



The Inspection Panel

THE WORLD BANK  
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## COMPLAINT (REQUEST FOR INSPECTION) FORM

**To:**

The Executive Secretary, The Inspection Panel, The World Bank, MSN: MC 10-1007  
1818 H St., NW, Washington, DC 20433, USA. Fax: +1(202)-522-0916. Email: [ipanel@worldbank.org](mailto:ipanel@worldbank.org)

**Section 1: Complaint**

1. What harm do you believe the World Bank-financed project caused or is likely to cause to you or your community? Please describe in as much detail as possible.

- We, the undersigned petitioners, are the affected people by the below-mentioned project, residing at [redacted] which encompasses both Indigenous people – *Magar, Gurung, Tamang* – as well as non-Indigenous people – *Dalits, Madhesis, and Khas Arya*, and the constitution of Nepal recognizes them as Nepal’s legal residents.

**The Fact**

Following are the facts of the project that people have concerned:

- Original route changed:** As per the survey license issued on [redacted] the proposed original route of the transmission line was *Jyamire Hulaki Khola* of Ward No. 1 of the same Rural Municipality. There was no survey conducted to move the transmission line to [redacted] and this area falls under densely populated residential areas. This license was valid till 2008 [redacted]. However, without community members’ consent and public notification, the tower 44AP of the transmission route is moved to [redacted].
- Community appeal to Ministry of Energy (MOE):** On [redacted] community appealed to the then VDC (Village Development Community) to send a letter on their behalf to the Ministry of Energy (MOE) to reconsider the original route. The letter detailed that the new route had an adverse impact on 96 households’ residential and agricultural land also causing health hazards, violation of human rights, and potential displacement.
- On [redacted] the [redacted] (VDC) issued a letter on behalf of the community to MOE requesting to move tower no. 199 and 200 and choose a safe alternative route through the northeast of [redacted] (*Mijing River*) this route avoids human settlement areas. Or follow the original route as mentioned in Survey One.
- Despite all the appeals sent to MOE, towers no.197 and 198 were installed in [redacted] riverbank and tower no. 201 and 202 were installed in forests by mobilizing armed security forces. To date, MOE never procured expressed consent and all the installation work is carried out without the consent of the 96 households. On September 12, 2005, as per the EIA report, a public hearing was carried out in *Kawasoti* 30 KMs from [redacted] and it’s a different municipality. The affected community was absent in this hearing due to no prior public notification and [redacted] (VDC)’s lack of communication.

**Adverse Impacts to the Community**

- The project has adverse impacts as follows: (People have begun to already experience and suffered ramifications of this project, and some have a grave impact if the project executes in status quo)
- Physical harm:** The project harms the people’s life directly as the transmission line passes through - agricultural land, houses, schools, community houses, public places, and sacred sites. A leak of electricity, thunder harms the lives of people while engaging in farming, school commute, and performing rituals and festivals. *For instance, putting life at grave risk a tower pad (Tower No. 201) has been installed in front of the house within 5meters of [redacted] family members reside in the house including an infant. Community members protested for the installation, but the police force was deployed, and installation was carried out.*
- Impacts to flora and fauna, environment, biodiversity:** Environmental degradation, and adverse impacts to flora & fauna, and biodiversity is another crucial aspect the project will cause.
- Safety and security:** It also threatens the safety and security of people residing in the project areas. Three schools fall under 500 meters of the transmission line and pose a grave danger to lives. [redacted] Secondary School, [redacted] Secondary School, and [redacted] Academy).
- Displacement:** Displacement of people is another major concern. It will cause displacement from houses, lands (agricultural and residential), economic, cultural, social, livelihoods, subsistence, income generations, etc.
- Adverse impacts to sacred sites:** The project will cause adverse impacts to sacred sites, public places (schools), cultural, religious sites, etc.

- **Right to housing:** It also deprives the community of the right to housing. The community members, residing in the project areas for generations, and some of them have allocated their land plots and planned for the construction of houses there already. But, suddenly the project came to operate of making those constructions illegal, and they cannot build houses forever where the transmission line goes. People cannot freely dispose of their property (due to devaluation of land, neither banks accept them as collateral for loans nor they can sell or Kitta Kaat (Split the land for plotting in small sizes).
  - **FPIC:** Free, Prior, and Informed Consent is one of the important aspects that need to respect by the projects in accordance with the provisions of ILO Convention No. 169 and the United Nations Declaration on the Rights of Indigenous Peoples. Those mandatory provisions were violated by the project as did not have disseminated information pertaining to the project and no consultations have been carried out with the affected communities. Rather it has prepared forged documents related to the consultation or public hearing was added. The project gathered people who are not affected by the project and name it consultation. In fact, there was no participation of actually affected peoples in the process. This has created conflict among the community.
  - **Torture/Intimidations:** Despite an interim stay order in place issued by Supreme Court (Dated [REDACTED]), a tower pad was dug, and the community organized a peaceful protest. But the authorities retaliated by deploying armed forces, physically assaulted, and used tear gas. Women, senior citizens, and a toddler were wounded.
  - **Illegal land acquisition notice:** Land acquisition public notification was never published during the project scoping or implementation. After the Interim Stay-order was issued by the Supreme Court Dated [REDACTED] On the First [REDACTED] 1st notice was issued amid COVID 19, community members protested stating that this was a violation of Stay Order and Lockdown rules. Eventually was forced to withdraw. On [REDACTED] 2nd land acquisition notice was issued.
  - **Impacts to the Livelihoods:** The project directly impacts the agriculture activities, lives, and economies affiliated with it, such as livestock, dairy, farming, nursery, fodder for cattle, and grazing.
- Requests**
- Ensure full compliance with the World Bank safeguard policies including the policies related to Indigenous Peoples (ESS1, ESS4, ESS5, ESS6, ESS7, ESS 10, etc).
  - Respect the provisions enshrined in ILO Convention 169 and United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
  - conduct an independent investigation to reroute the transmission line to follow either the original transmission line route or to find the safer alternative ways.
  - Remove the tower pad from in front of [REDACTED]'s house, this poses a life-threatening danger for [REDACTED] kids.
  - Immediate cease of violent use of power, Adhoc armed force deployment at tower pad installation site, violation of human rights, random visits by local authorities for solicitation without a permit to enter houses and questioning (affected communities are treated like suspects and local authority personnel enters their houses without consent.)
  - Restore the rights of indigenous peoples, Dalits, and other affected communities and find an amicable way to implement a new route implementation plan.

2. What is the name of the World Bank project? (If known)

Nepal-India Electricity Transmission and Trade Project (P115767) (Component B3: Hetauda-Bharatpur and Baratpur-Bardaghat 220 kV Transmission Line and Substations.

3. Where is the World Bank project located? (Please include country name)

The project is located in Nepal (From Hetauda to Bardaghat of Bagmati Province).

4. Do you live in the project area?

Yes.

5. Have you previously reported your concerns to World Bank management? If yes, please provide the details about those communications and explain why you are not satisfied with the Bank's action in response.

Yes. With the support of the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples, we have submitted the complaint to the management of the World Bank ( [REDACTED] ). Despite the response of the management the NEA and the government of Nepal keep on intimidating the community to allow them to continue project activities. Through the communication, the community requested to facilitate to construct the TL in an original route that is stipulated in section 1 or take the alternative route to save human settlement to ensure safety and security. The project should respect fundamental rights enshrined under the Constitution, 2015 including to live, security, freedom of movement, residence, work, respect ILO C. 169 and UNDRIP, and respect the WB Safeguard Policies including Indigenous Safeguards, Social and Environment Safeguard Policies, etc.

6.

Following WB policies are not followed:  
The World Bank safeguard policies; a. social and environmental, indigenous policy, ESS 7/10

7. Do you expect any form of retaliation or threats for filing this complaint to the Inspection Panel?

Yes. The government and NEA may deploy security forces to oppress and intimidate the community, as the government did it before. The government commonly misused its power, including deploying the armed security forces and trap into false cases to suppress Indigenous Peoples and locals to implement development aggression.

## Section 2: Contact Information

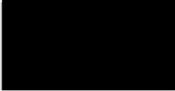

8. Are you complainants or a representative of complainants?

Complainants:  Representing a complainant or community:

9. Would you like your name and contact details to be kept confidential? *(The Inspection Panel will not disclose your identities to anyone without your prior consent.)* Yes  No

10. Complainants' Names (Minimum two names and signatures are required):

Complainant 1		Complainant 2	
Name	[REDACTED]	Name	[REDACTED]
Address	[REDACTED]	Address	[REDACTED]
Phone	[REDACTED]	Phone	[REDACTED]
Email	[REDACTED]	Email	[REDACTED]

	
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11. We, the undersigned, request the Inspection Panel to investigate the issues described above.

*Signatures (More signatures can be sent as an attachment document):*

Forty-Seven affected people with signature copies are enclosed along with this complaint	
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**NOTES:**

- Please attach supporting documents, if available.
- If you have any difficulty in completing the form, please contact the Inspection Panel at [ipanel@worldbank.org](mailto:ipanel@worldbank.org) or by phone: +1-202-458-5200.

<b>List of Attachments to the Request for Inspection</b>
<b>1</b> – Requesters’ Signatures
<b>2</b> – Letter of Authorization (Representative)
<b>3</b> – National Human Rights Commission
<b>4</b> – Gorkha Patra Notice
<b>5</b> – Stay Order
<b>6</b> – Dumkibas Photo
<b>7</b> – Application to Government for shifting TL
<b>8</b> – Local Government Recommendation to Shift Transmission Tower
<b>9</b> – No Information Provided

More information about these annexes may be made available upon request to the Panel.

Complaint on  
Nepal-India Electricity Transmission and Trade Project (P115767) (Component B3: Hetauda-Bharatpur and Baratpur-Bardaghat 220 kV  
Transmission Line and Substations.

(Detail of affected People)

**Name of Complainants**

SN	Name	Address	Gender	Ethnicity Indigenous/Dalits/ Khas Arya	Effect House/Land/Other /Living in that area	Signature
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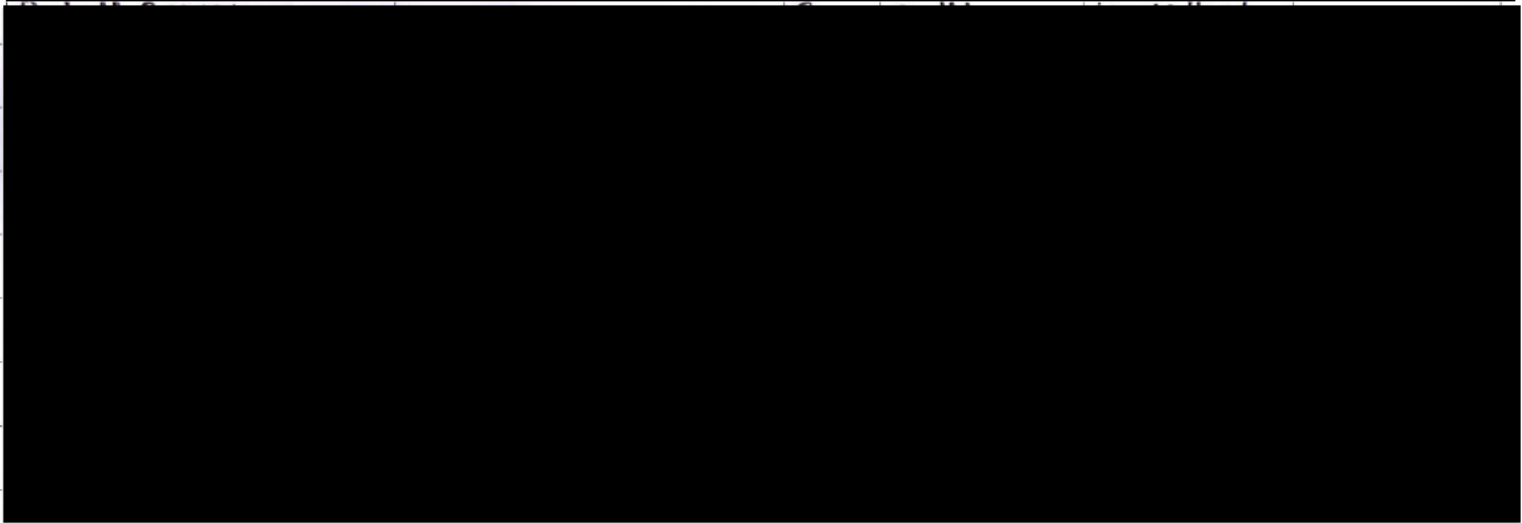
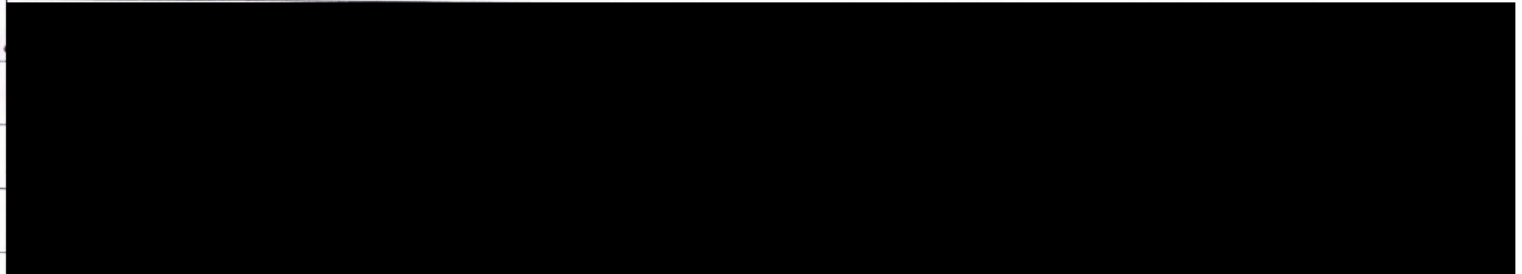
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November 11, 2021

The Executive Secretary  
The Inspection Panel, The World Bank  
MSN: MC 10-1007  
1818 H St., NW, Washington, DC 20433, USA.  
Fax: +1(202)-522-0916.  
Email: [ipanel@worldbank.org](mailto:ipanel@worldbank.org)

**Re: Letter of Authorization**

We, the complainants of the complaint on "*Nepal-India Electricity Transmission and Trade Project (P115767) (Component B3: Hetauda-Bharatpur and Baratpur-Bardaghat 220 kV Transmission Line and Substations)*" submitted to the inspection panel dated October 18, 2021, would like to inform you that the attorney of power for regular communication with the panel regarding community issues and represent community when and where needed has been delegated to Advocate [REDACTED] of Lawyers' Association for Human Rights of Indigenous Peoples (LAHURNIP).

Due to technical, language and other reasons it is not possible for us to be in regular contact with you and cannot respond to your emails on time. Hence, we would like to authorize [REDACTED] to communicate with the panel on-behalf of the community and represent the community whenever it deemed necessary.

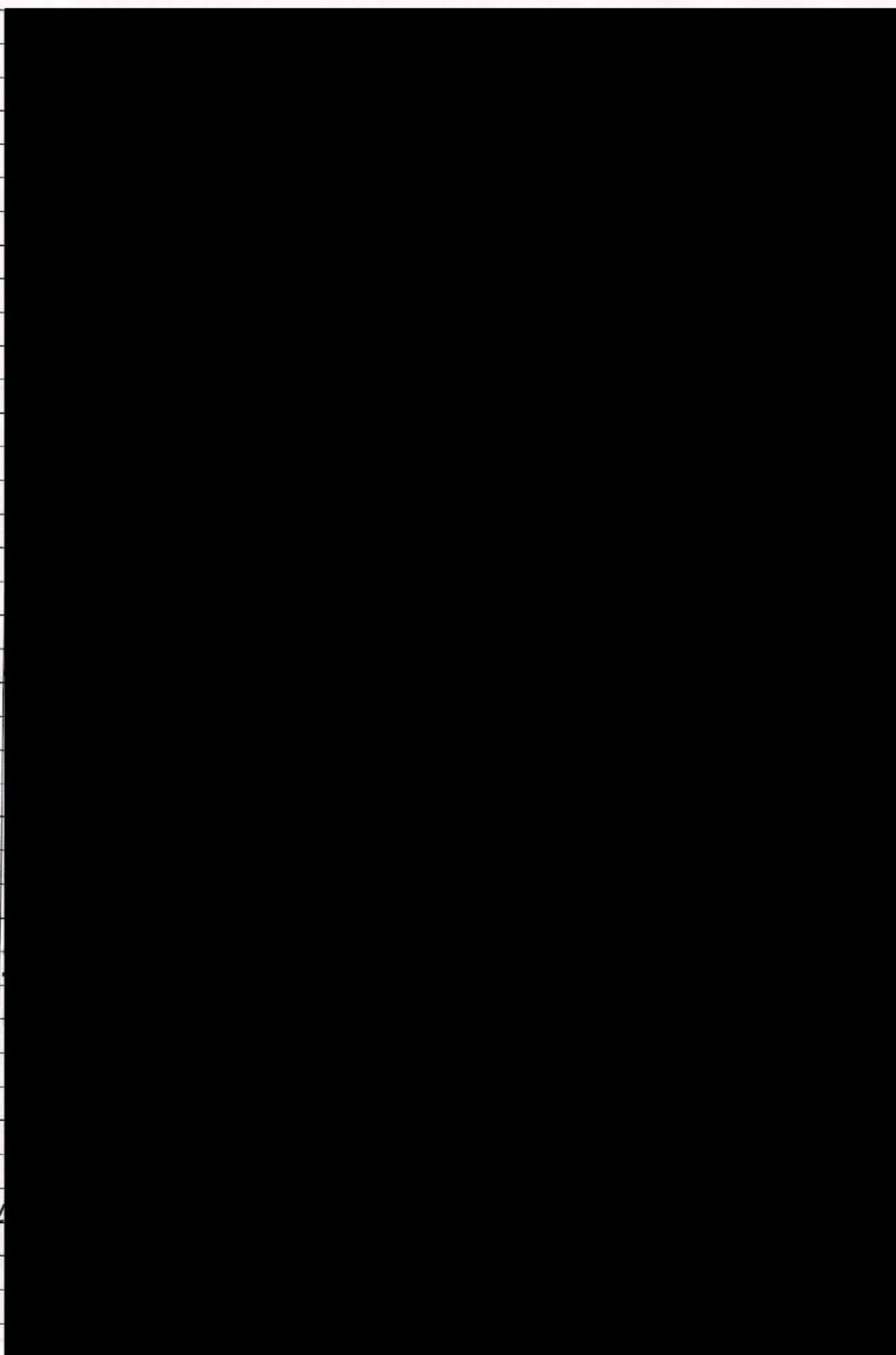
He can be reached through the following details:

Contact #: [REDACTED]  
Email: [REDACTED]

Yours sincerely'

S.N	Name	Address	Signature
1	[REDACTED]	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]	[REDACTED]
5	[REDACTED]	[REDACTED]	[REDACTED]
6	[REDACTED]	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	[REDACTED]

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