		<p>of transmission through forest areas, since it would involve use of forestland for "non-forest" purposes.</p> <p>According to Section 2 of the Act "notwithstanding anything contained in any other law for the time being in force in a State, no State Government, or other authority shall, except with the prior approval of the Central Government, make any order directing:</p> <ul style="list-style-type: none"> <li>• De-reservation of a reserved forest</li> <li>• Use any forest land for any non -forest purpose</li> <li>• Assign any forest land to any private person or entity not controlled by the Government</li> <li>• Clear any forest land of naturally grown trees for the purpose of using it for reforestation</li> </ul>		substation and transmission line pathway
5	<b>Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 as amended thereafter under EPA, 1986 (HWM Rules, 2008)</b>	<p>The Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 are promulgated under Environment (Protection) Act 1986, which was further amended in July 2009, September 2009, March 2010 and August 2010. With the recent amendment, these rules have become quite comprehensive. The rules define responsibility of hazardous wastes generators, require safe handling practices and maintenance of manifest system during transport of hazardous waste and also describe technological aspects to be followed up by re-refiners and recyclers of hazardous wastes. The rules also cover liabilities of occupier, transporter and operator of a facility for any damages caused due to improper handling and disposal of hazardous wastes by reinstating or restoring environmental damages caused.</p>	SPCB	Hazardous Waste Authorisation to be obtained where specific site is handling any hazardous waste.
6	<b>Batteries (Management and Handling) Rules, 2001 and further amendments</b>	<p>The Rules identify specific responsibilities for consumers and bulk consumers, manufacturers, importers, assemblers, re-conditioners, dealers, recyclers and auctioneers involved in the processing, trade and use segments of the lifecycle of a lead-acid battery.</p> <p>Used Lead acid batteries if generated should not be disposed off in any manner other than depositing with the dealer, manufacturer, importer, assembler, registered recycler, re-conditioner, or at the designated collection centres.</p>	SPCB	Applicable if used battery is being generated at the site
7	<b>The Air (Prevention and Control of Pollution) Act, 1981</b>	<p>The Act prohibits the construction and operation of any industrial plant without the consent of SPCBs. The Act assigns powers and functions to the CPCB and the SPCBs for prevention and control of air pollution and all other related matters. For the</p>	SPCB	Wind and solar power projects are exempted from Consent to

Sl. No	Specific Regulation/ Policy	Key Requirement(s)	Enforcement Agency	Remarks
	<b>Including Rules 1982 and 1983</b>	prevention and control of air pollution, the State Government, in consultation with the SPCB has the powers to set standards for emissions from automobiles, impose restrictions on use of certain industrial plants and prohibit emissions of air pollutants in excess of the standards laid down by the SPCB. It can also make an application to the court for restraining persons from causing air pollution. In addition, it also has the power of entry and inspection, power to obtain information and power to take samples of air emissions and conduct the appropriate follow up. The CPCB, as well as the SPCBs are eligible for contributions from the Central as well as the State Government, respectively, to perform their functions appropriately. The Act also allows for appropriate penalties and procedures for non-compliance.		Establish and Consent to Operate as per the latest categorization (White) by GOI.
8	<b>Noise Pollution (Regulation and Control) Rules, 2000 and the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010</b>	As per the Noise Pollution (Regulation and Control) Rules 2000, every operating facility is required to take all possible steps to meet the ambient noise level standards prescribed in the Rules. The rules prescribe maximum permissible values of day and night time noise levels for zones A, B, C and D representing industrial, commercial, residential and silence zone respectively.	SPCB	Noise levels to be maintained within the specified limits
9	<b>The Water (Prevention and Control of Pollution), Act, 1974 including Rules, 1975 (as amended up to 1988)</b>	This Act provides for the prevention and control of water pollution and maintaining or restoring good water quality for any establishment. The Act assigns functions and powers to the CPCB and SPCBs for prevention and control of water pollution and all related matters. Subject to the provisions of the Act, the functions and powers of CPCB as well as the SPCBs have been delineated individually and with respect to each other.	SPCB	Wind and solar power projects are exempted from Consent to Establish and Consent to Operate as per the latest categorization (White) by GOI.
10	<b>The Water (Prevention and Control of Pollution), Cess Act, 1977 including</b>	This Act provides for levy and collection of Cess on water consumed and water pollution caused. It also covers specifications on affixing of meters, furnishing of returns, assessment of Cess, interest payable for delay in payment of Cess and penalties for non-payment of Cess within the specified time. Industries consuming	SPCB	Wind and solar power projects are exempted from Consent to Establish and



	<b>Rules 1978 and 1991</b>	water less than 10m <sup>3</sup> /day have been exempted from levy of cess provided they are not generating hazardous wastes.		Consent to Operate as per the latest categorization (White) by GOI.
11	<b>Electricity Act, 2003</b>	<p>The sections of the Electricity Act, 2003 that are relevant for laying (and repairs) of transmission lines for the supply of energy are described as following:</p> <ul style="list-style-type: none"> <li>• Section 67 details the provisions (a) to open and break up the soil and pavement of any street, railway or tramway; (b) to open and break up any sewer, drain or tunnel in or under any street, railway or tramway; (c) to alter the position of any line or works or pipes, other than a main sewer pipe; (d) to lay down and place electric lines, electrical plant and other works; (e) to repair, alter or remove the same; (f) to do all other acts necessary for transmission or supply of electricity.</li> <li>• Section 159 describes that no person shall be engaged in the generation, transmission, distribution, supply or use of electricity, in any way injure any railway, highway, airports, tramway, canal or water-way or any dock, wharf or pier vested in or controlled by a local authority, or obstruct or interfere with the traffic on any railway, airway, tramway, canal or water-way.</li> <li>• Section, 160(1) describes that every person generating, transmitting, distributing, supplying or using electricity (hereinafter in this section referred to as the "operator") shall take all reasonable precautions in constructing, laying down and placing his electric lines, electrical plant and other works and in working his system, so as not injuriously to affect, whether by induction or otherwise, the working of any wire or line used for the purpose of telegraphic, telephone or electric signalling communication, or the currents in such wire or line.</li> <li>• Section 34 describes that every transmission licensee shall comply with such technical standards, of operation and maintenance of transmission lines, in accordance with the Grid Standards, as may be specified by the Authority.</li> <li>• Section 53 (1) describes that the Authority may in consultation with the State Government, specify suitable measures for –(a) protecting the public (including the persons engaged in the generation, transmission or distribution or trading) from dangers arising from the generation, transmission or</li> </ul>	Electrical Inspector	Applicable during operation phase

Sl. No	Specific Regulation/ Policy	Key Requirement(s)	Enforcement Agency	Remarks
		<p>distribution or trading of electricity, or use of electricity supplied or installation, maintenance or use of any electric line or electrical plant; (b) eliminating or reducing the risks of personal injury to any person, or damage to property of any person or interference with use of such property ; (c) prohibiting the supply or transmission of electricity except by means of a system which conforms to the specification as may be specified; (d) giving notice in the specified form to the Appropriate Commission and the Electrical Inspector, of accidents and failures of supplies or transmissions of electricity; (e) keeping by a generating company or licensee the maps, plans and sections relating to supply or transmission of electricity; (f) inspection of maps, plans and sections by any person authorised by it or by Electrical Inspector or by any person on payment of specified fee; (g) specifying action to be taken in relation to any electric line or electrical plant, or any electrical appliance under the control of a consumer for the purpose of eliminating or reducing a risk of personal injury or damage to property or interference with its use;</p> <ul style="list-style-type: none"> <li>Section 165 (1) In section 40, sub-section (1) of clause (b) and section 41, subsection (5) of the Land Acquisition Act, 1894, the term "work" shall be deemed to include electricity supplied or to be supplied by means of the work to be constructed. (2) The Appropriate Government may, on recommendation of the Appropriate Commission in this behalf, if it thinks fit, on the application of any person, not being a company desirous of obtaining any land for its purposes, direct that he may acquire such land under the provisions of the Land Acquisition Act, 1894 in the same manner and on the same conditions as it might be acquired if the person were a company.</li> </ul>		
12	<b>The Petroleum Act, 1934 and the Petroleum Rules</b>	<p>This Act and Rules provide procedures and safety measures to be taken up for handling, storage and transportation of petroleum products. The Rules define the quantity and class of petroleum for which prior permission from the concerned authorities are required. The storage requiring prior licences are as following:</p> <ul style="list-style-type: none"> <li>Petroleum class A (having flash point less than 23°C) not intended for sale of the total quantity in possession does not exceed 30 litres. Petroleum Act, 1934, Section 8);</li> <li>Petroleum class B (having flash point from 23 to 65°C) if the total quantity in possession at any one place does not exceed 2,500 litres and none of it is contained in a receptacle exceeding 1,000 litres; (Petroleum Act, 1934, Section 7);</li> </ul>	Petroleum Explosives Safety Organization (PESO)	Applicable if storage exceeds the threshold quantity specified in the Act and Rules. In general, it is not applicable in Wind/ solar project

		<ul style="list-style-type: none"> <li>Petroleum class C (having flash point above 65 to 93°C) if the total quantity in possession at any one place does not exceed 45,000 litres (Petroleum Act, 1934, Section 7).</li> </ul>		
<b>Land and Labour</b>				
13	<b>Land Acquisition Act 1894 (Amended in 1984) and The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013</b>	<p>The Land Acquisition Act 1894 was passed with the purpose of enabling the procurement of land for the purpose of activities which are in the interests of the country. These include procedures for the acquisition of land, declaration of acquisition intent, hearing of objections and final possession of the land amongst others.</p> <p>In last decade, the LA Act 1894 has been debated over for its archaic characters which do not fit into the current realities. The current reality surrounding the process of land acquisition has changed tremendously and therefore, the need was felt for the passing of a new law. A new Land Acquisition Resettlement and Rehabilitation Bill (LARR) 2011, which was renamed to The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (the LARR Act), was passed by both the houses of Parliament and given the President's assent on 26th September 2013. The new law came into force in January 2014 and is applicable to the project.</p> <p>The new law stipulates mandatory consent of at least 70% of affected people for acquiring land for Public Private Partnership (PPP) projects and 80% for acquiring land for private companies. It also requires that payment of compensation for the owners of the acquired land will be four times the market value in rural areas and twice in urban areas. It also stipulates that the land cannot be vacated until the entire compensation is awarded to the affected parties.</p> <p>The law has the provision that the companies can lease the land instead of purchasing it. Besides, the private companies will have to provide for rehabilitation and resettlement if land acquired through private negotiations is more than 50 acres and 100 acres in urban and rural areas, respectively.</p>	Local Administration - District Collector  Revenue Officer	Applicable if land acquisition is involved as per GOI norm
14	<b>The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition</b>	The act basically vests the forest rights and occupation in forest land in forest dwellers (ST and other traditional forest dwellers) who have been residing in forests for generations but whose rights could not be recorded. The act provides a framework for recognising the forest rights and the nature of evidence required for such recognition and vesting of forest land.	Ministry of Tribal Affairs	Applicable only if land procured/ to be procured is falling

Sl. No	Specific Regulation/ Policy	Key Requirement(s)	Enforcement Agency	Remarks
	<b>of Forest Rights) Act 2006 &amp; rules 2007</b>	<p>Some of the key rights so vested are as follows-</p> <ul style="list-style-type: none"> <li>• Right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling Scheduled Tribe or other traditional forest dwellers;</li> <li>• Community rights such as nistar, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;</li> <li>• Right of ownership, access to collect, use and dispose off minor forest produce which has been traditionally collected within or outside village boundaries;</li> <li>• Other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;</li> <li>• Rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities;</li> <li>• Rights in or over disputed lands under any nomenclature in any State where claims are disputed;</li> <li>• Rights for conversion of Pattas or leases or grants issued by any local authority or any State Government on forest lands to titles;</li> <li>• Rights of settlement and conversion of all forest villages, old habitation, un-surveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;</li> <li>• Right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;</li> <li>• Rights which are recognised under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribal under any traditional or customary law of the concerned tribes of any State;</li> </ul>	Tribal Welfare Department	under designated tribal area
15	<b>The Provision of the Panchayats (Extension to the</b>	The Act provides extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas. Scheduled Areas are defined as per the Clause (1) of Article 244 of the Constitution. The act gives special powers to the	Gram Panchayat	Applicable only if land procured/to be procured

	<b>Scheduled Areas) Act, 1996</b>	<p>Panchayats in case it has been classified as Schedule V area by the constitution. The Panchayats are expected to have special powers given to them through the state Legislatures like:</p> <ul style="list-style-type: none"> <li>• The power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant;</li> <li>• The ownership of minor forest produces;</li> <li>• The power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe;</li> <li>• The power to manage village markets by whatever name called;</li> <li>• The power to exercise control over money lending to the Scheduled Tribes;</li> <li>• The power to exercise control over institutions and functionaries in all social sectors;</li> <li>• The power to control over local plans and resources for such plans including tribal sub-plans;</li> </ul> <p>The administration and management of the Panchayat is similar to the non-schedule areas, but the Panchayat has immense powers in case of Scheduled Area.</p>		is falling under designated tribal area within GOI norms
16	<b>The Indian Telegraph Act, 1885</b>	<p>The Indian Telegraph Act, 1885, empowers the Telegraph authorities to use the land / property for telegraph lines without having any ownership or right in the property even for the land occupied by the telegraph line supports or belts covered by overhead wires and the only obligation of the telegraph authority is to compensate for the actual loss / damage to the owner of the property. The relevant section of the Act is as under:</p> <p>"The telegraph authority may, from time to time, place and maintain a telegraph line under, over, along or across and posts in or upon, any immovable property: Provided that:</p> <ul style="list-style-type: none"> <li>• The telegraph authority shall not exercise the powers conferred by this section except for the purpose of a telegraph established or maintained by the Central Government or to be so established or maintained:</li> <li>• The Central Government shall not acquire any right other than that of user only in the property under over along across in or upon which the telegraph authority places any telegraph line, or post;</li> <li>• Except as hereinafter provided, the telegraph authority shall not exercise those powers in respect of any property vested in or under the control or</li> </ul>	State Electricity Transmission Company	Applicable for power evacuation



Sl. No	Specific Regulation/ Policy	Key Requirement(s)	Enforcement Agency	Remarks
		<p>management of any local authority, without the permission of that authority;</p> <ul style="list-style-type: none"> <li>In the exercise of the powers conferred by this section, the telegraph authority shall do as little damage as possible and when it has exercised those powers in respect of any property other than that referred.</li> <li>(e) Shall pay full compensation to all persons interested for any damages sustained by them by reason of the exercise of those powers."</li> </ul>		
17	<b>The Indian Factories Act, 1948 and State Rules</b>	<p>The Indian Factories Act was promulgated in 1948, to ensure general welfare of the industrial workers. The Act is divided into nine chapters with three chapters exclusively on health and safety (H&amp;S) issues. The Act in its preamble states that "it is the general duty of the occupier (defined in the act as person having the ultimate control over the affairs of the factory) to ensure as far as practicable health, safety and welfare of all workers while they are at work in the factory".</p> <p>A general policy with respect to H&amp;S of the workers at work should be in the form of a written statement and brought to the notice of the workers per the provision of the Act.</p> <p>The Act in its Chapter 4 deals with the provisions relating to Safety. The specific areas of safety are those relating to the usage of machinery, handling of hazardous substances and the latest amendments include safety measures for hazardous processes. For the usage of machinery there are Acts related to the fencing, casing of the machinery. Restriction of young persons and the employment of women and children to work on machines that is dangerous in nature. The Act also has regulations for working near machinery in motion; development of adequate safety measures during installation and various types of operation of the machinery.</p> <p>The Act also explains preventive and protective measures in safety including proper consideration of explosive or inflammable substances so that the workers are not exposed to hazards during operation. Some of the sections deal with various precautions that are required for handling pressure plants, fire, inflammable dust, gas or explosive. The factory occupier is responsible to maintain safety of the buildings and machinery per this legislation. The Act also gives power to States to make relevant rules to supplement the need of safety in the facility.</p> <p>The Act also explains preventive and protective measures in safety including proper consideration of explosive or inflammable substances so that the workers are not exposed to hazards during operation. Some of the sections deal with various</p>	Directorate of Industrial Safety and Health (DISH)	Solar/ Wind Power Plant is applicable with a limited scope.

		<p>precautions that are required for handling pressure plants, fire, inflammable dust, gas or explosive. The factory occupier is responsible to maintain safety of the buildings and machinery per this legislation. The Act also gives power to States to make relevant rules to supplement the need of safety in the facility.</p> <p>The Act also covers provisions for hazardous processes for an occupier to take all practicable measures to ensure prevention of any sorts of explosion due to manufacturing process which are hazardous. There are permissible limits for exposure of chemicals and toxic substances in the workplace. Workers have the right to know about imminent danger and their participation in safety management. The Act also requires medical check-ups of workers with access to workers to look for outcome of the medical reports. An occupier is to develop a safety policy and form safety committees and provide power to the Central Government to appoint inquiry committee if some extraordinary situation had occurred in the factory which is engaged in the hazardous process.</p>		
18	<b>The Bonded Labour (Abolition) Act 1976</b>	<ul style="list-style-type: none"> <li>The Bonded Labour (Abolition) Act 1976: States that all forms of bonded labour stand abolished and every bonded labourer stands freed and discharged from any obligations to render any bonded labour (Ch II, Section 4)</li> </ul>	Ministry of Labour Labour Department	Applicable to both wind and solar powered projects
19	<b>Minimum Wages Act, 1948</b>	<ul style="list-style-type: none"> <li>Minimum Wages Act, 1948 requires the Government to fix minimum rates of wages and reviews this at an interval of not more than 5 years.</li> <li>The minimum wage as prescribed for the industry by the government is required to be paid by the employers to the staff.</li> </ul>	Ministry of Labour Labour Department	Applicable to both wind and solar powered projects
20	<b>Workmen's Compensation Act, 1923</b>	<ul style="list-style-type: none"> <li>Workmen's Compensation Act, 1923 requires if personal injury is caused to a workman by accident arising out of and in the course of his employment, his employer shall be liable to pay compensation in accordance with the provisions of this Act.</li> <li>Applicable to employees with less than or equal to a maximum of basic salary of INR 8000 per month</li> </ul>	Ministry of Labour Labour Department	Applicable to both wind and solar powered projects
21	<b>The Contract Labour (Regulation &amp; Abolition) Act, 1970 and Rules</b>	<ul style="list-style-type: none"> <li>As per the contract labour act, every principle employer is required to get the establishment registered before employing any contract labour.</li> <li>The contractors are also required to provide at minimum amenities like canteen, urinals, restrooms or alternate accommodation (if night halting labour), first aid, safe drinking water, etc. in case of contractor's failure to provide these amenities, the principle employer is liable to provide such amenities at its cost.</li> </ul>	Ministry of Labour Labour Department	Applicable to both wind and solar powered projects

Sl. No	Specific Regulation/ Policy	Key Requirement(s)	Enforcement Agency	Remarks
22	<b>The Child Labour (Prohibition and Regulation) Act, 1986</b>	<ul style="list-style-type: none"> <li>A child is defined as a person who has not completed 14 years of age.</li> <li>The Act prohibits employment of children in certain occupation and processes (part II, Section 3).</li> <li>The Act also specifies conditions of work for children, if permitted to work. These include a working day of maximum of 6 hours a day (including rest), no work period exceeding 3 hours at a stretch and no overtime (Section 7).</li> <li>The Act requires maintenance of a register for employed children (Section 11).</li> </ul>	Ministry of Labour Labour Department	Applicable to both wind and solar powered projects
23	<b>ESI Act, 1948 (Employees State Insurance Act, 1948)</b>	<ul style="list-style-type: none"> <li>The ESI Act provides for certain benefits to employees in case of sickness, maternity and employment injury.</li> <li>These include periodical payments to any insured person in case of his sickness certified by a duly appointed medical practitioner, periodical payments to an insured woman in case of confinement or miscarriage or sickness arising out of pregnancy, confinement, premature birth of child, periodical payments to an insured person suffering from disablement as a result of an employment injury sustained as an employee, or periodical payments to such dependants of an insured person who dies as a result of an employment injury sustained as an employee amongst others.</li> <li>Applicable to employees with less than or equal to a maximum of basic salary of INR 15000 per month</li> </ul>	Ministry of Labour Labour Department	Applicable to both wind and solar powered projects
24	<b>Building and Other Construction Workers Act 1996</b>	<p>The act aims to provide for regulation of employment &amp; conditions of service of the building and other construction workers as also their safety, health and welfare measures in every establishment which employs or employed during the preceding year ten or more workers. The exception made is only in respect of residential houses for own purpose constructed with a cost not exceeding Rs. 10 lakhs (1 million) and such other activities to which the provisions of Factories Act, 1948 and Mines Act, 1952 apply. Some of the other main provisions of the Act are given below:</p> <ul style="list-style-type: none"> <li>Provision for registration of each establishment within a period of sixty days from the commencement of work to ensure that there are no malpractices and to discourage non-compliance of law by circumventing; penalties of fine and imprisonment for violation and contravention of Act.</li> </ul>	Ministry of Labour Labour Department	Applicable to both wind and solar powered projects

		<ul style="list-style-type: none"><li>• Provision for registration of building workers as beneficiaries under this Act.</li><li>• Provision for immediate assistance in case of accidents, old age pension, loans for construction of house, premium for group insurance, financial assistance for education, to meet medical expenses, maternity benefits etc apart from constitution of safety committees (in case of more than 500 workers and appointment of safety officers)</li><li>• Provision for health and safety measures for the construction workers in conformity with ILO convention No.167 concerning safety and health in construction revising the Safety Provisions (Building) Convention, 1937. For this purpose, comprehensive Central Rules i.e. Building and other Construction Workers (Regulation of Service and Conditions of Service) Central Rules, 1998 have been notified by the Central Government.</li><li>• Provision for Penalties of fine and imprisonment for violation and contravention of the Act.</li></ul>		
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## **D.2 International Finance Corporation's Performance Standards on Environmental & Social Sustainability**

International Finance Corporation (IFC) applies the Performance Standards to manage environmental and social risks and impacts and to enhance development opportunities in its private sector financing in its member countries eligible for financing. The Performance Standards may also be applied by other financial institutions choosing to support them in the proposed project.

These performance standards and guidelines provide ways and means to identify impacts and affected stakeholders and lay down processes for management and mitigation of adverse impacts, which in detail are described subsequent Table D.3.



Table D.3 IFC Performance Standards

Performance Standard	Outlines	Details
<b>PS 1:</b> Assessment and Management of Environmental and Social Risks and Impacts	Social and Environmental Assessment and Management Systems for managing social and environmental performance throughout the life cycle of the Project and runs through all subsequent PSs.	<ul style="list-style-type: none"> <li>• A Social and Environmental Assessment to understand the social and environmental impacts and risks;</li> <li>• A Management Program for mitigating the impacts and minimizing the risks identified in the assessment;</li> <li>• Establishing and ensuring organizational capacity and requisite trainings to the staff to implement the Management Programme;</li> <li>• Engagement with the community to ensure free prior informed consultation (FPIC), community grievance redressal constructive relationship all through the project life cycle; and</li> <li>• Adequate monitoring and reporting systems to measure and report the effectiveness of the Management Programs.</li> </ul>
<b>PS 2:</b> Labour and Working Conditions	The economic growth through employment creation and income generation is recognised and balanced protecting the basic rights of workers. This PS outlines the minimum requirements of working conditions, protection to the workforce (including issues of child and forced labour) and ensuring occupational health and safety of both its 'employees' as well as 'non-employees' working through contractors.	<p>The PS requires:</p> <ul style="list-style-type: none"> <li>• Establishment of a sound worker-management relationship;</li> <li>• Encouraging equal opportunity and fair treatment of workers;</li> <li>• Promoting compliance with national labour and employment laws; and</li> <li>• Promoting healthy and safe working conditions for workers.</li> </ul> <p>PS 2 requires project proponents to conduct its activities in a manner consistent with the four core labour standards (child labour, forced labour, non-discrimination and freedom of association and collective bargaining). In addition, PS 2 also addresses other areas such as working conditions and terms of employment, retrenchment and occupational health and safety issues.</p>
<b>PS 3:</b> Resource Efficiency and Pollution Prevention	PS 3 outlines the approach to pollution prevention and abatement in line with internationally disseminated technologies and practices	<p>The objectives of PS 3 are to:</p> <ul style="list-style-type: none"> <li>• Avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from activities;</li> <li>• Promote more sustainable use of resources including energy and water; and</li> <li>• Promote the reduction of emissions that contribute to climate change.</li> </ul>



Performance Standard	Outlines	Details
		PS 3 outlines a project approach to Pollution Prevention and Abatement (PPA) in line with internationally disseminated technologies and practices. It recognises the need to implement technically and financially feasible and cost effective measures in the project for improving efficiency in its consumption of energy, water as well as other resources and material inputs. It also describes the measures to take into account the potential impact of emissions on the ambient conditions (such as ambient air quality) and seek to avoid or minimise these impacts within the context of the nature and significance of pollutants emitted.
<b>PS 4:</b> Community Health, Safety & Security	PS 4 requires a project to evaluate risks and impacts to the health and safety of the affected community during the Project life cycle and establish measures to avoid minimize and reduce risks and impacts from the Project.	<p>PS 4 recognises that project activities, equipment and infrastructure often bring benefits to communities including employment, services and opportunities for economic development. However, projects can also increase the potential for community exposure to risks and impacts arising from equipment accidents, structural failures and releases of hazardous materials.</p> <p>The performance standard details out project proponents responsibility to avoid or minimise the possible risks and impacts to community health, safety and security that may arise from project activities.</p>
<b>PS 5:</b> Land Acquisition and Involuntary Resettlement	<p>This PS applies to physical or economic displacement resulting from the following types of land transactions:</p> <p>Type I: Land rights for a private sector project acquired through expropriation or other compulsory procedures;</p> <p>Type II: Land rights for a private sector project acquired through negotiated settlements with property owners or those with legal rights to land, including customary or traditional rights recognised or recognisable under the laws of the country, if expropriation or other compulsory process would have resulted upon the failure of negotiation; and</p>	<p>The objectives of this PS are to:</p> <ul style="list-style-type: none"> <li>• Avoid or at least minimize the involuntary resettlement wherever feasible by exploring alternative project designs;</li> <li>• Mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of land by:</li> <li>• Providing compensation for loss of assets at replacement cost; and</li> <li>• Ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation and the informed participation of those affected.</li> <li>• Improve or at least restore the livelihoods and standards of living of displaced persons; and</li> <li>• Improve living conditions among displaced persons through provision of adequate housing with security of tenure at resettlement sites.</li> </ul> <p>PS 5 require a project to consider various processes and systems to avoid /minimise social and economic impacts related to land acquisition and resettlement.</p>

		This PS does not apply to resettlement resulting from voluntary land transactions (i.e. market transactions in which the seller is not obliged to sell and the buyer cannot resort to expropriation or other compulsory procedures if negotiations fail).
<b>PS 6:</b> Biodiversity Conservation and Sustainable Management of Natural Living Resources	PS 6 aims at protecting and conserving biodiversity, the variety of life in all its forms, including genetic, species and ecosystem diversity and its ability to change and evolve, is fundamental to sustainable development	<p>This PS addresses how clients can avoid or mitigate threats to biodiversity arising from their operations as well as incorporate sustainable management of renewable natural resources.</p> <p>PS 6 recognises that protecting and conserving biodiversity—the variety of life in all its forms, including genetic, species and ecosystem diversity—and its ability to change and evolve, is fundamental to sustainable development. It reflects the objectives of the Convention on Biological Diversity to conserve biological diversity and promote use of renewable natural resources in a sustainable manner.</p>
<b>PS 7:</b> Indigenous Peoples	PS 7 acknowledges the possibility of vulnerability of indigenous people owing to their culture, beliefs, institutions and living standards and that it may further get compromised by one or other project activity throughout the life cycle of the project.	<p>The PS underlines the requirement of avoiding / minimizing adverse impacts on indigenous people in a project area, respecting the local culture and customs, fostering good relationship and ensuring that development benefits are provided to improve their standard of living and livelihoods.</p> <p>PS 7 recognises that Indigenous Peoples, as social groups with identities that are distinct from dominant groups in national societies, are often among the most marginalised and vulnerable segments of the population.</p> <p>Objectives of PS 7 underscore the need to avoid adverse project impacts on Indigenous Peoples' communities living in the project's area of influence, or where avoidance is not feasible, to minimise, mitigate or compensate for such impacts through mechanisms that are tailored to their specific cultural characteristics and expressed needs of the Indigenous Peoples, in a manner commensurate with the scale of project risks and impacts.</p>
<b>PS 8:</b> Cultural Heritage	PS 8 aims to protect the irreplaceable cultural heritage and to guide clients on protecting cultural heritage in the course of their business operations. In addition, the requirements of this PS on a project's use of cultural heritage are based in part on standards set by the Convention on Biological Diversity.	<p>PS 8 recognises the importance of cultural heritage with an objective to:</p> <ul style="list-style-type: none"> <li>• Protect cultural heritage from the adverse impacts of project activities;</li> <li>• Support its preservation; and</li> <li>• Promote the equitable sharing of benefits from the use of cultural heritage in business activities.</li> </ul>



**Table D.4 Summary of Key Requirements under IFC Performance Standards and Actions for MEIPL Operations**

IFC Policy and Performance Standards Requirements	Actions for MEIPL
<b>Screening and Categorization</b>	
As part of review of a project's expected social and environmental impacts, IFC uses a system of social and environmental categorization. These categories are A, B and C.	The ESMS has a screening and categorisation of projects and provides Environmental and Social Screening Checklist in <b>Annexure E</b>
The IFC Exclusion List defines the types of projects that IFC does not finance (Refer <a href="http://www.ifc.org/ifcext/sustainability.nsf/Content/IFCExclusionList">http://www.ifc.org/ifcext/sustainability.nsf/Content/IFCExclusionList</a> )	The ESMS includes a process of verifying that MEIPL does not invest in projects/sectors that are in the IFC exclusion list. Refer <b>Annexure D</b> for exclusion list.
<b>PS-1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL AND RISKS</b>	
<b>Social and Environmental Management System</b>	
Establish and maintain a Social and Environmental Management System appropriate to the nature and scale of the project and commensurate with the level of risks and impacts	This ESMS has an QSHE, HR & CSR Policies and Environmental and Social Management System (ESMS) in line with IFC PS 1 requirements.
<b>Social and Environmental Assessment</b>	
Conduct a process of Social and Environmental Assessment that will consider all risks and impacts of the project.	The ESMS includes clear guidelines of conducting ESIA's at an appropriate stage of the project and for various categories of the project (Refer Section 7). The document also provides various checklists and tools provided in <b>Annexures J1</b> and <b>L</b> for this purpose.
Risks and impacts will be analysed in the context of the project's area of influence.	The project area of influence has been defined for the purposes of screening and categorization and subsequently in ESIA Terms of Reference ( <b>Annexure J1</b> ).
Risks and impacts will also be analysed for the key stages of the project cycle, including preconstruction, construction, operations and decommissioning or closure.	The scope of the ESIA covers the entire life cycle including decommissioning of the project. Other than this <b>Annexure P</b> includes the Audit tool to manage the risks and impacts for both construction and operation phases of the project.

<p>The Assessment will be an adequate, accurate and objective evaluation and presentation of the issues, prepared by qualified and experienced persons. In projects with significant adverse impacts or where technically complex issues are involved, clients may be required to retain external experts to assist in the Assessment process.</p>	<p>The ESMS suggests the use of independent external experts and competent internal EHS team and other appropriate resources to assist in the Assessment process based on the categorisation and complexity of the projects. Refer Section 7 for more details,</p>
<p>Depending on the type of project and the nature and magnitude of its risks and impacts, the Assessment may comprise a full-scale social and environmental impact assessment, a limited or focused environmental or social assessment, or straightforward application of environmental siting, pollution standards, design criteria, or construction standards</p> <p>Narrower scopes of Assessments may be conducted for projects with limited impacts that are few in number, generally site-specific, largely reversible and readily addressed through mitigation measures.</p>	<p>The ESMS has provided appropriate options for the conducting Environmental and Social Assessments commensurate with the internal categorisation of projects and assessment of risks in the internal pre-project review process.</p> <p>The ESMS provided for a verification and approval of the categorisation of the project from the ESMS Committee and the Investors that will determine the scope of the ESIA/other environmental and social studies.</p>
<p>Projects with minimal or no adverse impacts will not be subject to further assessment beyond their identification as such.</p>	<p>For projects with minimal or no adverse impacts, the ESMS provides simpler procedures for implementation and compliance to ensure they meet regulatory requirements and IFC PS and EHS guidelines through their life cycle.</p>
<p style="text-align: center;"><b>Management Program</b></p>	
<p>Based on the findings of the Social and Environmental Assessment and the result of consultation with affected communities, the client will establish and manage a program of mitigation and performance improvement measures and actions that address the identified social and environmental risks and impacts.</p>	<p>Generic and specific program of mitigation and performance improvement measures have been included commensurate with the level of impacts and risks.</p>
<p>The program will define desired outcomes as measurable events to the extent possible, with elements such as performance indicators, targets, or acceptance criteria that can be tracked over defined time periods.</p>	<p>The ESMS provides a monitoring and reporting framework and indicated performance indicators. It is expected that these will be detailed in project specific management systems.</p>
<p style="text-align: center;"><b>Organizational Capacity</b></p>	
<p>Establish an organizational structure to implement the management program. Sufficient management sponsorship and human and financial resources will be provided.</p>	<p>ESMS has proposed organizational structure both at Corporate and Project level to implement the management program defining the roles and responsibilities.</p>

IFC Policy and Performance Standards Requirements	Actions for MEIPL
Training	
Train employees and contractors with direct responsibility for activities relevant to the project's social and environmental performance	ESMS includes the training schedule to build capacity of employees and contractors in a sustained manner. Refer <b>Annexure N</b> .
Community Engagement	
Community engagement is an on-going process involving the client's disclosure of information. The nature and frequency of community engagement will reflect the project's risks and adverse impacts on the affected communities.	Stakeholder Engagement Framework (SEF) ( <b>Annexure H</b> ) has been prepared as part of the ESMS which defines the engagement process, tools and methods to ensure effective consultations.
Disclosure	
Disclosure of relevant project information and SEA documents helps affected communities understand the risks, impacts and opportunities of the project. Provide impacts communities with access to information on the purpose, nature and scale of the project, the duration of proposed project activities and any risks to and potential impacts on such communities.	The SEF also talks about the disclosure mechanism to the affected communities. Additionally, MEIPL's policies reflect commitment of disclosure of information to public. Refer <b>Annexure C</b> and CSR strategy.
Consultation	
Undertake a process of consultation with affected communities. The consultation process will be inclusive and culturally appropriate. For projects with significant adverse impacts on affected communities, the consultation process will ensure their free, prior and informed consultation and facilitate their informed participation.	SEF includes the methodology to ensure free, prior and informed consultations.
Grievance Mechanism	
Establish a grievance mechanism to receive and facilitate resolution of the affected communities' concerns and grievances. The grievance mechanism should be scaled to the risks and adverse impacts of the project.	Grievance Redressal Framework (GRF) has been developed as part of the ESMS for entire lifecycle of the project which meets IFC requirements. The GRF has established procedures to manage both internal and external grievances.

Monitoring	
As an element of its Management System, establish procedures to monitor and measure the effectiveness of the management program. Use dynamic mechanisms, such as inspections and audits. Retain qualified and experienced external experts, if the scale of impact is high. The extent of monitoring should be commensurate with the project's risks and impacts. Implement corrective actions based on monitoring feedback.	The ESMS provides a monitoring framework and has developed tools for the audits and inspection purpose to measure effectiveness of the management systems. It is expected that these will be detailed in project specific management systems.
Reporting	
<p>Internal Reporting - Senior management to receive periodic assessments of the effectiveness of the management program. The scope and frequency of such reporting will depend upon the nature and scope of the activities.</p> <p>External Reporting on Action Plans - Disclose the Action Plan and its periodic monitoring reports that describe progress on issues that involve ongoing risk to or impacts on affected communities and on issues that the consultation process or grievance mechanism has identified as of concern to those communities. The frequency of these reports will be proportionate to the concerns of affected communities but not less than annually.</p>	ESMS provides internal and external reporting and communication mechanism. MEIPL has also developed formats for reporting at asset level, which will be reflected in the Annual Environmental and Social Performance Report which would be submitted to Investors on annual basis. AESPR Report format has been proposed in <b>Annexure O</b> .
PS-2: LABOUR AND WORKING CONDITIONS	
Human Resource Policy	
The project proponent and contractor shall have a Human Resources policy which sets out its approach to manage employees consistent with the requirement of this PS.	HRGA policy prepared as part of the ESMS includes IFC PS 2 requirements. Refer Annexure C2 for the policy document.
Working Relationships	
The client will document and communicate to all employees and workers directly contracted their working conditions and terms of employment, including entitlement to wages and benefits.	The working conditions are enumerated in the Human Resources Management Services (HRMS) manual.



IFC Policy and Performance Standards Requirements	Actions for MEIPL
<b>Working Conditions and Terms of Employment</b>	
<p>The Project proponent shall incorporate provisions for collective bargaining agreement on working conditions and terms of employment (wages, benefits, hours of work, overtime arrangements and compensation etc.) where such agreements are respected. At the minimum comply with the national law. Where law recognizes worker's rights to form and join worker organizations of their choice without interference and collectively bargain, the client will comply with the national law.</p>	<p><b>The HR policies included in the ESMS meets the PS2 requirements.</b></p>
<b>Non-discrimination and Equal Opportunity</b>	
<p>Employment decisions will not be made on the basis of personal characteristics unrelated to job requirements. Job opportunities will be provided on the principles of equal opportunity and fair treatment.</p>	<p>Same as above.</p>
<b>Retrenchment</b>	
<p>A plan to mitigate the adverse impacts of retrenchment on employees to be in place, (if required).</p>	<p>No retrenchment plan has been prepared as part of the ESMS.</p>
<b>Grievance Mechanism</b>	
<p>Grievance mechanism for workers where they can raise reasonable workplace concerns.</p>	<p>Grievance Redressal Framework (GRF) is included in the ESMS for entire lifecycle of the project which meets IFC requirements.</p>
<b>Child Labour and Forced Labour</b>	
<p>The client will not employ children in a manner that is economically exploitative or is likely to be hazardous or to interfere with the child's education, or be harmful to the child's development. The client will not employ forced labour, which consists of any work or service not voluntarily performed and that is extracted for an individual under threat of force or penalty.</p>	<p>ESMS as part of the HR policies includes specific commitments which forbid forced labour and child labour. Additionally, it is part of the exclusion list mentioned in <b>Annexure D</b>.</p>

Occupational Health & Safety	
The project proponent should emphasize on Occupational H&S through training, documentation, reporting. The IFC EHS guidelines shall be considered as the guideline for EHS.	ESMS includes audit formats to regulate EHS performance during construction and operation. Additional formats have been developed for accident reporting and training and project specific onsite emergency plan would be prepared. The H&S performance would be also evaluated for shortlisting the contractors. Refer <b>Annexure K</b> .
Non-Employee Workers	
For all non-employee workers directly contracted, i.e. the daily-rated workers, or related to the core functions of production, the requirements of PS 2 with the exception of applicability of the HR policy, the retrenchment policy will be applicable. PS 2 requires the client to ascertain that contractors are legitimate enterprises and comply to PS 2.	ESMS tools include criteria for vendor and contractor evaluation which includes compliance to regulations and PS2
Supply Chain	
Impacts associated with supply chains will be considered where low labour cost is a factor in competitiveness of the item supplied.	MEIPL will demand self-certificates and voluntary disclosures from suppliers about the compliance to child-labor and forced labor issues which are subject to Third party verification and certification.
PS-3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION	
Pollution Prevention and Control Technologies and Techniques	
During the design, construction, operation and decommissioning of the project (project life cycle), the client is to consider ambient conditions and apply pollution prevention and control technologies and techniques. To avoid release of pollutants or when avoidance is not feasible minimize or control the intensity or load of the release.	Solar and wind power projects are essentially green and renewable sources of energy and limited E&S impacts are expected. The anticipated impacts and mitigation measures have been included in Section 7 of this ESMS and <b>Annexure L</b> . Additionally, the sample ToR prepared for the ESIA study includes baseline data collection.
Resource Conservation	
In addition, the client is to examine and incorporate in its operations resource conservation and energy efficiency measures consistent with the principles of cleaner production.	Wind and Solar Power projects are sources of clean energy production and additionally at the project level water conservation measures will be adopted. Refer <b>Annexure L</b> .

IFC Policy and Performance Standards Requirements	Actions for MEIPL
<b>Waste Generation</b>	
Avoid and minimize generation of hazardous and non-hazardous waste materials as far as practicable. Recover and reuse wastes, where feasible or else treat, destroy and dispose off in an environmentally sound manner. Waste disposal by third parties must be through reputable and legitimate enterprises licensed by the relevant regulatory agencies.	Key risks and impacts have been identified in Section 7 which includes waste management too and mitigation measures have been included.
<b>Hazardous Materials</b>	
Not to manufacture, trade or use chemicals and hazardous materials subject to international bans or phase-outs and must consider less hazardous substitutes to such chemicals and materials.	MEIPL exclusion list includes materials which have been banned internationally. ESMS impact assessment and audit tools have verification process to ensure it is not considered.
<b>Emergency Response</b>	
Be prepared to respond to process upset, accidental and emergency situations in a manner appropriate to the operational risks and the need to prevent their potential negative consequences. This preparation will include a plan that addresses the training, resources, responsibilities, communication, procedures and other aspects. Refer to current version of the EHS guidelines when evaluating and selecting pollution prevention and control techniques.	On site emergency plan would be site specific and would be prepared as part of impact assessment process.
<b>Technical Guidance</b>	
Refer to the current version of the EHS Guidelines when evaluating and selecting pollution prevention and control techniques. When host country regulations differ from the levels and measures presented in the EHS Guidelines, clients will achieve whichever is more stringent.	ESMS as part of generic management plan ( <b>Annexure L</b> ) has included measures to control pollution and which will be followed at the minimum and would be made project specific based on the impact assessment studies.
<b>Ambient Considerations</b>	
Address adverse project impacts on existing ambient conditions such as finite assimilative capacity of the environment, existing and future land use, existing ambient conditions, the project's proximity to ecologically sensitive or protected areas and the potential cumulative impacts, already degraded area. Based on this, evaluate strategies including project location alternatives and emissions offsets.	ESMS has included as part of project screening process and categorization process- proximity to the sensitive areas as one of the key criteria to categorize and select the project.

GHG Emissions	
To promote reduction of project-related GHG emissions in a manner appropriate to the nature and scale of project operations and impacts.	MEIPL is keen for GHS reduction initiative by putting renewable energy plant. Company is considered instituting systems and procedures for earning carbon-credit under Clean Development Mechanism (CDM) or other provisions as per the suitability and market condition
Integrated Pest/ Vector Management (IIPM)	
Formulate and implement an integrated pest management (IIPM) and or integrated vector management (IVM) approach to pest management.	Not being used by MEIPL in its current operations.
PS-4: COMMUNITY HEALTH SAFETY & SECURITY (CHS&S)	
Risk Evaluation and Disclosure	
Avoiding or minimizing risks to and impacts on health and safety of the local community by evaluating risks and potential impact. Action plans to be disclosed to enable affected communities and concerned government agencies to enable them to understand the risks and engage them on an ongoing basis. Safeguarding of personnel and property through adequate safety measures, adopt specific measures to prevent the occurrence of incidents and accidents associated with operation of such machines / equipment. Taking adequate measures for hazardous materials safety.	As part of pre-project review process and ESIA process, ESMS includes EHS&S Assessment and Management too.
Contamination of Natural resources	
Avoiding and minimizing adverse impacts of the project on soil, water and other natural resources in use by the affected community. Avoid exacerbation of impacts caused by natural hazards if any, through project activities.	ESMS includes mitigation measures to avoid contamination of natural resources as part of Section 7 of this document and generic ESMP for solar and wind operations.
Hygiene and Health	
Prevention or minimizing potential for exposure to water borne, water based risks, water related, vector borne diseases and other communicable diseases that could result from the project activities.	Both Solar and Wind operations require minimal quantities of water for meeting domestic needs and small quantity for washing of solar panels. Additionally, audit tools and regular inspections included in the ESMS will regulate prevention of water borne risks.



IFC Policy and Performance Standards Requirements	Actions for MEIPL
<b>Emergency Response</b>	
Informing affected community about potential risks and impacts from the project activities in a culturally appropriate manner, including collaborating with the community and government agencies in their efforts to respond effectively to emergency situation.	ESMS includes community engagement and consultations tools which would include informing affected community (if any) about potential risks and impacts from the project activities.
<b>Security Personnel Requirements</b>	
Client to assess risks to those within and outside the project site from the security arrangements provided. Client shall provide training on rules of conduct, handling of security equipment to all the security personnel. Ensure that any unlawful or abusive acts by the security are investigated appropriately.	Included in the ESMS in EHS Audit tool.
<b>Grievance Redressal Mechanism</b>	
A grievance mechanism should allow the affected community to express concerns about the security arrangements and acts of security personnel. Investigate any credible allegations of unlawful or abusive acts of security personnel, take action and report unlawful and abusive acts to public authorities when appropriate.	Included as part of Grievance Redressal Framework. MEIPL will ensure as per the scope with its turnkey contractor / deputed personnel.
<b>PS-5: LAND ACQUISITION AND INVOLUNTARY RESETTLEMENT</b>	
<b>Project Alternatives</b>	
The project will consider feasible alternative project designs to avoid or at least minimize physical or economic displacement, while balancing environmental, social and financial costs and benefits.	Integrated in the ESMS through screening checklists and through categorization process.
<b>Compensation and benefits for Displaced persons</b>	
Client to provide unavoidable displaced PAPs with compensation for loss of assets at full replacement cost to help them restore their standards of living or livelihoods; Where livelihood is land-based or collectively owned, the client will offer land-based compensation where feasible. The client will provide	MEIPL to the extent feasible shall procure government and revenue land or will procure land on willing buyer-willing seller basis. Land will be procured in line with the land procedure. Refer <b>Annexure F</b> for details.

opportunities to PAPs to derive appropriate development benefits from the project.	
<b>Grievance Mechanism</b>	
Client to establish grievance mechanism consistent with PS 1 to address concerns raised by PAPs.	Included as part of Grievance Redressal Framework. Refer <b>Annexure I</b>
<b>Resettlement Planning and Implementation</b>	
Client shall carry out a census survey for socio-economic baseline data. For Type I and Type II transactions with physical displacement, client to develop an RAP on the basis of a social assessment to mitigate adverse impacts of displacement. Client to document all the land rights transactions and closely monitor the resettlement as well as address issues through corrective actions. A resettlement is complete only when all adverse impacts have been mitigated as per IFC PS. For Type II transactions involving economic displacement, the client will offer PAPs compensation and other assistance to meet PS.	Included in the ESMS as part of Resettlement Action Framework (Annexure G). However, MEIPL is strategically dealt by adopting Willing buyer-willing seller concept.
<b>Compensation and Replacement Value</b>	
For PAPs defined as (i) PAPs with formal and legal rights to land they occupy and (ii) PAPs with no formal rights but a nationally recognizable claim; client to offer resettlement property of equal or higher value and compensation of replacement value. If communities of indigenous people are to be physically displaced, client to meet requirements of PS 7. If the project causes loss of income or livelihood, regardless of whether or not the affected people are physically displaced, the client will need to provide compensation for or entitlements for those with recognizable rights, claims as well as those without legal rights.	Same as above.
<b>PS-6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES</b>	
<b>Assessment of impacts on all levels of biodiversity</b>	
Assess significance of project impacts on all levels of biodiversity as an integral part of social and environmental assessment process. Habitat destruction considers all kinds of habitats- including natural habitat, modified habitat and critical habitats. If located within legally protected areas, to act in a manner consistent with the protected area management plan, consult stakeholder	Included as part of pre-project review, categorization and ESIA process, the assessment of project impacts on all levels of biodiversity and site-specific regulatory implications.

IFC Policy and Performance Standards Requirements	Actions for MEIPL
<p>on the proposed project and implement additional programme to promote and enhance conservation aims. Do not intentionally introduce any new invasive alien species.</p>	<p>Based on the internal categorisation of projects and categorization specialized studies would be conducted.</p>
<b>Sustainable Measures</b>	
<b>PS-7: INDIGENOUS PEOPLES</b>	
<b>Impact and Compensation</b>	
<p>Avoid impacts on indigenous communities, to the extent feasible and where not, mitigate or compensate in a culturally appropriate manner.</p>	<p>Included in the ESMS as part of project screening and ESIA scope the various direct and indirect impacts on indigenous communities and their resources including cultural resources, considering the host country statute.</p>
<b>Engagement Process</b>	
<p>Develop an ongoing relationship with such communities through the life of the project, involving their representatives (e.g. council of elders) and inclusive of women and men and allowing them time for collective decision making.</p>	<p>Project-specific Indigenous Community Engagement Plan following FPIC approach will be prepared for category A projects based on the applicability and host country statute.</p>
<b>Development Benefits</b>	
<p>The client will seek to identify, through the process of free, prior and informed consultation with and the informed participation of the affected communities of Indigenous Peoples, opportunities for culturally appropriate development benefits.</p>	<p>Same as above.</p>
<b>Special Requirements and Protection</b>	
<p>Retain qualified and experienced experts depending upon level of impacts. Address impacts on Traditional or Customary Lands under Use and Relocation of Indigenous Peoples from Traditional or Customary Lands. Protect cultural heritage of indigenous people.</p>	<p>Experts would be engaged based on categorization of projects,</p>
<b>PS-8: CULTURAL HERITAGE</b>	

Protection of Cultural Heritage in Project Design and Execution	
Both tangible forms of cultural heritage as well as intangible forms of culture, such as cultural knowledge, innovations and practices are included. Avoid removing cultural heritage unless there are no alternatives and benefits outweigh costs. Comply with national laws as well as host country obligations under International conventions/laws.	As part of project screening and categorization process, includes analysis of cultural heritage issues and risks associated with it.
Chance Find	
Implement chance find procedures wherever necessary.	Same as above.
Consultation	
Where a project may affect cultural heritage, the client will consult with affected communities within the host country. Consultation will also involve the relevant national or local regulatory agencies that are entrusted with the protection of cultural heritage.	The ESMS includes it as part of stakeholder consultations, includes consultations regarding cultural heritage with affected communities and relevant national or local regulatory agencies responsible for protection of cultural heritage.



## D.5 The World Bank Group General EHS Guidelines

The World Bank Group General Environmental, Health and Safety (EHS) Guidelines 2007 are technical reference documents with general and industry-specific examples of Good International Industry Practice (GIIP). When one or more members of the World Bank Group are involved in a project, these EHS Guidelines are applied as required by their respective policies and standards. These General EHS Guidelines are designed to be used together with the relevant Industry Sector EHS Guidelines which provide guidance to users on EHS issues in specific industry sectors.

The EHS Guidelines contain the performance levels and measures that are generally considered to be achievable in new facilities by existing technology at reasonable costs. Application of the EHS Guidelines to existing facilities may involve the establishment of site-specific targets, with an appropriate timetable for achieving them. The applicability of the EHS Guidelines should be tailored to the hazards and risks established for each project on the basis of the results of an environmental assessment in which site-specific variables, such as host country context, assimilative capacity of the environment and other project factors, are taken into account.

### D.5.1 Sector specific EHS Guidelines for Wind Energy Projects, Electric Power Transmission and Distribution;

#### EHS Guidelines for Wind Energy Projects

The EHS Guidelines for wind energy projects include information relevant to environmental, health and safety aspects of onshore and offshore wind energy facilities. The guidelines have been structured into four sections including:

- **Section 1.0** - Industry-Specific Impacts and Management: this section of the document discusses the EHS issues associated with wind energy facilities, along with recommendations

for their management;

- **Section 2.0:** Performance Indicators and Monitoring;
- **Section 3.0:** References; and
- **Annex A:** General Description of Industry Activities.

### D.5.2 Typical issues arising from wind projects include:

- **Environmental issues:** the environmental issues include:
  - Visual impacts;
  - Noise;
  - Species mortality or injury and disturbance;
  - Light and illumination issues;
  - Habitat alteration;
  - Water quality.
- **Occupational health and safety hazards:** the typical occupational health and safety risks associated with wind farm projects include working at height and working over water.
- **Community health and safety hazards:** the community health and safety related risks relevant to wind power industry includes:
  - Aircraft and marine navigation safety;
  - Blade and ice throw;
  - Electromagnetic interference and radiation;
  - Aviation Radar;
  - Telecommunication Systems;
  - Television;
  - Public access.

### D.5.3 EHS Guidelines for Electric Power Transmission and Distribution

The EHS Guidelines for Electric Power Transmission and Distribution include information relevant to power transmission between a generation facility and a substation located within an electricity grid, in addition to power distribution from a substation to consumers located in residential, commercial and industrial areas. The guidelines have been structured into four sections including:

- **Section 1.0** - Industry-Specific Impacts and Management: this section of the document discusses the EHS issues associated with wind energy facilities, along with recommendations for their management;
- **Section 2.0:** Performance Indicators and Monitoring;
- **Section 3.0:** References and additional sources; and
- **Annexure A:** General Description of Industry Activities.

Typical issues associated with Electric Power Transmission and Distribution includes:

- **Environmental issues:** the environmental issues include:
  - Terrestrial habitat alteration;
  - Aquatic habitat alteration;
  - Electric and magnetic fields;
  - Hazardous materials; and
  - Visual impacts.
- **Occupational health and safety hazards:** the typical occupational health and safety risks associated with transmission and distribution projects includes:
  - Live power lines;
  - Working at height;
  - Electric and magnetic fields; and
  - Exposure to chemicals.

- **Community health and safety hazards:** the community health and safety related risks relevant to transmission and distribution projects includes:
  - Electrocution;
  - Electromagnetic interference;
  - Visual amenity;
  - Noise and Ozone; and
  - Aircraft Navigation Safety Aircraft and marine navigation safety.

### D.6 ADB's Safeguard Policy Statement, 2009

In July 2009, ADB's Board of Directors approved the new Safeguard Policy Statement (SPS) governing the environmental and social safeguards of ADB's operations. The SPS builds upon ADB's previous safeguard policies on the Environment, Involuntary Resettlement and Indigenous Peoples and brings them into one consolidated policy framework with enhanced consistency and coherence and more comprehensively addresses environmental and social impacts and risks. The SPS also provides a platform for participation by affected people and other stakeholders in the project design and implementation.

The SPS applies to all ADB-financed and/or ADB-administered projects and their components, regardless of the source of financing, including investment projects funded by a loan; and/or a grant; and/or other means, such as equity and/or guarantees. ADB works with borrowers and clients to put into practice the requirements of SPS.

The SPS supersedes ADB's Involuntary Resettlement Policy (1995), Policy on Indigenous Peoples (1998) and Environment Policy (2002). In accordance with the SPS, these previous policies apply to all projects and tranches of multi-tranche financing facility projects that were reviewed by ADB's management before 20 January 2010.

The objectives of ADB's safeguards are to:

- Avoid adverse impacts of projects on the environment and affected people, where possible

- Minimize, mitigate and/or compensate for adverse project impacts on the environment and affected people when avoidance is not possible
- Assist borrowers and clients to strengthen their safeguard systems and develop the capacity to manage environmental and social risks

ADB's SPS sets out the policy objectives, scope and triggers and principles for three key safeguard areas:

- Environmental safeguards
- Involuntary Resettlement safeguards
- Indigenous Peoples safeguards

To help borrowers and clients and their projects achieve the desired outcomes, ADB adopts a set of specific safeguard requirements that borrowers and clients are required to meet in addressing environmental and social impacts and risks. These safeguard requirements are as follows:

- **Safeguard Requirements 1:** Environment (Appendix 1 of SPS)
- **Safeguard Requirements 2:** Involuntary Resettlement (Appendix 2 of SPS)
- **Safeguard Requirements 3:** Indigenous Peoples (Appendix 3 of SPS)
- **Safeguard Requirements 4:** Special Requirements for Different Finance Modalities (Appendix 4 of SPS)

In addition, ADB does not finance activities on the prohibited investment activities list (Appendix 5 of SPS). Furthermore, ADB does not finance projects that do not comply with its safeguard policy statement, nor does it finance projects that do not comply with the host country's social and environmental laws and regulations, including those laws implementing host country obligations under international law.

For the current assessment, only Safeguard Requirement 1 for Environment is applicable.

## D.7 Other ADB Social Policies

### D.7.1 Public Communications Policy (2011)

1. ADB's Public Communications Policy (2011) sets out disclosure requirements for various ADB activities, including safeguard requirement. Safeguard Requirements
2. Involuntary Resettlement (Appendix 2 of SPS); and Safeguard Requirements
3. Indigenous Peoples (Appendix 3 of SPS) sets out the need for meaningful consultation and information disclosure during project preparation and operation to the affected population and other key stakeholders. Key requirements include:
  - **Information Disclosure:** The borrower/client will submit the following documents to ADB for disclosure on ADB's website as per the applicability with respect to the Project:
    - Draft EIA including draft EMP
    - Final EIA/IEE
    - Updated EIA/IEE and corrective action plan
    - Environmental Monitoring Reports
    - Resettlement Plan (RP)
    - Indigenous Peoples Plan (IPP).
  - **Information disclosure to affected people or stakeholders:** The borrower/client will provide relevant environmental information in a timely manner, in an accessible place and in a form and language(s) understandable to affected people and other stakeholders. For uneducated people, other suitable communication methods will be used.
  - **Consultation and Participation:** The borrower/client will carry out meaningful consultation with affected people and other concerned stakeholders, including civil society and facilitate their informed participation.

- **Timing and Frequency for consultation and participation:** Meaningful consultation begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle.

## D.7.2 Social Protection Strategy 2001

- Social protection is a key step in ADB's battle to have Asia and the Pacific region "free of poverty." The Social Protection Strategy (SPS) spells out the scope of social protection and commitment of the ADB to develop priority interventions in five major elements including:
- Labour market policies and programs designed to generate employment, improve working conditions and promote the efficient operations
- Social insurance programs to cushion the risks associated with unemployment, ill health, disability, work-related injury and old age
- Social assistance and welfare service programs for the vulnerable groups with inadequate means of support, including single mothers, the homeless, or physically or mentally challenged people
- Micro and area-based schemes to address vulnerability at the community level, including micro insurance, agricultural insurance, social funds and programs to manage natural disasters
- Child protection to ensure the healthy and productive development of children.

## D.7.3 Operations Manual (OM) C3 Sector and Thematic Policies on Incorporation of Social Dimensions 2011

All ADB operations have social dimensions that need to be taken into account from the country strategy formulation, programming and project processing phases onward. The key social dimensions,

supported by specific ADB policies or strategies, include:

- Participation
- Gender and development
- Social safeguards
- Management of social risks, especially among vulnerable groups.

As per the policy, ADB operations incorporate social dimensions to ensure the following social development outcomes, especially for the poor, vulnerable and excluded groups:

- Policies and institutions that recognize and promote greater inclusiveness and equity in access to services, resources and opportunities
- Greater empowerment to participate in social, economic and political life
- Greater sense of security and ability to manage risks.

In pursuing these social development outcomes, ADB:

- Encourages consultation with and participation by stakeholders (including the government, executing and implementing agencies, clients and/or beneficiaries, people affected by ADB-supported projects); provides them with opportunities to engage in key stages of the country strategy formulation, programming and project cycles; and actively seeks, where appropriate, the cooperation of nongovernment organizations and other civil society groups in formulating, designing, implementing, monitoring and evaluating projects;
- Addresses gender considerations in relevant aspects of ADB operations, including macroeconomic, sector strategy, country strategy formulation and programming work and in key stages of the project cycle; and proposes strategies to promote social inclusion and gender equality and to empower women;
- Integrates social analysis in preparing country partnership strategies and regional strategies and programs; identifies potential social issues during project preparation to



ensure that the project design maximizes social benefits and avoids or minimizes social risks, particularly for vulnerable and marginalized groups; and

- Ensures that project design and implementation arrangements include actions to enhance benefits and to monitor and evaluate the distribution of the benefits of the project, with performance targets and indicators for monitoring and evaluating benefits included in the design and monitoring framework of the project performance management system.

- Conventions 29 and 105 ban forced labour and slavery
- Conventions 87 and 98 require countries to allow freedom of association and collective bargaining
- Conventions 100 and 111 ban workplace discrimination
- Conventions 138 and 182 set a minimum working age of 15 and ban the worst forms of child labour (e.g., bonded labour, hazardous labour, military conscription and sex trade).

## D.7.4 Gender Mainstreaming Guidelines 2012

The projects of the Asian Development Bank (ADB) have four gender mainstreaming categories:

- Category I: gender equity as a theme (GEN)
- Category II: effective gender mainstreaming (EGM)
- Category III: some gender elements (SGE)
- Category IV: no gender elements (NGE).

The Gender Mainstreaming Guidelines 2012 provides a detailed overview on the definition, requirements and application of the above gender mainstreaming categories.

- Policies and institutions that recognize and promote greater inclusiveness and equity in access to services, resources and opportunities
- Greater empowerment to participate in social, economic and political life
- Greater sense of security and ability to manage risks.

## D.8 ILO Core Labour Standards

There are eight International Labour Organisation (ILO) conventions that align with and further strengthen, the covenant requirements. They cover four 'Core Labour Standards':

## D.9 Exclusion List

There are eight International Labour Organisation (ILO) conventions that align with and further strengthen, the covenant requirements. They cover four 'Core Labour Standards':

MEIPL will not invest in the following projects:

- Production or activities involving harmful or exploitative forms of forced labor (5) / harmful child labor (6)
- Production or trade in any product or activity deemed illegal under host country laws or regulations.
- Production of or trade in any product or activity that contravenes any international conventions and agreements to which the host country is a party and which have the force of law in the host country
- Production or trade in weapons and munitions including paramilitary materials
- Production or trade in alcoholic beverages (excluding beer and wine) (7).
- Production or trade in tobacco.
- Gambling, casinos and equivalent enterprises.
- Trade in wildlife or wildlife products regulated under CITES (8)
- Production or trade in radioactive materials, including nuclear reactors and components thereof (9).

- Production or trade in or use of unbounded asbestos fibers. This does not apply to purchase and use of bonded asbestos cement sheeting where the asbestos content is less than 20%.
  - Commercial logging operations or the purchase of logging equipment for use in primary tropical moist forest.
  - Production, commercial-scale use, trade, storage, or transport of products containing polychlorinated biphenyls PCBs (10) and hazardous chemicals (11).
  - Production or trade in pharmaceuticals (refer [www.who.int](http://www.who.int)), pesticides/herbicides (refer [www.pic.int](http://www.pic.int)) or ozone depleting substances (12) subject to international phase outs or bans.
  - Marine and coastal fishing practices, such as large-scale pelagic drift net fishing and fine mesh net fishing, harmful to unwanted vulnerable and protected species in large numbers and damaging to the marine biodiversity and habitats; and
  - Production or activities that impinge on the lands owned, or claimed under adjudication, by indigenous peoples, without full documented consent of such peoples.
- (9) This does not apply to the purchase of medical equipment, quality control (measurement) equipment and any equipment where ADB considers the radioactive source to be trivial and/or adequately shielded.
- (10) A group of highly toxic chemicals, polychlorinated biphenyls, are likely to be found in oil-filled electrical transformers, capacitors and switchgear dating from 1950 to 1985.
- (11) A list of hazardous chemicals is available from [www.pic.int](http://www.pic.int).
- (12) A list of the chemical compounds that react with and deplete stratospheric ozone, resulting in the widely publicized ozone holes is listed in the Montreal Protocol, together with target reduction and phase out dates. <http://www.unep.org/ozone/montreal/shtml>.

## References

(7) Forced labor means all work or service not voluntarily performed, that is extracted from an individual under threat of force or penalty.

(6) Child labor means the employment of children whose age is below the host country's statutory minimum age of employment or employment of children in contravention of International Labor Organization Convention No. 138 "Minimum Age Convention"

(7) This does not apply if the activity concerned is ancillary to a sponsor's/project's (or subproject's) primary operations.

(8) CITES: Convention on International Trade in Endangered Species of Wild Fauna and Flora. A list of CITES listed species is available from the Environment Division.

# Annexure E

## E&S Screening Checklist









## E&S Screening Checklist

### I Primary Screening Checklist

Sl. No	Criteria / Things to Check for	Actual Status	Evidence Details	Remarks
1	Is the Project located in ecologically sensitive zones (10 km)			Check the permission required and account for it in the project schedule. (Permission from National Board for Wildlife) unless otherwise State has demarcated its own eco sensitive zone.
2	Is there any Wild life sanctuary, Bio- reserve, National Park or notified Eco Sensitive Zone in the area of influence (i.e. within 10 km) ?			
3	Are there any Reserve forests, Protected forest, or reserved land in the area of influence ?			
4	Coastal Areas - Site falling within High Tide line (HTL) as per CRZ notification			Check the permission required and account for it in the project schedule.
5	Is the site at a sufficient distance from National Highway/ State Highway and Railway line ?			
6	Distance from flood plains or riverine systems			
7	Metropolitan Cities (More than 3,00,000 population) at least 25 km of the projected growth boundary of the settlement			
8	Are there any sites of cultural or archaeological importance at the site ?			
9	Wind Speed/Solar Radiation			
10	Seismic Zone			
11	Availability of Land for plant & township (Area, Orientation & shape of plot, Extent of land available for Plant, Township etc.)			
12	Is the land being used for economic/livelihood purposes			Conduct site visit, consult with local people and provide evidence/proof that land is not being used for residential, economic or livelihood purposes all year round (there may be seasonal or temporary use which cannot be identified in one site visit.)
13	Are there any residences in the land that will need to be removed ?			

14	Is the land categorised as tribal land ?			
15	Is there any settlement within 300 m of the boundary of the land parcel ?			
16	If Forest Land, has the Forest Rights Act (FRA) been implemented and all Forest Rights settled by the law ?			
Note:	Only after majority of Primary Siting Criteria is met for a particular Site, it will be subjected to more rigorous Social and Environmental Screening Checklist for the selected Site at a later stage of the project (i.e. during ESDD stage) to trigger the need for specialized studies.			



## II Social Screening Checklist

Social Safeguards Screening Checklist for Land which passed primary screening criteria				
Sl. No	Criteria / Things to Check for	Yes/No*	Remarks/ Checks in place/ Additional information	Likely source of information
Involuntary Resettlement				
1	Is there any National / local policy guidelines and laws on the kind of land available/ to be used for wind/solar power projects and will they affect the project adversely ?		Check, if it is being followed.	
2	Is Private land available for buying or the mandatory land acquisition is necessary ?		Understand the nature of land - Cultivated, Barren and unused, current fallow, long term fallow etc.	
3	Will land acquisition involve displacement of people and resettlement and is enough land available for the resettlement ?		Consider both physical and economic displacement. If yes, prepare resettlement action plan (RAP) as per the outline suggested in relevant <b>Annexure G</b> .	<ol style="list-style-type: none"> <li>1. Freeze land location required based on information gained from Revenue department and Forest Department.</li> <li>2. Socio-economic survey of the land parcel to ascertain physical and economic displacement if required.</li> </ol>
4	What impact will the displacement have on the people in the short run or long run ? <ul style="list-style-type: none"> <li>• Impact on livelihood</li> <li>• Cropping pattern</li> <li>• Employment opportunity</li> <li>• Loss of Business/ Enterprises</li> </ul>		If yes, prepare RAP after conducting SIA. Understand the nature of ownership of land - Private land, revenue land, forest land.	<ol style="list-style-type: none"> <li>1. Get SIA study done to ascertain impact as per the applicability</li> </ol>

5	Will access to common property resources (e.g. community facilities, public grazing lands, forest etc.) be restricted by the project ?		If there is restricted access, such assets may need to be replaced or alternate routes acceptable to communities may be provided. Such measures will be outlined in the RAP.	1. This aspect to be covered in socio-economic survey and SIA
6	Are there any non-titled people who live or earn their livelihood at the site or within the right-of-way ?		If yes, prepare RAP	1. This aspect to be covered in socio-economic survey and SIA
<b>Land Encumbrances</b>				
7	Does the land involve conversion from agricultural to non-agricultural use ?		Ensure appropriate permits	1. Check applicability of NOCs for land use conversion as per Govt. norms
8	Are the land parcels free of any encumbrances or disputes ?		Seek appropriate legal opinion on status of land is No	
9	If government land is involved, are any local clearances from panchayats required ?			
<b>Security</b>				
10	Is security an issue in the nearby project area? Is there any threat from local outfits/terror groups ? <ul style="list-style-type: none"> <li>Does any other project in the nearby area face such challenges ?</li> <li>What could be the possible losses ?</li> <li>How can the issues like vandalism and theft be addressed and what could be the possible cost ?</li> </ul>			1. Discussion with local administration

Social Safeguards Screening Checklist for Land which passed primary screening criteria				
Sl. No	Criteria / Things to Check for	Yes/No*	Remarks/ Checks in place/ Additional information	Likely source of information
<b>Scheduled Tribes (ST) Concerns</b>				
11	Are there any tribal populations occupying / deriving benefit from the site? Is the area a Scheduled Area ?		If specific sites and impacts are not known but STs are present in the area, Scheduled Tribes Development Plan (STDP) is required.	1. Check with List of Scheduled V Area. 2. Discuss with District Administration for more specific detail (If required for identification)
12	Do STs maintain distinctive customs or economic activities that may make them vulnerable to hardship ?		If yes, prepare a STDP.	1. This aspect to be covered in socio-economic survey and SIA
13	Will the project restrict STs' economic and social activity and/or make them particularly vulnerable in the context of project ?		If yes, prepare a STDP.	1. This aspect to be covered in socio-economic survey and SIA
14	Will the project change their socioeconomic and cultural integrity and disrupt their community life ?		If yes, prepare a STDP.	1. This aspect to be covered in socio-economic survey and SIA
15	Will the project negatively affect their health, education, livelihood, or social security status ?		If yes, prepare a STDP.	1. This aspect to be covered in socio-economic survey and SIA
16	In case there is no disruption of indigenous community life as a whole, will there be loss of housing, strips of land, crops, trees and/or other fixed assets owned or controlled by individual indigenous households ?		If relocation is required, prepare an STDP along with RAP	1. This aspect to be covered in socio-economic survey and SIA
<b>Archaeological/Religious Concerns</b>				
17	Is the site considered sacred by any community ?			1. This aspect to be covered in socio-economic survey and SIA



18	<p>If any site of Cultural/Archaeological importance available ?</p> <ul style="list-style-type: none"> <li>• What adverse impacts are perceived on those sites ?</li> <li>• What are the options for mitigating the impacts ?</li> <li>• What do the local or national laws state ?</li> <li>• What will be the cost of such an exercise ?</li> </ul>		<p>If there is restricted access, such assets may need to be replaced or alternate routes acceptable to communities may be provided. Such measures will be outlined in the RAP.</p>	<p>1. This aspect to be covered in socio-economic survey and SIA</p>
Note	* If the answer is not available in yes/no, fill details in remarks column.			
Note	Depending on the expected scale of impacts, adequate management plans will have to be prepared after undertaking ESIA report based on categorization of the project.			

### III Environment Screening Checklist

Environmental Screening Checklist for Land which passed primary screening criteria			
Sl. No	Criteria / Things to Check for	Yes/No	Remarks/ Checks in place/ Additional information
Involuntary Resettlement			
1	Will project cause aesthetic degradation and property value loss due to establishment of facilities ?		
2	Will the project alter the pattern of land use or cause land use conflicts ?		
3	Will the project impact the surface water resources ?		
4	Availability of water source.		
5	Visual effects. Impact on the nearby built up areas or community		
6	Will the project cause pollution to surface or ground water bodies from the project's construction or operations, sanitary sewage, sludge, residues and miscellaneous discharges ?		
7	Is the site home to any endemic fauna/floral population ?		Is so, are appropriate mitigation measures adopted for the project in the biodiversity management plan.
8	Will access to site require removal of vegetation ?		
9	Is the site under dense vegetation cover ?		
10	Availability of hydrological data or flood level within the project site within the last 3 to 5 years especially for solar farm.		Climate change effect
11	Will the selection of site result in habitat fragmentation ?		

Other Relevant Information				
12	<b>Other Linear Facility</b> <ul style="list-style-type: none"> <li>Distance to the existing transmission line and other electrical infrastructure</li> <li>Is the site suitable for all associated facilities like evacuation of power etc. ?</li> <li>Existing road and their condition</li> <li>Distance of the road</li> <li>Disturbance to the access road</li> </ul>			
Note	<p>If the answer is not available in yes/no, fill details in remarks column.</p> <p>Depending on the expected scale of impacts, adequate management plans will have to be prepared after undertaking ESIA report based on the category of project.</p>			

# Annexure F

## MEIPL Land Procurement / Land Lease Procedure









## F. Land Procurement: Standard Operating procedure

Mytrah Energy India (Private) Limited (MEIPL) proposes to procure land as per the following Standard Operating Procedure (SOP). The basic component of the project development is "Land". The lands are to be procured for the following purposes:

Lands required for turbine foundations and pathways connecting each turbine;

- Sub-station/pooling station land;
- Wind monitoring stations;
- Stock Yards/ Material yard;
- Batching plants, if planned;
- Transmission Lines Right of Way (RoW).

### F.1 Types of Land

Various types of lands where the Wind Power Projects will be developed areas under:

#### F.1.1 Forest Land

The land owned by the Forest Department (Central Government), which includes any waste land containing trees or shrubs, can be held by MEIPL on lease basis (minimum 10 years, maximum extension up to 30 years). Thereafter, the project will be renewed for a period of 5 years at a time after the lease period subject to fulfilment of conditions stipulated by the Central Government.

#### Care to be exercised on procurement of Forest Land:

Ministry of Environment and Forests, Government of India (MoEF & CC) permission is required.

#### F.1.2 Revenue Land

The land owned by the Revenue Department of the State Government can be held by MEIPL on lease basis (minimum 10 years, maximum extension up to 30 years). Thereafter, the project may be renewed for a period of 5 years at a time, subject to fulfilment of certain conditions stipulated by the respective State Government.

#### Care to be exercised on procurement of Revenue Land:

Due Permission from the respective State Government is to be obtained.

#### F.1.3 Private Land

The land which is owned by a private person, including the one owned by a company, family, firm, society or association of individuals, private or public trust.

#### Care to be exercised in procurement of Private Land:

Agricultural land will be held by MEIPL after conversion into non-agricultural land. Right, title and interest in the land needs to be ascertained.

#### F.1.4 Other Lands

Other lands include lands held by SC/ST, Tribal and others. Procurement of these lands requires prior approvals from the Competent Authorities including respective State Governments. Since the procedures and subsequent process of proposals are laborious and time consuming, such lands are usually not considered for development of projects.

### F.2 Identification of Prospective Land

The process followed in identification of windy sites is as follows:

Collection of wind data from Centre of Wind Energy Technologies (CWET), which is based in Chennai;

For physical inspection of proposed land, MEIPL Regional Office (RO) will intimate MEIPL's Wind Resource Department (WRD);

WRD will conduct physical inspection;

Wind Mast is installed, if necessary;

WRD will intimate to RO details of suitable land,

pursuant to physical inspection;

Classification of type of land i.e. Forest, Revenue, Private will be ascertained;

RO will submit an application for Project allotment to respective Nodal Agencies which are intermediaries for Project Allotment from Energy Department;

Micrositing is done on the basis of the topography sheet (map issued by Survey of India, which shows boundaries of the district, taluka, villages and contours) by WRD;

Collection of village maps and Field Measurement Book (which shows each Survey Number, Measurement & Extent - i.e. area in terms of Acres / Hectares);

Detailed micrositing maps are sent to RO; Detailed contour and plane table survey will be conducted in respect of Forest & Revenue lands to identify and mark the Turbine Locations, Approach road alignment, internal roads and transmission line alignment.

The process of procurement of land is initiated, after intimation by WRD. RO will start acquisition of land after receipt of detailed Micrositing map from WRD.

### F.3 Acquisition Procedure

RO will follow acquisition procedure according to the type of land i.e. Forest, Revenue & Private, which is described below:

#### F.3.1 Forest Lands Applicable Legislations:

- State Forest Act, 1963
- Forest (Conservation) Act, 1980
- Forest Conservation Rules, 2003
- Guidelines dated 14.05.2004 for setting up Wind projects in Forest Lands
- Under Section 2 of Forest Conservation Act, 1980, an outright sale of Forest Lands in favour of any persons/user agencies including Companies for non-forest purposes is not permitted. However, MoEF & CC has framed guidelines for diversion of forest lands for the setting up of Wind Projects in forest lands, as per which lands may be diverted for Wind Projects on a leasehold basis for a term of 30 years.

#### F.3.2 Stage I approval (In Principle Approval)

- RO will submit an initial proposal in the name of MEIPL/Subsidiary, in the format prescribed in Form "A", to the Nodal Officer for diversion of forest lands;
- Nodal Officer will call for report from respective Deputy Conservator of Forests (DCF);
- MEIPL's Business Development team (BD) / RO shall submit the required copies of proposals to the respective DCF's office;
- DCF will call for a report from Assistant Conservator of Forests (ACF) and Range Forest Officer (RFO).
- Forest Guards will make an estimate of the trees that will have to be felled within the forest land sought for diversion;
- RFO will inspect the area and submit report to ACF;
- The User Agency will get an equivalent extent of Non-Forest Land transferred to the Forest Department, thereby complying with Compensatory Afforestation;
- In due compliance of the Forest Rights Act, 2006, the User Agency shall obtain and submit a No Objection Certificate (NOC) as per government regulations wherever applicable;
- ACF will inspect the area and submit his recommendations to DCF;
- DCF will inspect the area and submit recommendation to the Conservator of Forests (CF) along with his inspection report in the prescribed format;
- CF will inspect and forward recommendations to Principal Chief Conservator of Forests (PCCF);
- Nodal Officer will scrutinise the proposal and place it before PCCF;
- PCCF will submit the proposal for approval to the respective State Government;
- Principal Secretary, Forest Department will forward the proposal to the State Forest Minister for endorsement;

- State Forest Minister will forward the proposal to MoEF & CC for approval:
  - If the area requested for diversion is less than 40 hectares then the same will be forwarded to the Regional Office, MoEF & CC, which will then forward it to the Union Minister, MoEF & CC;
  - If the area is more than 40 hectares then the same will be sent to MoEF & CC, New Delhi, which will then forward it to the Union Minister, MoEF & CC;
  - If the area requested for diversion is more than 100 hectares, the area will be inspected by Chief Conservator of Forests, Regional Office, MoEF & CC and he will submit his report to MoEF & CC, New Delhi;
  - Union Minister approves proposal to divert forest land subject to compliance of conditions by MEIPL;
  - In-Principle Approval will be accorded by MoEF & CC, subject to compliance of certain conditions by MEIPL;
  - Based on the In-Principle Approval, the same will be forwarded to the Concerned DCF through the Principal Secretary, PCCF Office.
  - The concerned DCF will raise the demand notice for payment of applicable NPV Charges, CA Charges and One Time Lease Rent along with compliance of other conditions such Demarcation of the Proposed Area to be diverted, etc.
  - RO will pay Net Present Value (determined by Forest Department based on quantity & density of forest) and other charges as per the demand note raised by the Forest Department through DD.
- State Minister for Forests, State Government
- IG MOEF & CC GOI issues final order/Stage II Approval for diversion of forest lands
  - Stage II Approval shall be sent to the State Government.
  - State Government shall issue Government Order for diverting the forest lands and communicated to the PCCF Office.
  - PCCF office will direct the Concerned DCF, to execute the Lease Agreement.
  - Lease Agreement will be executed between the Forest dept (State) and MEIPL / Subsidiary.
  - The Lease agreement is to be registered with respective Sub-Registrar.
  - Compliance to forest lease conditions
  - Demarcate the forest area diverted with 4ft high RCC Pillars duly indicating the Forward and Backward bearings.
  - Soil Moisture Conservation (SMC) works to be carried out as per forest land lease agreement conditions.
  - Yearly lease rentals to be paid during the lease tenure as per applicable rates levied by the Forest Dept.
  - Medicinal plantation to be developed as per lease agreement
  - Dwarf species plants to be planted between intervening areas of two windmills.
  - Rigid fire protective measures in the leased area and the area surrounding it against fire incidents are to be undertaken by MEIPL by carrying out the work or paying to the Dept. as per their yearly demand notes.

### F.3.3 Stage II Approval (Final Approval)

- Compliance of conditions by MEIPL
- DCF & CF submit compliance report to PCCF
- PCCF submits compliance report to the State Government and recommendation for final approval
- Principal Secretary FD State Government forwards recommendations for issue of approval to MOEF & CC, Govt. of India thru

### F.3.4 Lease Transfer

Execution and commissioning of project by MEIPL

Submission of project completion report and application for lease transfer

DCF & CF submits compliance report to PCCF to the effect that the User Agency has completed the project and the Agreement Conditions have been complied.

PCCF submits compliance report to State

Government and recommends for final approval

Secretary FD, State Government forwards recommendations for issue of approval to MOEF & CC, GOI

IG MOEF & CC, GOI issues permission for transfer of diverted forest lands.

State Government issues order and lease Transfer Deed signed with DCF

Later on, Deed of Transfer of Lease will be executed between Forest Department & Customer.

The Forest (Conservation) Act, 1980 is the principal Act governing the entire process of Diversion of Forest Lands for non-forest purposes.

Since the same being Central Act, the procedure across the Country for diversion of Forest Lands is more or less similar.

MEIPL proposes Wind Power projects in Forest Lands mostly in the states of Maharashtra, Andhra Pradesh and Karnataka.

If the Project is given on Turnkey Development basis to the other Developers, we will be scrutinizing the documents and obtain Legal Opinion from a Third Party Counsel on usage rights on the land.

### F.3.5 Revenue Lands

BD / RO will file application on MEIPL's letterhead to concerned District Collector (Revenue Department) in the name of MEIPL / Subsidiary, as applicable, earmarking the extent of Land required on Village Maps and will submit other necessary documents.

The District Collector will call for the report from the Tahsildar.

The Tahsildar, after receiving the reports from the Revenue Inspector, will submit the recommendations to the Sub Divisional Collector.

The Sub Divisional Collector, will submit his report to the District Collector after due inspection of the proposed area.

Based on the reports of the Tahsildar and Sub Divisional Collector, the District Collector will send the report to the Principal Secretary.

The Principal Secretary will, if required, send the recommendations to the Minister, Revenue Department.

Upon the approval of the proposal by the Minister,

Revenue Department, GO will be issued.

Thereafter, the District Collector will issue Official Memorandum, directing the Tahsildar to execute the Lease Deed subject to certain conditions.

The Lease Deed will be executed by the Tahsildar (on behalf of the Revenue Department) and MEIPL / Subsidiary, after payment of advance rent.

In the States of Gujarat, Andhra Pradesh and Rajasthan and in Karnataka, where a major chunk of wind potential areas is generally occupied by Revenue Lands, MEIPL proposes Wind Power projects in Revenue Lands.

In the state of Andhra Pradesh, against payment of Market Value of the lands proposed, Dist. Collector will hand over the advance possession of lands for development of projects. The final orders of land possession transfer will be issued by Revenue Department with due approval of the Minister. This process is referred as Alienation of Land.

In Rajasthan, RREC, State Nodal Agency will issue the land allotment letter after approval from the respective Dist. Collector/ Government.

In the state of Gujarat, Dist. Collector is empowered to grant permission for Revenue lands up to 5.00 Ha. Beyond 5.00 ha. Revenue Secretary will issue the orders.

In respect of Gouchar lands, Dy. Collector has to conduct meeting with respective villagers and with due consent from them, Collector/ Revenue Secretary will issue the orders as the case may be.

If the Project is given on Turnkey basis to Developers, MEIPL will scrutinize the documents and obtain independent Legal Opinion from a Third Party Counsel on title and usage rights on the land, before procuring.

In respect of Gouchar lands, Dy. Collector has to conduct meeting with respective villagers and with due consent from them, Collector/ Revenue Secretary will issue the orders as the case may be.

If the Project is given on Turnkey basis to Developers, MEIPL will scrutinize the documents

and obtain independent Legal Opinion from a Third Party Counsel on title and usage rights on the land, before procuring.

### F.3.6 Private Lands

Private lands required for Wind Power projects are, usually, procured through bona fide purchases after due negotiations with land owners and a subsequent sale deed to the Minister, Revenue Department.

- Applicable Legislations
- State Land Reforms Act
- State Land Ceiling Act
- Land Policies of the state.

Purchase of the agricultural land through MEIPL Representative

To the extent possible and depending on the technical feasibility, MEIPL will avoid purchasing private land. However, if there is a need to procure agriculture land, following procedure will be adopted:

1. Ground Marking of Location and Identification of the Land Owners.
2. Land Survey of Location and Approach roads, Ground Marking of Location and Roads
3. Obtain Land Revenue Records, like Index of Lands, RTC/7-12/Adangal - Patta pass book, Encumbrance Certificate for 30 Years, Relevant Mutation Extracts, Village Map, Survey Grant Certificate, Genealogical tree of the family etc.,
4. Obtain CDP Plan Pertaining to the Area. Obtain the Legal opinion with respect to the title of the land and right marketable title for purchase of land
5. Negotiation with Land Owner for Price and Extent, Clearance of Bank Loans and Encumbrances
6. Land Registration in the Name of MEIPL/ MEIPL Representative
7. Obtain transfer of land title in the name of MEIPL / MEIPL's Representative and Sub-divisional sketch of Land.
8. Applying for Land Conversion.
9. Obtain NOCs from various authorities required.
10. Pay necessary Conversion Charges.

11. Conversion order by District Collector
12. It is important to note that non-agricultural activity shall not be taken up in agricultural land as per the provisions of land regulations. Any non-agricultural activity shall be taken up only upon due conversion of Agricultural Land to Non-Agricultural Industrial Purpose.
13. Transfer / Lease of Land in the Name of MEIPL/Subsidiary.
14. Purchase the agricultural land through Facilitator (Agent)
15. Identify the person/Firm/Company who will act as facilitator for procurement and transfer of lands in favour of MEIPL
16. MEIPL will enter into agreement with Facilitator for procurement of lands as per the requirement of MEIPL.
17. MEIPL surveyors will assist the Facilitator in identifying the lands as per the Micro siting Drawing.
18. Facilitator will negotiate and purchase the lands out of his own funds after due verification of title to the satisfaction of MEIPL.
19. Execute the General Power of Attorney in favour of MEIPL representative.
20. MEIPL will release part of the agreed amount as per the terms of the agreement.
21. The Facilitator will get the land converted from agricultural to non-agricultural purpose from his funds.
22. It is important to note that non-agricultural activity shall not be taken up in agricultural land as per the provisions of land regulations. Any non-agricultural activity shall be taken up only upon due conversion of Agricultural Land to Non-Agricultural Industrial Purpose.
23. The Facilitator will register the land in favour of MEIPL/Subsidiary
24. MEIPL will release the agreed balance amount to the Facilitator.
25. MEIPL has proposed Wind Power projects in Private Land in the state of Karnataka, Maharashtra, Tamil Nadu, Andhra Pradesh, Gujarat & Rajasthan.



**Table F.3.7 Private Land Purchase Related Requirements in Various States**

Sl. No	States	Procedures
1	Tamil Nadu	<p>The major legislation governing the procurement and holding of private lands in the state Tamil Nadu is "The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act – 1961 and provisions of which are briefly discussed hereunder</p> <p>As per the section 2 of the Act, it applies to procurement of Agricultural land which is used or capable of being used for agricultural purposes and includes forest lands, pasture lands, plantation and tope but does not include house-site or land used exclusively for Non-agricultural purposes</p> <p>Ceiling area is limit is prescribed in section 5 of the Act.</p> <p>As per the Section 7 of the Act – From the date of the commencement of the Act, no person shall be entitled to hold the land in excess of ceiling area limit prescribed under the act. The ceiling area as prescribed under the act will be 15 standard acres. The standard acre varies from District to district within the state.</p> <p>For instance, in Kanyakumari it ranges from 1 acre of registered wet land irrigated to 4 acres of unirrigated dry land. In Shencottah taluk of Tirunelveli district it ranges from 1.2 acres of wet land irrigated to 4 acres of un irrigated dry land.</p> <p>Considering dry lands are preferred for Projects, in effect a Company/ Individual can hold up to maximum 60 acres (15 * 4 Acres). Ceiling limit specified in the act is not applicable if any person holds the land on the basis of Power of Attorney</p> <p>There is no provision as such for conversion of lands. Companies can hold Agricultural lands subject to Ceiling limit of 60 acres.</p>
2	Andhra Pradesh & Telangana	<p>Companies can purchase agricultural lands directly from the Agriculturist</p> <p>Company has to apply for Conversion of land before the Dist. Collector and obtain such order.</p> <p>There is no bar on extent of lands held by a Company if the lands are converted.</p> <p>The non-agricultural activities should be carried out only upon getting the lands converted for non- agricultural purpose.</p>
3	Karnataka	<p>In Karnataka, the legislation governing private land procurement is the Karnataka Land Reforms Act 1961</p> <p>As per Sec 79A purchase of land by any person having assured annual income of Rs 2,00,000/- or higher is prohibited.</p> <p>As per Sec 79B, no person other than a person cultivating the land is entitled to hold land.</p> <p>As per Sec 79B (2), a company, association or a body of individuals, co- operative society cannot hold land.</p> <p>As per Sec 80, transfer of lands to non-agriculturist is barred.</p> <p>Land ceiling is 54 acres of D class land by an Agriculturist.</p> <p>A company, association or a body of individuals, co- operative society can hold Non Agricultural land and as such there is no Ceiling Limit specified.</p>

Sl. No	States	Procedures
		<p>The non-argil activities should be carried out only upon getting the lands converted for non- agricultural purpose.</p> <p>Any of the following procedures may also be adapted to purchase private lands in Karnataka; however, they are not suitable for development of Wind Power Projects.</p> <p>Acquisition of lands required through KIADB, a nodal agency created to develop industrial lands under Industries Department Permission from Government under Section 109.</p>
4	Rajasthan	<p>The legislation governing private land procurement is the Rajasthan Land Revenue Act and Conversion of Agricultural Land for Non-Agricultural Purposes in Rural Areas) Rules, 1992</p> <p>There is no bar for the company to directly purchase the agricultural lands. However, conversion to non-agricultural land is made mandatory under the Revenue Act.</p> <p>Agricultural land can be directly purchased from the land owners and thereafter we have to apply for conversion of agricultural to non-agricultural industrial purpose.</p>
5	Maharashtra	<p>Agricultural land can be purchased for non-agricultural purposes. However, we have to obtain conversion of agricultural to non-agricultural industrial purpose.</p>
6	Gujarat	<p>Prior permission from Industries Dept. to purchase lands if the extent is more than 10 Ha.</p> <p>Private lands can be purchased from the Land owners directly in the name of MEIPL.</p> <p>Non Agriculture activities could be commenced upon purchase of lands.</p> <p>Application for Conversion of lands to be submitted to Collector within 45 Days from the date of Registration of land in the name of the company.</p> <p>If the Project is given on Turnkey Development basis to the other Developers, we will be scrutinizing the documents and obtain Legal Opinion as well as Title Search report from a Third Party Counsel on right marketable title of the Seller/ Land owner on the land.</p>

## F.4 Types of Holding of Land

Initially Land will be acquired either in the name of MEIPL or in the name of Subsidiary through lease deed in respect Revenue land / Forest lands.

MEIPL / Subsidiary will execute Transfer of lease in favour of the customer in respect of Forest and Revenue lands subsequent to Commissioning of the project.

The private lands will be procured in the MEIPL or its subsidiary after due conversion of lands or transferred directly to the Customer as the case may be. The holding of Pvt. Lands by MEIPL is as under:

Sl. No	Land Required	Ownership
1	Lands required for WTGs and pathways connecting each turbine incl. approach	Held by MEIPL on free hold basis. The lands will be converted and held in the name of MEIPL
2	Sub-station/ pooling station land	Held by MEIPL on free hold basis. The lands will be converted and held in the name of MEIPL Will be transferred in favour of State Utilities if required
3	Performance Wind Monitoring	Held by MEIPL on free hold basis. The lands will be converted and held in the name of MEIPL
4	Wind monitoring stations Stock Yards/ Material yard Batching plants (If planned)	Since usage of the lands for the purpose mentioned is Temporary in nature, the lands will be taken on Lease on fixed term of 2/3 years or till the completion of the project.
5	Transmission Lines RoW	Only the foot prints of the Electricity pole and the Supporting wires (Guy wires) are paid for against an agreement of exclusive Usage of Land.

### F.4.1 Demarcation of Boundaries / Perimeter of Land

MEIPL to demarcate the boundaries of lands either on its own behalf or on behalf of concerned customers to prevent any tress pass / encroachment of the areas procured or diverted by Govt. agencies.

### F.4.2 Private Land

After acquisition of land, Regional Office will put boundary stones (2 feet height above ground) with zebra colour, at cost of MEIPL.

### F.4.3 Forest Land

RCC pillars to be constructed to demarcate the leased area as per terms of lease agreement.

### F.4.4 Revenue Land

After taking possession of land, Regional Office will put boundary stones (2 feet height above ground) with zebra colour, at cost of MEIPL.

The Projects team will be given possession of the land after duly indicating the boundary stones which have to be kept intact in order to safe guard the asset and to avoid future dispute with adjacent land owners.

#### F.4.5 Annual Lease Rentals and Local Authority taxes & Other payments

Local Authority Taxes such as Gram Panchayat/ Town Panchayat/ Municipality taxes are to be paid by MEIPL/Subsidiary as per the periodicity.

Annual Lease rentals in respect of lands diverted from Forest Department and Revenue Lands at the rates fixed by respective departments.

Any other charges as applicable and payable on periodical basis during the life cycle of the wind farm.

Customers are to pay the lease rentals and local taxes directly to the respective agencies upon transfer of lands in their favour.

#### F.4.6 Essential Safeguards With Respect To Land Procurement

This requirement does not apply to resettlement resulting from voluntary land transactions (i.e., market transactions in which the seller is not obliged to sell and the buyer cannot resort to expropriation or other compulsory procedures sanctioned by the legal system of the host country if negotiations fail). It also does not apply to impacts on livelihoods where the project is not changing the land use of the affected groups or communities.

However, it is very difficult to ensure that the willing buyer willing seller agreement is followed in spirit. To ensure that willing buyer willing seller agreement happens in true spirit, as a matter of best practice certain procedures need to be put in place by MEIPL even in case of willing buyer willing seller agreements.

MEIPL's land procurement process is broadly as follows:

1. Process of land purchase involves a land sale deed between the seller and the buyer in compliance with applicable legal requirements. Developers in many cases adopt different methods of land purchase in different geographies, which is mostly due to the local social sensitivities and quality of land records.
2. MEIPL or its agency undertakes a self-review process which includes survey of land rates in the area, survey of prevailing market rate and then arrive at a range of rate (minimum and maximum value) within which the negotiation is done.
3. Certain key considerations to be kept in mind, mostly as a matter of implementing the best practices, especially as it is a case of willing buyer and willing seller (apart from the land acquisition process, where it is mandatory). MEIPL will, wherever required strictly comply with the provisions of the applicable law in the process of procurement of land.
4. In the case of forest land and revenue land, the compliance to the local laws is given the topmost priority.,

**Note:** This is typically a process that is followed for the Self-development sites, in which MEIPL is involved from the initial stages of the project. In case of Turnkey Based projects, where the land aspect is directly handled by the EPC contractor or through its land aggregators, MEIPL will ensure that the land procurement process will be assessed keeping the MEIPL considerations in mind. The requirements may vary depending upon the stage at which MEIPL as developer will enter into the project.





# **Annexure G**

## **Frame work of Resettlement Action & Indigenous People Plan**





# G. Outline of A Typical Resettlement Action Plan (RAP) and/or Livelihood Restoration Plan (LRP)

In alignment with the requirements of ADB's Safeguard Requirements 2 on Involuntary Resettlement, the following sections outline the requirements or aspects of a typical resettlement action plan aligned with GOI statute. GOI with his relevant act ensures Resettlement Action Plan (RAP) and /or Livelihood Restoration Plan and directly monitor the same. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the same order. Its level of details and comprehensiveness will vary with the scale of the project and would be commensurate with the significance of potential involuntary resettlement impacts and risks.

An RAP will be triggered on the occurrence of the following events consequent to direct purchase of lands for projects by the company:

- Physical displacement from the land parcels selected for the project;
- Economic Displacement of people using the land for economic and livelihood activities and
- Obstruction to access to natural resources and cultural heritage sites used by the local communities.

A RAP will need to be made if there is a physical as well as economic displacement of more than 200 people. If there is an impact only on the livelihood of people, then an LRP will be sufficient and shall be triggered whatever the scale of economic displacement. The RAP and LRP can be supplemented by the company's suitable programmes.

## G.1 Executive Summary

This section provides a concise statement of project scope, trigger for a RAP/LRP, key survey findings, entitlements and recommended

actions, organisational requirements and an implementation plan.

## G.2 Project Description

This section provides a general description of the project, discusses project components that result in land acquisition either by private purchase directly by the company or by way of government acquisition for subsequent lease or assignment to the company, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

## G.3 Scope of Land Acquisition and Resettlement

This section:

- Discusses the project's potential impacts and includes maps of the areas or zone of impact of project components or activities;
- Describes the scope of land acquisition (provide maps) including details as to whether it is a private acquisition by the company or a government acquisition on behalf of the company and explains why it is necessary for the main investment project;
- Summarizes the key effects in terms of assets acquired and displaced persons; and
- Provides details of any common property resources that will be acquired.

## G.4 Legal Framework

This section:

- Describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed.
- Describes the legal and policy commitments from the executing agency for all types of displaced persons;
- Outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided with regard to a private land purchase directly by the company. In the case of land acquisition by the government the provisions of the Land Acquisition Act, 2013 would apply with regard to compensation and other aspects incidental to the acquisition.
- Describes the land acquisition process and prepare a schedule for meeting key procedural requirements where acquisition is directly made by the company. Where acquisition is by the government the provisions of the Land Acquisition Act, 2013 would apply.

## G.5 Socio Economic Information and Profile

This section outlines the results of the social impact assessment, the census survey and other studies, with information and/or data disaggregated by gender, vulnerability and other social groupings, including:

- Define, identify and enumerate the people and communities to be affected;
- Describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural and economic parameters into account;

- Discuss the project's impacts on the poor, indigenous and/or ethnic minorities and other vulnerable groups; and
- Identify gender and resettlement impacts and the socioeconomic situation, impacts, needs and priorities of women.

Some of the key baseline indicators to be captured as part of the RAP and also monitored overtime as part of the monitoring process in case affected as a result of the project implementation have been provided in the following box.

### Box 0.1 Baseline Monitoring Indicators

- Number of vulnerable households and their status;
- Standard of living quantified by asset ownership, quality of house, access to amenities (clean drinking water, sanitation, roads, electricity etc.);
- Land ownership/user rights of affected families;
- Occupation/livelihood profile and changes therein;
- Health and education levels;
- Other agreed quality of life indicators;
- Occupational pattern of the family number of family members in occupations and nature of that occupation and income generated from it;
- Average annual income levels of households;
- Proportion of landless, agricultural labourers, sharecroppers;
- Type of housing/commercial structure value;
- Personal access to durable assets and any movable assets;
- Ownership of livestock;

## G.6 Information Disclosure, Consultation and Participation

MEIPL has to develop a dedicated stakeholder engagement mechanism for the project in order to identify relevant stakeholders impacted as a result of the project, the result of engagement with these stakeholders, information disclosed to the same and engagement of these stakeholders as per the prescribed or devised schedule.

As part of the information disclosure, consultation and participation should:

- Identify project stakeholders, especially primary stakeholders;
- Describe the consultation and participation mechanisms to be used during the different stages of the project cycle;
- Describe the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
- Summarizes the results of consultations with affected persons (including host communities) and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
- Confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and
- Describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project implementation.

## G.7 Grievance Redressal Mechanism

This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

## G.8 Entitlements, Assistance and Benefits

This section:

- Establishes the strategy and policy framework for the RAP and/or the LRP where the land acquisition is done by direct purchase by the company. With regard to government acquisition the appropriate laws would apply.
- Defines displaced persons' entitlements and eligibility and describes all resettlement assistance measures (includes an entitlement matrix);
- Specifies all assistance to vulnerable groups, including women and other special groups; and
- Outlines opportunities for affected persons to derive appropriate development benefits from the project.

## G.9 Relocation of Housing and Settlements

It has to be noted that in-case the project implementation entails a relocation of or displacement of a large number of people and providing resettlement site and housing is a part of the resettlement, the following key aspects should be covered as part of the RAP

- Describe options for relocating housing and other structures, including replacement housing, replacement cash compensation and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
- Describe alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites and development needs;
- Provide timetables for site preparation and transfer;
- Describe the legal arrangements to regularize tenure and transfer titles to resettled persons;



- Outline measures to assist displaced persons with their transfer and establishment at new sites;
- Describe plans to provide civic infrastructure; and
- Explain how integration with host populations will be carried out.
- Outlines measures to provide social safety net through social insurance and/or project special funds;
- Special measures to support vulnerable groups;
- Explaining gender considerations; and
- Assessment of relevant training programs.

## G.10 Income Restoration and Rehabilitation

The income restoration and rehabilitation aspects of a RAP incorporate aspects that include:

- Identification of livelihood risks and preparation of disaggregated tables based on demographic data and livelihood sources;
- Describing income restoration programs, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets);

## G.11 Monitoring and Reporting

This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.

Sample monitoring indicators have been provided in the following Table 1.1 for reference. It is to be noted that applicability of these indicators is limited with the requirements arising from respective projects.



**Table G.1 Monitoring and Evaluation Indicators**

Type	Indicator	Examples of Variables - All Data should be disaggregated by gender, vulnerable groups as required and for different groups of PAPs/PAHs.
Input	Staffing	<ul style="list-style-type: none"> <li>Number of Resettlement Officers and assistants from MEIPL located in the field</li> </ul>
	Budget and Time Frame	<ul style="list-style-type: none"> <li>Have all land acquisition and resettlement staff been appointed and Mobilised for the field and office work on schedule ?</li> <li>Have the capacity building and training activities pertaining to R&amp;R have been completed on schedule ?</li> <li>Is there sufficient availability of funds for resettlement available ?</li> <li>Have payment arrangements been established achieved on time ?</li> <li>Have funds been disbursed according to the agreed compensation plans ?</li> <li>Has all land been acquired and occupied in time for implementation ?</li> </ul>
	Basic information on Project Affected Households (PAH)/ Project Affected Persons(PAP)	<p>Information has to be collected pertaining to the project affected households which shall include:</p> <ul style="list-style-type: none"> <li>Location</li> <li>Composition and structure, ages, educational and skill levels</li> <li>Gender of household head</li> <li>Ethnic group</li> <li>Access to health, education, utilities and other social services</li> <li>Housing type</li> <li>Land and other resource owning and using patterns</li> <li>Occupations and employment patterns</li> <li>Income sources and levels</li> <li>Agricultural production data (for rural households)</li> <li>Participation in neighbourhood or community groups</li> <li>Access to cultural sites and events</li> <li>Value of all assets forming entitlements and resettlement entitlements</li> </ul>

Process Indicator	Consultation, Grievance	<ul style="list-style-type: none"> <li>Grievances by type and resolution</li> <li>Number of field visits by resettlement officers/assistants</li> <li>Have consultations taken place as scheduled including meetings, groups and community activities ?</li> <li>Have resettlement leaflets been prepared and distributed ?</li> <li>How many PAPs know their entitlements ?</li> <li>How many know if they have received the correct entitlement ?</li> <li>Have any PAPs used the grievance redress procedures? What were the outcomes ?</li> <li>Have conflicts been resolved ?</li> <li>Was the community preparation/sensitisation phase implemented ?</li> <li>Were special measures for vulnerable peoples implemented as necessary ?</li> </ul>
	Participation	<ul style="list-style-type: none"> <li>No. of General meetings (for both men and women)</li> <li>Percentage of women out of total participants</li> <li>Number of meetings exclusively with women</li> <li>Number of meetings exclusively with vulnerable groups</li> <li>Level of participation in meetings (of women, men &amp; vulnerable groups)</li> </ul>
	Procedures in Operation	<ul style="list-style-type: none"> <li>Census and asset verification/quantification procedures in place</li> <li>Effectiveness of compensation delivery system</li> <li>Number of land transfers effected</li> </ul>
Output Indicators	Acquisition of Land	<ul style="list-style-type: none"> <li>Area of cultivation land acquired</li> <li>Area of other private land acquired</li> <li>Area of communal land agreed</li> <li>Area of cultural sites acquired</li> </ul>
	Cultural heritage management	<ul style="list-style-type: none"> <li>Number of agreements on management of cultural heritage elements</li> <li>Number of design adaptations implemented to preserve immovable heritage sites</li> </ul>
	Buildings	<ul style="list-style-type: none"> <li>Number, type and size of private buildings acquired</li> <li>Number, type and size of community buildings acquired</li> <li>Number, type and size of community infrastructure built</li> </ul>

Type	Indicator	Examples of Variables - All Data should be disaggregated by gender, vulnerable groups as required and for different groups of PAPs/PAHs.
	Trees and Crops	<ul style="list-style-type: none"> <li>• Number and type of private trees acquired</li> <li>• Number and type of government/community trees acquired</li> <li>• Crops destroyed by area, type and number of owners</li> </ul>
	Restoration of community	<ul style="list-style-type: none"> <li>• Have PAHs adopted the housing options developed?</li> <li>• Have community networks been restored?</li> <li>• Have PAHs achieved replacement of key social and cultural elements?</li> <li>• Have host communities absorbed re-settlers amicably</li> <li>• Are community heritage site provisions working</li> </ul>
	Delivery of Entitlements	<ul style="list-style-type: none"> <li>• Have all PAPs received entitlements according to numbers and categories of loss set out in the entitlement matrix?</li> <li>• Have PAPs received payments on time?</li> <li>• Have PAPs who were impacted by temporary land access been compensated?</li> <li>• Have all PAPs received the agreed transition costs, shifting allowance, income support and any other resettlement allowances, according to schedule?</li> <li>• Are measures in place to provide land titles/security of tenure or community land agreements to PAPs as agreed?</li> <li>• How many households have received land titles/ other forms of tenural security or community agreements?</li> <li>• Is restoration proceeding for social infrastructure and services?</li> <li>• Are income and livelihood restoration activities being implemented as set out in the Livelihoods restoration plan?</li> </ul>
	Restoration of Livelihoods	<ul style="list-style-type: none"> <li>• Has employment provision adequately supplemented measures to compensate loss of earnings</li> <li>• Were compensation payments sufficient to replace lost assets?</li> <li>• Was sufficient replacement land available of suitable standard?</li> <li>• Did transfer and relocation payments cover these costs?</li> <li>• Did income restoration allow for re-establishment of enterprises and production?</li> <li>• Have livelihood restoration programmes been implemented</li> <li>• Have vulnerable groups been provided income-earning opportunities?</li> </ul>
	Levels of PAP Satisfaction	<ul style="list-style-type: none"> <li>• How much do PAPs know about resettlement procedures and entitlements?</li> <li>• Do PAPs know their entitlements? Do they know if these have been met?</li> <li>• How do PAPs assess the extent to which their own living standards and livelihoods have been restored?</li> <li>• How much do PAPs know about grievance procedures and conflict resolution procedures?</li> </ul>

	Effectiveness of Resettlement Planning	<ul style="list-style-type: none"> <li>• Were the PAPs and their assets correctly enumerated?</li> <li>• Was the time frame and budget sufficient to meet objectives?</li> <li>• Were entitlements sufficient?</li> <li>• Were vulnerable groups identified and assisted?</li> <li>• How did resettlement implementers deal with unforeseen problems?</li> </ul>
	Compensation Payments and entitlements	<ul style="list-style-type: none"> <li>• Was compensation paid on time?</li> <li>• Were other entitlements distributed on time, allowances, loss of income support?</li> <li>• Were there additional costs PAP's had to bear?</li> <li>• Were adequate funds available to meet the costs of resettlement?</li> </ul>
	Restoration of Livelihood	<ul style="list-style-type: none"> <li>• Were income restoration activities appropriate to restore or improve living standards?</li> <li>• How many PAP's/PAHs were impoverished as a consequence of resettlement?</li> <li>• Were vulnerable groups adequately assisted to improve living standards?</li> <li>• Are the livelihood schemes as described in the PARC being implemented satisfactorily?</li> </ul>
	Reestablishment of Community Resources and Community Compensation structures	<ul style="list-style-type: none"> <li>• Number of community buildings repaired or replaced</li> <li>• Number of cultural sites relocated and inaugurated</li> <li>• Number of community compensation structures or infrastructure agreed and built</li> <li>• Community management committees in place for community structures</li> </ul>
Impact Indicator as appropriate	Household Earning Capacity	<ul style="list-style-type: none"> <li>• Employment status of economically active members</li> <li>• Landholding size, area cultivated and production volume, by crop</li> <li>• Selling or transfer of cultivation land</li> <li>• Changes to income-earning activities (agriculture) – pre- and post-disturbance</li> <li>• Changes to income-earning activities (off-farm) – pre- and post-disturbance</li> </ul>
	Changes to Status of Women	<ul style="list-style-type: none"> <li>• Receipt and use of compensation</li> <li>• Access to and use of bank accounts</li> <li>• Participation in training programmes</li> <li>• Use of credit facilities</li> <li>• Take up of formal employment</li> <li>• Participation in commercial enterprises</li> </ul>



## G.12 Resettlement Budget and Financing Plan

This section:

- Provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation and preparation of resettlement plans during loan implementation.
- Describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items).
- Includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs.
- Includes information about the source of funding for the resettlement plan budget.

## G.13 Institutional Arrangements

This section:

- Describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;
- Includes institutional capacity building program, including technical assistance, if required;
- Describes role of NGOs, if involved and organizations of affected persons in resettlement planning and management; and
- Describes how women's groups will be involved in resettlement planning and management.

## G.14 Implementation Schedule

This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule

of civil works construction and provide land acquisition process and timeline.

## G.15 Outline of a Typical Scheduled Tribes Development Plan Indigenous Peoples Plan

A Scheduled Tribes Development plan/ Indigenous Peoples plan (IPP) is required for all projects with impacts on Indigenous Peoples. The following plan showcases the key aspects of a typical plan

### A. Executive Summary of the Indigenous Peoples Plan

This section concisely describes the critical facts, significant findings and recommended actions.

### B. Description of the Project

This section provides a general description of the subproject; discusses subproject components and activities that may bring impacts on Indigenous Peoples; and identify project area.

### C. Social Impact Assessment

This section:

- Reviews the legal and institutional framework applicable to Indigenous Peoples in project context.
- Provides baseline information on the demographic, social, cultural and political characteristics of the affected Indigenous Peoples communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- Identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Indigenous Peoples at each stage of project preparation and implementation, taking the review and baseline information into account.
- Assesses, based on meaningful consultation with the affected Indigenous Peoples communities, the potential adverse and positive effects of the subproject. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of

the relative vulnerability of and risks to, the affected Indigenous Peoples communities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.

- Includes a gender-sensitive assessment of the affected Indigenous Peoples' perceptions about the subproject and its impact on their social, economic and cultural status.
- Identifies and recommends, based on meaningful consultation with the affected Indigenous Peoples communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate and/or compensate for such effects and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the subproject.

#### **D. Information Disclosure, Consultation and Participation**

This section:

- Describes the information disclosure, consultation and participation process with the affected Indigenous Peoples communities that was carried out during project preparation;
- Summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design;
- In the case of subproject activities requiring broad community support, documents the process and outcome of consultations with affected Indigenous Peoples communities and any agreement resulting from such consultations for the subproject activities and safeguard measures addressing the impacts of such activities;
- Describes consultation and participation mechanisms to be used during implementation to ensure Indigenous Peoples participation during implementation; and
- Confirms disclosure of the draft and final IPP to the affected Indigenous Peoples communities.

#### **E. Beneficial Measures**

This section specifies the measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate and gender responsive.

#### **F. Mitigative Measures**

This section specifies the measures to avoid adverse impacts on Indigenous Peoples; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected Indigenous Peoples groups.

#### **G. Capacity Building**

This section provides measures to strengthen the social, legal and technical capabilities of (a) government institutions to address Indigenous Peoples issues in the subproject area; and (b) Indigenous Peoples organizations in the subproject area to enable them to represent the affected Indigenous Peoples more effectively.

#### **H. Grievance Redressal Mechanism**

This section describes the procedures to redress grievances by affected Indigenous Peoples communities. It also explains how the procedures are accessible to Indigenous Peoples and culturally appropriate and gender sensitive.

#### **I. Monitoring, Reporting and Evaluation**

This section describes the mechanisms and benchmarks appropriate to the subproject for monitoring and evaluating the implementation of the IPP. It also specifies arrangements for participation of affected Indigenous Peoples in the preparation and validation of monitoring and evaluation reports.

#### **J. Institutional Arrangement**

This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the IPP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the IPP.

#### **K. Budget and Financing**

This section provides an itemized budget for all activities described in the IPP.







# Annexure H

## Stakeholder Engagement Framework



# H. Stakeholder Engagement Framework

## H.1 Introduction

Stakeholder engagement is about building and maintaining constructive relationships over time. It is an ongoing process between a company and its project stakeholders that extends throughout the life of the project and encompasses a range of activities and approaches, from information sharing and consultation, to participation, negotiation and partnerships. The nature and frequency of this engagement should reflect the level of project risks and impacts.

The purpose of a Stakeholder Engagement Framework is to guide a company's strategy and program for development of dedicated stakeholder engagement plan(s) that will guide the company in engaging with stakeholders in a culturally appropriate manner as part of its project(s) implementation. The goal is to ensure the timely provision of relevant and understandable information by implementation of the developed stakeholder consultation plan. It is also to create a process that provides opportunities for stakeholders to express their views and concerns and allows the company to consider and respond to them.

A typical structure of an applicable stakeholder engagement plan as developed for any project

comprises of the following aspects based on the appropriate activities taken by project proponent throughout the project lifecycle:

- Regulatory, lender, company and/or other requirements for consultation and disclosure
- Identification and prioritization of key stakeholder groups
- In-place strategy and timetable for sharing information and consulting with each of these groups
- Structured roles and responsibilities for implementing stakeholder engagement activities
- Describe how stakeholder engagement activities will be incorporated into a company's management system.

This framework broadly discusses the aforementioned aspects in detail in the following sections and details out how and what is encompassed within these respective aspects while developing any stakeholder engagement plan and undertaking stakeholder engagement as part of the projects social safeguard activities.

## H.2 Key Definitions

A set of key terminologies used within this framework and their respective definitions have been provided in the following table.

**Table H.1 Definition of Key Terms**

Sl. No	Terminology	Definition
1	Affected Party	Stakeholders who are affected by the company or operation, both positively and negatively. Within this it is possible to distinguish between those that are directly affected and indirectly affected by the company or operation. Communication (with regard to stakeholders).



Sl. No	Terminology	Definition
2.	Dialogue between MEIPL and affected or interested parties.	Communication is exchanging (giving and receiving) information. Communication enables MEIPL to convey the aspects, risks and opportunities of their operations and to receive information from a range of stakeholder's concerns, questions and suggestions shared in response.
3.	Consultation	Consultation is not the same as communication although both are two-way processes. Consultation is purposeful and deliberately seeks input from stakeholders in order to shape relations and the development of programmes. It involves the business, key individuals, organisations and groups affected by or interested in the development and outcomes of the issue/process being discussed. The aim is to ensure mutual understanding and for all parties to be able to manage decisions that have a potential to affect all concerned. A good consultation process needs to be supported by a strong communication programme.
4.	Interested Party	Persons or groups who, although not affected by the MEIPL or operations, have an interest in or influence over MEIPL and its operations.
5.	Operation(s)	A location or activity that is operated by MEIPL or any of its associate EPC contractors on assets having MEIPL's ownership.
6.	Records of communication / consultation	Records of communication / consultation may include key e-mails, letters, newsletters, memorandums, complaints, opportunities for improvement, records of distribution/attendance, records of formal and informal meetings and records of commitments.  Note: the businesses need to identify communications that are critical to ensure avoidance of risks (both to community and employees).
7.	Representative Participation	Through stakeholder engagement all stakeholders and parts of society are represented and able to participate in dialogue with operations which they are directly impacted by or interested in.
8.	Stakeholder	Persons or groups that are directly or indirectly affected by a project as well as those that may have interests in a project and/or the ability to influence its outcome, either positively or negatively. This can refer to shareholders, lenders, employees, communities, industry, governments and international third parties.
9.	Stakeholder engagement	An umbrella term encompassing a range of activities and interactions between MEIPL and stakeholders over the life of a project that is designed to promote transparent, accountable, positive and mutually beneficial working relationships.  Stakeholder engagement includes stakeholder identification and analysis, information disclosure, communication, problem/conflict anticipation and prevention, on-going consultation, formation of partnerships, construction of grievance resolution mechanisms, negotiated problem solving, employee involvement in project monitoring, regular reporting forums and procedures and other related management activities.

### H.3 Project Area Baseline

The initial step to any stakeholder engagement planning and implementation process is identifying the relevant project footprint area. MEIPL is required to establish as part of its impact assessment practices for any given project, the baseline of the project area and understand the local social context and setting. The baseline should take into considerations the following key aspects:

- Local demography
- Land use profile and background on the land footprint of the project
- Existing occupation and livelihood practices
- Health and education levels
- Local tribal and indigenous population groups (if any)
- Local religious and cultural practices (if any)
- Existing vulnerability and vulnerable groups (if any)
- Other agreed quality of life indicators
- Local economy and capital income of households
- Ownership of fixed and movable assets
- Access/arrangement/adequacy of physical infrastructure (road, electricity, drinking water, sanitation, telecommunication, etc.)
- Access/arrangement/adequacy of social infrastructure (education, health, credit sources, markets, skill development, play grounds, worship places, etc.)

Once the baseline has been established, the impact assessment process for the project identifies the various stakeholders that are likely to be affected or influenced by or because of the project. Stakeholder identification and analysis shapes simultaneously during the process of baseline development; in fact, it shapes the baseline development as well as gets informed by the baseline.

The identification and analysis of stakeholders have been explained in the following section.

### H.4 Stakeholder Identification and Analysis

"Stakeholder Analysis" is the process of identifying the individuals or groups that are likely to affect or be affected by a proposed project and sorting them according to their impact on the project and the impact the project will have on them. This information is then used to assess the way the interests of the stakeholders should be addressed in the project plan, policy, program, or other action.

The importance of such an analysis lies in the role played by such an understanding in the assessment of the social environment surrounding the project. It allows for the:

- Identification of the interests, concerns and potential risks surrounding the stakeholders, as well as conflicts of interests (if any).
- Identification of relations between stakeholders that may enable "coalitions" of project sponsorship, ownership and co-operation as well as the mechanisms which may have a role in influencing other stakeholders.
- Key groups/ individuals to be pin pointed who need to be informed about the project during the execution phase.
- Identifying stakeholders (those who are likely to have an adverse impact from the project) and taking appropriate measures to combat their influence.
- Generation of information essential to the planning, implementation and monitoring of the project.
- Development of a framework for participatory planning and implementation of various project activities, if any.

The identification of stakeholders and their inclusion in the decision-making process is thus essential in the process of prioritizing, analyzing and addressing issues; and in creating management systems and strategies to address the concerns/ expectations of the various stakeholders.

### H.4.1 Stakeholder Profiling

A stakeholder is “a person, group, or organization that has a direct or indirect stake in a project/organization because it can affect or be affected by the Project/organization's actions, objectives and policies”. Stakeholders thus vary in terms of degree of interest, influence and control they have over the project. As part of the impact assessment study, these stakeholders must be identified.

The identified stakeholders who have direct impact on or are directly impacted by the project are known as **Primary Stakeholders**, those who have an indirect impact or are indirectly impacted are known as **Secondary Stakeholders**. Typical stakeholders that are relevant to MEIPL's projects or are typically influenced in solar or wind projects in India have been provided in **Table H.3** is not limited and other stakeholders.

**Table H.3 Stakeholder Group Categorization**

Stakeholder Groups	Primary Stakeholders	Secondary Stakeholders
<b>Community</b>	<ul style="list-style-type: none"> <li>• Turnkey Contractors</li> <li>• EPC Contractors</li> <li>• Sub-contractors</li> <li>• Contractual Labourers under MEIPL (if applicable)</li> <li>• Contractual Labourers under Contractor</li> <li>• Land owners, land users, agricultural Labourers (if applicable)</li> <li>• Communities where project is located</li> <li>• Project Affected Families</li> </ul>	<ul style="list-style-type: none"> <li>• Local community outside the immediate impact zone of the project</li> <li>• Non-government organizations, interest groups or other civil society groups</li> </ul>
<b>Institutional Stakeholders</b>	<ul style="list-style-type: none"> <li>• Gram Panchayats</li> <li>• Project investors</li> </ul>	<ul style="list-style-type: none"> <li>• Village Institutions (schools, health centres).</li> </ul>
<b>Government Bodies</b>	<ul style="list-style-type: none"> <li>• Regulatory Authorities;</li> <li>• District Administration</li> </ul>	
<b>Other Groups</b>	<ul style="list-style-type: none"> <li>• Gram Panchayats</li> <li>• Project investors</li> </ul>	<ul style="list-style-type: none"> <li>• Other industries/projects</li> <li>• Other external influences</li> </ul>

### H.4.2 Stakeholder Mapping & Analysis

“Stakeholder mapping” is a process of examining the relative influence that different individuals and groups have over a project as well as the influence of the project over them. The purpose of a stakeholder mapping is to:

- Identify each stakeholder group;

- Study their profile and the nature of the stakes;
- Understand each group's specific issues, concerns, as well as expectations from the project that each group retains.

Based on such an understanding, every stakeholder engagement plan for a project categorises

stakeholders into high influence/priority, medium influence/ priority and low influence/priority. The stakeholders who are categorized as high influence are those who have a high influence on the project or are likely to be heavily impacted by the project activities and are thus high up on the project proponent's priority list for engagement and consultation. Similarly, the stakeholders categorized as medium influence are those who have a moderate influence on the project or even though they are to be impacted by the project, it is unlikely to be substantial and is thus neither high nor low in the project proponent's list for engagement. On the other hand, the stakeholders with low influences are those who have a minimal influence on the decision-making process or are to be minimally impacted by the project and are thus low in the project proponent's engagement list. Kindly refer to **Table 1.3** for further details.

## H.5 Stakeholder Engagement

### H.5.1 Objectives of Engagement

The process of stakeholder engagement refers to the exchange of information, as well as communication with the stakeholders. The primary focus of such an engagement process is to allow for the project proponent and the stakeholders to develop a relationship based on mutual understanding and trust on issues of common interest. Such relationships are enabled by a better understanding of the stakeholders and their perspective on key issues. This in turn allows for informed decision making to take place through the generation of business intelligence and the building of brand equity and reputation, developing and expanding markets or opportunities as well as avoiding and reducing risks.

This section outlines the how an engagement process should be outlined in a stakeholder engagement plan and the process for undertaking the engagement process with the stakeholders identified for the project.

### H.5.2 Engagement & Consultation Process

The process of engagement and consultation in any project is a process which spans the entire lifetime of a project, from its inception to its closure. This process along with its modus operandi is crucial in safeguarding the

project against any social risks by engaging the respective stakeholders during the various phases of the project lifecycle based on the significant needs.

Some key principles that must be considered whilst devising an effective engagement and consultation process include:

- Providing meaningful information in a format and language that is readily understandable and tailored to the needs of the target stakeholder group(s)
- Providing information in advance of consultation activities and decision-making
- Disseminating information in ways and locations that make it easy for stakeholders to access it
- Respect for local traditions, languages, timeframes and decision making processes
- Two-way dialogue that gives both sides the opportunity to exchange views and information, to listen and to have their issues heard and addressed
- Inclusiveness in representation of views, including separate interviews or discussions with local women (keeping in view the local customs and done by female company staff or consultant), vulnerable and/or minority groups (if any)
- Processes free of intimidation or coercion
- Clear mechanisms for responding to people's concerns, suggestions and grievances
- Incorporating feedback into project or program design and reporting back to stakeholders, if the situation requires so.

### H.5.3 Tools for Consultation

The methods recommended for the consultations and engagement with each stakeholder varies according to their profile. Some of the most common tools of engagement and consultation are discussions, consultations and meetings. These modes of engagement can be undertaken in the forms of groups or at individual levels. These serve the purpose of allowing the project proponents to gain an understanding of the viewpoint of the other stakeholders involved in a project regarding the functioning of the project, the implementation

of various provisions in the project. These modes of engagement also provide the stakeholder with an opportunity to be involved in the formulation and implementation of the various strategies and plans while allowing them to voice their concerns or suggestions pertaining to the project.

Some of the common tools being used are:

- One of the most forms of undertaking these consultations and discussions is that of **Focus Group Discussions** and **Semi-structured and Structured Interviews**. A Focus Group Discussion (FGD) refers to a discussion carried out amongst a group of people (6-8) from a similar background/profile on a specific topic while being guided by a moderator. The primary purpose of such discussions is to gather an insight into the thought process of the group regarding an issue. The FGDs to be undertaken for this project are to be undertaken with the Gram Panchayats and the vulnerable communities. This method would thus allow for the collective opinion of these groups to be captured and assessed. This method of consultation is imperative for the vulnerable groups because, in the present scenario; consultations with the entire community have an attached risk of the dominant group's views being propagated. Hence, to ensure that not only the vulnerable groups are provided with an opportunity to voice their opinions but also the issues/concerns pertaining to them specifically receive adequate attention, focus group discussions are to be undertaken.
- Apart from FGDs, general discussions with either the community or individual representatives are also undertaken as part of the engagement process. Discussion with the gram panchayats is important to allow for the proper formulation of development plans. The need for focused discussions lies in the fact that due to the vast mandate of the gram panchayat, clear agendas for meetings and discussions are required to ensure the meeting of the agenda of the meeting being held.
- Semi-structured interviews and checklists are also to be used as a method of inquiry in which a pre-determined set of open questions or check points are used to gather further information pertaining to specific themes or issues.
- Apart from these discussions and interviews,

**Regular Open Meetings** and **Open Group Consultations** also serve as extremely important tools for community engagement. These meetings and consultations not only form a part of certain regulatory requirements (such as public hearing) but also serve as useful tools for gathering information from larger groups (for instance, attendance of the annual Gram Sabha meetings). These meetings and consultations typically involve a notification (to publicise the matter to be consulted upon) and a consultation (a two-way flow of information).

## H.6 Methods of Consultation

For undertaking a consultation and engagement process with such a diverse set of stakeholders it is imperative to tailor the consultation process to each stakeholder's individual profiles, purpose and objectives. This is so because the utilization of a common modus operandi for the all stakeholders and that too for the whole project duration may result in the failure of the engagement process in achieving its goals.

Towards this end, the methods of consultation to be undertaken by the project proponent for the individual stakeholders are summarized in the table given below. While the consultations with the community are/will be carried out within the village boundaries, according to the convenience of the stakeholders involved, the consultations with the other stakeholders (district administration, governmental departments, political parties amongst others) should be carried out in the offices of the stakeholders as per the availability.

The following **Table H.4** provides a sample summary of engagements which are required in a typical project lifecycle. It indicates the methodology on how these stakeholder consultations are accomplished.



**Table H.4 Sample methods of Consultations and Engagement**

Sl. No	Stakeholder	Stakeholder Category	Objective of Engagement	Stakeholder Influence	Methods of Consultation and Engagement	Frequency of Consultations and Engagement
1	Sub-contractors	Primary Stakeholder	To appraise about labour working condition and EHS compliance	Medium	<ul style="list-style-type: none"> <li>Periodic Meetings (for information dissemination, including information regarding labour laws, local employment opportunities, safety measures and discussions of grievances) as per the working duration,</li> <li>Information dissemination regarding welfare provisions for labourers, employment opportunities, grievances, EHS and CSR activities through notice board and display of key messages on billboard</li> </ul>	<ul style="list-style-type: none"> <li>Meetings and periodic reporting in the operations phase</li> </ul>
2	Contractual Labourers	Primary Stakeholder	To appraise about labour working condition	Medium	<ul style="list-style-type: none"> <li>Information dissemination regarding welfare provisions for labourers,</li> <li>Grievance Redressal Mechanism (GRM) and EHS through notice board and display of key messages on billboard,</li> <li>Open interactions as and when required</li> </ul>	<ul style="list-style-type: none"> <li>Open discussion as per the requirement but at least quarterly, (when hired during the operations Phase)</li> </ul>
3	Gram Panchayats	Primary Stakeholder	For necessary information disclosure of SEP. As Part of GRM Ensured involvement in CSR activities and local procurement if required	High	<ul style="list-style-type: none"> <li>Consultations, meetings (FGD and individual interview) and Discussions;</li> <li>Sharing of documents, if required, as part of the disclosure mechanism;</li> <li>Meetings as a part of the Grievance Redressal mechanism, if required;</li> <li>Attendance at Panchayat meetings and participation in CSR activities and agreements with communities documented in minutes of meetings</li> </ul>	<ul style="list-style-type: none"> <li>As and when required; and</li> <li>As per the regulatory requirements</li> </ul>
4	Regulatory Authorities	Primary Stakeholder		High	<ul style="list-style-type: none"> <li>Meetings and Discussions</li> </ul>	<ul style="list-style-type: none"> <li>As per the regulatory requirements; and</li> <li>As per the need.</li> </ul>
5	District Administration (Tehsildar, SDO, Patwari)	Primary Stakeholder	Regular engagement Participation in CSR Activities	High	<ul style="list-style-type: none"> <li>Regular meetings and participation in CSR events</li> </ul>	<ul style="list-style-type: none"> <li>Regular Meetings; or</li> <li>Monthly or as &amp; when required</li> </ul>

6	Land Sellers and Land Users	Primary Stakeholder	To seek support if required	Very Low	<ul style="list-style-type: none"> <li>Attendance in plant functions/occasions, or seek their support as and when required</li> </ul>	<ul style="list-style-type: none"> <li>Meeting and invitation in events</li> </ul>
7	Local Community	Primary Stakeholder	Managing and ensuring participation in CSR activities. As part of GRM.	Low	<ul style="list-style-type: none"> <li>Open Meetings,</li> <li>Interactions with community at Gram Panchayat,</li> <li>Sharing of CSR reports and other documents, if required, as part of the disclosure mechanism and the GRM; and</li> <li>Involvement in CSR activities</li> </ul>	<ul style="list-style-type: none"> <li>As and when required</li> </ul>
8	Local Women	Primary Stakeholder	Managing and ensuring participation in CSR activities. As part of GRM.	Low	<ul style="list-style-type: none"> <li>Meetings specific to women or women's groups</li> <li>Sharing of CSR reports and other documents, if required, as part of the disclosure mechanism and the GRM; and</li> <li>Involvement in CSR activities</li> </ul>	<ul style="list-style-type: none"> <li>As and when required</li> </ul>
9	Agricultural Labourers	Primary Stakeholder	For necessary information Managing and ensuring participation in CSR activities. As part of GRM.	Very low/ Non Existent	<ul style="list-style-type: none"> <li>Open Public Consultations</li> <li>sharing of reports and other documents as part of the disclosure mechanism (Provisioning of reports in Hindi/local language, if required)</li> <li>Involvement in CSR activities</li> </ul>	<ul style="list-style-type: none"> <li>As and when required</li> </ul>
10	Vulnerable Community (not affected by land acquisition)	Secondary Stakeholder	Managing and ensuring participation in CSR activities. As part of GRM.	Medium	<ul style="list-style-type: none"> <li>Discussions, FGD, Open meetings and consultations with each category,</li> <li>meetings as part of the GRM and</li> <li>Involvement in CSR activities</li> </ul>	<ul style="list-style-type: none"> <li>FGDs with each group</li> <li>Provisioning of reports in Hindi/ local language, if required.</li> </ul>
11	Village Institution (School & PHC)	Secondary Stakeholder	Managing and ensuring participation in CSR activities	Low	<ul style="list-style-type: none"> <li>Discussions, Consultations and Open Meeting and discussions, FGDS; and</li> <li>Involvement in planning and implementation of CSR activities</li> </ul>	<ul style="list-style-type: none"> <li>Depending upon requirements.</li> </ul>

## H.7 Reporting and Documentation Process

Details of all the engagement activities is to be properly recorded in the form of minutes and maintained as a stakeholder engagement database for the projects that MEIPL undertakes. Such a database would allow for effective monitoring of the engagement process as well as ensure that the concerns and query of the stakeholders are resolved in a timely manner. The recording process is to be carried out in a definitive manner adhering to a framework which apart from illustrating the outcome of the meetings with the stakeholders in a comprehensive manner provides scope for demonstrating other vital aspects of each meeting such as date, place/ location of meeting, key participants and so on.

A Stakeholder Engagement Report consolidating the stakeholder engagement processes of multiple projects in the solar and the wind sectors respectively may be recorded annually that may include a summary of issues raised by stakeholders, numbers and subjects of grievances, a summary of key actions taken to address concerns, analysis of trends in KPIs, (if any) and plans for engagement in the next period.

## H.8 Information Disclosure Mechanism

One of the most important aspects of any consultation or engagement process is the process of information disclosure. This process is not only part of certain regulatory requirements but also a requirement of the investors in the project. The process of information disclosure can be undertaken in two manners, either voluntary disclosure or disclosure as part of the regulatory requirements.

While regulatory disclosure involves the provisioning of information as required by the authorities and agencies involved in the project, voluntary disclosure refers to the process of disclosing information to the various stakeholders in a voluntary manner. The process of disclosure involves the provisioning of information in an accessible manner (a manner which allows for easy understanding, such as in the local language) to the various stakeholders in a project. This

disclosure not only allows for trust to be build amongst the stakeholders through the sharing of information but also allow for more constructive participation in the other processes of consultation and resolution of grievances due to availability of accurate and timely information.

The disclosure of impact assessment reports and relevant plans is to be carried out in a manner which would make the information available to the community in an accessible and timely manner. Some of the disclosure related activities proposed for the future are as follows:

- This would include making copies of the main reports/executive summary, available in the Panchayat offices or the community centres and/or other locations readily accessible (through means such as pamphlets or leaflets) to the entire community in the locally preferred language.
- The provisioning of these reports and plans at the Panchayat Office or a small open meeting with the community to notify the stakeholders of the documents being disclosed and their nature and location as well as decide a date for receiving feedback from the community.
- Another approach could be to engage the community during the various other community development activities, including livelihood development, farmers meeting etc. These forums could also be used for the disclosure of the information to the community;
- As a part of the disclosure, the stakeholder reports or the key public consultation findings or the grievance related records can also be made available at project office;
- At minimum, such disclosure should be done on an annual basis to the various stakeholders through suitable manner.

## H.9 Institutional setup for SEP Implementation

To manage its engagements with the project stakeholders and meet the objectives of stakeholder engagement, MEIPL is required to ensure that this engagement process is given as much importance as the other project activities as well as guarantee the availability of certain resources. To ensure



compliance of the objectives with the timeline given above, respective site incharge is overall responsible for the implementation of the same.

## H.10 Monitoring and Review

The monitoring of the SEP and the efficacy of its implementation for any project are required to be carried out as per formats devised or planned as per requirement of the project. The monitoring and reviewing schedule can either be developed as part of the impact assessment planning and planned in commensuration with the developed

ESMP or developed standalone to meet or suffice the requirements of the project.

**Note:** This is typically a process of Stakeholder Engagement Frame Work, that is proposed to follow for the self-development sites with / through EPC contractor, in which MEIPL is involved from the initial stages of the project. In case of turnkey based projects, MEIPL will ensure that the Stakeholder Engagement Frame work of the turnkey contractor will full fill the basic requirement of lenders/investors specific standard/guidelines aligned with the ESMS.





# Annexure I

## Outline of Grievance Redressal Framework







# I. Outline of Grievance Redressal Framework

## I Introduction

This Grievance Redressal Framework (GRM) has been developed by MEIPL for managing grievances related to environmental and social performance arising from its operations in Solar /Wind Projects. This GRM shall serve as one of the component of MEIPL's Environmental and Social Management for managing overall performance of its projects as well as providing more accountability to its stakeholders. The GRM is based on four (4) guiding principles of the company which include:

- Transparency
- Fairness
- Respect
- Accountability

### I.1 Types of Grievances

If any internal or external stakeholder believes that the company's business practices or activities are having an adverse impact on their quality of life, livelihood or environment, which they want the appropriate management to address, such a concern can be classified as a complaint or grievances. From the purpose of classifying the various kinds of grievances that can arise, they are mostly categorized under four (4) headings:

#### I 1.1 Internal Grievances

Employee Grievance (Separate procedure in place as part of the Human Resources (HR) of MEIPL. These include the employees hired specifically for the site.

#### I 1.2 External Grievances

Contractor and labour related grievances (Directly /indirectly controlled by MEIPL)

Community grievances including those on land and resettlement issues, project activities, CSR intervention, employee/worker-community

conflicts and other project related issues (Directly/ Indirectly controlled by MEIPL)

Internal Grievances- Employees Grievance

The likely grievances of direct employees of MEIPL may include but not limited to:

- Complaints pertaining to amount of wage, salary, other remuneration or benefits, as per company's centralized HR Policy
- Timely disbursement of remuneration;
- Working condition, health and safety of the employees;
- Unethical behaviour between senior and subordinate employees;
- Discrimination based on caste, creed, language, religion etc.;
- Gender discrimination; and
- Workplace harassment

#### External Grievances

External grievances are those grievances received from the external stakeholders such as labour and workforce, contractors, communities, local administrative setup, community groups/NGOs and media groups.

#### Contractors and Labour Related Grievance

The workers include the local and interstate migrant workers are likely to have the grievance related to the following issues:

- Risk to health and safety of the labourers or workers hired by the contractors
- Working condition of the labour
- Wage discrimination among the labour
- Timing of the payments
- Adequate facilities in the labour camps

(during construction stages) including water supply and sanitation

- PF, ESIC, Workmen's compensation, adequate health facility related issues
- Unjustified deduction from the wages
- Minimum wage rates for the labour
- Extended working hours
- Prevention and protection of child labour from hazardous work condition
- Issue of forced labour
- Gender discrimination.

Note: MEIPL has limited control on labour & workforce deputed through contractor/subcontractor as per business model. However, as a principle employee, MEIPL shall monitor the overall process as & when required as a part of its own Environmental & Social Management system. Should the contractors have their own GRM, MEIPL will ensure that it is functioning effectively and even review the grievance records. However, if the contractors lack GRM in the first place, MEIPL will ensure that the workers are linked to their GRM process.

## Community Grievance

The surrounding community of the project is considered as important stakeholder by the Project. The possible grievances of the community could be:

- Land and compensation related issues
- Damage to, crops, infrastructure
- Eligibility issues and payment of compensation
- Improper/ inadequate valuation of the compensation
- Compensation and employment entitlement against losses
- Delay in the payment of the compensation
- Livelihood restoration issues and associated benefits
- Adverse impacts on community, common property resources (CPR)
- Community development, employment and

other issues

- Risks to community, health & safety (e.g. traffic)
- Accidents (e.g. involving livestock)
- Unethical Behaviour by MEIPL personnel or its sub-contractors
- Noise/dust/air emissions or any other impact on environment caused by project or sub-contractors
- Demand for development interventions in the community
- Issues owing to behaviour of the security personnel and general attitude of the local community
- Issues related to cultural conflicts or opportunity conflict owing to presence of migrant workers in the community or in the nearby areas
- Any attempts to conceal the above

Note: MEIPL has limited control in case of turnkey contract for the project /OEM. However, as a principle employee, MEIPL shall monitor the overall process as & when required as a part of its own Environmental & Social Management System. MEIPL may engage third party based on the merit and sensitivity of grievance, directly / indirectly controlled by MEIPL

## 1.2 Redressal Process

Redressal Process for Internal/Employee Grievances

MEIPL as part of its Human Resources system has developed grievance addressing policy with detailed scope and coverage considering registration and addressing of internal grievances raised by the employees, which display Grievance procedures transparently in its SAP Net Weaver Portal with following objectives:

- Grievances of the employees in the shortest possible time
- At the lowest possible management level
- With appellate stages, so that it is fair, transparent and reasonable

The grievance policy is intended as the tool by which a member of staff may formally have a grievance,



regarding any condition of their employment, which he/ she wants to be heard by the management of the Company.

The following stages outline the existing grievance redressal process established by MEIPL with stipulated period to resolve the issues for its employees:

### **Stage 1: First level of grievance redressal**

The aggrieved employee may take up the grievance in writing with his/her reporting officer. If the matter itself concerns the employee's line manager or program manager, then the grievance should be escalated to the Head of the Department.

### **Stage 2: Second level of grievance redressal**

In case employee is not satisfied with the decision communicated to him/her at Stage-I, or if she/he fails to receive the reply within stipulated period, he/she may submit the grievance in the prescribed form to Head- HR

### **Stage 3: Third level of grievance redressal**

If the employee remains aggrieved and not satisfied with the decision of the Head-HR, will have an option to appeal to the President

#### **Redressal Process for External Grievances**

MEIPL has limited on external grievances due to its business model. Mainly deputed petty contractor will be responsible for grievances redressal system as they are responsible from land purchasing to plant erection and OEM. In those cases, as a principle employee, MEIPL shall monitor the overall process as & when required as a part of its own Environmental & Social Management System. However, in case of self-developed project and OEM, MEIPL will implement a robust grievance redressal & management system with a defined process.

### **Stage 1: Publicizing Grievance Management Procedures**

For any project, MEIPL / deputed Contractor is required to ensure suitable public disclosure of its grievance handling and redressal process to its external stakeholders such as the community or the local administration. The company will establish a grievance body at the plant site comprising of

designated personnel and disclosure of such a body to be displayed at suitable location in the plant premises so that any member of the community can easily access such information.

Looking at the scale of the project and the duration of the construction stage wherein maximum numbers of contract workers, migrant workers or workers from the local community are supposed to be working at the site for a duration ranging from six months to nine months tentatively, the grievance redressal mechanism for the community can simultaneously be used for the workers. The process of disclosure of information and the GRM process itself will be disclosed to the workers considering the duration i.e. six months to nine Months. Should the contractors have their own GRM, MEIPL will ensure that it is functioning effectively and even review the grievance records as and when required.

For the grievance mechanism to be in line with the cultural and socio- economic characteristics, based on its understanding of the ground situation in the project area, the company / deputed contractor will strive to provide the following information to the stakeholders (primarily community) from time to time with suitable communication media, at least some of the following:

Project-level mechanisms capable of delivering outputs against grievances and benefits complainants can receive from using the company grievance mechanism, as opposed to other resolution mechanisms;

Information on who can raise complaints (affected communities);

Where, when and how community members can file complaints;

Company personnel responsible for receiving and responding to complaints and

Type of response complainants can expect from the company/contractor, including proposed timing of response, based on the gravity;

Designated personnel shall be responsible for publicizing the procedure through appropriate methods.

### **Step 2: Receiving and Keeping Track of**



## Grievances

This receipt and tracking of grievances primarily involves the following stages:

- Collecting and recording grievances;
- Registering them in a suitable manner; and
- Tracking them to reflect their status

### Grievance Receipt and Recording

Designated personnel from the grievance body with collection of grievances writes down complaints at group or individual meetings, during field visits, or at designated locations. These grievances are to include:

Complaints received through third parties such as Sarpanch, community persons, contractors, contract workers, etc.;

Complaints received by project staff directly/indirectly involved in handling grievances;

Tracking of grievances can be undertaken with keeping of records in the registrar.

Designated grievance personnel of respective sites will be responsible to intimate the Grievance status at regular interval to appropriate authority e.g.. Project Head, OEM Head, HR&FMS-Head and EHS Head so that it will be reflected in appropriate forum like ESMS committee. The designated grievance personnel may also do a case to case grievance status reporting to the Top management in case of critical grievances or grievances that may require immediate attention of the Top management or ESMS committee.

### Step 3: Reviewing and Investigating Grievances

The designated personal from the grievance body responsible for grievance handling will organize the process to validate the complaint's legitimacy and arrange for investigation of details as per the applicability. All grievances shall undergo some degree of review and investigation, depending on the type of grievance and clarity of circumstances.

MEIPL will communicate clearly to all concerns about the role, responsibilities and limitations of a company grievance mechanism and the limitations of the same in handling grievances, if any to ensure transparent dealing of any grievance.

### Step 4: Developing Resolution Options and Preparing a Response

Rationale for Grievance Closure

The requirements/need specified in the form of grievance by the aggrieved have been effectively addressed to the satisfaction of the complainant;

Applicable Grievance to be duly addressed and closed by MEIPL in stipulated time based on the merit.

Process of the Grievance Redressal

The person having grievance will come on the scheduled time and lodge the complaint in person or through other recognised person/forum identified by the company

The grievance will be processed and concerned person will be informed through a suitable communication by person or through company recognized person/forum within mutually agreed stipulated period

On hearing from the designated grievance personnel, they have to come for further processing to the grievance redressal, if required.

### Step 5: Monitoring, Reporting and Evaluating a Grievance Mechanism

Monitoring and reporting can be tools for measuring the effectiveness of the grievance mechanism and the efficient use of resources and for determining broad trends and recurring problems so they can be resolved proactively before they become points of contention. Monitoring helps identify common or recurrent claims that may require structural solutions or a policy change and it enables the company to capture any lessons learned in addressing grievances. Periodic review of internal and external grievances has to be carried out at the appropriate forum of MEIPL like ESMS committee meetings.

### Monitoring Indicators

Grievance records will provide the background information for regular monitoring, both informal and formal.

## Step 6: Reporting and Recording

Based on all grievances received, registered, documented and tracked through database reports shall be prepared for reporting to the appropriate Forum. This shall assist in tracking overall trends and patterns in concerns allowing emerging issues to be flagged and understood at an early stage. Monitoring and reporting also create a base level of information that can be used by the company to report back to communities as per the applicability and requirement.

Monitoring and reporting can be tools for measuring the effectiveness of the grievance mechanism and the efficient use of resources and for determining broad trends and recurring problems so they can be resolved proactively before they become points of contention. Monitoring helps identify common or recurrent claims that may require structural solutions or a policy change and it enables the company to capture any lessons learned in addressing grievances. Periodic review of internal and external grievances has to be carried out at the appropriate forum of MEIPL like ESMS committee meetings.

### Monitoring Indicators

Grievance records will provide the background information for regular monitoring, both informal and formal.

## I 3. Disclosure of this GRM

The disclosure for GRM will be done with the appropriate community, employees and stakeholders to fulfil the specific purpose based on the requirement through suitable communication.

## Manpower: Roles and Responsibilities

### Corporate Level

At the corporate level, handling of grievances is required to be directly handled by the HR&FMS department under the responsibility of the designated officer, declared in the SAP Net Weaver Portal for resolution of internal grievances.

## Project & O&M Level

A grievance Body, headed by designated Grievance officer is proposed for effective implementation of GRM and coordinating day to day functions. The grievance Body would be reporting back to the appropriate authority including functional areas such as HR, Project, O&M, BD/Land, CSR, EHS etc. as per requirement. The mandate of this cell would be managed as part of the ESMS forum.

### Financial

MEIPL will ensure appropriate budget allocation to deal with grievance tracking and handling with consent of appropriate authority.

### Training

Awareness shall be provided in the company's policy and practices for both employee and appropriate stakeholder grievance mechanisms, relevant to their exposure and responsibilities.

Grievance Register is recommended as follows:

### Grievance Register is recommended as follows:

Company/ SPV Name:			Location:			Grievance Officer /s with Mobile/s :			
Month :			Year :			Note: Employee Grievance as per Company policy			
Sl No.	Grievance Date & time	Name & Address or person with Mobile no.	Gender ( M/F)	Details of Issue / Problem	Mode of Sharing of Problems/ Issues	Person who attended	Action taken	Remark (Open/Close/ Pending)	Remark/s of Grievance officer/s with Signature



# Annexure J1

## Typical Terms of Reference for ESIA Study







# J. Typical Terms of Reference for ESIA Study

The TOR of Environmental and social Impact Assessment Study proposes to support the funding mechanism with directive of its Lender/Funding agency/ Bank considering ADB's Safeguard Policy Statement (SPS 2009), Public Communications Policy (2011), Social Protection Strategy (2001), Gender and Development Policy (1998) and the World Bank Group's (WBG) Environmental, Health and Safety Guidelines covering General EHS matters, Wind Energy and Distribution , IFC performance standard , Equator principles aligned with all applicable host country statute. ESIA study should fulfil any specific requirement, mutually agreed by MAPPL and any lending/funding agency.

## J.1 Objective

The objective of the study specifically will attempt the following;

- To establish the environmental baseline in the study area and to identify any significant environmental issue;
- To analyse, quantify the impacts and design project activities keeping in view environmental social impacts.
- To prepare an inventory of biodiversity (flora and fauna) affected due to project activity.
- To mitigate adverse impacts by the provision of the requisite avoidance and compensation measures of proposed project activities
- To identify & design appropriate safeguards for associated risk & disasters with proposed management plan
- To develop Environment and Social Management and Monitoring Plan(ESMMP) for implementation & monitoring of the mitigation measures along with applicable and suitable green /vegetation plan with proposed Budget.
- To integrate the environmental and Social issues in the project planning and design;

- Prepare a PAP profile through suitable survey using acceptable tool/s, as per the applicability
- Focused Group discussion to identify the needs, problems, if applicable
- Socio economic survey by need base assessment study based on secondary / primary information
- Identify socio-economic indicators to help implement and monitor the R & R process, if applicable
- Formulate and suggest suitable R & R and CSR plan (if applicable) for the specific project
- Check and confirm if the project is properly following to the ESMS provision agreed with ADB.
- Check and confirm if the project is falling into Environmental Category B considering ADB SPS 2009 as well as IFC standard.

## J.2 Redressal Process

The broad scope of work will be considered for ESIA study includes the following aspect of proposed project but not limited to.

- Literature survey, data collection, examination of available environmental, social reports/data, understanding the proposed project through project report and discussions etc.
- Project cost & Implementation Schedule.
- Justification of the project
- Social & Environmental compliance requirement:

National regulation, social and environmental performance standards of the International Finance Corporation/Equator Principal, ADB Safeguard Principles (Check and confirm if the

project is properly following to the ESMS provision agreed with ADB. Also check and confirm if the project is falling into Environmental Category B considering ADB SPS 2009).

- ADB SPS Safeguard Requirement 2 and 3 on Involuntary Resettlement and Indigenous People respectively with mitigation and management measures as per the applicability
- Environment and Social Impact Assessment (ESIA)

#### A. Social Consultation

#### B. Impact Assessment

#### C. Conclusion

- Collection and generation of baseline environmental data (primary & secondary) & compilation of environmental status of proposed project
- Determination of major impacts on environment & their prediction with mutually approved methodology, recognised by host country/ Banker/Lender/ Funding Agency
- To list out all the species of flora and fauna affected due to project activity (both temporarily and permanently)
- Development of environmental management plan to mitigate the adverse impacts during construction & operation phase along with suitable green vegetation development plan (as per the applicability) with proposed budget

- Determination of risk & disaster for the proposed project and its management measures system in totality
- Close interaction with the project proponent, other concerned governmental agencies and stakeholders to identify specific issues that needs to be addressed to meet the statutory requirements.
- Review of land documents and land acquisition process adopted for the project and impact of land acquisition
- Environmental and social impact (if any) for any applicable ROW for solar projects and associate activities
- Study for profile of PDPs/ PAPs, considering project impacts and benefits to identify and formulate R & R plan, concurrence with legislative frame work, as per the applicability
- Baseline study of socio – economic & cultural profile of project impact area and need base assessment to identify, formulate and suggest CSR plan as per the applicability
- Active involvement in preparation of various clarifications and presentations (as and when required for FI).
- All necessary assistance as required till the final approval is obtained from FI
- Preparation & submission of environmental & social impact assessment & environmental management plan and Biodiversity Study reports along with risk assessment (RA) & disaster management plan (DMP) reports to FI



Table J.0.1 Typical Scope of Work for ESIA

Activity	Details
Description of site and Study Area	<ul style="list-style-type: none"> <li>• Project area (including all appurtenances) of 10 km radius.</li> <li>• Terrain type</li> </ul>
Baseline data	
Meteorology	<ul style="list-style-type: none"> <li>• Wind velocity</li> <li>• Seasonal Variations</li> <li>• Natural weather phenomenon</li> <li>• Natural Hazards</li> </ul>
Biological Resources	
Flora	<ul style="list-style-type: none"> <li>• Forests and forest type</li> <li>• Vegetation Mapping</li> <li>• Species Diversity Index of biodiversity</li> <li>• Economically important plants, medicinal, as wells as timber, fuel wood etc.</li> <li>• Listing/quantification of rare, endemic, endangered and threatened species.</li> <li>• Location of biosphere reserve, National Park or sanctuary in the vicinity</li> </ul>
Fauna	<ul style="list-style-type: none"> <li>• List of terrestrial wildlife along with present status as per IUCN classification and wild Life Act</li> <li>• Zoogeographic distribution/affinities, endemic, threatened and endangered species</li> <li>• Migratory corridor</li> <li>• Habitat destruction, Habitat Fragmentation</li> </ul>
Avifauna	<ul style="list-style-type: none"> <li>• Status: endemic, threatened and endangered species</li> <li>• Resident/Migratory/Passage migrants</li> <li>• Migratory Flyway</li> </ul>
Aquatic Ecology	<ul style="list-style-type: none"> <li>• Aquatic Fauna: Macro-invertebrates, zooplankton, phytoplankton, benthos, etc.</li> <li>• Conservation Status</li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>• Particulate Matter and other pollutant gases</li> </ul>
Noise Level	<ul style="list-style-type: none"> <li>• Background noise at the site and vicinity</li> </ul>
Traffic Density	<ul style="list-style-type: none"> <li>• Identify traffic loads peak and non-peak</li> </ul>



Soil Quality	<ul style="list-style-type: none"> <li>• Texture, contamination, etc</li> </ul>
Socio-economic aspects	<ul style="list-style-type: none"> <li>• Land details</li> <li>• Demographic Profile, including populations, family size, sex ration, literacy levels,</li> <li>• Ethnographic Profile- communities and ethnic groups and their relative levels of influence</li> <li>• Economic Profile including occupational patterns, secondary sources of incomes, seasonal variations (with sex-disaggregated data presented in tables)</li> <li>• Land use</li> <li>• Land ownership patterns- formal and informal/traditional</li> <li>• Access to basic amenities and local infrastructure</li> <li>• Local institutions and decision making – formal and informal</li> <li>• Community concerns and expectations</li> </ul>
GIS & Land use Mapping	<ul style="list-style-type: none"> <li>• Land use and land cover mapping</li> <li>• Drainage pattern</li> <li>• Soil map</li> <li>• Geo-physical feature, slope and relief maps</li> <li>• Demarcation of snow-fed and rain-fed areas for estimation of water availability</li> </ul>
Impact Assessment	<ul style="list-style-type: none"> <li>• Construction/ Operation / Decommissioning</li> </ul>
Environment	<ul style="list-style-type: none"> <li>• Shadow flicker, Noise, blade glint for Wind, water disposal in Solar</li> </ul>
Air	<ul style="list-style-type: none"> <li>• Effects on soils, material, vegetation and human health</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• Change in ambient levels due to noise generated from construction and operation</li> <li>• Disturbance to fauna and habitation</li> </ul>
Water	<ul style="list-style-type: none"> <li>• Change in quality</li> <li>• Source and volume of water extraction</li> <li>• Impact on fish fauna</li> <li>• Impact on Downstream requirements</li> </ul>
Land	<ul style="list-style-type: none"> <li>• Change in land-use and drainage</li> <li>• Land quality, waste disposal</li> <li>• Hydrological data i.e. flood level records for the last 3 to 5 years</li> </ul>

Activity	Details
Visual	<ul style="list-style-type: none"> <li>Shadow flicker and blade glint</li> <li>Glare and reflection</li> </ul>
Biological	<ul style="list-style-type: none"> <li>Deforestation and loss of habitat</li> <li>Impact due to decreased flow of water</li> <li>Impact on rare, endangered, endemic species, migratory path and route</li> <li>Impact on breeding and nesting grounds</li> <li>Impact on animal distribution, habitat fragmentation and destruction from construction</li> </ul>
Socio economic Aspect	<ul style="list-style-type: none"> <li>Impact on local community including demographic changes</li> <li>Impact on economic status and livelihood</li> <li>Impact on human health</li> <li>Impact of increased traffic</li> <li>Presence of and significance of impact on scheduled tribes and other vulnerable groups such as the landless, those without legal title</li> <li>Impacts on women and children</li> <li>Impact on places of cultural, religious and tourist importance</li> <li>Downstream impact on water, land and human environment due to diversion</li> <li>Assessment of adequacy of assured lean season flow</li> </ul>
Management/Action Plan	<ul style="list-style-type: none"> <li>Green Belt Plan/ conservation measures for ecology</li> <li>Water, Air, Noise and Soil Pollution Abatement Plan</li> <li>Traffic Management Plan</li> <li>Social Management Plan</li> <li>Local labour Recruitment and Management plan</li> <li>Resettlement and Rehabilitations Plan (if required)</li> <li>Indigenous Peoples Plan (if required)</li> <li>Risk Assessment Plan</li> <li>Emergency Response/ Disaster Management Plan</li> <li>Restoration and Landscape Plan</li> <li>Forest Protection Plan</li> </ul>

## J.2 Typical Terms of Reference for IEE Study

A typical scope of work for an IEE study of a solar and wind power project considering the requirements of ADB and IFC performance standard is presented below.

**Table J.0.2 Typical Scope of Work for IEE**

Activity	Details
<b>Project Description</b>	<ul style="list-style-type: none"> <li>• Identification of the project and project proponent</li> <li>• Brief description of the nature, size and location of the project</li> <li>• Location of project</li> <li>• Descriptions of the project, including drawings showing project layout and project components</li> </ul>
<b>Description of Environment</b>	<ul style="list-style-type: none"> <li>i. Physical Resources: (e.g.) <ul style="list-style-type: none"> <li>• Meteorology and air quality</li> <li>• Topography and soil type,</li> <li>• Surface water</li> <li>• Groundwater</li> <li>• Geology/seismology.</li> </ul> </li> <li>ii. Ecological Resources: (e.g.) as applicable <ul style="list-style-type: none"> <li>• Fisheries</li> <li>• Aquatic biology</li> <li>• Wildlife</li> <li>• Forests</li> <li>• Rare or endangered species</li> <li>• Protected areas</li> <li>• Coastal resources</li> </ul> </li> <li>iii. Economic Development: (e.g.) as applicable <ul style="list-style-type: none"> <li>• Infrastructure facilities (e.g. water supply, sewerage, flood control)</li> <li>• Transportation (roads, harbours, airports and navigation)</li> <li>• Land use (e.g. dedicated area uses)</li> <li>• Power sources and transmission</li> <li>• Agricultural development, mineral development and tourism facilities</li> </ul> </li> </ul>

Activity	Details
	iv. Social and Cultural Resources: (e.g.) <ul style="list-style-type: none"> <li>• Population and communities</li> <li>• Health facilities</li> <li>• Education facilities</li> <li>• Socio-economic conditions (e.g. community structure, family structure, social wellbeing)</li> <li>• Physical or cultural heritage</li> <li>• Current use of lands and resources for traditional purposes by Indigenous Peoples</li> <li>• Structures or sites that are of historical, archaeological, paleontological, or architectural significance.</li> </ul>
<b>Screening of Potential Environmental Impacts and Mitigation Measures</b>	<ul style="list-style-type: none"> <li>• Screen out "no significant impacts" from those with significant adverse impact by reviewing each relevant parameter according to the following factors or operational stages.</li> <li>• Mitigation measures, where appropriate, will also be recommended. Potential environmental enhancement measures and additional considerations will also be covered.</li> </ul>
<b>i. Institutional Requirements and Environmental Monitoring Plan</b>	<ul style="list-style-type: none"> <li>• Identification of impacts to be mitigated and activities to implement the mitigation measures, including how, when and where they will be implemented.</li> <li>• Institutional arrangements for implementation</li> <li>• Environmental monitoring plan including cost for environmental management and monitoring</li> </ul>
<b>ii. Public Consultation and Information Disclosure</b>	<ul style="list-style-type: none"> <li>• Description of the process undertaken to involve the public and recommended measures for continuing public participation</li> <li>• Summary of information disclosed to date and procedures for future disclosure.</li> </ul>
<b>iii. Findings and Recommendations</b>	<ul style="list-style-type: none"> <li>• Evaluation of the screening process and recommendation whether significant environmental impacts exist needing further detailed study or ESIA.</li> </ul>
<b>iv. Conclusions</b>	<ul style="list-style-type: none"> <li>• Discussion on the result of the IEE and justification, if any, of the need for additional study or ESIA.</li> <li>• If an IEE, or an IEE supplemented by a special study, is sufficient for the project, then the IEE with the recommended institutional and monitoring program becomes the completed EIA.</li> </ul>



# Annexure J2

## ESDD Template



## J.2 Introduction And Project Description

The introduction and project description section of ESDD would include the following aspects:

- Objective and scope of work
- Applicable reference framework for the assessment- Please refer to Annexure D for register of regulations
- Brief description of the methodology followed for the assessment (refer Box 7.1 for details regarding key steps involved in ESDD process)
- Project Details:
- It will include details of project location, scale, size, affected people, project influence area, details of stakeholder consultations etc. Inclusion of any specific comments on environmental and social aspects like proximity to sensitive areas; wastewater management during construction and operation phase; land procurement, community, labour and workforce etc.

- Review of status of permits and consents etc.
- Review of Management Systems.

### J.2 GAP Assessment to Applicable Reference Framework

#### J.2.1.1. Project Categorization

As part of its review of a project's expected social and environmental impacts, IFC and ADB use a system of social and environmental categorisation. MEIPL has developed more objective criteria for categorization of the project and project would be categorized using the criteria developed as part of the ESMS. Refer Table 7.1 of the ESMS document for categorization.

**Table J.2.0.2 E&S Risk Categories**

Parameter	Category A	Category B	Category C
Environmental Impacts			
Involuntary Resettlement (IR) Impacts due to Land Acquisition or Restricted Access			
Impacts on Indigenous Peoples (IP) (in this case Scheduled Tribe)			

The project would be evaluated for relevant sections of the gap assessment table and not every requirement might be applicable for every project. Where not applicable, adequate reasoning would be provided in the relevant sections.

**Table J.2.0.2 Environmental and Social Gap Assessment as per IFC Performance Standards (2012) and ADB Safeguard and Social requirements**

Sl. No	IFC Requirements in context of MEIPL	ADB Requirements	Remarks (where required)	Observation/Gap	Recommendation
		<b>Requirements under Public Communications Policy 2011</b>			
		Information disclosure to affected people or stakeholders: The borrower (i.e. MEIPL in this case) will provide relevant environmental information in a timely manner, in an accessible place and in a form and language(s) understandable to affected people and other stakeholders. For illiterate people, other suitable communication methods will be used.			
		Consultation and Participation: MEIPL will ensure meaningful consultation with affected people and other concerned stakeholders, including civil society within its capacity or through Turnkey/OEM contractor.			
		<ul style="list-style-type: none"> <li>Timing and Frequency for consultation and participation: Meaningful consultation begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle within its capacity or through Turnkey/OEM contractor.</li> </ul>			
1	IFC PS 1: Assessment and Management of Environmental and Social Risks and Impacts	<ul style="list-style-type: none"> <li>ADB SPS Environmental Safeguards</li> </ul>			

Sl. No	IFC Requirements in context of MEIPL	ADB Requirements	Remarks (where required)	Observation/Gap	Recommendation
1.1	<p>MEIPL will establish and maintain an Environmental &amp; Social Management System (ESMS) appropriate to the nature and scale of the project and commensurate with the level of social and environmental risks and impacts. The ESMS will incorporate the following elements:</p> <ul style="list-style-type: none"> <li>• Social and Environmental Assessment (SEA or EIA)</li> <li>• Management program</li> <li>• Organisational capacity</li> <li>• Training</li> <li>• Community engagement</li> <li>• Monitoring</li> <li>• Reporting</li> </ul>	MEIPL will establish an ESMS and implement corrective action plan based on safeguards compliance audit.	<p>Based on the stage and categorization of the project, MEIPL will ensure the requirements stated in the ESMS document is followed for the project.</p> <p>If ESIA has been conducted, it will be reviewed to ensure its adequacy in line with the generic Terms of reference and project specific requirements.</p> <p>If the investment involves an existing facility or where there is prior land acquisition or procurement, ensure the gap (if any) will be taken care with suitable corrective action plan, if required.</p>		
1.2	MEIPL will establish an overarching policy defining the environmental and social objectives and principles that guide		MEIPL as part of the ESMS has established an QSHE, Integrated HR, CSR policies. As part of the ESDD, evaluation of		