



adani | Renewables

Equator Principles 4 (2020) - Human Rights Risk Assessment – Hybrid Power Portfolio, Rajasthan India

Adani Green Energy Limited

Final Report

21 December 2020

Project No.: 0577764

www.erm.com

Document details	This report accompanies the Environmental and Social Impact Assessments (ESIAs) as the Human Rights Risk Assessment (HRRRA) report for three hybrid renewable energy projects in Jaisalmer and Barmer districts of Rajasthan, India
Document title	Equator Principles 4 (2020) - Human Rights Risk Assessment – Hybrid Power Portfolio, Rajasthan India
Document subtitle	Final Report
Project No.	0577764
Date	21 December 2020
Version	1.0
Author	ERM India Private Limited
Client Name	Adani Green Energy Limited

Document history

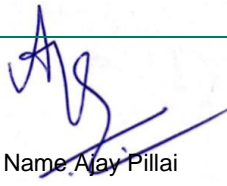
Version	Revision	Author	Reviewed by	ERM approval to issue		Comments
				Name	Date	
Final	1.0	Devanshu B., Shashank C., Shruti S.	Alison M, Rutuja T	Ajay Pillai	21.12.2020	Draft For Client's Review

Signature Page

21 December 2020

Equator Principles 4 (2020) - Human Rights Risk Assessment – Hybrid Power Portfolio, Rajasthan India

Final Report



Name Aray Pillai
Job title Partner



Name Rutuja Tendolkar
Job title Principal Consultant

ERM India Private Limited

3rd Floor, Building.10B,
DLF Cyber City
Gurgaon, NCR – 122002
T: +91-124-4170-300
F: +91-124-4170-301

www.erm.com

© Copyright 2021 by ERM Worldwide Group Ltd and/or its affiliates ("ERM").
All rights reserved. No part of this work may be reproduced or transmitted in any form,
or by any means, without the prior written permission of ERM.

CONTENTS

EXECUTIVE SUMMARY	I
Project Background.....	i
Project Description.....	i
Standards and Guidelines.....	i
Objectives and Scope of Work.....	ii
Approach to the Assessment	ii
Human rights landscape in India.....	ii
Salient Human Rights and Human Rights Risk Assessment	iii
Management and Mitigation Strategy	v
Monitoring and Evaluation	v
1. INTRODUCTION	1
1.1 Project Description.....	1
1.1.1 Project Proponent	4
1.1.2 Overview of the 1690 MW Hybrid Project	4
1.1.3 Resource Requirements	8
1.2 Objectives and Scope of Work.....	9
1.2.1 Scope of Work	9
1.2.2 Standards and Guidelines.....	9
1.3 Approach	9
1.3.1 Task 1: Local Context Review	9
1.3.2 Task 2: Internal Engagement with AGEL.....	10
1.3.3 Task 3: Compilation of the Human Rights Baseline	10
1.3.4 Task 4: Identification of Salient Human Rights Risks.....	10
1.3.5 Task 5: Qualitative Risk Assessment and Reporting	10
1.4 Limitations.....	10
1.5 Structure	11
2. HUMAN RIGHTS LANDSCAPE	12
2.1 Human Rights in India	12
2.2 Local Human Rights Context in 1690 MW Project affected area	15
2.2.1 Land related Human Rights Issues	15
2.2.2 Water Related Human Rights Issues	16
2.2.3 Court Case on allotment of Land to Solar Park.....	16
2.2.4 Issues with fundamental Human Rights to no-discrimination	17
2.2.5 Right to health	18
2.3 Project Level Socio-economic Context	18
3. FINDINGS OF THE HUMAN RIGHTS RISK ASSESSMENT	23
3.1 Potential Sources of Human Rights Conflict	23
3.1.1 Land Procurement	23
3.1.2 Workforce Requirement.....	24
3.1.3 Livelihoods.....	24
3.1.4 Gender.....	24
3.1.5 Water Requirement.....	24
3.2 Salient Human Rights and Human Rights Risk Assessment	25
4. MANAGEMENT AND MITIGATION STRATEGY	30
4.1 Embedded Controls	30
4.1.1 AGEL Policies and Standards.....	30
4.1.2 Stakeholder Engagement Plan:	31
4.1.3 Grievance Redressal Mechanism (GRM)	31

4.2	Summary of Mitigation Measures and Safeguards	32
4.3	Monitoring and Evaluation	36

APPENDIX A SALIENT HUMAN RIGHTS SCREENING

APPENDIX B STAKEHOLDER ENGAGEMENT MATRIX

APPENDIX C GRIEVANCE REDRESSAL MECHANISM

List of Tables

Table 1.1	Resource Requirements	8
Table 2.1	Human Rights in India- Legal Overview	12
Table 2.2	Socio-Economic Features.....	19
Table 3.1	Human Rights Risk Assessment: 1690 MW Hybrid Project	26
Table 4.1	Summary of Mitigation Measures	33

List of Figures

Figure 1.1	Project Location Overview: 1690 MW Hybrid Project.....	3
Figure 1.2	AGEL Business Portfolio.....	4
Figure 1.3	390 MW Solar-Wind Hybrid Project	5
Figure 1.4	600 MW Solar-Wind Hybrid Project	6
Figure 1.5	700 MW Solar-Wind Hybrid Project	7

Glossary and Definitions

Name	Description
Human Rights	Human Rights are described in international standards aimed at securing dignity and equality for all. Every human being is entitled to enjoy them without discrimination. As a minimum, relevant human rights are those expressed in the International Bill of Human Rights
Hybrid Power	Hybrid Power is an emerging solution to commission wind and solar projects to reduce the variability in generation capacity due to the complementary nature of energy generation, i.e. solar generation is higher during the day, while wind generation can be higher in the night
International Bill of Human Rights	The International Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights (and its two Optional Protocols)
Rights Holders	Sub groups among the local communities with the Project's area of influence, whose rights (in accordance to the International Bill of Human Rights) may be at risk and/or adversely impacted by the Project

Acronyms and Abbreviations

Name	Description
AGEL	Adani Green Energy Limited
AST	Apex Sustainability Committee
C2RA	Climate Change Risk Assessment
CEDAW	Convention on the Elimination of all forms of Discrimination against women
CEO	Chief Executive Officer
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSC	Core Sustainability Committee
CSR	Corporate Social Responsibility
EP4	Equator Principles 4 (2020) https://equator-principles.com/wp-content/uploads/2020/01/The-Equator-Principles-July-2020.pdf
EPFI	Equator Principles Financial Institutions
ESIA	Environment and Social Impact Assessment
ESMP	Environment and Social Management Plan
GIB	Great Indian Bustards
GRM	Grievance Redressal Mechanism
HRRA	Human Rights Risk Assessment
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of all Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMRW	International Convention on Protection of the Rights of all Migrant Workers and members of their Families
ICPAPED	International Convention for the Protection of all Persons from Enforced Disappearance
IFC	International Finance Corporation
IGNP	Indira Gandhi Nahar Pariyojana

Name	Description
ILO	International Labour Organisation
IPC	Indian Penal Code
IPP	Independent Power Producers
KLD	Kilo litres per day
MW	Mega-watt
NCRB	National Crime Records Bureau
SEBI	Security Exchange Board of India
SEP	Stakeholder Engagement Plan
SoP	Standard Operating Procedure
SPV	Special Purpose Vehicles
SRO	Stakeholder Relationship Officer
UNGP	United Nations Guiding Principles on Business and Human Rights
WB	World Bank
WHO	World Health Organisation

EXECUTIVE SUMMARY

Project Background

ERM India was commissioned by Adani Green Energy Limited (AGEL) to undertake Human Rights Risk Assessment (HRRA) for three hybrid power projects having a combined capacity of 1690MW in the districts of Jaisalmer and Barmer in Rajasthan, India. AGEL intends to secure project finance from Equator Principles Financial Institutions (EPFIs). In order to align the project's assessment documentation (three ESIA and Environmental and Social Management Plan reports¹) to the requirements of the Equator Principles 4 (2020), ERM was appointed to undertake this supplementary study.

Project Description

The 1690 MW Hybrid Project is proposed to be developed at Fatehgarh and Pokhran tehsil of Jaisalmer District, and Sheo tehsil of Barmer District in the state of Rajasthan.

- 1) 390 MW Hybrid Power Project in the name of M/s Adani Green Energy Eighteen Limited;
- 2) 600 MW Hybrid Power Project under two SPVs, i.e. M/s Adani Green Energy Seven Limited and M/s Adani Green Energy Nine Limited; and
- 3) 700 MW Hybrid Power Project in the name of M/s RSEPL Hybrid One Limited.

Internal transmission for the 1690 MW Hybrid Project will be pooled into five (5) pooling substations from where transmission lines will evacuate the energy generated to interstate transmission substations (ISTS) developed and operated by the Power Grid Corporation of India Limited (PGCIL).

The three ESIA-ESMP (September 2020) developed by ERM categorised the projects as Category A due to their location being with potential conservation areas of the Great Indian Bustard (GIB) landscape².

Standards and Guidelines

The HRRA considers the requirements of:

- Equator Principles 4 (2020);
- IFC Performance Standards on Social and Environmental Sustainability (2012);
- United National Guiding Principles on Business and Human Rights (UNGPs), 2011;
- Voluntary Principles on Security and Human Rights; and
- ILO Fundamental Conventions including the core conventions on labour and the Universal Declaration of the Rights of Indigenous Peoples.

As a part of the assessment, certain thematic guidance and/or standards that have evolved on topics that cover the use of security forces (IFC Good Practice Handbook: Use of Security Forces, 2017); conflict minerals; gender and vulnerable social groups have also been referred.

¹ Undertaken by ERM between March and September 2020

² The Great Indian Bustard (*Ardeotis nigriceps*) (GIB) is one of the rarest bird species with less than 150 individuals left in the world. The species is categorized as Critically Endangered (IUCN CR v. 2020-2) and listed under Schedule I of the Indian Wildlife (Protection) Act, 1972. The GIB landscape of Rajasthan (across priority and potential conservation areas and the Thar Desert National Park) holds about 75% of the global population of GIB and thus the sustenance of the species critically depends on this area.

ERM has also referred to the Renewable Energy & Human Rights Benchmark (2020) published by the Business and Human Rights Resource Centre.

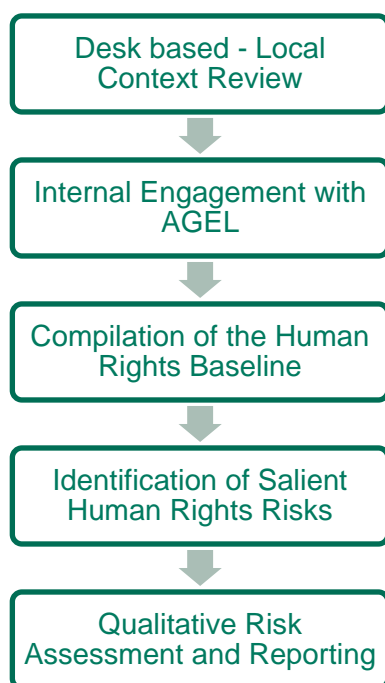
Objectives and Scope of Work

The objectives of the Human Rights Risk Assessment (HRRRA) is to supplement the 1690 MW Hybrid Project's ESIA and ESMP by providing an understanding of human rights risks, impacts and opportunities. The scope of the HRRRA entailed a desk-based review and compilation of readily available information (as a part of the ESIA-ESMP, AGEL embedded controls and publically available data) in order to:

- 4) Identify actual or potential adverse human rights risks and impacts from the Project;
- 5) Understand additional studies, management measures or safeguards that are required to mitigate potential adverse human rights risks and impacts concurrent to the ESIA-ESMP; and
- 6) Recommend enhancement measures on human rights opportunities during the project's lifecycle.

Approach to the Assessment

The HRRRA was undertaken on the basis of the following:



Human rights landscape in India

There have been substantial reforms in the legal system of the country to protect the human rights of the citizen. In addition to India's three tiered appellate judicial system and law codes that govern criminal and civil law, India is also a signatory to a number of international conventions and agreement relating to human rights management.

The human rights aspects are potentially at risk for the 1690 MW Project due to the project's environmental and social impacts linked to availability of land, livelihood dependence on the commons/grazing land, scarcity of water, disruption of natural habitat of Great Indian Bustards (GIB), discrimination, community health etc.

- a. **Land related risks:** The development of a large number of plants has resulted in a reduction of availability of land for uses of local communities. Land is a source of livelihood and is central to economic rights. The large land take by solar and wind plants envisages violation

of the land rights of the legitimate landowners. In addition, for solar developments (including solar parks in Jaisalmer and Barmer), the government has been allocating revenue land (not privately owned), but which represents common property resources such as grazing lands, thereby impacted livelihoods based on dependence on livestock, transhumance etc.

- b. **Water Related risks:** The situation in Jaisalmer and Barmer district is challenging due to the frequency of drought, deficient and erratic rainfall and minimal surface water leading to over-extracted groundwater. The high growth of solar power projects in the area have resulted in increased pressure on the per capita availability of water in the area. The scarcity or reduction of water due to the presence of solar plants in the area will challenge the basic Human Rights to the water of local communities.
- c. **Court Case on allotment of Land to Solar Park:** A case challenging government land allotment to AGEL's Fathegarh Ultra Mega Solar Park is presently ongoing with a stay on construction activities. The local communities contest that the Government land was allotted for Agriculture and in 2017 changed to Barren, as per the article the appellants say that it is unlawful to change the allotment as there is dependence on that land.³ The community allegation has further raised the potential violation of land rights of the legitimate landowners. The local community argued that the allotted land belongs to them because they use it and have dependence on it.
- d. **Issues with fundamental human rights to no-discrimination:** Across the local area and the local communities, women are among the most disadvantaged people and are the once who faced challenges in enjoying the fundamental human rights of freedom from discrimination. The other form of violation of the right to non-discrimination in the local area can be envisaged in the process of employment. The employment process of the local community in the plant can violate the human rights of non-discrimination. Corruption, Accountability and Transparency.
- e. **Right to Health:** As per the WHO, Rajasthan has a poor record for several health and human indicators. Morbidity due to communicable disease is high; the infant mortality rate in the state is 63, against the average of 53 at the national level; the maternal mortality rate is 388 against the national average of 254, and the birth rate is 27.5/1000, compare to the national average of 22.8/1000.

Salient Human Rights and Human Rights Risk Assessment

Review of project activities, resource requirements, socio-economic features of the AOI, and human rights landscape and local context has provided potential arenas where project may lead to human rights risks. These have been termed as 'potential sources of human rights conflict' w.r.t this project.

To minimize the potential for human rights risks or impacts to occur, management measures should be strengthened and developed concurrently with the ESMP and its associated management plans, such as the SEP and GRM. The following table provides a summary of the salient features of the HRRRA and the key mitigation measures in the form of policies/management measures and initiatives/safeguards that will accompany the ESMP to demonstrate AGEL's commitment to respect human rights.

³ <https://www.livemint.com/news/india/how-solar-farms-fuel-land-conflicts-11600612526037.html> (Accessed on December 01, 2020)

Thematic Area	Source of Risk	Description of Human Rights	Key Human Rights Risks	Mitigation and/or Enhancement
Loss of land and Livelihood, and Access to resources	<ul style="list-style-type: none"> ■ Land Procurement of private and government land on permanent and temporary basis ■ Water supply for the project 	<p>7) It was understood that the landholdings are typically large within the project area. The project is believed to lead to some economic loss in the area. There is some patta land in the project area that has been identified for the WTG locations.</p> <p>8) Ground water and IGNP canal are the only source of irrigation in Jaisalmer district. The primary source of water for the Project is Indira Gandhi Nahar Pariyojna (IGNP) canal through private tankers. A total of 1261 KLD will be required for construction and 17KLD for operations phase. The area is beset with scarcity of water (drinking and irrigation) which has led to cases of instances of conflicts linked to water supply between community and local government, and between community and local industries.</p> <p>9) The status of gender with respect to health, diet intake and employment participation is very low at state level, suggesting discrimination towards women, lack of opportunities and limited role in the decision making process. Although, there are “Self Help Women Groups” in almost all the villages within the project area, access to market and mobility for women is very limited.</p>	<ul style="list-style-type: none"> ■ Loss of livelihoods of the land owners/users households, triggering migration of household members or shift to other sources of livelihood ■ Potential conflict with local community regarding water availability and access 	<ul style="list-style-type: none"> ■ AGEL should ensure that all land procured is through good faith negotiations, rates are aligned with market rates, land users and agricultural labourers and other vulnerable households are identified. ■ AGEL should develop livelihood development measures and community development measures for land owners/users affected by the project ■ AGEL should ensure that ground water extraction for project activities is avoided. ■ AGEL should implement water conservation and watershed development programmes
Labour to Working Conditions	<ul style="list-style-type: none"> ■ Project construction and operations ■ Deployment of workers 	<ul style="list-style-type: none"> ■ The 7000-8000 skilled and semi-skilled workers required for the project during the construction phase, will reportedly be sourced from the local area as much as possible. In cases where skilled workers are sourced through 	<ul style="list-style-type: none"> ■ Occupational Health and Safety risks during construction and operations ■ Discrimination of workers in wages, working conditions and facilities, and differential access to remedy to complaints/grievances ■ Sexual Harassment at workplace 	<ul style="list-style-type: none"> ■ Implementation of AGEL’s ESMS including Occupational Health and Safety Policy and Procedure, to include development of job hazard analysis, hazard identification and risk assessment, provisions of adequate PPEs, accident-incident reporting etc

Thematic Area	Source of Risk	Description of Human Rights	Key Human Rights Risks	Mitigation and/or Enhancement
	<ul style="list-style-type: none"> ■ Setting up of labour camps ■ Procurement of materials 	<p>migrant laborers, the appointed sub-contractors will provide accommodation facility during construction phase. However, locations of labour camps are yet to be decided.</p> <ul style="list-style-type: none"> ■ Discrimination can also occur due to unfair treatment of migrant workers based on their caste, ethnicity or region they belong to. ■ There can also be cases of sexual harassment against women workers. ■ Any efforts to discourage or inhibit workers from forming means of collective bargaining may impinge on the workers right to peaceful assembly and form associations ■ AGEL will prohibit child labour, forced labour and modern slavery within their organization and among their contractors. ■ Procurement of materials from conflict prone areas is not to be undertaken by AGEL. 	<ul style="list-style-type: none"> ■ Workers forming association or unions for collective bargaining ■ Engagement of child and forced labour ■ Risks of procuring materials from vendors engaged in forced labour and child labour or from conflict prone areas 	<ul style="list-style-type: none"> ■ Implementation of AGEL HR Policies and Procedures to ensure prohibition of child/forced labour at corporate and project sites, directly or indirectly ■ Payment of wages as per the minimum wages and with no disparity between local migrant workers and male and female workers ■ Implementation and trainings on Prevention of Sexual Harassment at Workplace Policy ■ Implementation of IFC/EBRD Worker Accommodation ■ Appointment of a designated labour compliance officer ■ Contractor to carry out formal briefing of contractors and contract workers and explain the terms and conditions of employment, social security etc. ■ Contractor to provide proper ID cards, employment terms on document, and salary slips indicating deductions. ■ AGEL should allow workers to form associations or other means of collective bargaining ■ AGEL should ensure that no workers below 18 years of age should be deployed either directly or through contractors as well as local suppliers. ■ AGEL should ensure that regular monitoring of contract workers, migrant workers is undertaken by Labour Compliance Officer on aspects related to forced labour.

Thematic Area	Source of Risk	Description of Human Rights	Key Human Rights Risks	Mitigation and/or Enhancement
				<ul style="list-style-type: none"> ■ A Contractor Selection and Management mechanism to include
Community Health and Safety and security	<ul style="list-style-type: none"> ■ Deployment of security personnel ■ Transport of project components ■ Project construction and operations ■ Site construction and related access controls and restrictions 	<ul style="list-style-type: none"> ■ Project has reported that armed security guards will not be deployed. However, unarmed security personnel still may use force which may be excessive, inappropriate and disproportionate, in cases of local conflict such as community agitations, worker strikes, and in worst cases violent protests/riots which is a threat to right to life. ■ The project will improve local roads to enable movement of heavy vehicles. However, there will be increased road traffic in the local area, which may lead to road accidents leading to serious injuries and fatalities posing a threat to right to life and liberty. Road accidents can also lead to cattle kills ■ Project land procurement may lead to disruption of local access routes to private land, common resources or infrastructure, increasing the time/distance to access ■ Setting up of labour camps may increase risk of vector borne diseases, communicable diseases ■ Labour camps and influx of large workforce may also lead to conflict with local community, pressure on local resources, and cases of gender based violence. 	<ul style="list-style-type: none"> ■ Community Health and Safety risks due to use of force, deployment of armed personnel ■ Community Health and Safety risks due to movement of vehicles ■ Access Restrictions – project site fencing, guarding. ■ Community health and safety risks linked to vector borne, and communicable diseases ■ Potential conflict and violence between migrant workers and local community, and potential cases of gender based violence. 	<ul style="list-style-type: none"> ■ Trainings to security guards on community engagement, judicious use of force only if needed, and human rights. ■ Development and implementation of traffic management plan ■ Road safety awareness as part of CSR activities in local community ■ AGEL should engage with local community and understand any access related concerns. ■ Implementation of IFC/EBRD Worker Accommodation Guidelines for worker accommodation.

Thematic Area	Source of Risk	Description of Human Rights	Key Human Rights Risks	Mitigation and/or Enhancement
Informed Consultation and Participation	<ul style="list-style-type: none"> ■ Land procurement ■ Project construction and operations 	<ul style="list-style-type: none"> ■ Contract workers including migrant workers may also be danger of being provided unequal/inadequate access to remedy through partial or lack of grievance redress; ■ Some land owners may be vulnerable due to their identity (belonging to marginalised sections like scheduled castes, or low income households) ■ There are also chances of agricultural labourers and land users being left out of the negotiation process and hence receiving less, or no compensation during land procurement. ■ Local community may also want to demonstrate against the project in a peaceful manner to raise demands or communicate concerns and grievances. 	<ul style="list-style-type: none"> ■ Discrimination of workers access to remedy to complaints/grievances ■ Unfair means of negotiations for land procurement leading to different principles of rate finalisation 	<ul style="list-style-type: none"> ■ Development of project specific stakeholder engagement plan and development of external grievance redressal mechanism ■ Extension of grievance mechanism for contract (local and migrant) workers and local community ■ Identification of land users/ non-titleholders of impacted private and government land such as woman headed households, scheduled castes households, landless households, land users, agricultural labourers etc. ■ Good faith negotiations and consultations with all land sellers ■ In cases of demonstrations, or assemblies, AGEL should liaison with local community or workers and manage the situation in a human rights sensitive manner.

Management and Mitigation Strategy

In addition to the mitigation measures proposed in the table above, AGEL has established human rights and community relations policies wherein the senior management has committed to upholding fundamental human rights in line with International Bill of Human Rights and those established in the International Labour Organizations Declaration on Fundamental Principles and Rights at work, and the eight Fundamental Conventions⁴ that comprise them. These include:

1. Human rights policy
2. Land procurement policy
3. CSR Policy
4. Whistle-blower Policy
5. Other governance practices and policy
6. Legal Register
7. Child Labor and Forced Labor policy
8. Stakeholder engagement plan
9. Grievance Redressal Mechanism

Monitoring and Evaluation

Human rights risks and impacts and the corresponding management measures presented should be including as a part of the Environmental and Social Management Plan (ESMP) implementation throughout the life of the project.

The objectives of the monitoring are to:

- 10) Verify the predicted risks and issues;
- 11) Verify that the mitigation measures are being implemented as planned;
- 12) Assess the effectiveness of the management measure;
- 13) Adopt corrective actions;
- 14) Provide data for the necessary internal reporting.

Access to an internal and external grievance process which is efficient and transparent as well as consistent training, capacity building (to reiterate potential human rights risks) and regular documentation will also need to be prioritised through AGEL's Human Rights and E&S Safeguards Teams.

⁴ ILO Convention 87 on Freedom of Association and Protection of the Right to Organize
ILO Convention 98 on the Right to Organize and Collective Bargaining
ILO Convention 29 on Forced Labour
ILO Convention 105 on the Abolition of Forced Labour
ILO Convention 138 on Minimum Age (of Employment)
ILO Convention 182 on the Worst Forms of Child Labour
ILO Convention 100 on Equal Remuneration
ILO Convention 111 on Discrimination (Employment and Occupation)

1. INTRODUCTION

Adani Green Energy Limited (AGEL), through its special purpose vehicles (SPVs), intends to develop and commission 1690 megawatt (MW) of hybrid power (wind and solar energy) through three projects in the districts of Jaisalmer and Barmer in Rajasthan, India. ERM undertook Environmental and Social Impact Assessment (ESIA) studies between March to September 2020 for each of these three projects aligned to the IFC Performance Standards (2012) and applicable Indian regulations.

AGEL intends to secure project finance from Equator Principles Financial Institutions (EPFIs). In order to align the project's assessment documentation (three ESIA and Environmental and Social Management Plan reports) to the requirements of the Equator Principles 4 (2020), ERM was commissioned to undertake two supplementary studies by AGEL:

- Human Rights Risk Assessment (HRRRA) of the 1690 MW Hybrid Project (this report); and
- Climate Change Risk Assessment (C2RA) of the 1690 MW Hybrid Project (separate deliverable).

This report documents the outcome of the HRRRA aligned to the requirements of EP4, the UN Guiding Principles of Business and Human Rights (UNGPs) and other good practice international standards.

1.1 Project Description

The Adani Green Energy Limited (AGEL) is one of six publicly traded companies under the Adani Group, an integrated business conglomerate in India. AGEL is focused on the development of renewable energy with a current project portfolio of 5,290 MW across utility-scale grid-connected solar and wind farm projects. The electricity generated is supplied to central and state government entities and government-backed corporations. The Company has expanded its presence across 11 Indian states with a portfolio of 46 operational projects and 18 projects under construction.

The 1690 MW Hybrid Project is one such under construction project which comprises of the following sub-projects:

- 390 MW Hybrid Power Project in the name of M/s Adani Green Energy Eighteen Limited;
- 600 MW Hybrid Power Project under two SPVs, i.e. M/s Adani Green Energy Seven Limited and M/s Adani Green Energy Nine Limited; and
- 700 MW Hybrid Power Project in the name of M/s RSEPL Hybrid One Limited.

Internal transmission for the 1690 MW Hybrid Project will be pooled into five (5) pooling substations from where transmission lines will evacuate the energy generated to interstate transmission substations (ISTS) developed and operated by the Power Grid Corporation of India Limited (PGCIL).

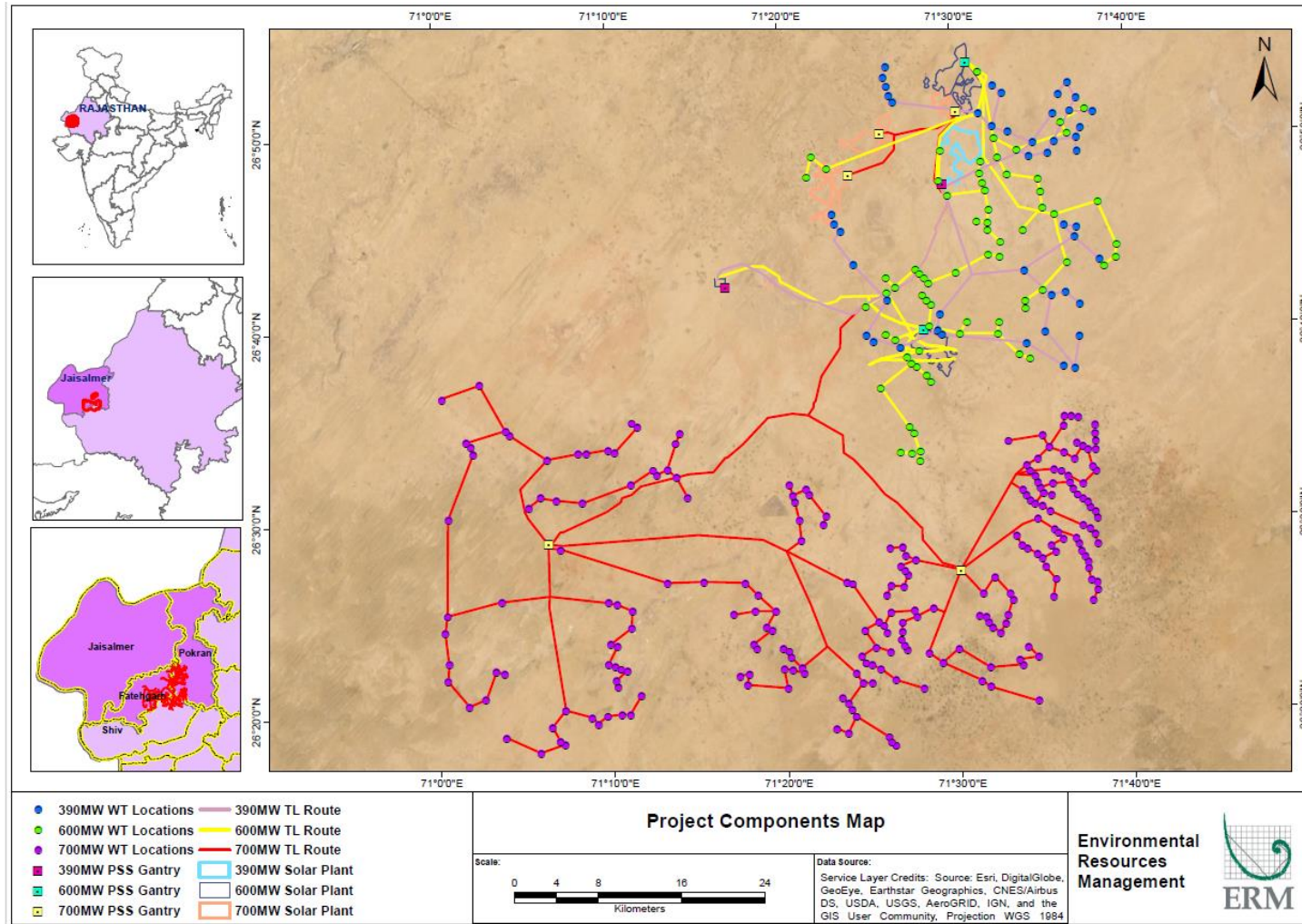
It should be noted that AGEL also has the following projects within a 30 km radius from the 1690 MW Hybrid Project:

- 1500 MW solar park under a joint venture with the Government of Rajasthan, i.e. Adani Renewable Energy Park Rajasthan Ltd (AREPRL); and
- Substation and transmission line infrastructure across Fatehgarh and Bhadla.

The three ESIA-ESMP (September 2020) developed by ERM categorised the projects as Category A due to their location being with potential conservation areas of the Great Indian Bustard (GIB) landscape⁵. The subsequent figure illustrates the location of the 1690 MW Hybrid Project:

⁵ The Great Indian Bustard (*Ardeotis nigriceps*) (GIB) is one of the rarest bird species with less than 150 individuals left in the world. The species is categorized as Critically Endangered (IUCN CR v. 2020-2) and listed under Schedule I of the Indian Wildlife (Protection) Act, 1972. The GIB landscape of Rajasthan (across priority and potential conservation areas and the Thar Desert National Park) holds about 75% of the global population of GIB and thus the sustenance of the species critically depends on this area.

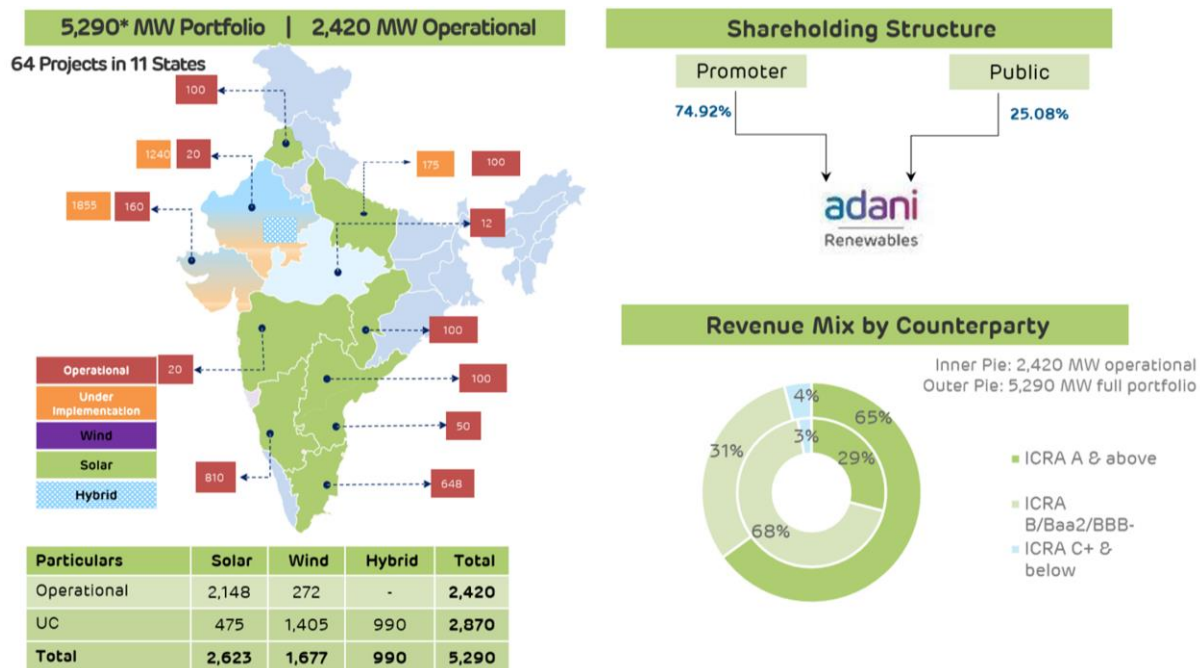
Figure 1.1 Project Location Overview: 1690 MW Hybrid Project



1.1.1 Project Proponent

AGEL is one of the leading companies under the banner of Adani Group in India working on renewable energy with a current project portfolio of 5,290 MW. The Company develops, builds, owns, operates and maintains utility-scale grid-connected solar and wind farm projects. The electricity generated is supplied to central and state government entities and government-backed corporations. The Company has expanded its presence across 11 Indian states with a portfolio of 46 operational projects and 18 projects under construction. **Figure 1.2** presents Adani group’s key verticals and AGEL’s business portfolio.

Figure 1.2 AGEL Business Portfolio



Furthermore, AGEL has become the signatory of United Nation Global Impact (UNGI) to supports the ten (10) principles of the UNGI on human rights, labour, environment and anti-corruption.

1.1.2 Overview of the 1690 MW Hybrid Project

The 1690 MW Hybrid Project is proposed to be developed at Fatehgarh and Pokhran tehsil of Jaisalmer District, and Sheo tehsil of Barmer District in the state of Rajasthan. The 1690 MW project will be developed under three sub-projects of 390, 600 and 700 MW capacity.

Details of each sub-project are presented below:

Figure 1.3 390 MW Solar-Wind Hybrid Project

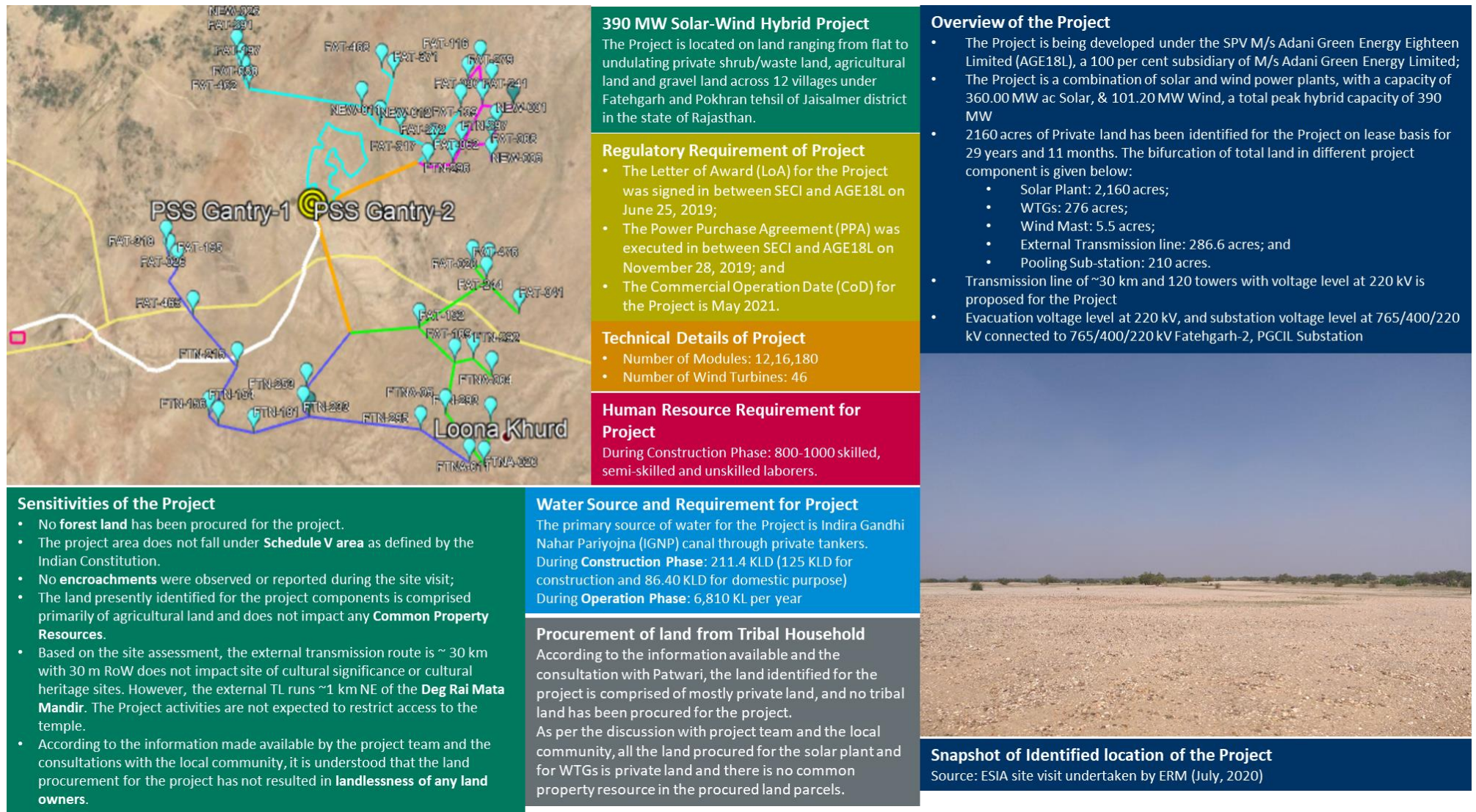


Figure 1.4 600 MW Solar-Wind Hybrid Project

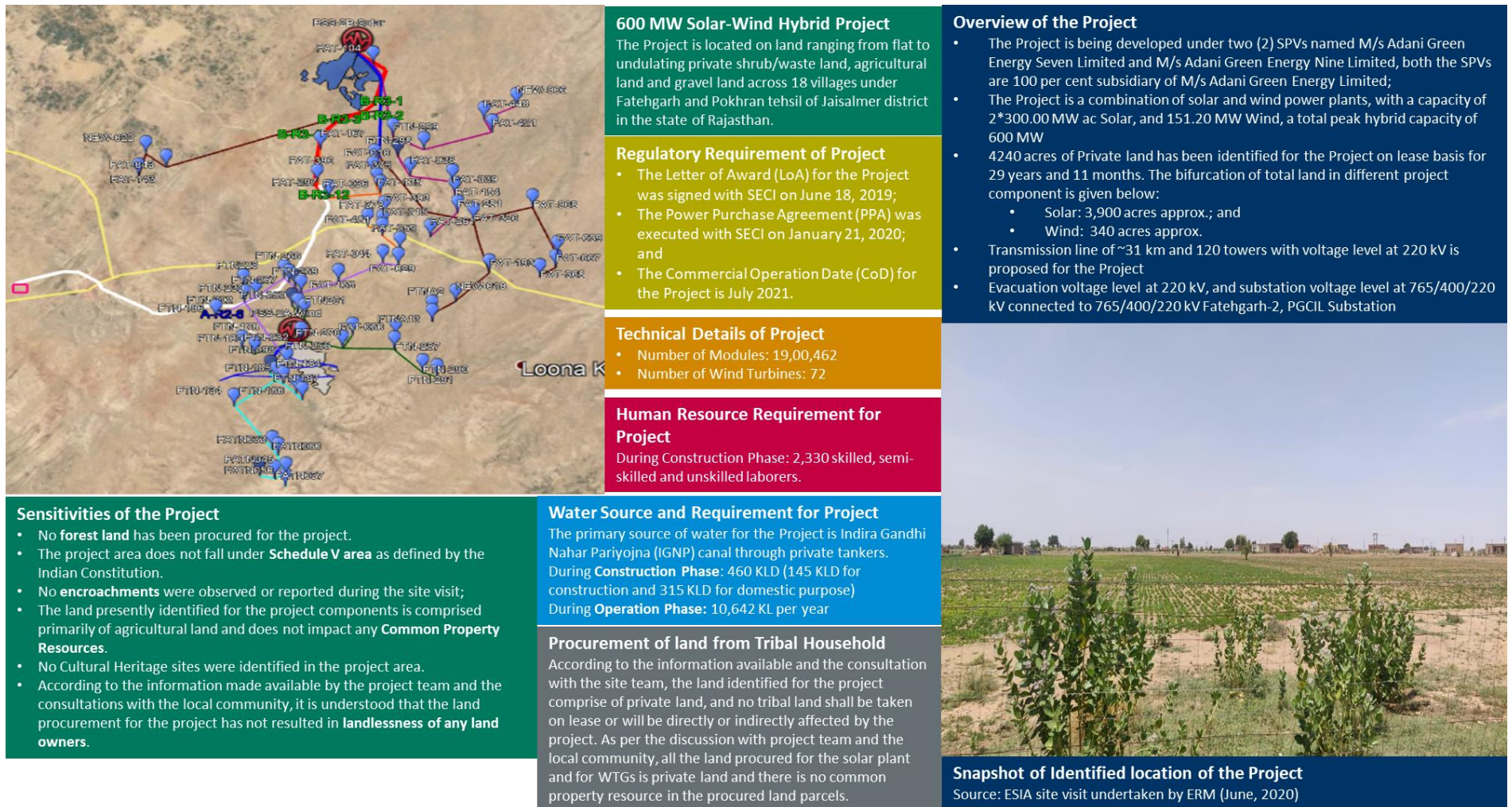
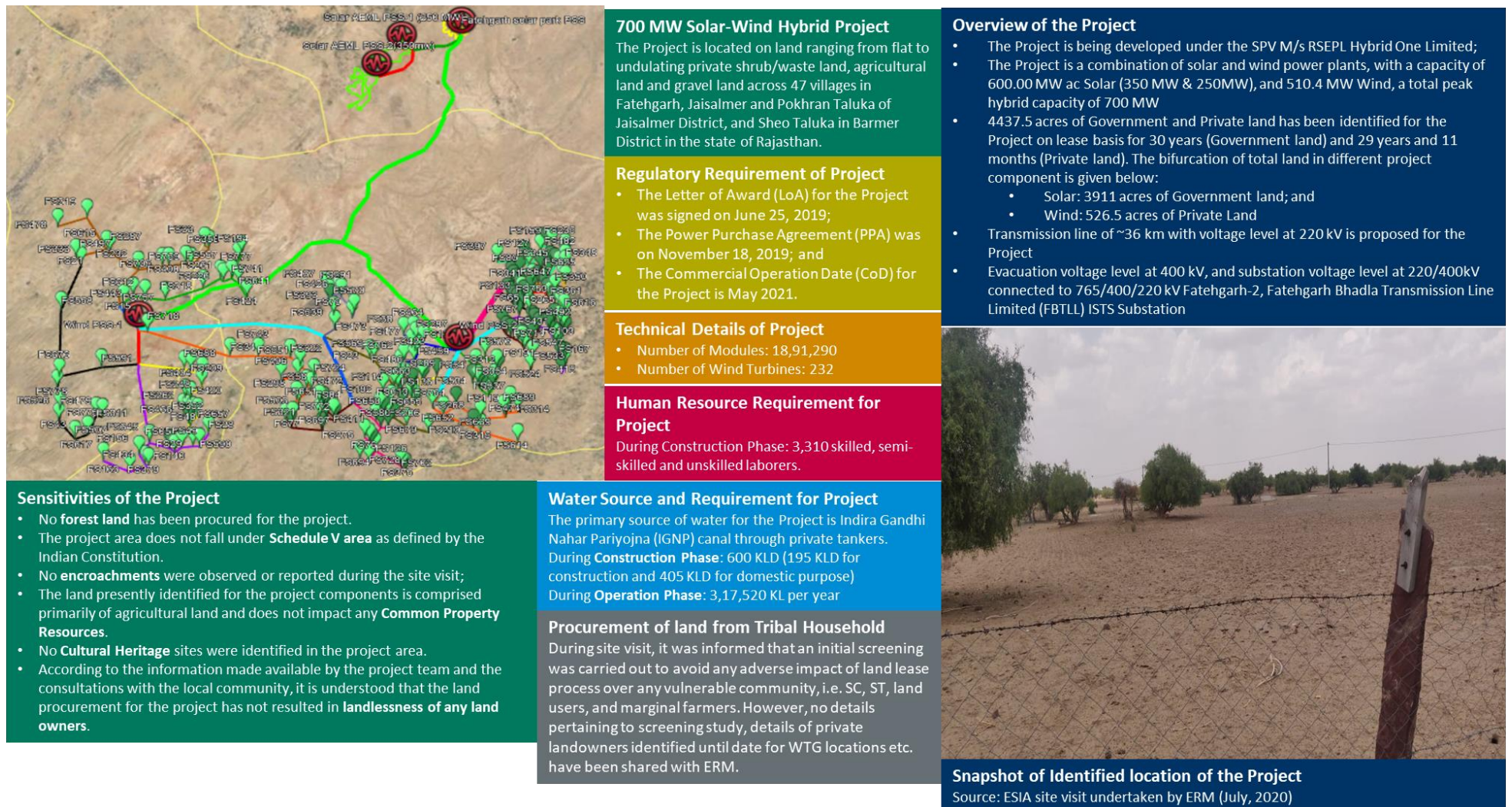


Figure 1.5 700 MW Solar-Wind Hybrid Project



1.1.3 Resource Requirements

Salient details of the resource requirements for each sub-project are presented below:

Table 1.1 Resource Requirements

S. No.	Particulars	390 MW Hybrid (Solar+Wind) Power Project Site	600 MW Hybrid (Solar+Wind) Power Project Site	700 MW Hybrid (Solar+Wind) Power Project Site
1.	SPV Name	M/s Adani Green Energy Eighteen Limited	The project will be operated under two (2) SPVs named M/s Adani Green Energy Seven Limited and M/s Adani Green Energy Nine Limited.	M/s RSEPL Hybrid One Limited
2.	Total Plant Area (Acres)	2160 acres of Private Land Solar Plant: 1290 acres; WTGs: 276 acres; Wind Mast: 5.5 acres; External Transmission line: 286.6 acres; and Pooling Sub-station: 210 acres.	4240 acres of Private Land Solar: 3,900 acres approx.; and Wind: 340 acres approx.	4437.5 acres of Government and Private Land. Solar: 3911 acres of Government land; and Wind: 526.5 acres of Private Land.
3.	Mode of land Procurement	Lease for 29 years and 11 month for both Solar and Wind Plant	Lease for 29 years and 11 month for both Solar and Wind Plant	Government Land: Lease for 30 years; and Private land: lease for 29 years and 11 months.
4.	Workforce Requirement	During Construction Phase: 800-1000 skilled, semi-skilled and unskilled laborers.	During Construction Phase: 2330 skilled, semi-skilled and unskilled laborers.	During Construction Phase: 3310 skilled, semi-skilled and unskilled laborers.
5.	Water Source	The primary source of water for the Project is Indira Gandhi Nahar Pariyojna (IGNP) canal through private tankers. During Construction Phase : 211.4 KLD (125 KLD for construction and 86.40 KLD for domestic purpose) During Operation Phase : 6,810 KL per year	The primary source of water for the Project is Indira Gandhi Nahar Pariyojna (IGNP) canal through private tankers. During Construction Phase : 460 KLD (145 KLD for construction and 315 KLD for domestic purpose) During Operation Phase : 10,642 KL per year	The primary source of water for the Project is Indira Gandhi Nahar Pariyojna (IGNP) canal through private tankers. During Construction Phase : 600 KLD (195 KLD for construction and 405 KLD for domestic purpose) During Operation Phase : 3,17,520 KL per year
6.	Primary manufacturers and suppliers ⁶	Inverters Huawei, China Modules Longi, China	Inverters Sungrow, China Huawei, China TBEA, China Modules Longi, China Jinko, China	Inverters Huawei, China Modules Longi, China

⁶ WTG components like turbines will be procured from Suzlon, based in India as reported

1.2 Objectives and Scope of Work

The objectives of the Human Rights Risk Assessment (HRRA) is to supplement the 1690 MW Hybrid Project's ESIA and ESMP by providing an understanding of human rights risks, impacts and opportunities.

1.2.1 Scope of Work

The scope of the HRRA entailed a desk-based review and compilation of readily available information (as a part of the ESIA-ESMP, AGEL embedded controls and publically available data) in order to:

- Identify actual or potential adverse human rights risks and impacts from the Project;
- Understand additional studies, management measures or safeguards that are required to mitigate potential adverse human rights risks and impacts concurrent to the ESIA-ESMP; and
- Recommend enhancement measures on human rights opportunities during the project's lifecycle.

1.2.2 Standards and Guidelines

The HRRA focuses on the rights set out in, and protected by, the International Bill of Rights and the eight Fundamental Conventions of the International Labour Organization (ILO). In particular, the HRRA considers the requirements of:

- Equator Principles 4 (2020);
- IFC Performance Standards on Social and Environmental Sustainability (2012);
- United National Guiding Principles on Business and Human Rights (UNGPs), 2011;
- Voluntary Principles on Security and Human Rights; and
- ILO Fundamental Conventions including the core conventions on labour and the Universal Declaration of the Rights of Indigenous Peoples.

As a part of the assessment, certain thematic guidance and/or standards that have evolved on topics that cover the use of security forces (IFC Good Practice Handbook: Use of Security Forces, 2017); conflict minerals; gender and vulnerable social groups have also been referred.

ERM has also referred to the Renewable Energy & Human Rights Benchmark (2020) published by the Business and Human Rights Resource Centre. This report reviews policies of leading independent power producers (IPPs) to benchmark where they stand in meeting their responsibility to respect human rights, in support of a just transition to a low-carbon economy⁷. The identification of salient human rights (as discussed in the approach) makes a reference to themes that underpin the above report.

1.3 Approach

In the context of EP4, this HRRA has been developed as an accompanying safeguard of the ESIA-ESMP to assess the potential adverse human rights risks and impacts of the 1690 MW Hybrid Project and to put in place appropriate management strategies for AGEL to implement. The HRRA was undertaken on the basis of the following:

1.3.1 Task 1: Local Context Review

ERM commenced the HRRA with a review of public domain information to establish an understanding of the local and regional human rights context that is pertinent for renewable energy and infrastructure development. This was supplemented through secondary information already available with ERM on the following aspects:

⁷ <https://old.business-humanrights.org/en/renewable-energy-human-rights-analysis>

- Cumulative implications of infrastructure development in the context of Jaisalmer, Barmer and Bikaner districts of Rajasthan in terms of livelihood implications, water and ecological impacts;
- Legacy issues linked to government land allotment and private land procurement with a resultant impact on land-based livelihoods and the availability of common property resources;
- Relevance and resonance of alleged human rights violations on specific topics identified by the Business and Human Rights Resource Centre linked to renewable energy development; and
- Potential existence of conflict minerals in the supply chain of the solar and wind energy equipment, including batteries and transformers.

1.3.2 Task 2: Internal Engagement with AGEL

ERM undertook a management meeting with key AGEL representatives on 2 December 2020 across: Sustainability, Human Rights, Project Execution, Security and Human Resources on topics that emerged as a part of the external factors review and consequently the nature of information that would be required to complete the HRRRA. A Request for Information (RFI) was subsequently shared basis which the available data, policies and procedures and clarifications requested were provided on 4 December 2020.

1.3.3 Task 3: Compilation of the Human Rights Baseline

Based on a review of the information and data provided, ERM compiled the overarching human rights baseline relevant to the HRRRA for the 1690 MW Hybrid Project. The socio-economic and environmental baseline developed for the ESIA-ESMP as well as information shared by AGEL supplemented the information on the local and regional context to present/consolidate the human rights baseline and identify key rights holders.

1.3.4 Task 4: Identification of Salient Human Rights Risks

ERM also undertook a screening of all human rights relevant to the project's context as per Section 1.2.2 and developed a list of salient human rights risks. These salient human rights risks were thereafter taken forward into the HRRRA based on the interplay with the project's activities to identify potential rights at risk.

1.3.5 Task 5: Qualitative Risk Assessment and Reporting

A qualitative assessment of rights at risk, the associated social or environmental impact, a description of the rights holders as well as risks and opportunities to the business (i.e. AGEL's 1690 MW Hybrid Project) was thereafter developed. This forms the crux of the HRRRA and also formed the basis to identify embedded controls and additional mitigation strategies that will demonstrate AGEL's commitment to respect human rights and to provide access to remedy for rights holders.

This report compiles the outcomes of the HRRRA and will be finalised on the basis of AGEL's review.

1.4 Limitations

The HRRRA for the 1690 MW Hybrid Project was a desktop-based exercise which did not include fieldwork or stakeholder engagement. Further limitations include:

- ERM's findings and profile of the rights holders has relied on the ESIA-ESMP as well as publically available information. Any changes in the overarching stakeholder perceptions since the ESIA-ESMP were finalised in September 2020 may not be reflected;
- The assessment of embedded controls is based on information provided by AGEL through their policies and procedures as well as E&S management commitments that have been documented through the ESIA-ESMP;

- No external engagement with stakeholders such as local community, workers, government bodies etc. was undertaken for this assignment;
- List of suppliers was limited to main project components and not a detailed list of all suppliers to be engaged
- The details pertaining to any additional land to be procured for “Right of Way” (RoW) of the transmission line was not shared with the ERM team
- The HRRRA should not be construed as a detailed Human Rights Impact Assessment and Management Plan.

1.5 Structure

The remainder of this report is structured as follows:

- Chapter 2: Project Development Context
- Chapter 3: Human Rights Baseline
- Chapter 4: Human Rights Risk and Impact Screening; and
- Chapter 5: Management and Mitigation Strategy.

The report is supported by the following appendices:

- Appendix A: Salient Human Rights and Applicability to the Project
- Appendix B: AGEL Stakeholder Engagement Plan
- Appendix C: AGEL Grievance Mechanism

2. HUMAN RIGHTS LANDSCAPE

2.1 Human Rights in India

The Constitution of India guarantees a set of fundamental rights to all its citizens. India is a republic where the chief of the country is the President and the head of government is the Prime Minister. There have been substantial reforms in the legal system of the country to protect the human rights of the citizen.

India also has a three tiered appellate judicial system and law codes that govern criminal and civil law. In addition, India is a signatory to a number of international conventions and agreement relating to human rights management. This given below table provides the details of the applicability of Human rights in India basis of human rights provided by the constitution of India and the international treaties ratified by India:

Table 2.1 Human Rights in India- Legal Overview

Human Rights	Brief Description
Constitution of India	
Right to Life and Personal Liberty	No Person shall be deprived of his life or personal liberty without due process of law, nor shall any person be denied equality before law within the territories of the federation
Right to Equality	It refers to the equality in the eyes of law irrespective of caste, race, religion, place of birth or sex. It also provide equality before law to not only citizen of India but also to all the people within the territory of India.
Equality of Opportunity	Article 16 of the constitution ensures the equality of opportunity in matters of public employment. It prevents the State from discrimination against anyone in respect of employment on the grounds of religion, race, caste, sex, descent, place of birth or place of residence.
Untouchability	Under Article 17 of the constitution, it has been declared an offence punishable by law to abolish untouchability. The Protection of Civil Rights Act, 1955 has been enacted by the Parliament which states punishments for not allowing a person to enter the place of worship and from taking water from a well or tank
Right to Freedom	It guarantees the citizens of India the following six (6) fundamental freedoms subject to certain restrictions: <ul style="list-style-type: none"> ■ Freedom of Speech and Expression; ■ Freedom of Assembly; ■ Freedom of form Associations; ■ Freedom of Movement; ■ Freedom of Residence and Settlement; and ■ Freedom of Profession, Occupation, Trade and Business.
Freedom of Speech and Expression	Freedom of Speech and Expression means the right to express one's own convictions and opinions freely by words of mouth, writing, printing, pictures or any other mode.
Freedom of Assembly	Article 19(1) provides that all citizens shall have the right to freedom of speech and expression, assembly, associations, movement, residence and practicing any trade, business, occupation or profession. Article 19(1)(b) guarantees to all citizens of India rights "to assemble peaceably and without arms"
Freedom of form Associations	Article 19(1) of the Constitution of India guarantees to all its citizens the right "to form associations, or unions or Co-operative Societies
Freedom of Movement	Article 19(1) of the Indian Constitution guarantees to all Citizens of India the Right "to move freely throughout the territory of India." This Right is, however subject to reasonable restrictions mentioned under Article 19(5). Article 19(5)

Human Rights	Brief Description
	empowers the State to impose reasonable restrictions in the interest of general public or for the protection of the interest of any Scheduled Tribe.
Freedom of Residence and Settlement	Article 19(1) (e) every citizen of India has the right “to reside and settle in any part of the territory of India.” However, under clause (5) of Article 19 reasonable restriction may be imposed on this right by law in the interest of the general public or for the protection of the interest of any Scheduled Tribe.
Freedom of Profession, Occupation, Trade and Business	Article 19 (1) (g) provides Right to practice any profession or to carry on any occupation, trade or business to all citizens subject to Art. 19 (6) which enumerates the nature of restriction that can be imposed by the state upon the above right of the citizens.
Right Against Exploitation	<p>It lays down certain provisions to prevent exploitation of the weaker sections of the society by individuals or the State.</p> <ul style="list-style-type: none"> ■ Child Labour and Beggar is prohibited under the Right against Exploitations; ■ Prohibits human trafficking and forced labour or any act of compelling a person to work without wages where he/she was legally entitled not to work or to receive remuneration for it. ■ Article prohibits the employment of children below the age of 14 years in factories, mines and other hazardous jobs,
Right to Freedom of Religion	It provides religious freedom to all citizens and ensures a secular state in India. According to the Constitution, there is no official State religion, and the State is required to treat all religions impartially and neutrally.
Cultural and Educational Rights	It measures to protect the rights of cultural, linguistic and religious minorities, by enabling them to conserve their heritage and protecting them against discrimination
Directive Principles of State Policy	These are the directions given to the State to guide the establishment of an economic and social democracy. Per the Principles, the State shall strive to secure and protect a social order to promote the welfare of the people in which justice, social, economic and political shall inform all the institutions of the National life. Furthermore, the State shall also strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas.
Article 39 under Directives of Principles of State Policy	<p>The state shall, in particular, direct its policy towards securing:</p> <ul style="list-style-type: none"> ■ That the citizens, men and women equally, have the right to an adequate means of livelihood; ■ that the ownership and control of the material resources of the community are so distributed as best to sub serve the common good; ■ that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment; ■ that there is equal pay for equal work for both men and women; ■ that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocation unsuited to their age or strength; ■ that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment
Core International Human Rights Treaties ratified by India	
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	<p>The International Convention on the Elimination of All Forms of Racial Discrimination defines and condemns racial discrimination, and commits state parties to change their national laws and policies which create or perpetuate racial discrimination.</p> <p>Treaty define racial discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which</p>

Human Rights	Brief Description
	has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”
International Covenant on Civil and Political Rights (ICCPR)	The treaty commits its parties to respect the civil and political rights of individuals, including the right of self-determination, right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and rights to due process and a fair trial. The Covenant elaborates further the civil and political rights and freedoms listed in the Universal Declaration of Human Rights.
International Covenant on Economic, Social and Cultural Rights (ICESCR)	<p>The Covenant contains some of the most significant international legal provisions establishing economic, social and cultural rights. The key Social, Cultural and Economic Rights recognized by ICESCR are:</p> <ul style="list-style-type: none"> ■ Right to non-discrimination; ■ Right to just and favourable conditions of work; ■ Right to food; ■ Trade union rights; ■ Right to social security; ■ Right to housing and adequate standard of living; ■ Right to health; ■ Right to education; and ■ Right to participate in cultural life.
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	The treaty addressed a specific phenomenon: discrimination against women on the basis of sex. Per the CEDAW discrimination against women defined as, “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	The Convention provides for each State to take effective measures to prevent torture and other similar treatment or punishment from being practised within its jurisdiction; criminalize all acts of torture or those which constitute participation, complicity, incitement or an attempt to commit torture; recognize rights of persons who allege that they have been subjected to torture or similar treatment to complain to, and to have their cases impartially examined by the competent authorities of the State concerned; redress and compensate victims of torture; and prohibition of using as evidence any statement made as a result of torture or of other cruel, inhuman or degrading treatment or punishment.
Convention on the Rights of the Child (CRC)	The United Nations Convention on the Rights of the Child is a human rights treaty setting out the civil, political, economic, social, health and cultural rights of children. The Convention generally defines a child as any human being under the age of eighteen, unless an earlier age of majority is recognized by a country's law.
International Convention on Protection of the Rights of All Migrant Workers and members of their Families (ICMRW)	<p>The key rights of migrant workers recognized by the treaty are:</p> <ul style="list-style-type: none"> ■ Right to leave and return to the state of origin; ■ Right to life; ■ Prohibition of cruel, inhuman or degrading treatment; ■ Prohibition of slavery or servitude and of forced or compulsory labour; ■ Freedom of thought, conscience and religion; ■ Right to hold and express his opinion; ■ Respect of honour, of dignity and of privacy; ■ Prohibition of arbitrary depriving of property; ■ Necessity to ensure an equitable procedure of resource to migrant workers and members of their family; ■ Prohibition of arbitrary expulsion;

Human Rights	Brief Description
	<ul style="list-style-type: none"> Equal treatment to nationals of the State of employment.
Convention on the Rights of Persons with Disabilities (CRPD)	The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.
International Convention for the Protection of All Persons from Enforced Disappearance (ICPAPED)	The Convention aims to prevent enforced disappearances, uncover the truth when they do occur, punish the perpetrators and provide reparations to the victims and their families. The convention defines enforced disappearance as, “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.”
India’s Ratification of Core ILO Conventions	
Forced Labour Convention, 1930	The convention was introduced to abolish the forced labour. The convention defines ‘forced or compulsory labour’ as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.
Equal Remuneration Convention, 1951	The Equal Remuneration Convention, 1951 lays down the general principle that each State which ratifies it shall promote and in so far as consistent with the methods in operation in its country for determining rates of remuneration, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.
Abolition of Force Labour Convention, 1957	The Convention on the Abolition of Forced Labour obligates each Member of the International Labour Organization which ratifies this Convention to undertake to suppress, not to make use of any form of and to take effective measures to secure the immediate and complete abolition of any form of forced or compulsory labour.
Discrimination (Employment and Occupation) Convention, 1958	The Discrimination (Employment and Occupation) Convention or the Convention concerning Discrimination in Respect of Employment and Occupation (ILO Convention C111) provides for the protection of all workers against discrimination on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, and other criteria as may be determined by a ratifying state after consultation with representative employers’ and workers’ organizations.

2.2 Local Human Rights Context in 1690 MW Project affected area

The current human rights context in 1690 MW Project affected area is underpinned by the development of large scale solar and wind project in the nearby vicinity of the Project affected area. Human rights are potentially at risk due to the project’s environmental and social impacts linked to availability of land, livelihood dependence on the commons/grazing land, scarcity of water, disruption of natural habitat of Great Indian Bustards (GIB), discrimination, community health etc.

2.2.1 Land related Human Rights Issues

The area surrounding the 1690 MW Project site is characterized by operational and proposed solar and wind power plants. The development of a large number of plants has resulted in a reduction of availability of land for uses of local communities. In the local context, the land is not a mere commodity, but an essential element for the realization of many human rights. Local communities considered land as linked to peoples’ identities, and so is tied to social and cultural rights. For many people, land is a source of livelihood and is central to economic rights.

The human rights aspects of land affect issues including poverty reduction and development, right to earn a livelihood, rural planning, freedom of residence and settlement, to name but few. Further, the large land take by solar and wind plants envisaged violating the land rights of the legitimate

landowners. The violation can be not respecting land rights, identification of legitimate land tenure right holders, and unavailability of informed consent of landowners on land take to process. Furthermore, the land take might result in physical or economic displacement of people from their land to make way for these large-scale plants. In addition, for solar developments (including solar parks in Jaisalmer and Barmer), the government has been allocating revenue land (not privately owned), but which represents common property resources such as grazing lands, thereby impacted livelihoods based on dependence on livestock, transhumance etc.

2.2.2 Water Related Human Rights Issues

Three factors place Jaisalmer and Barmer districts in a more challenging situation related to the scarcity of water:

- frequency of drought;
- deficient and erratic rainfall; and
- minimal surface water sources, like the perennial river basin, resulting in greater dependence on groundwater resources.

Added to this, the high growth of solar power projects in the area have resulted in increased pressure on the per capita availability of water in the area. As reported in the ESIA, the primary source of water for all these plants (proposed or operational) in the nearby vicinity of the 1690 MW is Indira Gandhi Nahar Pariyojna (IGNP) canal⁸. The water requirement for this project is provided in **Section 1.1.3**

The scarcity or reduction of water due to the presence of solar plants in the area will challenge the basic Human Rights to the water of local communities. The Human Rights to water refer to water to drink, to cook with, and water for personnel and domestic hygiene⁹. The violation of water right of the local community would affect other needs and rights as well. For example, water is often needed to produce food, and access to irrigation water for subsistence farming can, therefore be an element of the human right to food¹⁰. Water is also required for the realization of a number of other economic, social and cultural rights such as the rights to health, housing or education.

2.2.3 Court Case on allotment of Land to Solar Park

A case challenging government land allotment to AGEL's Fathegarh Ultra Mega Solar Park is presently ongoing with a stay on construction activities. Even though the land is deemed barren by Rajasthan Government the local communities contest that the Government land was allotted for Agriculture and in 2017 changed to Barren, as per the article the appellants say that it is unlawful to change the allotment as there is dependence on that land.¹¹

People were demanding rights through the contestation of allotment of land to the solar park through challenging the government decision in the Court. The case has shown the people are contesting the allotment of land to protect their basic human rights of freedom of speech and expression, freedom of residence and settlement, the principle of state policy (as per the constitution of India), right to earn their livelihood, to name of few. The community allegation has further raised the potential violation of land rights of the legitimate landowners. The local community argued that the allotted land belongs to them because they use it and have dependence on it.

However, the case on the allotment of government land is not part of the identified land for 1690 MW Project. Though the 1690 MW Project also have leased out the government land for the solar plant,

⁸ IGNP is the only source of water availability in the area for Project as well as for the local community.

⁹ <https://www.aaas.org/sites/default/files/s3fs-public/violations-of-the-Human-Right-to-Water.pdf> (accessed on December 10, 2020)

¹⁰ Reports of the UN Special Rapporteur on the right to food: UN Doc A/56/210, para. 58-71 and UN Doc E/CN.4/2003/54, para. 36 – 51

¹¹ <https://www.livemint.com/news/india/how-solar-farms-fuel-land-conflicts-11600612526037.html> (Accessed on December 01, 2020)

the Project does not have faced any known agitation from local communities or any legal challenges/stay order from the Court. However, seeing the proximity of the project area with the other project where this issue is being contested, and allotment of ~3911 acres of government land, there is chance of this issue getting traction in this project as well.

2.2.4 Issues with fundamental Human Rights to no-discrimination

Despite progress at the national level in enhancing the legal protection of individuals and groups of individuals against, there is discrimination present in the local context of the area where the 1690 MW Project is proposed to be developed. In the local context, discrimination is multifaceted and present, and to a greater or lesser extent, discrimination may thus affect the way different and of people of different ethnic groups are treated in all sphere of society such as education, employment, social services, and housing, to name of the few.

Right to non-discrimination in the local context is linked to women's land rights and gender justice in land governance. Across the local area and the local communities, women are among the most disadvantaged people and are the once who faced challenges in enjoying the fundamental human rights of freedom from discrimination. Widespread gender-based discrimination among the society, customs and practice cause severe inequalities in their ability to access and control land and other natural resources and limit their participation in decision-making in land governance. Given a large number of renewable energy plant are proposed in the area, which requires large land to develop, have potentially violated the right to no-discrimination, as in the area there were no consultation or engagement process has not been done with women to take their consent before procuring the land for these plants.

Women's land rights and gender justice in land governance are fundamental pillars in the promotion and protection of women's human rights to non-discrimination in the local area.

The other form of violation of the right to non-discrimination in the local area can be envisaged in the process of employment. The employment process of the local community in the plant can violate the human rights of non-discrimination. Corruption, Accountability and Transparency

There are a number of factors that can increase the potential for a human rights violation to occur. For example, weak governance and corruption, economic wellbeing of people, can all heighten the risk of a violation to occur.

The 2019 India corruption survey conducted by the LocalCircles and the Transparency International India places Rajasthan at the top of the corruption chart in India¹². As per National Crime Records Bureau's (NCRB) "Crime in India 2017" report, a number of corruption cases registered under Prevention of Corruption Act and related section of IPC in Rajasthan were 2015 – 401, 2016 – 387 and 2017 – 404.¹³ Corruption pervades all institutions that make, implement and adjudicate the law¹⁴.

Corruption has two direct implication of violation of human rights for access to justice, and the people might lose confidence and incentive to use the legal system to seek redress of violations of their human rights.

¹² <https://www.news18.com/photogallery/india/most-corrupt-states-in-india-2019-rajasthan-tops-delhi-odisha-among-least-2405167.html> (Accessed on December 11, 2020)

¹³ <https://transparencyindia.org/wp-content/uploads/2019/11/India-Corruption-Survey-2019.pdf> (Accessed on December 11, 2020)

¹⁴ "Every sector of governance apparatus is marred by this problem with only certain variations in the level of corruption." C Raj Kumar, "Corruption and its Impact on Human Rights and the Rule of Law: Governance Perspectives" in Kumar & Chockalingam (eds.), op. cit., note 37, p. 153.

2.2.5 Right to health

Per the World Health Organisation (WHO), the right to health is one of a set of internationally agreed human rights standards and is inseparable or 'indivisible' from other human rights. This means achieving the right to health is both central to, and dependent upon, the realisation of other human rights, to food, housing, work, education, information, and participation.¹⁵

As per the WHO, Rajasthan has a poor record for several health and human indicators. Morbidity due to communicable disease is high; the infant mortality rate in the state is 63, against the average of 53 at the national level; the maternal mortality rate is 388 against the national average of 254, and the birth rate is 27.5/1000, compare to the national average of 22.8/1000.¹⁶

Violation or lack of attention to human rights can have serious health consequences. The potential violation of right to health not only contribute to and exacerbate poor health, but for many, including people with disabilities, indigenous populations, transgender, the health care setting presents a risk of heightened exposure to human rights abuses

2.3 Project Level Socio-economic Context

For the purpose of the human rights risk assessment, an Area of Influence (AoI) within a 5 km radius from the project footprint area has been identified. The ESIA was developed by taking a 5 km study area for the baseline, and therefore considerable information on receptors and potential rights holders at risk was available. The potential impacts and human rights risks due to the Project and Project activities on human rights holders will have spatial (distance) and temporal (time) dimensions, the scale of which is dependent on a number of factors. These factors are – project footprint and boundary, associated facilities such as access roads, transmission line, engagement of local workforce, procurement of land- private and government; and identified interactions with project activities with local community. The table below provides the salient feature of the social baseline of the three projects as per the ESIA which was undertaken.

¹⁵ <https://www.who.int/news-room/fact-sheets/detail/human-rights-and-health> (Accessed on December 11, 2020)

¹⁶ <https://www.who.int/workforcealliance/forum/2011/hrhawardscs23/en/> (Accessed on December 11, 2020)

Table 2.2 Socio-Economic Features¹⁷

Feature	390 MW	600 MW	700 MW
Demography	<ul style="list-style-type: none"> There are a total of 11 villages that fall within the 5km radius of the proposed solar-wind hybrid project. The total population as per 2011 Census of India data is 27380 living in 4602 households. The entire AOI falls under the rural category. The SC population in the core and buffer zone distributed to 14.7% and 12.12%, respectively. ST population has a contribution of 3.1% in the core zone and 5.1% in the buffer zone. The communities within the area include Rajputs, Bhils, Suttars, Meghwals and Muslims. The Sex Ratio in the Aol is 854 females per thousand males, which is lower than the district sex ratio of 852 (and very less than the national sex ratio of 933). 	<ul style="list-style-type: none"> There are a total of 34 villages that fall within 5 km radius of the proposed solar-wind hybrid project. The total population as per 2011 Census of India data is 35259 living in 5867 households. The entire AOI falls under the rural category. The SC population within the Core zone villages is 11.27%, while in Buffer zone it is 7.39%. While the ST population 4.60%, which is comparatively more than 3.73% ST population in Buffer zone villages. The communities within the area include Rajputs, Bhils, Suttars, Meghwals and Muslims The Sex Ratio in the Aol is 842 females per thousand males, which is lower than the district sex ratio of 852 (and very less than the national sex ratio of 933). 	<ul style="list-style-type: none"> There are a total of 53 villages that fall within 5 km radius of the proposed solar-wind hybrid project. The total population as per 2011 Census of India data is 56,074 living in 9508 households. SC & ST, is 21.57%, having 14.24% SC population and 7.33% ST population. The communities within the area include Rajputs, Bhils, Suttars, Meghwals and Muslims. The Sex Ratio in the Aol is 867 females per thousand males, which is higher than the district sex ratio of 852 (and very less than the national sex ratio of 933).
Land Use and Ownership	<ul style="list-style-type: none"> Of the total geographical area of 87244.35 hectares, nearly 50.44% is Net sown area which is approximately equal to the proportion of land use. 2.34% pf the land is utilized in non-agricultural activities while 9.2% is within the permanent pastures and other grazing land. 	<ul style="list-style-type: none"> Of the total geographical area of 126679.45 hectares, nearly 42% is Net sown area, while 29% is culturable waste land. These two categories of land accounts for nearly 71% of land in the Aol. In addition to the above land categories, there is 1% of forestland cover in the Aol, 3% is barren land, 5% current fallows land and 3% land area which is under non-agricultural usage. It was understood that the landholdings are typically large in the core area, in comparison to buffer zone due to low soil quality and lack of access to irrigation water rendering the holdings less productive as far as income generation is concerned. 	<ul style="list-style-type: none"> Of the total geographical area of 149903.26 hectares, nearly 37% is Net sown area, while 32% is culturable waste land. These two categories of land accounts for nearly 69% of land in the Aol. Rest, 9% is permanent pastures & grazing land. In addition to the above land categories, there is 1% of forestland cover in the Aol, 4% is barren land, 5% current fallows land and 5% land area which is under non-agricultural usage. It was understood that the landholdings are typically large in the core area, in comparison to buffer zone due to low soil quality and lack of access to irrigation water

¹⁷ For area within 5 km radius of the project- i.e. AOI

Feature	390 MW	600 MW	700 MW
		<ul style="list-style-type: none"> Another point to note was that though there are no landless people in the area, lack of water for irrigation and rainfall result in low productivity or often draught like situation which pushes the people to consider non-farm based activities as their source of livelihood. 	<ul style="list-style-type: none"> rendering the holdings less productive as far as income generation is concerned. Another point to note was that though there are no landless people in the area, lack of water for irrigation and rainfall result in low productivity or often draught like situation which pushes the people to consider non-farm based activities as their source of livelihood.
Education	<ul style="list-style-type: none"> In terms of total literacy rate is higher in the core area with 55.7% in comparison, the literacy rate in the buffer area is 53.04%. The status of male literacy rate (72.1 %) in the Aol is much higher than the female literacy rate (32.8 %); the same can be seen in the core zone, the female literacy in core zone is 33.88 % in comparison the male literacy rate is 76.07 %. The consultation suggest that the girls are not given equal opportunities to study, as boys. The other reason behind the low female literacy rate is unavailability of higher education schools in the village, early marriages and local doesn't prefer girls to send them far away from the villages to study, which resulted in lower educational attainment and higher dropout rate of girl child. 	<ul style="list-style-type: none"> Literacy is very poor in the study area, where Core zone has a literacy rate of 53.45% and Buffer zone has 51.90% literacy rate. The male literacy rate in Core zone villages is little higher at 72.52%. The female literacy rates are significantly low, i.e. 31.15% in Core zone villages and 33.20 in Buffer zone villages. The community consultations suggest that the girls are not given equal opportunities to study, as boys. 	<ul style="list-style-type: none"> Literacy (56.03%) is almost similar and is very poor at both Core Zone and buffer zone. The female literacy rate at the study area is very low, having only 37.12% female literates in comparison to 72.24% male literates. Girls are not given equal opportunities to study, as boys. The other reasons behind the low female literacy rate are, unavailability of higher education schools in the village, engagement of girls in household work/ chores, "purdah" system, early marriages and local doesn't prefer girls to send them far away from the villages to study, which results as a low academic qualification and high dropout rate among girls.
Livelihood	<ul style="list-style-type: none"> There is a significant ratio of non-working population in the Aol (52.06 % in the core zone and 60.17 % in the buffer zone) which includes children, the older people or unemployed youth. Though agriculture and allied activities form an important source of livelihood, however they are not sufficient for sustenance of livelihoods in the study area. Thus, it contributes only about 35% as the main source of livelihood. Animal husbandry is one of the main sources of livelihood for the local community in Aol. Goats 	<ul style="list-style-type: none"> The total working population in the Aol is 43.07%. Out of the total working population, 47.78% is categorised as main workers; and remaining 52.22% are marginal workers. The proportion of cultivators and agricultural labourers is 78.89%. Though agriculture and allied activities form an important source of livelihood, however they are not sufficient for sustenance of livelihoods in the study area. In 18.7% of the populations were to be engaged in industries, trades and services out of which Core Zone has 19.41% workers engaged in 	<ul style="list-style-type: none"> Based on the 2011 Census data, the total working population in the Aol is 42.77%. Out of the total working population, 48.70% is categorised as main workers; and remaining 51.30% are marginal workers. The proportion of cultivators and agricultural labourers is 72.18%. There is a significant proportion of population as other workers (26.10%), those engaged in some economic activity, but are not cultivators or agricultural

Feature	390 MW	600 MW	700 MW
	<p>and Sheeps are reared for meat, milk, hair and skins in Aol, mainly farming communities as a supplementary income source from milk. 50.44% of the population in the area is engaged in animal husbandry as a source of livelihood.</p> <ul style="list-style-type: none"> The non-farm based livelihoods acts as a supplementary source of income to the families in the area, with the households relying on this income to buffer against the fluctuations in agriculture and to provide sustenance during the non-cultivation periods (summer). 	<p>“Other” work while Buffer zone has 17.47% engaged as Other workers. There is also a sizeable number of people in the area are employed as security guards in the nearby village.</p> <ul style="list-style-type: none"> There is a considerable proportion of the youth population, who have to migrate out of village to nearby cities for work. Animal Husbandry is an important part in the rural economy and is another source of household income 	<p>labourers or in household industry. And are engaged in industries, trades and services.</p> <ul style="list-style-type: none"> There is also a sizeable number of people in the area are employed as security guards in the nearby village. There is a considerable proportion of the youth population, who have to migrate out of village to nearby cities for work. Animal Husbandry is an important part in the rural economy and is another source of household income
Physical and Social Infrastructure	<ul style="list-style-type: none"> <i>Drinking water supply and sanitation:</i> facility of tubewell/borehole is available in 9 villages and facility of Tank/Pond/Lake is available in 19 villages in the AOI. The drinking water supply sources include main water include tap water, tube wells, open dug wells. Water scarcity remains a problem in the area during peak summer seasons. <i>Cooking Fuel:</i> LPG <i>Electricity:</i> Access to household electricity supply for nearly 20- 22 hours. Power outages during summer seasons. <i>Education:</i> The AOI has 27 primary schools which is comparatively more in number than the number of secondary schools (6) and senior secondary schools 3 in the AOI and in each village except Achla there is a primary school. AGEL in accordance with the CSR policy, aimed to provide education support in the villages that are falling under the close proximity of the Project. In present 29 schools from 9 villages and 20 dhanis are being covered under the education supporting programmes <i>Health Facilities:</i> There are PHCs in every village and only 1 CHC at Pokhran in the area. However, in case of serious illness, the villagers 	<ul style="list-style-type: none"> <i>Drinking water supply and sanitation:</i> 28 villages in the Aol have access to the tank/ pond/ lake water. It is understood that the facility of tubewell/borehole is available in 13 villages and facility of hand pump is available in 27 villages in the AOI. <i>Irrigation:</i> Bore wells and water sourcing through lift-irrigation schemes, wherever possible form the main source of irrigation. <i>Cooking Fuel:</i> LPG <i>Electricity:</i> Access to household electricity supply for nearly 20- 22 hours. Power outages during summer seasons. <i>Education:</i> Aol has total 22 Govt. middle schools, out of which 17 are in Core zone villages also there are five private middle schools, 5 each in core and buffer zone. <i>Health Facilities:</i> One Primary Health Centre located in Sankra village. six (6) Primary Health Sub-Centres located in Neran, Dawara, Sanawara, Madasar, Sankra and Bhainsara. Sankra has one maternity and child welfare centre. There are no veterinary centres for animal care. 	<ul style="list-style-type: none"> <i>Drinking water supply and sanitation:</i> 35 villages in the Aol have access to the tank/ pond/ lake water. It is understood that the facility of tubewell/ borehole is available in 29 villages and facility of hand pump is available in 20 villages in the AOI <i>Irrigation:</i> open wells are the the main source of irrigation. In some cases there are bore wells and water sourcing through lift-irrigation schemes. <i>Cooking Fuel:</i> LPG and dry wood. <i>Electricity:</i> Access to household electricity supply for nearly 20- 22 hours. Power outages during summer seasons. <i>Education:</i> There are 40 Govt. primary schools, 15 private primary schools, 21 Middle schools and 9 private middle schools in Core zone. There are 8 Govt. secondary schools in Core zone and 1 in Buffer zone, 3 private secondary schools in core zone and 1 in Buffer zone <i>Health Facilities:</i> there is one Primary Health Centre located in Ramdeora village, followed by twenty (20) Primary Health Sub-Centres. Mandai and Ramdeora villages in Core zone and Kanasar in Buffer

Feature	390 MW	600 MW	700 MW
	have to go to Jaisalmer. There 3 veterinary centres for animal care.		zone have one maternity and child welfare centre. There are two veterinary hospitals in Aol, one each in Neran and Ramdeora.

3. FINDINGS OF THE HUMAN RIGHTS RISK ASSESSMENT

Review of project activities, resource requirements, socio-economic features of the AOI, and human rights landscape and local context has provided potential arenas where project may lead to human rights risks. These have been termed as ‘potential sources of human rights conflict’ w.r.t this project.

After assessing the potential sources of risks, subsequent section provide screening of salient human rights (please refer to **Appendix A**) and a qualitative human rights risk assessment (Table 3.1) which includes the following parameters:

- Thematic Areas of Impact
- Source of Potential Human Rights Violation Project Activity/Requirement
- Salient Human Rights at Risks
- Rights Holders
- Description of Potential Issues
- Key Human Rights Risks
- Mitigation and/or Enhancement Proposed

3.1 Potential Sources of Human Rights Conflict

3.1.1 Land Procurement

As per the ESIA it is understood that a combination of private and government land has been taken on lease for the project. The land has been procured on voluntary land transaction basis. Government land will be taken on lease for a period of 30 years for the 700 MW project from the government of Rajasthan and the private land lease procedure is still underway for all three projects. The lease amount will be 35% of the market rate of the land as reported. It has been understood that project will not lead to any physical displacement and it will not lead to any landlessness in the area. The project may however lead to some economic loss in the area. There is some patta land¹⁸ in the project area that has been identified for the WTG locations. However, information on whether these land parcels have been allotted to this project is not available. .

The details pertaining to any additional land to be procured for “Right of Way” (RoW) of the transmission line was not shared with the ERM team. Reportedly, the construction of internal and external transmission lines will be undertaken on the basis of Indian Electricity Act, 2003 and Indian Telegraph Act, 1885, however further details regarding total number of tower footprints, area covered under tower footprints etc. has not yet been finalised. During discussion with project team, it was reported that the compensation for “Right to use” of the land coming under tower footprint and RoW between two towers will be paid on the basis of mutual negotiations and market rate of the land. The details pertaining to total number of towers to be erected for external TL, the process of it’s compensation and total amount of compensation have not been shared with ERM.

Based on the ESIA, the proposed land for the project does not fall in Schedule V area¹⁹ or within forest land. There was no common property resource in the identified land.

¹⁸ Patta land is government land allotted to private individuals (mostly those who did not own land). Patta allottees have the right to use the land but not sell it. The government continues to be the owner of the land and can use land for development purposes.

¹⁹ Article 244, contained in Part X of the Constitution entitled “The Scheduled and Tribal Areas”, provides as follows: “Article 244 (1) The provisions of the Fifth Schedule shall apply to the administration and control of the Scheduled Area and Scheduled Tribes in any State other than the States of Assam, Meghalaya, Tripura and Mizoram.” The purpose of Scheduled Areas, as also recognised in several judgments, is to preserve the tribal autonomy, their culture and economic empowerment, to ensure social, economic and political justice, and preservation of peace and good governance-
<https://tribal.nic.in/FRA/data/LandandGovernanceunderFifthSchedule.pdf>

It was understood that the landholdings are typically large within the project area. However, over the years due to low soil quality and lack of access to irrigation water often resulting in draught like situation, people have been pushed to consider non-farm based activities as their source of livelihood due to land holdings becoming less productive as far as income generation is concerned.

3.1.2 Workforce Requirement

Since the project is still in the planning stage, no construction workforce has been mobilised. As per the ESIA's, the workforce requirement during construction stage is approximately 7000-8000 workers for the 1690MW project. The main construction activities during construction stage include site preparation, foundation laying, fencing, cleaning, piling and erection of solar panel, WTG erection and commissioning of mounting structures. Reportedly, unskilled and semi-skilled labourers will be sourced from the local area to the extent possible. In case the requirement of semi-skilled labourers is not met from the local area, then the semi-skilled labourers from other part of Rajasthan or from other state will be considered. As for skilled workforce, they may not be sourced from the local area due to paucity of required skill sets and hence will largely comprise of migrant workers. In cases of migrant labours being sourced from neighbouring states for skilled and semi-skilled work, the appointed sub-contractors will provide accommodation facility during construction phase. However, locations of labour camps are yet to be decided. Similarly, during the operations phase, as general practice, security personnel will be taken from local villages especially to guard WTGs and other facilities.

3.1.3 Livelihoods

A high proportion of workers are engaged in the agriculture sector, with most of them engaged as agricultural labourers in both main and marginal workers category. This is because there are very limited employment opportunities in the area and low agricultural productivity. There are also some on-going social infrastructure projects of Mahatma Gandhi National Rural Employment Guarantee Act²⁰ (MNREGA) in project area and neighbouring villages. There is also a considerable proportion of the youth population, who have to migrate out of village to work. These migrant labourers work in nearby cities like Jaipur, Jodhpur and even states like, Gujarat, Madhya Pradesh and Punjab etc. The migrant workforce usually engages as carpenters, labour in construction work, stone crushing plants, graphite mines, local cement plants, etc. Some reported to own small businesses and trade in the local area like petty shops, food stalls etc. Potential impacts linked to land procurement of land under cultivation may lead to loss of livelihoods of the land owners/users households, triggering migration of household members or shift to other sources of livelihood.

3.1.4 Gender

The status of gender with respect to health, diet intake and employment participation is very low at state level, suggesting discrimination towards women, lack of opportunities and limited role in the decision making process. Similarly, the ESIA's mention that male members of the family often manage market relations, trade or the sale aspects. Although, there are "Self Help Women Groups" in almost all the villages within the project area, access to market and mobility for women is very limited.

3.1.5 Water Requirement

The primary source of water for the Project is Indira Gandhi Nahar Pariyojna (IGNP) canal through private tankers. A total of 1261 KLD will be required for construction and 17KLD for operations phase. Project is not extracting ground water or surface water from the local area. The area is beset with scarcity of water (drinking and irrigation), leading to low agricultural productivity, health issues (especially among women who walk considerable distances to fetch water) and instances of conflicts

²⁰ Mahatma Gandhi Employment Guarantee Act 2005 (or, NREGA No 42, later renamed as the "Mahatma Gandhi National Rural Employment Guarantee Act" or MGNREGA), is an Indian labour law and social security measure that aims to guarantee the 'right to work'. It aims to enhance livelihood security in rural areas by providing at least 100 days of wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work.

linked to water supply between community and local government, and between community and local industries. Ground water and IGNP canal are the only source of irrigation in Jaisalmer district. Maximum irrigated area is in Jaisalmer block. Minimum area under irrigation is in Sankara block due to poor ground water potential²¹. **It was reported by AGEL that a separate Climate Change Risk Assessment has been commissioned for this project.**

3.2 Salient Human Rights and Human Rights Risk Assessment

²¹ http://cgwb.gov.in/District_Profile/Rajasthan/Jaisalmer.pdf

Table 3.1 Human Rights Risk Assessment²²: 1690 MW Hybrid Project

S. No	Thematic Areas	Source of Potential Human Rights Violation – Project Activity/Requirement	Salient Human Rights at Risks	Rights Holders	Description of Potential Issues	Key Human Rights Risks	Mitigation and/or Enhancement Proposed
1.	Labour and Working Conditions	<ul style="list-style-type: none"> Project construction and operations Deployment of workers Setting up of labour camps Procurement of materials 	<ul style="list-style-type: none"> Right of Life and Personal Liberty Right to Equality, and Non-discrimination Right to housing and adequate standard of living Freedom of Speech and Expression Freedom of Assembly; Freedom of form Associations and Trade union rights; Right Against Exploitation such as child, forced or compulsory labour Right to health 	<ul style="list-style-type: none"> Workers (local and migrant) Female workers Unskilled workers 	<ul style="list-style-type: none"> Construction stage will require ~7000-8000 workers. Main activities will include site preparation, foundation laying, fencing, cleaning, piling and erection of solar panel, WTG erection and commissioning of mounting structures. Some of these activities can also construed as high risk activities such as working at height, working in confined spaces, electrical hazards, suspended loads etc. Improper and inadequate occupational safety controls may lead to worker injures and in worst cases, fatalities. The project will engage local workers for unskilled and semi-skilled work in construction and operations stage. For skilled workforce, migrant workers will be engaged (with unskilled and semi-skilled work as well depending upon the availability of local workers). All these workers will be engaged on a contractual basis, and thus may not have documented terms of employment, and are susceptible to unequal pay (between migrant and local workers, or between male and female workers). Also, contract workers may face discrimination in terms of different working conditions as compared to permanent workers such as toilet and sanitation facilities, accommodation etc. Discrimination can also occur due to unfair treatment of migrant workers based on their caste, ethnicity or region they belong to. This is pertinent not only for the employee-worker relation, but migrant workers may face discrimination by local community during interactions in market, or by local workers engaged by the company. There can also be cases of sexual harassment against women workers. Currently, number of female workers to be deployed is not known, however contractual workforce including migrant workers may include some female workers as well The project will engage workers from local areas, and migrant workers from other states. AGEL does not have any trade union, or workers association. However, during the construction stage, there will be deployment of large workforce which may also entail opportunities for workers to unionise or form associations for collective bargaining, or get affiliated to local worker unions. Any efforts to discourage or inhibit workers from forming means of collective bargaining may impinge on the workers right to peaceful assembly and form associations. 	<ul style="list-style-type: none"> Occupational Health and Safety risks during construction and operations leading to serious injuries and fatalities Discrimination of workers in wages, working conditions and facilities, and differential access to remedy to complaints/grievances Sexual Harassment at workplace Workers forming association or unions for collective bargaining Engagement of child ad forced labour may lead to cases of exploitation, trafficking, or modern slavery Risks of procuring materials from vendors engaged in forced labour and child labour or from conflict prone areas 	<ul style="list-style-type: none"> Implementation of AGEL's ESMS including Occupational Health and Safety Policy and Procedure, to include development of job hazard analysis, hazard identification and risk assessment, provisions of adequate PPEs, accident-incident reporting etc. Key recommendations should be implemented at site including but not limited to: <ul style="list-style-type: none"> Use of Personal Protective Equipment (PPEs); Daily monitoring and inspections of contractors, subcontractors and labourers to ensure they are compliant to the ESMP; Accident/incident register to track any issues that may arise during the construction/operation and communicate the same to the respective stakeholders; Permit to work or key activity risk identification process for higher risk activities such as working at height, working with rotating machinery, working with electromagnetic fields and working in confined spaces; Project specific HIRA should be in place prior to start of construction activities at site; and Project specific Occupational health and safety plan also should be developed and implemented; Implementation of AGEL HR Policies and Procedures Payment of wages as per the minimum wages norms of the State of Rajasthan for unskilled, semi-skilled and skilled workforce with no disparity between local migrant workers and male and female workers Implementation and trainings on Prevention of Sexual Harassment at Workplace Policy Implementation of IFC/EBRD Worker Accommodation Guidelines for worker accommodation to ensure a basic minimum standard of living and access to facilities Appointment of a designated labour compliance officer to ensure compliance to applicable labour laws, rule sans regulations Contractor to carry out formal briefing of contractors and contract workers and explain the terms and conditions of employment, social security etc. Contractor to provide proper ID cards, employment terms on document, and salary slips indicating deductions. In case the same is being done indirectly by

²² Appendix A details out the screening of potential human rights at risk and applicability to the project

S. No	Thematic Areas	Source of Potential Human Rights Violation – Project Activity/Requirement	Salient Human Rights at Risks	Rights Holders	Description of Potential Issues	Key Human Rights Risks	Mitigation and/or Enhancement Proposed
					<ul style="list-style-type: none"> As per Child and Adolescent Labour (Prohibition and Regulation) Act, 1986²³ (as amended in 2016), a complete prohibition has been imposed on employment of child labour (i.e. a person below the age of 14 years) in any establishment whether hazardous or not. A child is permitted to work only to help family, in family enterprise or as child artist after school hours or during vacations. The amendment has introduced the concept of adolescent labour for the first time. An adolescent has been defined as a person between the ages of 14-18 years. The amendment permit employment of adolescent labour except in hazardous processes or occupation. AGEL as a policy that prohibits employment of any person below 18 years of age. However, there may cases of workers below 18 years of age engaged by transport vendors, or in the supply chain especially linked to sand and aggregate mining. There can also be cases of forced labour, especially when migrant workers are hired through agents. Forced labour can manifest in different forms such as advance payment and deductions thereon leading to non-payment of regular wages; retention of identity documents such as voter ids, Aadhar cards; prohibition of right to leave employment etc. AGEL list of major suppliers indicates that all the major components are to be procured from China. This includes solar panels, and related parts. WTG components like turbines will be procured from Suzlon, based in India. However, there can be cases of child and forced labour in sand and aggregate procurement²⁴. Procurement of materials from conflict prone areas is not to be undertaken by AGEL. AGEL also has a documented procurement procedure wherein compliance related aspects are checked before selection of any vendor 		<p>the contractor, review the performance periodically as a principal employer</p> <ul style="list-style-type: none"> AGEL should allow workers to form associations or other means of collective bargaining if the workers are willing to and not discourage or deter such activities AGEL should ensure that no workers below 18 years of age should be deployed either directly or through contractors as well as local suppliers. This includes close monitoring of transport vendors, housekeeping service, and supply chain; AGEL should ensure that regular monitoring of contract workers, migrant workers is undertaken by Labour Compliance Officer on aspects related to forced labour. The HR Policy AGEL and any contractors should include company's commitment towards prohibition of child/ forced labour at corporate and project sites, directly or indirectly A Contractor Selection and Management mechanism to include: <ul style="list-style-type: none"> Specific EHS & S clauses to be included in the contract agreement; An Internal audit protocol to be established to monitor the compliance of labour laws and regulations and periodic audits should be undertaken Procurement of materials from conflict prone areas is not to be undertaken by AGEL Compliance to applicable laws to be monitored
2.	Loss of land and Livelihood, and Access to resources	<ul style="list-style-type: none"> Land Procurement of private and government land on permanent and temporary basis Water supply for the project 	<ul style="list-style-type: none"> Right to own land and right to livelihood Right to standard of living Right to access common resources Freedom of Movement 	<ul style="list-style-type: none"> Local community especially land owners and land users 	<ul style="list-style-type: none"> The project requires a large tract of land (69256 acres of private land and 3911 acres of government land). The land has been procured on voluntary land transaction basis. Government land will be taken on lease for a period of 30 years for the 700 MW project from the government of Rajasthan and the private land lease procedure is still underway for all three projects. The lease amount will be 35% of the market rate of the land as reported. It has been understood that project will not lead to any physical displacement and it will not lead to any landlessness in the area. The 	<ul style="list-style-type: none"> Loss of livelihoods of the land owners/users households, triggering migration of household members or shift to other sources of livelihood Potential conflict with local community regarding water availability and access 	<ul style="list-style-type: none"> AGEL should ensure that all land procured is through good faith negotiations, rates to be provided are aligned with market rates, land users and agricultural labourers and other vulnerable households are identified AGEL should develop livelihood development measures and community development measures for land owners/users affected by the project AGEL should ensure that ground water extraction for project activities is avoided. AGEL should implement water conservation and watershed development programmes to improve water availability in the area

²³ <https://www.mondaq.com/india/employee-rights-labour-relations/602434/child-labour-prohibition-and-regulation-amendment-act-2016-of-india>

²⁴ <https://arisa.nl/wp-content/uploads/BetweenARockAndAHardPlace.pdf>

S. No	Thematic Areas	Source of Potential Human Rights Violation – Project Activity/Requirement	Salient Human Rights at Risks	Rights Holders	Description of Potential Issues	Key Human Rights Risks	Mitigation and/or Enhancement Proposed
					<p>project may however lead to some economic loss in the area</p> <ul style="list-style-type: none"> The primary source of water for the Project is Indira Gandhi Nahar Pariyojna (IGNP) canal through private tankers. A total of 1261 KLD will be required for construction and 17KLD for operations phase. Project is not extracting ground water or surface water from the local area 		
3.	Community Health and Safety and security	<ul style="list-style-type: none"> Deployment of security personnel Transport of project components Project construction and operations Site construction and related access controls and restrictions 	<ul style="list-style-type: none"> Right of Life and Personal Liberty Right to access common resources 	<ul style="list-style-type: none"> Local community 	<ul style="list-style-type: none"> Project has reported that armed security guards will not be deployed. However, unarmed security personnel still may use force (and use non-explosive weapons such as batons, sticks) which may be excessive, inappropriate and disproportionate, in cases of local conflict such as community agitations, worker strikes, and in worst cases violent protests/riots which is a threat to right to life. It is reported that the company will engage a security services contractor, and also hire some local community members as security guards. The project will require transport of project components such as solar panels, wind turbines, electrical equipment etc. The project will improve local roads to enable movement of heavy vehicles. However, there will be increased road traffic in the local area, especially during construction stage, more than what the local community has experienced before, which may lead to road accidents leading to serious injuries and fatalities posing a threat to right to life and liberty. Road accidents can also lead to cattle kills Project land procurement may lead to disruption of local access routes to private land, common resources or infrastructure, increasing the time/distance to access. It is reported that WTG locations will not be fenced hence allowing for continued access to local community. However, facilities such as solar plant, substations may be fenced by boundary walls; Setting up of labour camps may increase risk of vector borne diseases, communicable diseases due to improper accommodation and related water management leading to risk to local community Labour camps and influx of large workforce may also lead to conflict with local community, pressure on local resources, and cases of gender based violence. 	<ul style="list-style-type: none"> Community Health and Safety risks due to use of force, deployment of armed personnel Community Health and Safety risks due to movement of vehicles through local roads leading to road accidents Access Restrictions – project site fencing, guarding. Communities may demand to be allowed to pass through fenced areas in order to save time or reduce distance Community health and safety risks linked to vector borne, and communicable diseases, potential conflict and violence between migrant workers and local community, and potential cases of gender based violence. 	<ul style="list-style-type: none"> Trainings to security guards on community engagement, judicious use of force only if needed, and human rights. Development and implementation of traffic management plan Road safety awareness as part of CSR activities in local community AGEL should engage with local community and understand any access related concerns. AGEL should manage these issues through the stakeholder engagement plan and grievance mechanism. Security guards to be trained on aspects of unauthorised access in a rights compatible and sensitive manner Implementation of IFC/EBRD Worker Accommodation Guidelines for worker accommodation to ensure avoiding setting up of labour camps in close proximity to local community, separate and dedicated resource supply such as domestic and drinking water, means of transportation, electricity, etc. and training on gender based violence, sexual harassment, human rights and laws linked to women safety and security.
4.	Informed Consultation and Participation	<ul style="list-style-type: none"> Land procurement Project construction and operations 	<ul style="list-style-type: none"> Right to access common resources Freedom of Movement Right to non-discrimination 	<ul style="list-style-type: none"> Land users Contract workers including migrant workers Local community 	<ul style="list-style-type: none"> Contract workers including migrant workers may also be danger of being provided unequal/inadequate access to remedy through partial or lack of grievance redress; Some land owners may be vulnerable due to their identity (belonging to marginalised sections like scheduled castes, or low income households) and hence may be met with unfair 	<ul style="list-style-type: none"> Discrimination of workers access to remedy to complaints/grievances Unfair means of negotiations for land procurement leading to different principles of rate finalisation 	<ul style="list-style-type: none"> Development of project specific stakeholder engagement plan including identification of vulnerable groups, and development of external grievance redressal mechanism Extension of grievance mechanism for contract (local and migrant) workers and local community Identification of land users/ non-titleholders of impacted private and government land such as woman headed

S. No	Thematic Areas	Source of Potential Human Rights Violation – Project Activity/Requirement	Salient Human Rights at Risks	Rights Holders	Description of Potential Issues	Key Human Rights Risks	Mitigation and/or Enhancement Proposed
			<ul style="list-style-type: none"> ■ Right to access to remedy ■ Freedom of Speech and Expression ■ Freedom of Assembly 		<p>means of negotiations for land rates. There are also chances of agricultural labourers and land users being left out of the negotiation process and hence receiving less, or no compensation during land procurement.</p> <ul style="list-style-type: none"> ■ Local community may also want to demonstrate against the project in a peaceful manner to raise demands or communicate concerns and grievances. Concerns can emanate out of land procurement, displacement of livelihoods, water supply demands, worker behaviour, road accidents, worker accidents, etc. Such demonstrations may turn violent if not managed appropriately 	<ul style="list-style-type: none"> ■ Lack of identification of land users on private or government land required for the project ■ Local community may assemble for demonstrations to raise demands, grievances 	<p>households, scheduled castes households, landless households, land users, agricultural labourers etc.</p> <ul style="list-style-type: none"> ■ Good faith negotiations with all land sellers with meaningful consultation, disclosure, and absence of threat/force ■ In cases of demonstrations, or assemblies, AGEL should liaison with local community or workers and manage the situation in a human rights sensitive manner. Use of excessive, inappropriate or disproportionate force to disrupt such incidents should not be undertaken

4. MANAGEMENT AND MITIGATION STRATEGY

4.1 Embedded Controls

This section presents the embedded controls established by AGEL at the corporate level linked to human rights risks, impacts and opportunities. This includes (i) Environmental and Social Impact Assessment (ESIA); (ii) AGEL Policies and Standards; (iii) Stakeholder Engagement Plan (SEP); and (iv) Grievance Redressal Mechanism (GRM).

4.1.1 AGEL Policies and Standards

AGEL has established human rights and community relations policies wherein the senior management has committed to upholding fundamental human rights in line with International Bill of Human Rights and those established in the International Labour Organizations Declaration on Fundamental Principles and Rights at work, and the eight Fundamental Conventions²⁵ that comprise them.

- **Human rights policy:** AGEL has established a Human rights policy wherein the senior management, i.e. Head of Human Resource has committed to upholding of fundamental human rights. As part of the Policy, AGEL has committed to conduct continuous Human Rights Due Diligences, respect human rights of employees, and their supply chain. The Policy also outlines commitment towards communities influenced by their projects and assets by a) identifying opportunities to maximize positive impacts, and promoting shared values, and b) recognizing and respecting unique nature of indigenous and tribal people.
- **Land procurement Policy:** AGEL has established a land procurement policy (dated 1st January 2020), wherein it has committed to procure land for its renewable business in line with legal and social compliance. The policy commits to adhering to state level legal requirements for procuring government land, whilst for private land it outlines clear policy for a) type of procurement, b) pre-procurement activity, and public consultation, c) legal due-diligence, d) land related approvals, e) registration process and payment methods, f) post procurement legal compliances, g) conversion of land, and h) community relationship – CSR. As part of the public consultation, the policy commits to ensure that prices offered to the sellers/ leasers be purely based on mutually agreed price. For sale model, AGEL establishes the need for the payment to be higher than the government guideline value, whereas for lease model, the lease rent will be reasonably higher i.e. 2 to 2.5 times than government guideline value. The policy is duly signed by CEO of AGEL.
- **Corporate Social Responsibility (CSR) Policy:** AGEL has established a CSR policy in line with Companies Act, 2013, which encompasses its philosophy and guides its sustained efforts for undertaking and supporting socially useful programs for the welfare and sustainable development of the society. The policy commits to prioritize its CSR activities around four areas of work, which include, a) primary education, b) community health, c) sustainable livelihood, and d) rural infrastructure development;
- **Whistle blower policy:** AGEL has established a whistle blower policy which is in line with 4(2)(B) of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015. A code of conduct has been adopted for directors and senior management which lays down the principles and standards that govern the action under the policy. AGEL has also established a vigil mechanism, which governs the whistle blower policy;

²⁵ ILO Convention 87 on Freedom of Association and Protection of the Right to Organize
ILO Convention 98 on the Right to Organize and Collective Bargaining
ILO Convention 29 on Forced Labour
ILO Convention 105 on the Abolition of Forced Labour
ILO Convention 138 on Minimum Age (of Employment)
ILO Convention 182 on the Worst Forms of Child Labour
ILO Convention 100 on Equal Remuneration
ILO Convention 111 on Discrimination (Employment and Occupation)

- **Other governance practices and policies:** AGEL has developed a Human resources policies and manual. The ethics and governance practices and policies include a) Code of Conduct for Board of Directors and Senior Management, b) Code of Conduct for Employees, and c) Policy on Sexual Harassment of Women at workplace (*in line with The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013*). The policies (14 statutory policies) established at the corporate level are in line with Companies Act 2013, and SEBI requirements;
- **Legal Register:** AGEL maintains (at each SPV level) a legal compliance register (*as mandated by AGEL's ESMS procedure on "Identification of Legal and Other Requirements"*). The legal requirements are established during the planning phase of the projects, and legislations applicable to project related activities are identified and necessary approvals are obtained. The same is implemented at the site SPV level for each project in order to provide guidance for routinely integrating required permitting actions pertaining to Human Rights into planning and scheduling of construction, and operations activities, as well as new (if any) activities.
- **Child Labour/Forced Labour:** AGEL, during the engagement process verifies IDs of contractual workers to ensure no child labour is engaged through their contractors. In order to avoid forced labour, it is also understood that contractual staff and workers at site have legal rights to perform work at site, are not encouraged to deposit their credentials with their contractors, and are allowed to terminate the employment at any time.

4.1.2 Stakeholder Engagement Plan:

AGEL has established a Stakeholder and Community Engagement Strategy at the corporate level; the same is mandated to be implemented at the project level. The strategy is applicable during all the phases of the project activity.

General protocols for documenting and managing complaints from external stakeholders is managed in accordance with "Grievance Management procedures", so as to ensure that external stakeholder complaints/ inquiries are documented and brought to the attention of management for appropriate consideration. The important aspects of Stakeholder Consultation Matrix include the following information

- Identification of stakeholders;
- Profile and key concerns and expectation of identified stakeholders; and
- Engagement plans with identified stakeholders.

Other SOPs that support the 'Stakeholder and Community Engagement Strategy/ Management Plan include a) site security procedures, which addresses general site security issues, as well as appropriate actions to be taken in direct encounters with individuals or groups, b) recognition and reporting of Incidents, illness and safety hazards procedures, which include guidance on reporting proximity of planned activities to indigenous groups, or other inhabitants or transients encountered in the Project area.

AGEL also has established a Stakeholder and Community Consultation Metrics, which identifies relevant stakeholders of the project, and outlines a) engagement method, b) agenda for engagement, and c) frequency of engagement and discussions.

Stakeholder Consultation matrix has been included in **Appendix A** for reference.

4.1.3 Grievance Redressal Mechanism (GRM)

AGEL has established a grievance redressal procedure at the corporate level which is applicable to all projects and SPVs. The procedure covers severity of grievances (as Level1, 2, and 3) and outlines responsibility of concerned personnel to manage grievances. The grievance redressal process has been mapped for both internal and external grievances and the flow chart for management of grievances received has been established as part of this procedure. Templates for initial response

and registration form for recording grievances has also been established in this procedure. The detailed procedure of GRM is delineated below:

- The concerned external stakeholder shall present a grievance/concern to the site head/security officer, the Site head will get 48 hours to resolve the grievance and given the written acknowledgement to the concern stakeholder;
- If the grievance is not resolved with 48 hours, the grievance shall get escalated to Stakeholder Relationship Officer (SRO). The SRO shall resolve the grievance within three (3) days. Once the grievance is resolved, the SRO will provide a written acknowledgement to the concerned stakeholder;
- If the grievance is not resolved at SRO level, then it will escalate to Core Sustainability Committee (CSC). The CSC shall resolve the grievance within four (4) weeks. Once the grievance is resolved, the CSC will provide a written acknowledgement to the concerned stakeholder;
- If the grievance is still not resolved at CSC level, then at last it will escalate to Apex Sustainability Committee (AST). The AST will resolve the grievance in period of four (4) weeks of resolution time. Once the grievance is resolved, the AST will provide a written acknowledgment to the concerned stakeholder.

Detailed Grievance Redressal Mechanism is included in **Appendix B**.

4.2 Summary of Mitigation Measures and Safeguards

To minimize the potential for human rights risks or impacts to occur, management measures should be strengthened and developed concurrently with the ESMP and its associated management plans, such as the SEP and GRM.

As the project is under construction and an overarching E&S Management System (ESMS) has already been developed at an AGEL level, the key recommendation is to reiterate the commitment to respect human rights and provide access to remedy across the project execution team and contractors. The Grievance Redressal Mechanism will also enable reporting of any potential human rights concerns and will be made accessible to all internal and external stakeholders and rights holders identified in Section 3.

AGEL has the responsibility to ensure that all of their contractors and subcontractors adhere to their ESMS, ESIA-ESMP commitments and will enforce compliance through appropriate contractual language, amendments for existing contractors and formal reviews of the same.

The following table summarise key mitigation measures in the form of policies/management measures and initiatives/safeguards that will accompany the ESMP to demonstrate AGEL's commitment to respect human rights:

Table 4.1 Summary of Mitigation Measures

S. No	Topic	Mitigation	Nature of Mitigation	Current Status
1.	Labour and Working Conditions	<p>Implementation of AGEL’s ESMS including Occupational Health and Safety Policy and Procedure, to include development of job hazard analysis, hazard identification and risk assessment, provisions of adequate PPEs, accident-incident reporting etc. Key recommendations should be implemented at site including but not limited to:</p> <ul style="list-style-type: none"> ■ Use of Personal Protective Equipment (PPEs); ■ Daily monitoring and inspections of contractors, subcontractors and labourers to ensure they are compliant to the ESMP; ■ Accident/incident register to track any issues that may arise during the construction/operation and communicate the same to the respective stakeholders; ■ Permit to work or key activity risk identification process for higher risk activities such as working at height, working with rotating machinery, working with electromagnetic fields and working in confined spaces; ■ Project specific HIRA should be in place prior to start of construction activities at site; and ■ Project specific Occupational health and safety plan also should be developed and implemented; 	Development and Implementation of Policies and Procedures	AGEL has an existing Occupation Health and Safety Policy and related procedures. AGEL should compare the existing policies in place with proposed mitigation measures and revise them if required
2.	Labour and Working Conditions	Implementation of AGEL HR Policies and Procedures	Development and Implementation of Policies and Procedures	AGEL has an existing Human Resource Policy. AGEL should compare the existing policy in place with proposed mitigation measures and revise if required
3.	Labour and Working Conditions	Payment of wages as per the minimum wages norms of the State of Rajasthan for unskilled, semi-skilled and skilled workforce with no disparity between local migrant workers and male and female workers	Payment of wages as per applicable norms is a compliance requirement	To be implemented and monitored at project level
4.	Labour and Working Conditions	Implementation and trainings on Prevention of Sexual Harassment at Workplace Policy	Development and Implementation of Policies and Procedures compliance to applicable law	AGEL has an existing POSH policy which will be disclosed and implemented at project level

S. No	Topic	Mitigation	Nature of Mitigation	Current Status
5.	Labour and Working Conditions	Implementation of IFC/EBRD Worker Accommodation Guidelines for worker accommodation to ensure a basic minimum standard of living and access to facilities	Development and Implementation of Policies and Procedures Compliance to applicable law Cost for setting up adequate housing conditions for migrant workers	To be developed , implemented, and monitored at project level
6.	Labour and Working Conditions	Appointment of a designated labour compliance officer to ensure compliance to applicable labour laws, rule sans regulations	Appointment of human resource	To be appointed for the project
7.	Labour and Working Conditions	Contractor to carry out formal briefing of contractors and contract workers and explain the terms and conditions of employment, social security etc.	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
8.	Labour and Working Conditions	Contractor to provide proper ID cards, employment terms on document, and salary slips indicating deductions. In case the same is being done indirectly by the contractor, review the performance periodically as a principal employer	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
9.	Labour and Working Conditions	AGEL should allow workers to form associations or other means of collective bargaining if the workers are willing to and not discourage or deter such activities	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
10.	Labour and Working Conditions	AGEL should ensure that no workers below 18 years of age should be deployed. This includes close monitoring of transport vendors, housekeeping service, and supply chain;	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
11.	Labour and Working Conditions	AGEL should ensure that regular monitoring of contract workers, migrant workers is undertaken by Labour Compliance Officer on aspects related to forced labour.	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
12.	Labour and Working Conditions	The HR Policy AGEL and any contractors should include company's commitment towards prohibition of child/ forced labour at corporate and project sites, directly or indirectly	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
13.	Labour and Working Conditions	A Contractor Selection and Management mechanism to include <ul style="list-style-type: none"> ■ Specific EHS & S clauses to be included in the contract agreement ■ An Internal audit protocol to be established to monitor the compliance of labour laws and regulations and periodic audits should be undertaken ■ Procurement of materials from conflict prone areas is not to be undertaken by AGEL ■ Compliance to applicable laws to be monitored 	Development and implementation of policies and procedures	AGEL has an existing Contractor Selection Procedure. AGEL should compare the existing policy in place with proposed mitigation measures and revise if required

S. No	Topic	Mitigation	Nature of Mitigation	Current Status
14.	Loss of land and Livelihood, and Access to resources	AGEL should ensure that all land procured is through good faith negotiations, rates to be provided are aligned with market rates, land users and agricultural labourers and other vulnerable households are identified	Development and implementation of policies and procedures	AGEL has an existing land procurement policy and stakeholder engagement plan and grievance mechanism. AGEL should compare the existing policy in place with proposed mitigation measures and revise if required
15.	Loss of land and Livelihood, and Access to resources	AGEL should develop livelihood development measures and community development measures in project affected villages	Development of Livelihood Development Plan and Community Development Plan	To be developed , implemented, and monitored at project level
16.	Loss of land and Livelihood, and Access to resources	AGEL should ensure that ground water extraction for project activities is avoided AGEL should implement water conservation and watershed development programmes to improve water availability in the area	Resource Requirement Development of water conservation plan	AGEL does not have any current plans to extract ground water from local area. Water conservation to be developed for the project
17.	Community Health and Safety and Security	Trainings to security guards on community engagement, judicious use of force only if needed, unauthorised access to project facilities and human rights.	Trainings	To be undertaken at project level
18.	Community Health and Safety and Security	Development and implementation of traffic management plan	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
19.	Community Health and Safety and Security	Road safety awareness as part of CSR activities in local community	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
20.	Community Health and Safety and Security	AGEL should engage with local community and understand any access related concerns. AGEL should manage these issues through the stakeholder engagement plan and grievance mechanism.	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level
21.	Community Health and Safety and Security	Implementation of IFC/EBRD Worker Accommodation Guidelines for worker accommodation to ensure avoiding setting up of labour camps in close proximity to local community, separate and dedicated resources supply such as domestic and drinking water, means of transportation, electricity, etc. and training on gender based violence, sexual harassment, human rights and laws linked to women safety and security	Development and implementation of policies and procedures	To be developed , implemented, and monitored at project level

S. No	Topic	Mitigation	Nature of Mitigation	Current Status
22.	Participation	<ul style="list-style-type: none"> ■ Development of project specific stakeholder engagement plan including identification of vulnerable groups, and development of external grievance redressal mechanism ■ Extension of grievance mechanism for contract (local and migrant) workers and local community ■ Identification of land users/ non-titleholders of impacted private and government land such as woman headed households, scheduled castes households, landless households, land users, agricultural labourers etc. ■ Good faith negotiations with all land sellers with meaningful consultation, disclosure, and absence of threat/force ■ In cases of demonstrations, or assemblies, AGEL should liaison with local community or workers and manage the situation in a human rights sensitive manner. Use of excessive, inappropriate or disproportionate force to disrupt such incidents should not be undertaken 	Development and implementation of policies and procedures	AGEL has an existing land procurement policy and stakeholder engagement plan and grievance mechanism. AGEL should compare the existing policy in place with proposed mitigation measures and revise if required

4.3 Monitoring and Evaluation

Human rights risks and impacts and the corresponding management measures presented should be including as a part of the Environmental and Social Management Plan (ESMP) implementation throughout the life of the project.

The objectives of the monitoring are to:

- Verify the predicted risks and issues;
- Verify that the mitigation measures are being implemented as planned;
- Assess the effectiveness of the management measure;
- Adopt corrective actions;
- Provide data for the necessary internal reporting.

Access to an internal and external grievance process which is efficient and transparent as well as consistent training, capacity building (to reiterate potential human rights risks) and regular documentation will also need to be prioritised through AGEL's Human Rights and E&S Safeguards Teams.

APPENDIX A SALIENT HUMAN RIGHTS SCREENING

Screening of Salient Human Rights

The section details out the screening of potential human rights at risk and applicability to the project.

Table 1 Salient Human Rights and Applicability to the Project

Potential Human Rights at Risk	Applicability to the Project	Description
Right of Life and Personal Liberty	Applicable	Potential violation associated with the employment of armed security personnel or use of force by security personnel; community health and safety accidents such as road accidents, which can possess the threat of life to the local community.
Right to Equality	Applicable	The Project has procured land from landowners of different caste, gender and further will employ male and female workers, and workers from different caste, creed and colour. Therefore, the potential violation associated to not respecting or treat all the landowners and workers equally irrespective of their gender, cast, colour and creed.
Right to Non-discrimination and Equality of Opportunity	Applicable	The Project will employ workers from local communities and the migrant workers for positions where highly technical skill requires which will be absent in the local community. Therefore, the potential violation associated with not providing equal opportunity of employment for all workers irrespective of the local community and migrant workers. Potential violation associated with employment of persons from specific gender, caste or ethnic origin.
Freedom of Speech and Expression	Applicable	The Project has procured land from the local community, and the Project will also employ workers from the local community. The Potential violation associated with not providing the freedom of landowners to express opinions for the land take process. Furthermore, the Project might violate the right of freedom of speech and expression of workers employed in the Project.
Freedom of Assembly; Freedom of form Associations; Trade union rights; Right to peaceful assembly	Applicable	Potential violation leads to the formation of the association and peaceful assembly of labour in against of Project.
Freedom of Movement	Applicable	Due to the employment of migrant labour in the project, can lead to the potential violation of freedom of migrant labour movement freely. Project site may also lead to access disruption to private land and common resources, or access to infrastructure.
Freedom of Residence and Settlement	Not Applicable	The Project is not leading to physical displacement of any household.
Right Against Exploitation	Applicable	Potential violation associated with employment of child labours and forced labours.
Right to Freedom of Religion	Not Applicable	Project is not leading to potential damage or destruction of known cultural heritage sites.
Cultural and Educational Rights	Applicable	Potential violation associated with employment of child labours, which will violate their right to education.
Elimination of all Forms of Racial Discrimination	Applicable	The Project will employ a large number of workers during the construction and the operational phase. Therefore, the potential violation associated with discrimination between the workers based on the preference given to specific caste, region, descent, or ethnic origin.

Potential Human Rights at Risk	Applicability to the Project	Description
Right to non-discrimination	Applicable	
Right to just and favourable conditions of work	Applicable	Potential valuation related to Project favour Discrimination, inequality and a lack of assured rest and leisure conditions
Right to housing and adequate standard of living	Applicable	The right will be applicable if the Project will provide the workers' accommodation. Potential violation associated with not providing the freedom of housing to every worker and lack of adequate standard of amenities in the provided workers accommodation.
Right to access resources	Applicable	Due to the large scale of land take (6,9256.5 acres of private land and 3,911 acres of government land) by the Project, there is a potential for violation of affected community rights on land ad livelihoods. The Project can violate human rights such as the right to a safe and healthy environment (primarily at the construction phase), health, land, water availability and standard of living.
Elimination of all forms of discrimination against women	Applicable	Potential violation related to providing a lesser land rate to the women landowners in comparison to the male landowners; and discrimination against women employees with respect to lower wages and promotions.
Equal Accessibility of resources	Applicable	Given the large intake of water resource for the Project, can potentially violate the equal accessibility to water resources
Land Rights	Applicable	Given the Project large land footprint, the Project can violate the land rights of the legitimate landowners. The potential violation can be not respecting land rights, identification of legitimate land tenure right holders, and unavailability of informed consent of landowners on land take to process.
Freedom of Profession, Occupation, Trade and Business	Applicable	Potential violation on workers' right either directly by project or within its supply chain.
Right to equal remuneration	Applicable	Potential violation due to inequality of wages of men and women for the same work.
Right to leave and return to the state of origin	Applicable	Potential violation to the directly employed or of the contractual migrant workers, on preventing returning of migrant workers to the place of origin
Prohibition of forced or compulsory labour	Applicable	Potential violation associated with workers employed directly to Project, contractual workers and the workers in the supply chain of the Project. Potential area of violation can be that the workers do not have legal right to perform work, freedom of terminate of employment, withheld of personnel document or other belongings, etc.

APPENDIX B STAKEHOLDER ENGAGEMENT MATRIX

Stakeholder Management method	Define Agenda	Frequency
Stakeholder :- Local community		
Formal meeting with nearby stakeholder	Project benefits	Once in a year
	Socio-economic benefits of development	Once in a year
	Safe usage of local resources	Need basis
	Record discussion, comments/ question raised and responses	Need basis
	CSR- need base assessment	Need basis
Public meeting	Present project information to large audience of stakeholder and neighboring community	Once in a year
Survey	Gather opinion and views from individual stakeholder	Need basis
	Gather base line data	As per ESMP
	Develop a baseline database for monitoring impact	As per ESMP
Focus group meeting	Allow a smaller group of between 4 and 8 people to provide their views and opinion of targeted baseline information	Need basis
	Build relationship with neighboring community	Need basis
	Record responses	Need basis
Stakeholder: Government Officials		
Formal meeting	Compliance, revenue & tax, community development	Need basis
Stakeholder: Customer		
Direct interaction with Customer	Compliance with grid code, transmission availability of reconciliation of accounts	Regular and need basis
Stakeholder: Contractor workforce		
Interview and open forum discussion	With contractor workforce about health and safety training and skill development, Grievance re-addressal.	Regular and on-going
Stakeholder: Vendors		
Regular one-on-one interaction for compliance monitoring	Support, resource, approval and timeline for payment	Need basis
Stakeholder: Employees		
Feedback, questionnaire, newsletter, magazines and email employee engagement events	Work environment health and safety training and skill development, Grievance redressal	Need basis

APPENDIX C GRIEVANCE REDRESSAL MECHANISM

Grievance Redressal Procedure

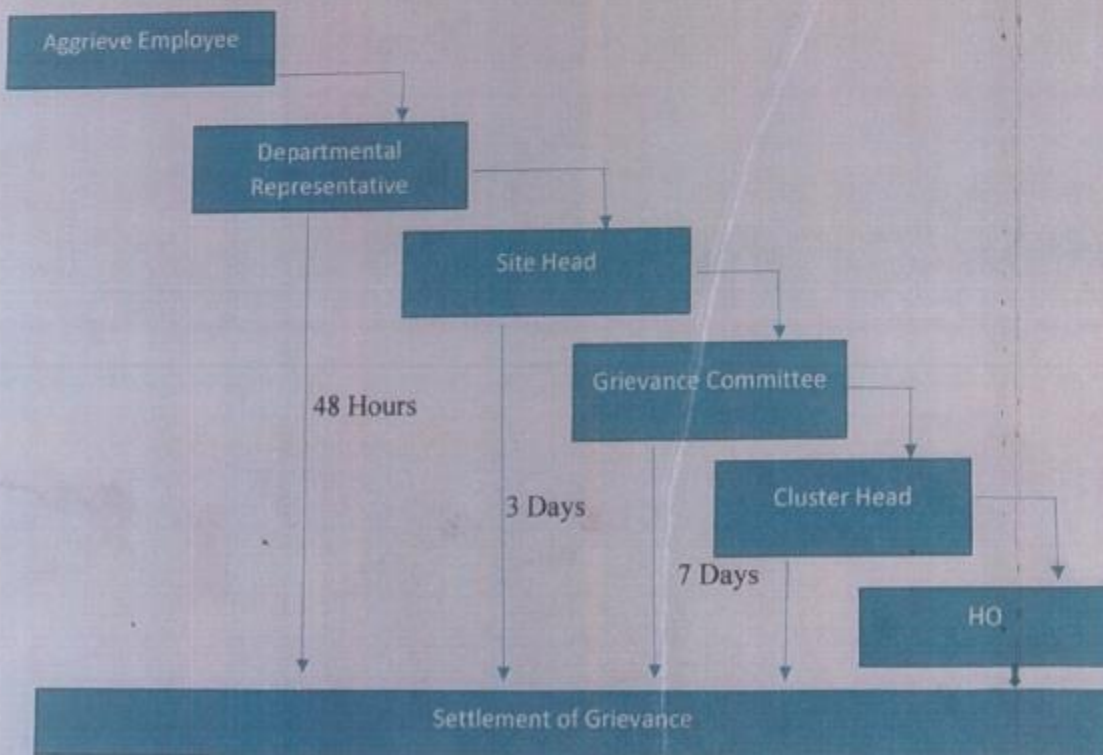
A model grievance procedure specifying the steps to be taken while redressing the grievance of any employees are enumerated in the following steps:-

STEP 1: In the first step the grievance is to be submitted to the employees reporting manager/departmental representative, a representative of company. If the issue is expected to be resolved in 48 hours.

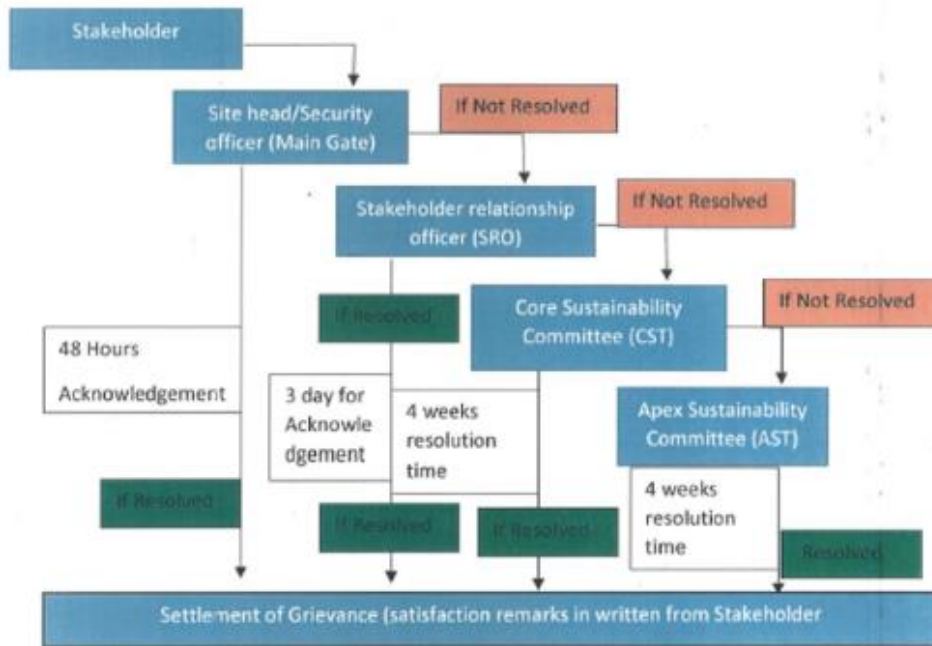
STEP 2: If the RM/departmental representative fails to provide a solution, the aggrieved employee can take his grievance to Site Head, who has to give his decision within 3 days.

STEP 3: If the aggrieved employee is not satisfied with the decision of site head, he can take the grievance to Grievance Committee. The Grievance Committee (comprising of Site head, Cluster HR/Admin rep, Sire Supervisor/Engg) makes its recommendations to the Cluster Head within 7 days in the form of a report. The final decision of the management on the report of Grievance Committee must be communicated to the aggrieved employee within three days of the receipt of report. An appeal for revision of final decision can be made by the worker if he is not satisfied with it. The management must communicate its decision to the worker within 7 days.

STEP 4: If the grievance remains unsettled, the case may be referred to HO



External Grievance Redressal Procedure



Note : For receiving & addressing of Grievance at site level Authority delegate to the site head by CSO.

Stakeholder means (Any community member, vendor, contractor workforce, employees and government officials)

Stakeholder relationship officer :- EHS&S Head

Mail Id:- cso.renewable@adani.com

Construction Head- Mr. Satish Rathore- 8094016206

ERM has over 160 offices across the following countries and territories worldwide

Argentina	The Netherlands
Australia	New Zealand
Belgium	Norway
Brazil	Panama
Canada	Peru
Chile	Poland
China	Portugal
Colombia	Puerto Rico
France	Romania
Germany	Russia
Ghana	Senegal
Guyana	Singapore
Hong Kong	South Africa
India	South Korea
Indonesia	Spain
Ireland	Sweden
Italy	Switzerland
Japan	Taiwan
Kazakhstan	Tanzania
Kenya	Thailand
Malaysia	UAE
Mexico	UK
Mozambique	US
Myanmar	Vietnam

ERM India Private Limited

Building 10, Tower B,
3rd Floor, DLF Cyber City
Gurgaon,
India – 122002

www.erm.com