

Executive Summary

EP4 Study- Human Rights Risk Assessment (HRRRA)

**450 MW Hybrid (Wind & Solar) Project, Rivdi, District
Jaisalmer and Sheo, District Barmer, Rajasthan**

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Prepared for:

Adani Solar Energy Jaisalmer One Private Limited (ASEJ1PL)

Prepared by:

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EXECUTIVE SUMMARY

Project Background

Adani Solar Energy Jaisalmer One Pvt. Ltd (ASEJ1PL), a 100% subsidiary company of M/s Adani Green Energy Limited (hereinafter referred as “AGEL”) has been developing a 450 MW Hybrid (Wind & Solar) Project, Rivdi, District Jaisalmer and Sheo, District Barmer, Rajasthan, India. To fulfil the Equator Principles Financial Institutions (EPFIs), AGEL intends to undertake Human Rights Risk Assessment (HRRRA) for this hybrid power project to align the project’s assessment documentation (ESIA & ESMP) with the Equator Principle 4 (2020).

Arcadis India Private Limited (hereafter referred as Arcadis) was appointed by Adani Solar Energy Jaisalmer One Private Limited to undertake Human Rights Risk Assessment (HRRRA) study to demonstrate compliance with the Equator Principle 4 (2020). The HRRRA is undertaken to Identify actual or potential adverse human rights risks and impacts from the project. The scope of the HRRRA has been defined using the Equator Principle’s guidance note on Human Rights.

Project Description

Adani Solar Energy Jaisalmer One Pvt. Ltd (hereinafter referred as “ASEJ1PL”) has proposed to develop a Hybrid project of solar 421.9 MW and wind 105 MW each on a total of 1090.223 Ha. of government land. The 450 MW Solar-Wind Hybrid Project is scheduled to be commissioned in July-2022. This Hybrid project is divided into individual solar and wind capacities of 421.9 MW and 105 MW each. As reported by Proponent, for Solar Project in village Rivdi, 2060 Acres govt. land allotted, mutated and possession already taken for @ 100% land, while for Wind Project, 634 Acres govt. land allotted, where possession already taken for all locations. Lease deeds for the entire land has been executed through revenue department with the project proponent.

The Project company intends to install the complete 421.9 MW Solar part of the project using Longi 540 Wp Mono crystalline Monofacial and Longi 540 Wp Jinko crystalline Monofacial modules on Fixed Tilt configuration. Similarly for 105 MW wind part, Project company intends to install 50 Nos. Suzlon make 2.1 MW Wind Turbines which will have rotor diameter of 120 m and the hub height of 140 m. Based on the Solar and Wind Resource Assessment and Energy Yield Estimation Study conducted for the proposed location, the average annual generation expected at 450 MW Hybrid project capacity is 1451.2 GWh (36.81% AC CUF) at P50 and 1321.73 GWh (33.53% AC CUF) at P90 with the proposed technology.

Energy generated from 450 MW Solar-Wind Hybrid Project will be evacuated for the Wind Turbine Generators by connecting them through Internal 33 kV Transmission Line to the Plant’s Internal 33/220 kV Switchyard. This Wind Cluster’s internal Pooling Substation will be connected to 33/220 kV Hybrid Pooling substation located within the Solar project area through 220 kV Single Circuit Transmission Line. Similarly the energy from Solar part will be evacuated through 33 kV Internal Transmission Line / HT Cables at the Hybrid pooling 220/33 kV Internal Switchyard located within the solar project area. This Hybrid Pooling 220/33 kV internal switchyard is then evacuated at 765/400/220 kV Fatehgarh-2 PGCIL Substation through 220 kV D/C Transmission Line. The project is currently at construction stage.

Standards and Guidelines for HRRRA

The HRRRA report is prepared considering the requirements of:

- National constitutions and human rights legislation
- 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 include the core conventions on labour and the Universal Declaration of the Rights of Indigenous Peoples.

Goals and Objective

The objective of the Human Risk Assessment is to supplement the 450 MW solar & wind power project's ESIA and ESMP by providing an understanding of Human Rights Risks, impacts and opportunities. The human rights risks assessment (HRRRA) methodology is used as a tool for enabling the assessment of the company-associated human rights impacts on both internal and external stakeholders. In addition, this methodology allows AGEL to identify and prioritize corporate human rights risks, and, therefore, will help to effectively plan and manage these critical human rights risks through both existing and additional mitigation measures.

Scope of Work

The scope of HRRRA applies to AGEL, its contractors and suppliers. The scope of HRRRA entailed a desk-based review (ESIA-ESMP, AGEL embedded controls and publicly available data) and consultations with the key stakeholders and compilation of information to:

- Identify actual or potential adverse human rights risks and impacts from the project.
- Categorise the various actual or potential impacts for each potentially affected group, i.e., Affected Communities, Workers, or Other Stakeholders within the project's area of influence.
- Management measures or safeguards that are required to mitigate potential adverse human risks and impacts concurrent to ESIA-ESMP
- Assess the presence of adequate operational grievance mechanisms and the extent to which they satisfy the UNGPs' effectiveness criteria to provide access to remedy for impacts.
- Recommend enhancement measures on human rights opportunities during the project's lifecycle.

Approach and Methodology

Our plan of approach for Human Rights Risk Assessment (HRRR) is summarised below.

Task 1: Kick-off Meeting

Task 2: Desktop Review

Task 3: Consultations with key AGEL Representative

Task 4: Benchmarking against international human rights

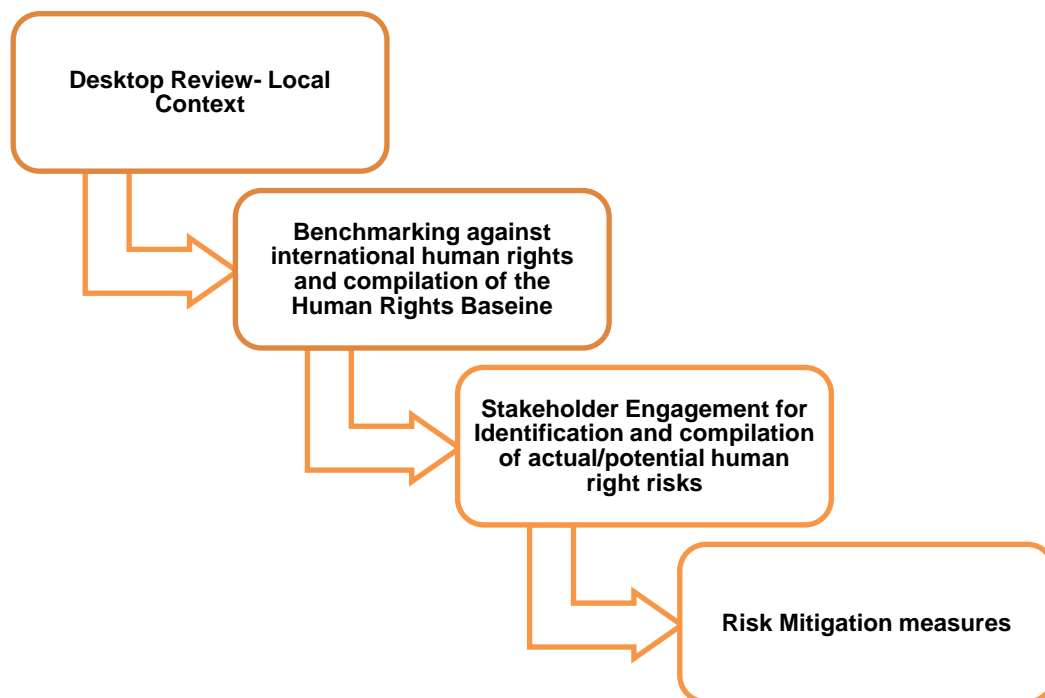
Task 5: Stakeholder engagement and documentation

Task 6: Identification and compilation of actual/potential human right risks

Task 7: Risk Mitigation measures

Task 8: Review and Finalization of HRRR report

Figure 1: Human Rights Risk Assessment (HRRR) Methodology



Analysis and Findings of Human Rights Risk Assessment

The Rights and Fundamental Rights are sections of the Constitution of India that provides people with their rights. These Fundamental Rights are considered as basic human rights of all citizens, irrespective of their gender, caste, religion or creed. etc. These sections are the vital elements of the constitution, which was developed between 1947 and 1949 by the Constitution of India. There are six fundamental rights in India. They are Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, and Right to Constitutional Remedies.

Several potential human rights risks may arise as a result of project activities, mainly related to labour rights (e.g. migrant workers, women's rights, equality, gender equality, overtime, rest time, rest days, etc.); working conditions; forming and joining labour unions, child labour and forced labour; disability and

discrimination in the workplace, common property resources (Ex. Grazing lands etc), private structures on government land etc.

If this human right is mismanaged, it can cause discontent among workers. Therefore, AGEL is encouraged to implement internal and external grievance mechanism at the project site to employees as a means of complaints and to fully implement the Human Resources Policy Manual. In addition, a number of potential human rights risks may raise public concerns such as the environment, safety and health, including worker safety and health, and public health.; impacts on local communities (e.g. livelihoods and access to water); and security. AGEL has developed corporate-level SEPs and complaints mechanisms and has therefore implemented them through active stakeholder engagement and community grievance resolution.

The project activities will also affect the economic and social aspects of the local communities in and around the project area, local workers and business owners. small. This project will benefit small businesses. These potential impacts on human rights issues can be avoided and should be managed through proper management planning, mitigation and active monitoring throughout the life of the project. The brief analysis of project related human right risks are summarised in Table below:

S.No.	Thematic Area and potential risk	Potential Human Rights risk	Project features	Project Potential issues and risks	Proposed Mitigation measures
1	<p>Land Procurement</p> <p>Potential Risks:</p> <ul style="list-style-type: none"> Loss of land Loss of Livelihood Freedom of movement Impact on Common Property Resources Grievance/ complaints from the landowners 	<ul style="list-style-type: none"> Right to Livelihood Right to an adequate standard of living Right to access common property resources Right to Freedom of Speech and Expression 	<ul style="list-style-type: none"> The project involve procurement of 1090.223 ha. government land parcels for the proposed 450 MW hybrid power project. As reported, these government land parcels are declared waste land as per revenue record. The project does not involve any physical displacement to the local community. There is no designated land for grazing in Rivdi village as a result, cattle are dependent on open land for grazing which includes both government as well as private land parcel. There are 63 structures for solar project and approx. 29 structures were identified on the proposed project during ESIA study. The project developer is not directly involved in land lease from any private parties. Appropriate compensation of structures will be paid by the concerned Government department for the structures/ assets on the government land 	<ul style="list-style-type: none"> Payment of appropriate compensation for the structures on the government land. Reduction of grazing land area Grievance/ complaints from the local communities may arise due to procurement of government land. The influx of project workers leads to Conflict with the local community regarding village resources. Access to adjacent land of the project site 	<ul style="list-style-type: none"> AGEL ensures the disbursement of compensation of structures with the coordination of concerned revenue department. AGEL may work on livestock development program in the local community as part of CSR activities. AGEL should implement a Grievance redressal Mechanism at the project site and timely redressal of grievances. AGEL should implement ESMS regarding worker accommodation. AGEL should engage with the local community and understand any access-related concerns.
2	<p>Indigenous people</p> <p>Potential Risks:</p> <ul style="list-style-type: none"> Forced evictions 	<ul style="list-style-type: none"> Right against exploitation Right to Freedom of 	<ul style="list-style-type: none"> No impact on Indigenous people is expected as the development of the project will take place on government land. 	<ul style="list-style-type: none"> Discrimination in employment opportunities at the project site. 	<ul style="list-style-type: none"> AGEL should ensure equality of opportunity and non-discrimination against anyone in respect of employment on the grounds of

S.No.	Thematic Area and potential risk	Potential Human Rights risk	Project features	Project Potential issues and risks	Proposed Mitigation measures
	<ul style="list-style-type: none"> Loss of Economic and Political Rights Restrictions on the use of land, territories, and other natural resources Discrimination 	Religion, Cultural and Educational Rights <ul style="list-style-type: none"> Right to non-discrimination and equality of opportunity 	No Bhil community / People have their land in the proposed solar or wind site.		religion, race, caste, sex, descent, place of birth or place of residence.
3	Labour related Rights Potential Risks: <ul style="list-style-type: none"> Terms and Conditions of Employment Conflicts between labour and contractor Non-discrimination and Equal Opportunity Working Conditions and setting of labour camps 	<ul style="list-style-type: none"> Right of Minimum wage Right of pensions and insurance Right of Life and Personal Liberty Right to Equality, and Non-discrimination Right to housing and an adequate standard of living Freedom of Speech and Expression Freedom of Assembly; 	<ul style="list-style-type: none"> The project is in the very early stage of development. Construction activities will include site preparation, foundation laying, fencing, cleaning, piling and erection of solar panels, and commissioning of mounting structures. Some of these activities can also be 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 injuries and in worst cases, fatalities. Discrimination may occur due to unfair treatment of migrant workers based on their caste, ethnicity, or region they belong to. 	<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 the workplace Workers forming associations or unions for collective bargaining Engagement of child ad forced labour may lead to cases of exploitation, 	<ul style="list-style-type: none"> AGEL has established an integrated management systems (IMS) and a policy related to non-engagement of forced and child labour, gender equity, non-discrimination on employment and opportunity and freedom to express their view in the contractor's agreement and HR policy AGEL through its contractors should ensure that contractors are adequately paying labour as per the requirement of the Rajasthan state minimum wages act. AGEL should ensure access to necessary basic amenities and facilities such as drinking water, kitchen, toilet, and crèches (for female worker's children)

S.No.	Thematic Area and potential risk	Potential Human Rights risk	Project features	Project Potential issues and risks	Proposed Mitigation measures
	<ul style="list-style-type: none"> • Procurement of material and machinery • Grievances of employer and contractors 	<ul style="list-style-type: none"> • 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"> • There can also be cases of sexual harassment against women workers. • During the construction stage, there will be the deployment of a large workforce which may also entail opportunities for workers to unionize or form associations for collective bargaining or get affiliated with local worker unions. • Case may arise of child labour engaged by transport vendors, or in the supply chain especially linked to sand and aggregate mining. • 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 the selection of any vendor 	<ul style="list-style-type: none"> • 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"> • AGEL through contract agreement should ensure that proper health and safety measures should be taken, (to provide the basic amenities) for the labourers who will be staying in the labour camp and nearby villages) • AGEL shall conduct internal audits when required to monitor the performance of the contractor. • AGEL through the contractor informs the labour about the emergency preparedness plan and communication system to be followed during emergency • AGEL through the contractor should ensure that labour receives training on health and safety issues involved in the project. • IFC guidance note on “Labour and working conditions” shall be followed by project developers and contractors. • AGEL to ensure that all site personnel and migrant labourers avoid using any community infrastructure without prior permission from the Panchayats.

S.No.	Thematic Area and potential risk	Potential Human Rights risk	Project features	Project Potential issues and risks	Proposed Mitigation measures
4	<ul style="list-style-type: none"> Local community health and Safety <p>Potential Risks:</p> <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"> The project will require the transport of project components which leads to increased road traffic in the local area, especially during the construction stage. This may leads to road accidents leading to serious injuries and fatalities posing a threat to the right to life and liberty. 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 the local community. Setting up of labour camps may increase the risk of diseases due to improper accommodation and related water management. Labour camps and the influx of a large workforce may also lead to conflict with the local community. 	<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 the 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 to save time or reduce the distance Community health and safety risks linked to vector-borne, and communicable diseases, potential conflict and violence between migrant workers and the local community, and potential cases of gender-based violence. 	<ul style="list-style-type: none"> Training to security guards on community engagement, judicious use of force only if needed, and human rights. Development and implementation of the traffic management plan Road safety awareness as part of CSR activities in the local community AGEL should engage with the local community through the stakeholder engagement plan and grievance mechanism. Security guards to be trained on aspects of unauthorised access in rights compatible and sensitive manner Implementation of IFC/EBRD Worker Accommodation Guidelines for worker accommodation.

Management and Mitigation Strategy

AGEL has developed human rights and community relations policies wherein the senior management has committed to upholding fundamental human rights in line with the 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 Conventions which includes:

- Human rights policy
- Land procurement Policy
- Integrated Management System (IMS) Policy
- Corporate Social Responsibility (CSR) Policy
- Whistle-blower policy
- Other governance practices and policies
- Legal Register
- Child Labour/Forced Labour
- Stakeholder Engagement Plan
- Grievance Redressal Mechanism (GRM)

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