

Connection between Hydropower Transmission Line and Landowner's Dissatisfaction in Nepal

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In Nepal, the government or authorities acquire the land through the legal process for large infrastructure development including hydropower and transmission line. In several communities, in the process of construction of transmission line, the authority has provided compensation for land and executed many development and mitigation programs. However, some affected societies claim that after the development of transmission line they have to bear numerous problems, challenges on their daily life. In Nepal, several societies have raised their collective and personal demand with transmission line authority which is the major cause for the delay of construction of transmission line. One of the major dissatisfactions of landowner is route of transmission line. If the route touches their unfertile land they do not oppose. However, if it touches their productive land or housing land, they express their dissatisfaction for the construction of transmission line and demand for the change of route. Besides the route, compensations, employment opportunities, local development, personal benefits are the major

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causes for the dissatisfaction of the landowners with transmission line authority. In practice, landowners get 100 percent compensation for tower foundation but get only 10 percent for track /RoW (under wire). This is the major reason for dissatisfaction of landowners who get only 10 percent. Landowners always analyze the procedures for land acquisitions, compensation rates, risk measures, health and safety aspects to identify whether they can be benefitted or not from the construction of transmission line. Therefore, satisfaction or dissatisfaction is generally expressed by landowners after calculating the economic benefits.

[Keywords : Transmission line, Landowner's dissatisfactions, Right of way, Land acquisition, Compensation, Policies]

1. Introduction

Nepal does not yet have enough high-voltage transmission lines to transmit electricity generated at different places to the places where it is needed. Due to the lack of adequate transmission line project the energy of hydropower has been wastage in various part of the country (NEA, 2019).

The major reason for delay in the construction of transmission line is land issue with public (land acquisition, dissatisfaction with compensation). In some projects, affected people and locals refuse to provide their land to build the transmission line even though the government and authorities provide (100%) compensation to related public at determined market prices for land used for towers construction. However, the authorities only provide 10% of the market value of land used for rights of way (path/track) of transmission line (Kathmandupost, 2019). Some of the public complain with transmission line project and authority is that once a transmission line is built, no other infrastructure can be built on the land as per their wish. The affected public say that bank do not accept such land as collateral. A clear government public policy is needed to provide compensation to the landowners related to right of way of transmission. However, the authorities and institutions have been addressing those public issues by their own institutional decisions. The hydropower transmission line project development or implementation is also connected directly with affected people and society.

In this article, I have included the theoretical debate, study methodology, dissatisfaction of landowners of the study area and major dissatisfaction including route, benefit, land acquisition duration and process, compensation, local development program, effects on health and environment and others related issues.

2. State and Power : Theoretical Discussion

Michel Foucault, the French postmodernist, has been hugely influential in shaping understandings of power and the idea that 'power is everywhere' and 'comes from everywhere'.

Foucault's approach to power is that it transcends on politics and sees power as an everyday, socialized and embodied phenomenon. This is why state-centric power struggles, including revolutions, do not always lead to change in the social order. His central concern was with how human beings are made into subjects within the modern world. What Foucault means by this is he is concerned with how individual become both citizens of a state and the effect that state has on them as people.

Subjectivity is shaped by different factors i.e., sex, health, race, religion and many more. That subjectivity creates self-formation and self-understanding. According to Foucault, subjectivity is generated in humans through; i) Science (knowledge) as disciplinary power, ii) Culture and religious power (dividing practices), iii) Government/ state power - Subjective power. Subjectivity is generated through power. Because of the new political forms of power, according to Foucault, state is the main driving factor for the struggle of subjectivity. Power is something exercised upon other. State has divided their public into individuality and totality. State is dominant on shaping the subjectivity of individual through the power state has. That was prevailed in ancient time (pastoral) and modern time in different forms. State has been using the panoptical gauge (analogy) to see all its' individual. State gives so called freedom but has been watching closely and regulating its' citizens in different ways. That power relations shapes the subjectivity and breaking that unseen wall of power relations is very difficult. For that, we have to promote new forms of subjectivity through the refusal of this kind of individuality which has been imposed on us for several centuries.

As Michel Foucault has said, the government shows that it has given the rights and freedom to its citizen however it controls and interfere to its citizen as per its need basis. Therefore, whether the landowners either happy or not, satisfied or dissatisfied, the government does not care much. It only follows its procedures and system to make legalize it action.

3. Methodology of the Study

This article is a product of my research study for my dissertation conducted between 2018 to 2021 that I had undergone during my fieldwork. This paper is an extract of my empirical representation from the large set of data that I had gathered during my stay in the field. Then I used tools for research including survey, interview and other required technique of the selected field area and scenario of landowners and their social positions and social structure have been presented. The Interpretivism perspective has been adapted to explain and analyze meaningful past and present interpretations of landowner's dissatisfaction with transmission line projects. As Max Weber (1864-1920) suggests that in the human sciences we are concerned with understanding in comparison to process rather than facts. I have applied interview method (Qualitative) to describe the phenomena of landowner's dissatisfaction from the perspective of concerned authority and stakeholders. Similarly, the researcher has conducted household survey (HH survey - Quantitative) to identify the causes of dissatisfaction of landowners.

4. Dissatisfaction of Landowners of the Study Area

Total 40 landowners are directly affected by the Balefi Corridor transmission line located in between Jugal Rural Municipality and Barabise Municipality situated in Sindhupalchowk district of Nepal. Census survey of 33 Household (HHs) was carried out to collect information, dissatisfaction and social structure of the affected landowners. Against the acquired land and property, employment and local development are the expectations of the surveyed HHs. However, majority of the HHs (56.25%) have shown their interest for good compensation from the transmission line authority, likewise 25% HHs have expectations for employment, and 18.75% HHs have expectations for local development of their area. The major causes for demand for good compensation and local development are traditional agricultural practice, food insufficiency, Debt status, shortage of safe drinking water facilities and poor transportation facilities.

5. Major Dissatisfactions of Landowners with Transmission Line Authority

5.1 Route of transmission Line

When local landlords get information that a transmission line is going to be built in their area, they share the information with their

neighbours, relatives, family and try to find out the route of the transmission line whether it touches their land or not. If the route touches their unfertile land they do not oppose. However, if it touches their productive land or housing land, they express their dissatisfaction for the construction of transmission line and demand for the change of route.

The authority determines the route in the survey phase. In the next phase the authority organizes several discussion and public hearing program with people regarding the possible benefit and minimizing the risk measures. Authority gives all construction responsibility to contractor including designing, engineering and procurement and construction of transmission line. In this phase, the contractor changes the route of transmission line. This is the major reason for dissatisfaction of the landowners.

5.2 Benefit from Transmission Line Construction

This is capitalist age and every individual seeks benefit and advantage from the authority and government. In the process of transmission line construction, public have to give their land to authority by receiving compensation. In this regard, there are no other specific opportunities for the landowners. They demand job opportunity with the authority. Land owners also demand with government to develop and implement local development program. In the beginning the authority expresses their positive commitment to the local for job opportunities. However, when they give the entire construction package to the contractor, the contractor hires the labor or worker from wherever they like. Because of this reason, the affected landowners get dissatisfied and create difficulty in the construction work and demonstrate on the road against transmission line authority.

5.3 Land Acquisition (Process and Duration)

As per their land structure, family setting and land value, the landowner expresses their opinion in land acquisition process. Generally, in Nepalese society, from grandfather's generation to grandson's generation they stay in the same house and use same property. In this regard, the younger generation is not happy to provide their land to government where the elder generation is more flexible to give their land to government. Therefore, when their family gets information that authority is going to take their land with

compensation, in many of the family the discussion begins regarding the compensation, job opportunities, value of land and duration for land acquisition. Normally landowner wishes to provide their land and receive compensation as soon as possible because of frequent change in value of money. Due to the lengthy process for the land acquisition, it takes long time to get compensation. This is another major reason for the dissatisfaction of the landowners.

5.4 Satisfactory Compensation

In practice landowners get 100 percent compensation for tower foundation but get only 10 to 20 percent for track (under wire). There is less dissatisfaction of the public for land to tower foundation. But there are several dissatisfactions in case of RoW compensation. On the other hand, the rate or value of land is determined by the chairmanship of chief district officer (CDO) of the district including the members of local authority representative and land revenue officer of the district. The landowners give pressure to their elected leaders to fix the rate in high basic. Normally landowner wants to get high value of land as a compensation of their land. There are other factors and decision for the fixation of the land price. The CDO and team do not care the pressure of elected local authority to increase the value. The Committee takes reference of a previous land selling and buying price that is registered in the land revenue office. Generally, the market price and legal (recorded) price do not match in practice. This is very difficult to determine the land price for authority and make the landowners happy.

Land price has not been disclosed. In some cases, 50 percent of the money taken by the landlord is spent on weddings, banquets, religious functions, and other family activities. Due to which the concerned land owner cannot buy another land and house and even the family is found to be upset. Therefore, if the concerned organization had to take the land with the house, the local landowner seems to want the provision of the house compensation. Although government-owned or public land can be provided to the affected landowners but generally landowners do not seem willing to take government-owned land as a compensation.

Since land compensation is usually paid in cash as per the law, landowners cannot buy another land and house if the cash compensation is not used properly. Generally, they use the compensation cash for the children education, for the health

treatment of their family, repaying debts, social and religious activities, festivals and wedding ceremonies and for extravagant activities such as alcohol and gambling.

On the other hand, there are complaints that the people's representatives and other stakeholders are not adequately represented in the committee for determining compensation. It is blamed from the locals that the committee headed by the Chief District Officer, head of the Land Revenue Office, the head of the project concerned and the head of the concerned village or municipality cannot lead the issues of related landowners. In some cases, this assessment committee gives the responsibility of determining the compensation to the sub-committee and also makes a decision based on the report given by the sub-committee. In some cases, the assessment committee has shied away from its responsibilities. Similarly, the land owners have demanded that the ward chairpersons of local villages and municipalities should also be included in the committee. Due to the large structure of the village municipality and rural municipality, in some cases their chiefs and deputy chiefs are ignorant of the prevailing price of the land around them and do not show much interest, so at least the ward chairman is in the fixation committee of the compensation. Dissatisfaction has increased among the landowners regarding the determination of the amount of compensation due to the provision that the price of the same land may be different for the more land and the less land.

5.5 Local Development Program

Besides the affected landowners, there are other major factors in the society including political parties, local club, community forest, mothers' group, youth club, finance and cooperative and civil society and educational institution. Most of the stakeholders and organizations do not get any compensation and opportunities from the transmission line development authority. Therefore, they raise the agenda of safety and risk factor, resettlement issues, after the construction of transmission line.

5.6 Effect on Health, Water Supply and Sanitation in Construction of Transmission Line

The increase in the noise level due to vehicular movement in the project area is likely to influence the physical and mental health of the local community. Discharge of wastes of various types including

metals, paper, kitchen wastes etc. is potential to degrade the sanitary hygienic conditions particularly around the construction sites and campsites. Considering only 300 numbers of manpower and their short-termed mobility at one site the impact is considered to be low, site specific and for short termed.

5.7 Effect on Drinking Water in Construction of Transmission Line

Similarly, with the increase in population along with the construction activities, a potential decline of the access to drinking water and existing sanitation condition occurs in the area of locals. The overall impact on water supply and sanitary situation are: shortage of drinking water, increase pressure on the existing water supply system, increase distance to the safe drinking water, increase in disease vectors, and reduced water quality due to increased sanitation problems etc.

6. Effects of Dissatisfied Landowners on Transmission Line Construction

In numerous areas across Nepal, people are not supporting land acquisition process; land owners are reluctant to receive compensation. This is the major reasons for delays of large infrastructure construction including road construction building construction for public welfare, expansion of industrial area and industries and hydropower transmission line development.

On the other hand, in some part of the country, the transmission line authority has to bear protest, disputes, politics in land, less participation of landowner and public reluctant to receive compensation of land.

For example, Bharatpur-Bardaghat 220 kV transmission line project, being built under the multimillion-dollar Nepal India Electricity Trade and Transmission Project, has been struggling to achieve 80 percent progress even in 11 years. The major reasons for delaying the construction are public disputes with transmission line project. Mainly, the reason is focused on land acquisition and reluctant public in receiving land compensation provided by the authority to public. Similarly, the under-construction 132 kV Thankot-Chapagaun-Bhaktapur transmission line, intended to strengthen the Kathmandu Valley's power supply system by eliminating voltage fluctuations and ensuring proper load management, has been a work in progress since 2004 with locals of

Lalitpur unwilling to give up land and right of way at the proposed rates. Residents are demanding 100 percent of the land value in compensation for easement rights while the compensation practice says they will get 10 percent. (Rijal, 2019). As Michel Foucault has said, state is dominant on shaping the subjectivity of individual through the power state has. That was prevailed in ancient time (pastoral) and modern time in different forms. State has been using the panoptical gauge (analogy) to see all its' individual. State gives so called freedom but has been watching closely and regulating its' citizens in different ways. That power relations shapes the subjectivity and breaking that unseen wall of power relations is very difficult. In this regards people are protesting, demonstrating, uniting, bargaining and in somehow collaborating with government authority for infrastructure development including transmission line construction in Nepal.

7. Conclusion

In most of the construction case, authority gave all construction responsibility to contractor including the designing, engineering and procurement and construction of transmission line. In this phase, the contractor changes the route of transmission line. This is the major reason for dissatisfaction of the landowners. On the other hand, there are the presence of political parties and their leaders in every district, rural municipality and ward level of local level in Nepal. In this context each of the landowner's family are associated with political party and linked with party leaders from local level to central level. There is mandatory representation of member from local elected body for the price fixation of the land for acquisition process. In this situation, landowners give direct and indirect pressure for their elected representative to increase the price of land for the fixation committee. However, the rest of the other member from government seems reluctant to increase the value of land as per landowner's wish.

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