

# Resettlement Plan

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49215-001  
Loan 3260-NEP

July 2016

## Nepal: Earthquake Emergency Assistance Project

### Dolakha- Singati Road Project (Km 0+000 to Km 34+490)

### Main Report (1 of 5)

Prepared by the Government of Nepal for the Asian Development Bank.

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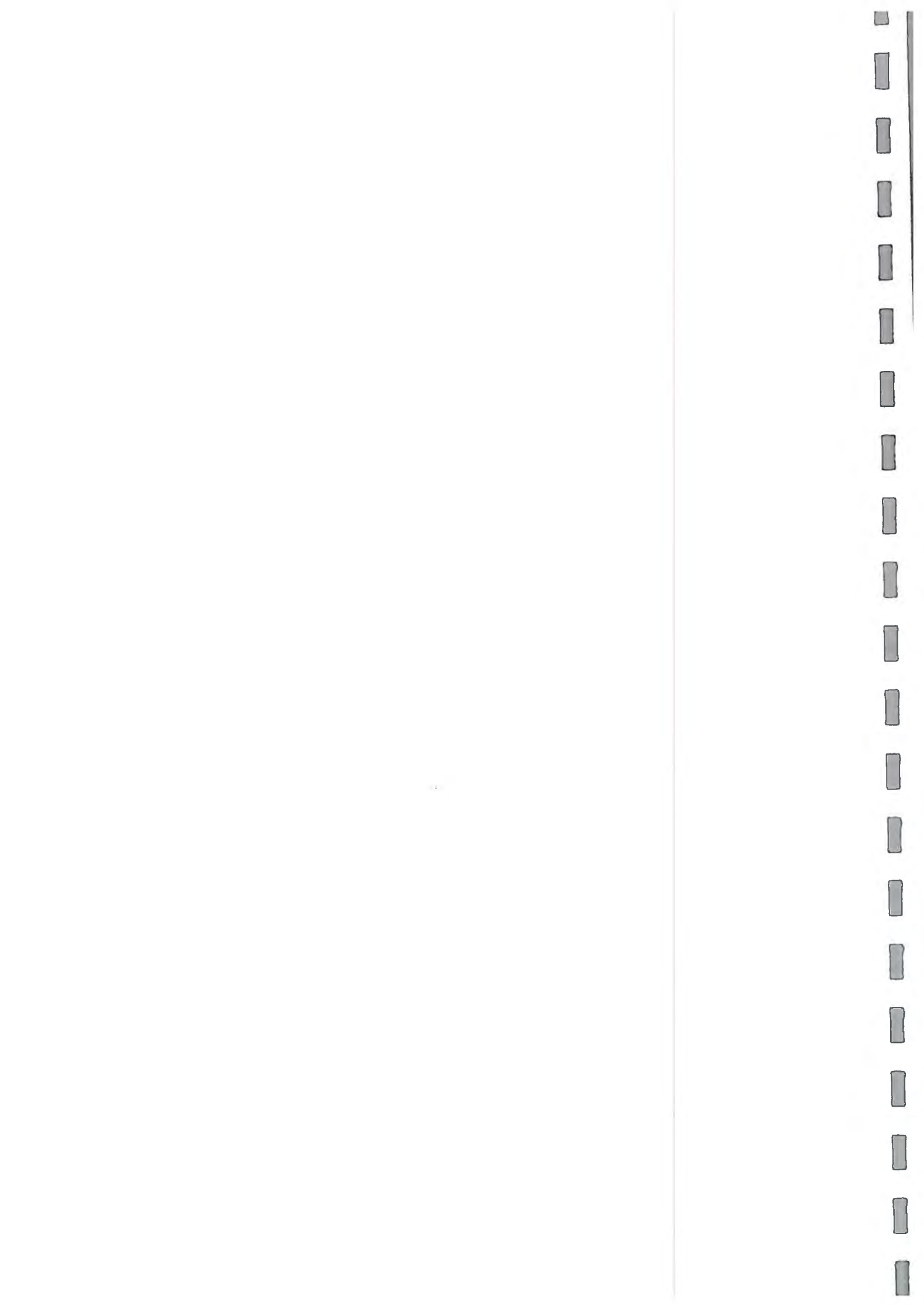
**Government of Nepal  
Ministry of Physical Infrastructure and Transports  
Department of Roads  
Project Directorate (ADB)**

**Project Preparatory Consultant (PPC-2 Road) of  
Earthquake Emergency Assistance Project  
(ADB Loan No. 3260-NEP)**

# **RESETTLEMENT PLAN REPORT OF DOLAKHA – SINGATI ROAD**

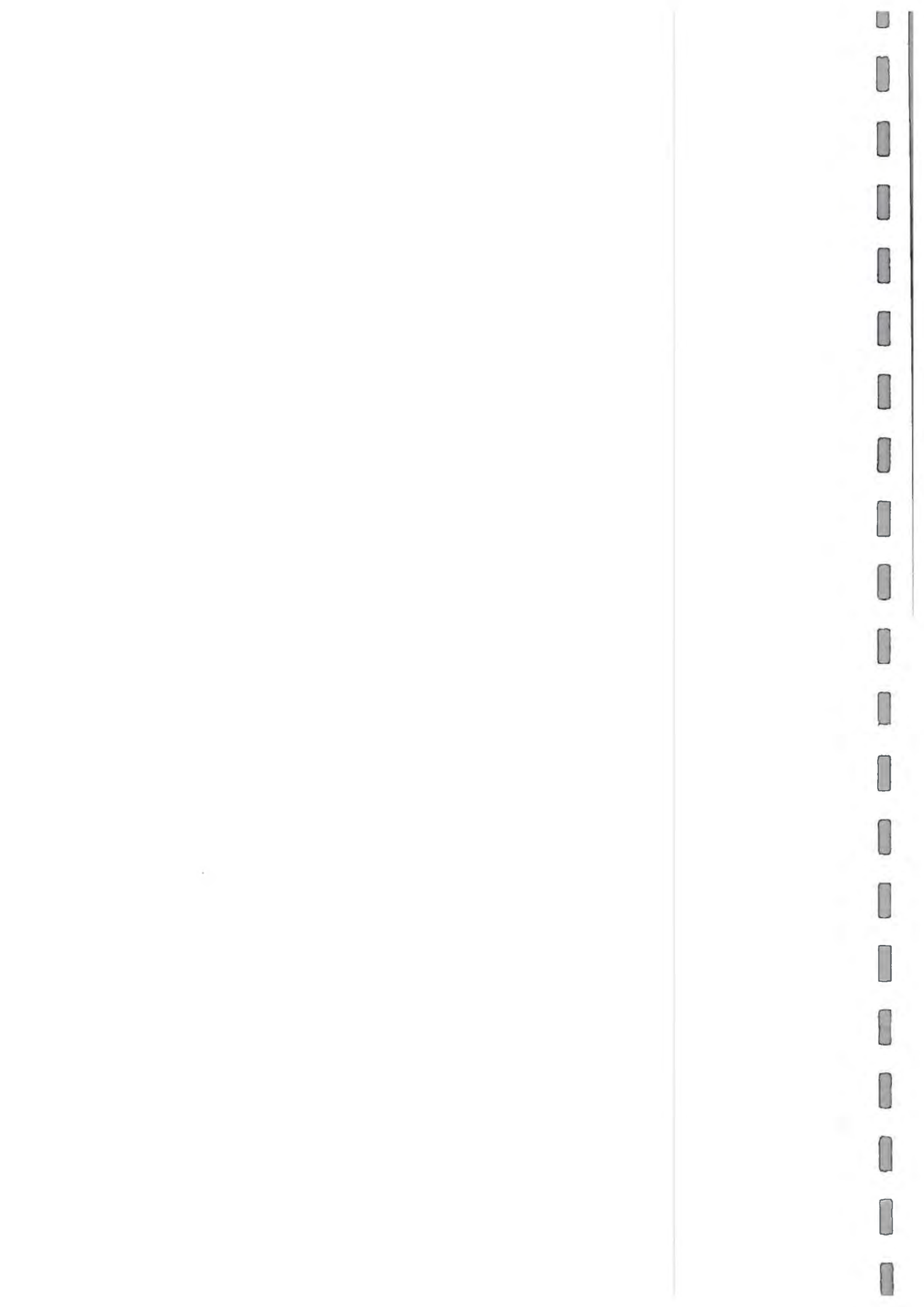
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ITECO Nepal (P) Ltd.  
Total Management Services Pvt. Ltd.  
Material Test Pvt. Ltd.**

**JUNE 2016**



### Re-comments Response Matrix

SN	Comments	Response
1	The RP says that all affected house owners are earthquake victims and they will receive compensation as per government rules is not clear whether the government will compensate the structure affected house owner.	The government will not provide the compensation for project affected structures. In corporate sections 10 of the cost for private structure (10.1.1.) page no <b>32/33</b> in hard copy.
2	In resettlement Budget section, basis of house displacement allowance and business disruption allowances not clear	Incorporate Page no 32 (10.1.1.2)
3	The implementation arrangements proposed in the RP is not compatible with EEAP institutional arrangement, which requires revision	Executive Agency is National Reconstruction Authority and Implementing Agency is Project Management Unit (PMU) has been revision at Section 11. Page no 36
4	The total cost estimated to implement the RP is about 3.5 times higher than the total compensation amount, which is not justifiable	Revised RP implementation cost is mentioned in RP in section 10 Page no 34.35 (10.2)



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Ministry of Physical Infrastructure and Transports  
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## ACRONYMS

ADB	–	Asian Development Bank
BMN	–	Basic Minimum Need
BPL	–	Below Poverty Line
CDC	–	Compensation Determination Committee
CDO	–	Chief District Officer
Col	–	Corridor of Impact
CSC	–	Construction Supervision Consultant
DAG	–	Disadvantaged Groups
DAO	–	District Agriculture Office
DDC	–	District Development Committee
DFID	–	Department of International Development
DFO	–	District Forest Office
DLA	–	District Level Agencies
DLRO	–	District Land Revenue Office
DLSO	–	District Land Survey Office
DP	–	Displaced Person
EA	–	Executing Agency
EM	–	Entitlement Matrix
EEAP	–	Earthquake Emergency Assistance Project
FGD	–	Focus Group Discussion
GDI	–	Gender Development Index
GESU	–	Geo-Environment And Social Unit
GoN	–	Government of Nepal
GRC	–	Grievance Redress Committee
HDI	–	Human Development Index
HH	–	Household
HPI	–	Human Poverty Index
IEE	–	Initial Environmental Examination
LAO	–	Land Acquisition Officer
MHH	–	Mid-Hill Highway
MoPT	–	Ministry of Physical Infrastructure & Transport
NFIN	–	National Foundation of Indigenous Nationalities
OM	–	Operational Manual
PD	–	Project Director
PIU	–	Project Implementation Unit
PSA	–	Poverty And Social Analysis
R&R	–	Resettlement And Rehabilitation
RAP	–	Resettlement Action Plan
RoW	–	Right of Way
RP	–	Resettlement Plan
SLC	–	Subproject Level Committee
SPS	–	Safeguard Policy Statement, 2009
SRO	–	Social and Resettlement Officer
TOR	–	Terms of Reference
TPPF	–	Transport Project Preparatory Facility
VDC	–	Village Development Committee



## DEFINITION OF THE TERMS

Acquisition	:	Acquisition of land and other assets for the purpose of development projects in accordance to prevailing Act (Land Acquisition Act 1977).
Affected Families/Households/Persons Ailani Land	:	All the families/households/persons within the project locations are considers affected households/persons. The land that does not belong to any individual is known as Ailani land. As per the prevailing legal provisions, all the Ailani land belong to Government of Nepal and no one can use and transact such land without permission of the Government. Government of Nepal can reclaim Ailani land anytime for any purpose. As per the prevailing legal system, there is no provision of compensation for the occupiers/encroachers of the Government land. However, in development projects there is practice of compensating for the crops grown and structures constructed in Ailani land if the dwellers and cultivators belonging to vulnerable groups.
Business Structure	:	Structure constructed for business purpose
Cadastral Map	:	Land record system in Nepal is based on cadastral mapping. It does not align with the topographical maps. Up-to 2028 VS (Nepali national date, which is approximately 57 years ahead than AD) cadastral maps use to be based on free sheet prepared based on manual field survey without reference of national grid. However, grid system in cadastral mapping in Nepal started since 2028 VS. Based on information obtained from Topographical Survey Office in Kathmandu, Ministry of land Reform and Management, until now 34 out of 75 districts have cadastral maps based on national grid and 38 districts still adopts free sheet <sup>1</sup> . However, even in such 38 districts, national grid based cadastral maps have been developed for municipality and district headquarter area, mostly in the Terai districts.
Chief District Officer (CDO)	:	Chief District Officer (CDO) is the Chief Administrative Authority of the district. In Nepal, CDOs are assigned in all (75) districts. Among others, the responsibilities of the CDO also include managing and maintaining district administration, law and order situation, and implementing Land Acquisition and Resettlement Plan for Government and development projects to be implemented in the district.
Compensation Determination Committee (CDC)	:	Compensation: The payment in cash or kind for private property acquired by the government for the project, based on replacement value. Compensation Determination Committee (CDC) is a formal representative body to be formed under the chair of CDO as provisioned in Land Acquisition Act 1977. One of the tasks of

<sup>1</sup> **Mechi Zone** : Jhapa, Illam, Panchthar; **Koshi Zone**: Morang, and Sunsari; **Janakpur Zone**: Sarlahi, Mahottari, Dhanusha, Khotang , and Sindhuli; **Narayani Zone**: Rautahat, Bara, Parsa, Chitwan; **Bagmati Zone**: Kathmandu, Lalitpur, Bhaktapur, Dhading, **Gandaki Zone**: Tanahu; **Dhaulagiri Zone**: Myagdi, Mustang; **Lumbini Zone**: Nawalparasi, Kapulbastu; **Rapti Zone**: Dang; **Bheri Zone**: Banke, Bardiya, Surkhet; **Karnali Zone**: Jumla, Dolpa, Mugu, Humla; **Seti Zone**: Kailali; and **Mahakali Zone**: Kanchanpur and Dadeldhura

			<p>CDC is also to determine compensation rate for the land and other assets to be acquired for development projects in the district. The other members to be involved in CDC includes representative from District Development Committee (DDC), District Land Revenue Office (DLRO) or District land Survey Office (DLSO), representative of the project, and representatives from District Level Agencies (DLA). There is also practice of involving two representatives from project-affected families as observers.</p>
Corridor of Impact (COI)	:		<p>Minimum width of land required for the construction of roads with the provision of shoulder width, side drain plus safety zone on either side of the road. COI is generally within the RoW, except where construction requirements and topography necessitate the acquisition of wider area.</p> <p>Corridor of Impact (COI): Minimum width of land required for the construction of roads and provision of shoulder, width plus safety zone on either side of the road. COI is generally within the RoW.</p>
Cut-off Date	:		<p>The completion date of census survey to count the DPs and their affected assets.</p>
Dalit (Occupational Caste Groups)	:		<p>The Commonly known as untouchable in traditional Nepalese society. They belong to occupational and artisan group. Dalit Commission has defined dalit as, "the community discriminated on the basis of caste and marginalized in terms of social, economic, educational, political and religious basis."</p> <p>Dalits are further divided into different groups in accordance to socially prescribed occupations. For example, communities traditionally engaged in tailoring, or playing musical instruments, making shoes or communities involved in washing clothes, are given different family names in accordance to the type of traditional occupation they are involved with and they have their own social norms and taboos even within the dalits of different occupation.</p>
Disadvantaged Groups (DAG)	:		<p>Women, dalit, indigenous/ethnic people, Madhesi, other deprived people including poor farmer, labour and vulnerable groups (such as physically and mentally disabled persons, women, aged persons, landless labour, below poverty level households etc) are considered as Socially and Economically Disadvantaged Groups (DAG). The Interim Constitution of Nepal-2006 opens safeguarding and protecting provisions to such groups.</p>
Displaced Person/s	:		<p>Displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and /or economically displaced (loss of land assets, income sources, or means of livelihood) as a result of (i) involuntary resettlement of land or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas<sup>2</sup></p>
District Development Committee (DDC)	:		<p>District Development Committee (DDC) is the district level administrative body existing in all (75) districts of the country to be represented by elected district level political leaders.</p>
District Land Revenue Office (DLRO)	:		<p>District Land Revenue Office is the Government body responsible for collecting land revenues, formalizing land transactions, updating and maintaining land ownership records, and determining Government rates for different types of land in the district based on the transaction rate used by public and transaction revenue paid to DLRO.</p>

<sup>2</sup> ADB, Safeguard Policy Statement 2009 and O&M Section F-1/OP issues on January 2010

District Land Survey Office (DLSO)	:	District Land Survey Office is the Government body responsible for measurement, survey, record keeping, managing, and updating land record and parcels by area in cadastral maps of the respective district.
District Level Agencies (DLA)	:	District Level Agencies (DLA) are the Government offices stationed at districts under different ministries of central level. District Land Revenue Office (DLRO), District Land Survey Office (DLSO), District Agriculture Office (DAO), District Forest Office (DFO) are some the district level agencies. One of the major tasks of DLA is to provide effective sectoral services in each administrative district in close coordination with regional or central level offices concerned.
Indigenous People (Aadibasi Janajati)	:	Nepal indigenous/nationalities/tribal Act 2001 defines Ethnic/Indigenous People as; "People having their own mother tongue, distinct traditional values, and cultural identities, including social structure and written/non-written history are indigenous and nationalities population." According to National Census 2001, in Nepal, there are 100 different social groups having over 92 languages representing 43 ethnic nationalities and covering 37.2% of the country's population. Further, the National Foundation of Indigenous Nationalities (NFIN) has declared 59 groups as ethnic nationalities. NFIN has classified these groups into five categories <sup>3</sup> based on their population size and other Socioeconomic variables such as literacy, housing, land holdings, occupation, language, and area of residence. A majority of ethnic/Indigenous people in Nepal is integrated into the mainstream and share common social, cultural, and economic value and opportunities. There is provision in the Interim Constitution of Nepal 2006 for the protection and development of disadvantaged Indigenous Peoples (IPs) or Adivasi/Janajati.
Temporary Stall/Shed	Business :	Temporary business stall made of bamboo/wood/CGI fixing in the ground that need to be demolished for shifting
Movable Kiosk	:	Small business structures made of wood/CGI/bamboo/mud-wall or any material that can be moved or shifted from one place to another without demolishing
Replacement Cost	:	The open/fair market value of a project affected property to be fixed by Compensation Determination Committee (CDC) in accordance to Land Acquisition Act 1977.
Resettlement	:	Resettlement denotes the consequence that may occur due to acquisition of land and other assets as well as the entire process and activities related to acquisition and implementation of Resettlement Plan (RP) in accordance to prevailing Acts.
Residential cum Commercial Structure	:	Structure being used for both residential and business purposes.
Residential Structure	:	Structure being used for residential purpose only.
Ropani	:	Ropani is the land measurement unit, officially practiced in hilly regions of the country. One Ropani of land is equivalent to

<sup>3</sup> (i) **Endangered Groups:** Bankariya, Kusunda, Khusbadia, Raute, Surel, Hayu, Raji, KIPSSan, Lepcha, Meche (10) groups, (ii) **Highly marginalized Groups:** Santhal, Jhangad, Chepang, Thami, Majhi, Bote, Dhanuk (Rajbansi), Lhomi (Singsawa), Thudamba, Siyar (Chumba), Barmu, Danwar (12 groups), (iii) **Marginalized Groups:** Sunwar, Tharu, Tamang, Bhujel, Kumal, Rajbansi (Koch), Gangai, Dhimal, Bhote, Darai, Tajpuriya, Pahari, Dhokpya (Topkegola), Dolpo, Free, Magal, Larke (Nupriba), Lhopa, Dura, Walung (20 groups), (iv) **Disadvantaged Groups:** Jirel, Tangbe (Tangbetani), Hylmo, Limbu, Yakkha, Rai, Chhantyal, Magar, Chhairotan, Tingaunle, Bahregaulle, Byansi, Gurung, Marphali Sherpa (15 groups), (v) Newar, Thakali (2 Groups).

		approximately 508.74 sq. m. There are three sub-units under the measurement unit of "Ropani". They are; (a) Aana (31.80 sq.m.), (b) Paisa (7.49 sq.m.), and (c) Daam (1.99 sq.m.). Four Daam makes one Paisa; four Paisa makes one Aana; and 16 Aana makes one Ropani.
Significantly Displaced/affected Person/Households	:	Person/households including vulnerable, encroachers/ squatters, having more than ten percent loss of their agricultural land, complete loss of residential structures, and business/ livelihood.
Temporary Acquisition	:	Land acquired temporarily by contractors for access road or storing the construction materials or for other construction related purposes through a negotiation or contractors with the land owners ensuring compensation for a specified (temporary) period
Vikram Sambat (V.S.)	:	Vikram Sambat (V.S.) is followed as national year in Nepal, which is approximately 57 years ahead than A.D.
Village Development Committee (VDC)	:	Village Development Committee (VDC) is the local level administrative unit to be represented by locally elected political leaders in rural areas with certain geographical boundary, number of households and population as defined.
Vulnerable Households	:	Displace households having: (i) significant resettlement impact, (ii) disabled member, (iii) single women headed households, (iv) independent elderly persons above 60 years of age, (v) landless laborers, wage earners and people living below the poverty line. Vulnerable persons: They are the disadvantaged persons such as disabled, women headed households, handicapped, orphans, destitute, independent elderly persons above 60 years of age, landless laborers, wage earners and people living below the poverty line.
Ward	:	Ward is a cluster of settlements with certain number of households/population as determined by the Government. It is the lowest level administrative unit to be represented by elected local political leaders. As per the existing administrative system, each municipal local administrative area contains up-to 35 number of wards whereas it is only up-to 9 wards in the case of Village Development Committees (VDC).

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## **EXECUTIVE SUMMARY**

### **1. Project Description**

The proposed loan and grant (the Project) under Earthquake Emergency Assistance Project (EEAP) will finance improvements of three feeder roads, a total of 122km, in the central and western regions of Nepal. While the Project will contribute to development and expansion of the Strategic Road Network (SRN), it will include an institutional capacity assessment in the areas of road safety and road maintenance, which will form the basis for a capacity development program. Gender and social inclusion will address through a livelihood program that will be targeting women involved in road construction activities in the project-affected area.

The project roads are: (i) Dolakha – Singati (35 km 2 lane feeder road), (ii) Gorkha – Arughat – Dhading (46 km 2 lane feeder road excluding 25 km overlap with Mid-Hill highway), and (iii) Panchkhal – Melamchi-Timbu Road (41 km 2 lane feeder road). The Department of Roads (DoR) intends to improve this road to an all-weather bituminous double-lane Feeder Road Standard. Project roads have been selected based on environment, resettlement, social and economic impacts; and project readiness. The Project is relevant to achieving results of the Country Strategy and Program (2013-2017), enhancing global-local connectivity to facilitate regionally balanced economic growth

### **2. Salient Features of the Project**

#### **2.1 The Subproject Area and Impacts**

This road originates at Dolakha Bazaar of Bhimeshwor municipality of Dolakha district and passes through various small settlement areas, paddy fields and forest area and ending at Singati bazaar, which is the gateway to the national pride hydroelectric project, Upper Tama koshi Hydroelectric Project (UPKHEP). The road section passes through various settlements such as Charikot, Sunkhani, and Singati Bazaar. This road has been upgraded previously to gravel surface by Upper Tamakoshi Hydroelectric Project and number of bridges and cross drainage structures across the streams along the road section are found to be in good working condition. Existing width of the road is 5.5 m and condition of road, structures and drainage facilities are in fairly good condition throughout the road section. Tamakoshi River is the major source of construction materials like sand, aggregates, gravel and boulder for the proposed road upgrading work.

The major activities to be carried out in the Subproject road under EEAP include; (i) Pavement improvement, (ii) Minor widening, (iii) Additional roadside structures, (iii) Slope Protection works, (iv) Bioengineering works, and (v) Black top.

Land acquisition is not associated with this sub project. During the subproject implementation about only 10 temporary structures needed to dislocate.

### **3. Project Impact:**

There is no land acquisition under the proposed sub project. Based on detail final design it is identified that (through cadastral survey with the help of surveyor from District Land Office) all road components (pavement, drainage walls etc) needed for road construction falls on the existing width of road. Social impact assessment identified that that only 10 temporary structures need to dislocate during subproject implementation period. The structures are



constructed after the earthquake 12 April 2015. The affected households are also enlisted as severely affected households as earthquake victims from government and entitled to receive compensation.

#### **4. Stakeholder Consultation and Participation**

The key stakeholders consulted in the course of preparing this RP are; (i) officials at DoR, and Project Directorate (ADB) at central level; and (ii) Officials of DoR Divisional Office, District Land Survey Office (DLSO), District Land Revenue Office (DLRO), District Development Committee, District Administration Office (DAO). Similarly, local community, DPs and their family members, local leaders, VDC representatives, and other key persons were also consulted at the Subproject location.

The people contact for stakeholder consultation was informed about project and likely resettlement impacts and mitigation measures. They were also informed about the (i) process of assessing and finalizing resettlement impact during the detail design, (ii) process of compensation determination in accordance to the Land Acquisition Act 1977 and provisions of compensation and other assistance to be made in the entitlement matrix. The stakeholders involved in community consultation were, local community, DPs and their family members, local representatives of political parties, schoolteachers, businesspersons, women, and vulnerable groups.

Similarly, series of meetings and consultations will also be carried out in collaboration with the relevant stakeholders (e.g. district level agencies, local communities, DPs and other agencies), during the RP implementation phase. Besides, as an approach of maintaining the RP preparation and implementation process transparent, and to ensure further active involvement of stakeholders in consultation process during implementation phase project related information will be disseminated through disclosure of following RP documents from the Department of Roads:

#### **5. Legal Framework**

The resettlement principles adopted for this Subproject recognizes both, the Land Acquisition Act 1977, and ADB Safeguard Policy Statement (SPS) 2009 and Involuntary Resettlement Policy. The resettlement principles adopted in this project will provide compensation and resettlement assistance to all Displaced Persons (DPs) and their affected assets in accordance to Land Acquisition Act 1977 also considering other relevant Government Acts, policies and practices being adopted in the past and ongoing road projects. Based on the above policy features, the principles of Resettlement and Rehabilitation (R&R) for this Project will entail the followings:

- The negative impacts of the Project will be avoided or minimized as much as possible;
- Where the negative impacts are unavoidable, the DPs will be assisted on improving or regaining their standard of living. Vulnerable groups will be identified and assisted to improve their standard of living;
- Land replacement/or cash compensation at replacement costs based on current market rate to the DPs subject to be fixed by CDC;

- Cash compensation for all affected structures (residential/ commercial/ residential-cum-commercial and other structures) affected by the project at replacement cost subject to be determined by the CDC;
- Assistance will be provided to the owners of affected structures and non-titleholders, who may incur loss of ability to maintain livelihood during relocation and resettlement;
- Rehabilitation assistance i.e.; compensation for lost business and workdays (including employees) due to relocation and disruption of business enterprise.
- Compensation and R&R assistance will be made in accordance with this policy before taking possession of the acquired lands and properties;
- Appropriate mechanism will be established both at the district and local level to ensure speedy resolution of grievance and disputes;
- All activities related to resettlement planning, implementation, and monitoring will be ensured through involvement of women, other vulnerable and DPs.

## **6. Entitlements, Assistance and Benefits**

This part reviews the policy framework that applies to the project. Land Acquisition Act (LAA) 1977, compatible with the ADB Safeguard Policy Statement 2009, guides the resettlement Plan (RP). According to The Land Acquisition Act 1977(B.S. 2034) if the Government of Nepal (GoN) or any party acquire portion of land of the public it should pay compensation or on the negotiation for public purposes and works. The RP provisions compensations to the DPs for dismantle and transportation allowances of their affected structures. All of the DPs are earthquake victim and received a victim card from concern government agency.

## **7. Resettlement Budget and Financing Plan**

The total estimated RP implementation cost for the Subproject is NRs. **1562,400.00** equivalent to **US\$ 14601.87** @ of exchange rate NRs. 107 per 1 US\$ (Rate of March 1, 2016). All cost required for compensation and RP implementation will be borne by the Government of Nepal. The estimated resettlement cost for the Subproject includes eligible compensation, resettlement assistance, and support cost for RP implementation. The cost estimate for compensation has been prepared based on the information about the likely resettlement impacts on different assets (land, structures etc) derived from the census survey. The rate for cost calculation is based on the Government rate subject to be finalized by Compensation Determination Committee (CDC) in accordance to Land Acquisition Act 1977.

## **8. Grievance Redress Mechanism**

With a view to likeliness of grievances during RP implementation, provision of constituting Grievance Redress Committee (GRC) has been made in the RP to cut down the lengthy litigation. The GRC to be coordinated by Project Manager (PM) as the Member Secretary supported by other members (to be nominated as needed) and representatives of DPs. In order to reduce the number and pressure of grievances at district level, the RP also ensures provision of forming Subproject Level Committee (SLC) to be represented by local level communities and DPs. The SLC is expected to resolve the general grievances at community level before formal submission to GRC.

## **9. Institutional Arrangement**

The Ministry of Physical Infrastructure and Transports will be the Executing Agency (EA), and Department of Roads (DoR) will be the Implementing Agency (IA). A Project Implementation Unit (PIU) will establish at Project Directorate (ADB/PD) under the DoR to take the responsibility of overall implementation of the Subproject. A Social/Resettlement Specialist (SRS) under the Construction Supervision Consultant (CSC) will be responsible to support the PDs on the overall RP implementation mechanism and process. At the field level, a Subproject office will be established under the PIU, headed by Project Managers (PM) in the rank of Senior Divisional Engineer (SDE). The consultant SRS with the support of PIU and PM, CDC, GRC and local community will carry out all the RP implementation activities. He/she will be supported by PM in coordinating with the CDC and CDO in the matters related to compensation rate, resolving grievances, and monitoring of day-to-day RP implementation activities.

## **10. Implementation Schedule**

As per the technical design, the Subproject is expected to start from the second quarter of 2016 and end fourth quarter of 2018. The RP implementation timeframe will be scheduled based on the overall project implementation program. However, all the tasks of distributing compensation to the DPs and other rehabilitation/relocation assistance will complete prior to mobilization of the contractors.

## **11. Monitoring and Reporting**

The Project Implementation Directorate (PID) with the support of Subproject Office (SPO) and Construction and Supervision Consultant (CSC) will oversee and monitor the RP implementation activities at the field level. The SPO will monitor the day-to-day resettlement activities carried out by the CSC and will conduct field monitoring. The Project Manager (PM) based on the review of RP implementation activities and CSC's progress report, will submit quarterly progress reports to PID and PID will forward semiannual safeguard monitoring report to ADB.

## 1. PROJECT DESCRIPTIONS

### 1.1 General

The proposed loan (the Project) under Earthquake Emergency Assistance Project (EEAP) will finance improvements of three feeder roads, a total of 122 km, in the central and western regions of Nepal. While the Project will contribute to development and expansion of the Strategic Road Network (SRN), it will include an institutional capacity assessment in the areas of road safety and road maintenance, which will form the basis for a capacity development program. Gender and social inclusion will through a livelihood program that will be targeting women involved in road construction activities in the project-affected area.

The project roads are: (i) Dolakha – Singati (35 km 2 lane feeder road), (ii) Dhading – Arughat – Gorkha (46 km 2 lane feeder road excluding 25 km overlap with Mid-Hill highway), and (iii) Panchkhal – Melamchi-Timbu Road (41 km 2 lane feeder road). The Department of Roads (DoR) intends to improve these roads to an all-weather bituminous double-lane Feeder Road Standard. Project roads have been selected based on environment, resettlement, social and economic impacts; and project readiness. The Project is relevant to achieving results of the Country Strategy and Program (2013-2017), enhancing global-local connectivity to facilitate regionally balanced economic growth. The detail of sub project is listed below

**Table 1.1: List of Sub project Under EEAP**

S. No.	Road	Length (Km)	Road Classification
1	Dolakha – Singati (2 lane)	35	Feeder Road/Highway
2	Gorkha – Dhading (2lane)	46	Feeder road
3	Panchkhal – Timbu (2 lane)	41	Mid Hill Highway /Feeder road

Source: Draft Final Report, 2015

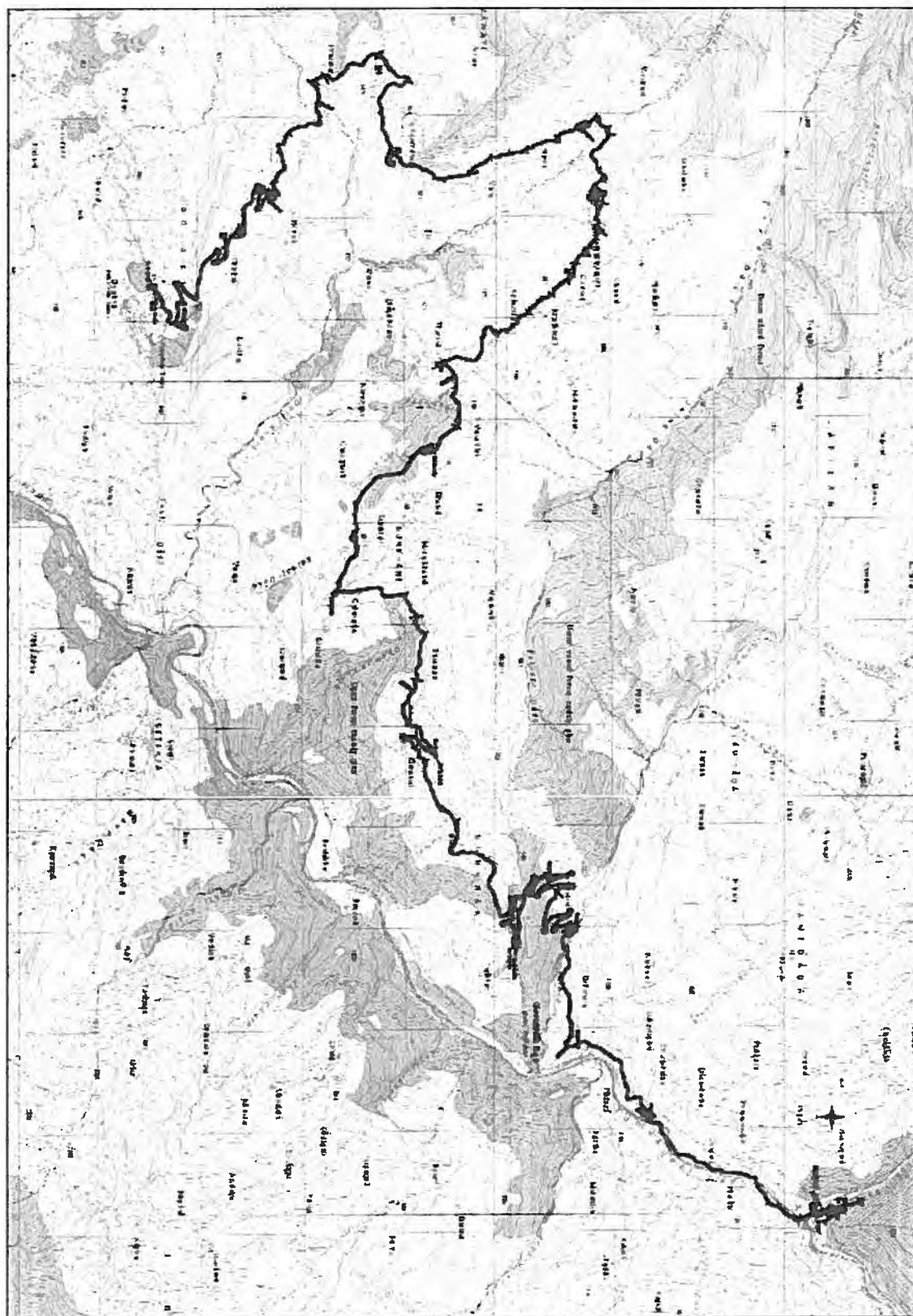
### 1.2 The Subproject

Dolakha-Singati road is feeder roads (F106) standard and Government of Nepal had hand over the Uppor Tamakoshi Hydroelectric project in 2062/63. The total length of the road is 35 Km and exit between Bhimeswar Municipality to Singati Bazar of Dolakha. This road starts at Bhimeswar municipality of Dolakha and passes through various market and settlement areas, paddy fields and forest area and ending at Singati bazaarr. Singati bazaar is the gateway to the Upper Tamakoshi Hydroelectric project The road passes through the one municipality and four VDCs namely Bhimeshwor Municipality, Suspa Kshyamawati, Sundrawati, Sunkhani and Lamidanda VDCs. Upper Tamakoshi has to acquire 10 meters where as necessary for construction of Road. The land acquisition process of this road Section is already completed and deed transfer to the Upper Tamakoshi is also preceded. Though the deed transfer for land can be conformed from Upper Tamakoshi they are unaware of right of way and people constructed private structure at Col. Keeping in view of current situation and available road design team has decided to upgrade the Subproject road on the DOR feeder road standard of 8 to 10 meter.

**Key features of Road Project**

Name of the Project	Dolakha-Singati Road Upgrading
Development Region	Central Development Region
District	Dolakha
Municipality/VDCs	Bhimeshwor Municipality, Suspa Kshyamawati, Sundrawati, Sunkhani and Lamidanda VDCs
Total Length	35 Km
Road Standard	Feeder Road (F106), Class III
Right of Way	30 m (15 m on either side from center line of the road)
Corridor of Impact (Col)	8m (4m on either side from centerline of the road)
Carriage way Width	5.5 m
Formation width	7.5 m
Surface Type	Bituminous
Type of work	Upgrading

Figure 1: Alignment Route of Dolakha – Singati Road Section





### 1.3 Benefits and Impacts

This improvements of this road section will contribute to enhance the recent power problem of the country. The alignment links number of proposed hydropower project namely Upper Tamakoshi Hydroelectric (UTKHEP) A, B and so on. The Upper Tamakoshi Project which is enlisted as priority first project of the GoN will directly benefited by the construction of this project. Similarly, the road will help to supply the internal tourism and enhance local business of the district. Construction of this road is expected to play a very important role on uplifting the socioeconomic conditions of local people through enhancing the easy accessibility to these settlements due to diversification of economic activities of the district in general and particularly along the road alignment route. The community meetings and interviews that were conducted with affected persons and beneficiaries confirmed the potential benefit from the execution of the subproject is much more than that of their losses. Most of affected households felt the need for better motor able transport facility. The Subproject will enhance scope of income generation to the local for income generation due to employment likely to be generated during the construction phase and facilitate to get easy market for their agricultural products. The beneficiaries were convinced that the potential benefits as outlined above could only be accrued through the selected subproject alignment.

Some of the specific tangible benefits of the road improvement are:

- Easy access to transportation facilities by reducing travel time and cost;
- Increase in the scope of economic, and tourism related activities;
- Increase in the scope of developing other infrastructure facilities;
- Increase the value of land;
- Economic diversification;
- Employment opportunities to the local people during the construction phase.

#### 1.3.1 The Negative Impacts

The designed of the Subproject road is intermittent standard of the road section Col is 7 to 12 m Therefore, census survey for this Subproject road has been carried out within corridor of impact along the existing alignment. On an average, the available existing width of the road is about 8-15 meters across the alignment.

Based on the census survey carried out across the road alignment no need to be acquired land for the present improvement of this Subproject road which will be affect about 10 number of structures affecting approximately 47 peoples of 9 households. Of total households having impact on their, households land should be acquired by the Upper Tamakoshi and District Development Committee only impact on their structure (Table 1.2).

**Table 1.2: Summary of Affected Assets and Displaced Persons**

Types of Affected Assets	Affected Households	Displaced Persons
Structure	10	45
<b>Total</b>	<b>10</b>	<b>45</b>

Source: Census January 2016

## 1.4 Project Components

The major activities to be carried out under this sub-project include;

- Pavement improvement;
- Minor widening;
- Additional roadside structures;
- Slope protection works;
- Bio-engineering works; and
- Black top

## 1.5 Minimizing Resettlement Impacts

For the construction/improvement of roads, the Government policy and guidelines, suggest to follow most economical and practical way possible and make best use of appropriate technology.<sup>4</sup> Accordingly, the technical design of the Subproject road was carried out based on the Government design standard by: (i) utilizing the existing alignment, and (ii) acquiring land based on actual need for 8 meters formation width and three meters spare for likely resettlement impacts and traffic safety. The Subproject activities will be carried out along the existing road with 4 m either side for widening, and construction works.

## 1.6 Objective of Resettlement Plan

The Resettlement Plan (RP) is guided by the ADB Policy on Involuntary Resettlement, Land Acquisition Act of Nepal 2034 (1977) and other relevant policies and guidelines related to feeder roads. The main objective of the Plan is to identify impacts and to plan measures to mitigate various losses due to the Subproject. The Plan also aims to provide effective guidelines to the GoN for the Implementation Management of EEAP project and to address the identified resettlement impacts as per the Plan and to ensure that the households and people affected due to the Subproject are compensated under the prevailing legal norms of GON in keeping with the ADB guidelines. The RP has been prepared taking into account the general findings of the field reconnaissance survey, 100 percent Census of Subproject affected households of road area, meetings with line agencies and consultation with various stakeholders in the Subproject area at district and local levels. The RP identified:

Type and extent of losses;

- Principles and legal framework applicable for mitigation of losses;
- Entitlement matrix, based on the inventory of loss,
- Provisions for relocation assistance and restoration of businesses/income;
- Budget and institutional framework for the implementation of the Plan
- Monitoring of the RP measures.

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<sup>4</sup> DoR; The Design Standards of Feeder Roads (Third Revision, GON, DoR, 1997)



## **1.7 Methods of Social impact Assessment**

Social impact in the Subproject road has been finalized by conducting a detail field survey, and consultations with stakeholder in different field locations during the month of December 2015 and January 2016. Following methods was applied for SIA.

### **1.7.1 Cadastral Survey**

Cadastral survey of the likely affected land parcels done under the leadership of Cadastral Surveyor from the District Land Survey Office. The Cadastral Surveyor with the knowledge of engineering design identified upgrading requirements and likely areas of land to be acquired. The team pegged the alignment and impact boundaries and verified the affected land areas, assets and structures. The affected lands and other assets were determined at the site and the cadastral surveyors enumerated and measured other affected assets (e.g. structures, trees etc) within the premises of affected land parcels. The cadastral survey revealed that available road width is enough for the road construction. Therefore, additional land is not required for the implementation of the sub project.

### **1.7.2 Assets Inventory**

Inventories of affected assets and affected households were also prepared through field visit. Displaced households were also participated in the process.

### **1.7.3 Socio-economic Information of the affected Persons**

Socio-economic information of the directly project affected households were carried out to assess the key socio-economic indicators of the displaced households like; sources of income and average annual income of the displaced households, vulnerability status of the households, issues related to resettlement impact in the households, and other relevant information and to solicit their suggestion.

### **1.7.4 Consultations**

Qualitative socio-economic information such as; perception about the project, potential benefits and likely negative impacts (especially to vulnerable groups), likely resettlement issues, key issues related to women and children, and other local issues were also assessed during the census survey. Such information were solicited through discussion with the family members of displaced households, local community, representative of local level institutions and political parties, and other key informants (e.g. VDC/ward representatives, significantly displaced persons, women, school teachers etc) individually or in groups.

## 2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### 2.1 Scope of Land Acquisition

The scope of land acquisition has been defined within the Corridor of Impact (Col) 8 meter i.e. 4 m either side of the road. The Subproject requires 7 to 12 meters' Corridor of Impact (Col) for improving the existing road to the standard of intermittent lane for widening and construction works of side drains and retaining walls as necessary. On an average, the available existing width of the road is about 8 to 15 meters. Initially the track road was opened by Food for Work program, RCIW, DRSP and district development committee. (Deed transfer records ref. in **Annex B.1**). Then the road has been widened by Upper Tamakoshi Hydroelectric Project (UTKHEP) for easy transportation of equipment and vehicle. Upper Tamakoshi Hydroelectric project had published notice in national newspaper in 2064/2/26 (2007) refer. **Annex B.2**. The compensation of land 8 to 15 meter road is paid by UTKHEP. The title transfer for compensated land and compensation is almost completed. But some few absentee are not received compensation yet. Based on detail final design of road, cadastral survey team deployed to assess the land required. The available road width is enough for the construction of road components throughout alignment. Therefore, additional land is not required for the implementation of the sub project. However, some temporary houses need to shift during construction period. A letter has been received from district land survey office mentioning no land is required for subproject construction (ref. annex A1) road.

### 2.2 Loss of Structures

The upgrading work in the subproject road affects altogether 10 private structures owned by 9 households. All these structures are constructed after earthquake. The structures are temporary in nature. Of these structures five are residential cum commercial, four residential and one kitchen.

All these 9 structures are falls within the Col with 8 to 10m required to dislocate for the clearance of Col. **Table 2.1** presents the type of structures and their use. **Annex C** provides the inventory of affected structures.

**Table 2.1: Types of Affected Structures**

S.No.	Structure Types	No. of Structures
1	Residential Building	4
3	Residential & Commercial Building	5
8	Kitchen	1
<b>Total</b>		<b>10</b>

Source: Census Survey, December 2015

#### 2.2.1 Affected Structures by Type of Construction Materials

Most of the affected structures have been built with the composition of Stone/Mud/Zink and roof with zink. After the divesting earthquake, their households have been damaged and they are living in temporary structures made by locally available construction materials. (**Table 2.2**).

**Table 2.2: Affected Structures by Type of Construction Materials**

S.No.	Type of Structures	No.
1	Bamboo wood	2
2	Zink	3
3	Stone, mud zink and wood	1
4	Zink and wood	4
<b>Total</b>		<b>9</b>

Source: Census Survey, December 2015

**2.2.2 Ownership Type of the Affected households by Caste/Ethnicity**

Of the total affected structures, a majority of about 66.5% belongs to Barhman/ chhetri. Similarly, 22% owned by Indigenous People (Janajati), 11% are Yadav (Terai based caste) Table 2. 3 summarizes the ownership of affected structures by different caste/ethnic groups

**Table 2.3: Caste/Ethnicity of the Affected Households**

Ethnicity	Total	%
Barman/Chhetri	6	66.67
Thami (IP)	2	22.22
Yadav	1	11.11
<b>Total</b>	<b>9</b>	<b>100.00</b>

Source: Census Survey, December 2015

**2.2.3 Loss of Community Property Resources**

All the efforts were made during the detail design to minimize resettlement impact on the community property resources. In this approach, some of the temples and community structures like *Pati* (structures built for community uses) have been saved through consultation with the local community. However, impact on some of such community assets could not be done. These community properties need to be relocated during the implementation phase in close coordination and collaboration with the local community table 2.4.

**Table 2.4: List of affected structures**

S.N	Location	Building owner	Building type	Loss type
1	Sunkhani -9 Sisgolai	Shiva Temple	RCC frame	Whole part
2	Sunkhani-4 kalika	kalika Temple	Stone mortar	Annex part

Source: Census Survey, December 2015

### 3. SOCIOECONOMIC PROFILE AND INFORMATION

#### 3.1 Profile of the Subproject District

Dolakha lies in Janakpur zone of central development region. The district covers an area of 2191 sq. Km and surrounded by Ramechhap and Solukhumbu district in the east, Ramaechhap and Kavre district in the south and Sindhupalchok in the west, and Tibetan land of china in the north. The total number of households in the district is 9856 with the population of 37647 comprising 49% male and 51% female. The male-female ratio of the district is 95 female per 100 male. The population density is 145 persons per sq.km. The overall literacy rate is 49.87 % out of which the proportion of male literate is 62.3 % and female literate is 38.8 %. The district is divided into 76 Village Development Committees (VDC) and the entire population of the district is rural. **Table 3.1** provides a brief summary on the key demographic profile of Dolakha district.

**Table 3.1: Key Demographic Characteristics of the Subproject District**

S. N.	Key Characteristics	Indicators
1	Area	1,591 sq.m.
2	Number of Village Development Committees	76
3	Number of Municipalities	one
4	Number of Households	9856
5	Total Population	37647
6	Average Household Size	5.4
7	Population Density- per sq.m.	145 person
8	Sex Ratio(females per hundred male)	95
9	Literacy Rate	49.87%
10	Male Literacy	62.3
11	Female Literacy	38.8

Source: National Census 2011

According to the population census, 2011 total population of Dolakha district is 37647 in which the population of male and female is 17580 and 20067 respectively. The figure shows that female population is higher than male population.

**Table 3.2: Demographic composition of Road Alignment VDC's**

S.N	VDC/Municipality	HH	Total	Male	Female
1	Bhimeshwor NP	6076	22537	10489	12048
2	Suspa Kshyamawati	864	3437	1575	1862
3	Sundrawati	677	2766	1322	1444
4	Sunkhani	1194	4675	2131	2544
5	Lamidanda	1045	4232	2063	2169
	<b>Total</b>	<b>9856</b>	<b>37647</b>	<b>17580</b>	<b>20067</b>

Source: Population Census, 2011

### 3.2 Religion and Ethnicity

The project area is of multi-ethnic composition with Kshetri, Tamang, Newar, Brahmin, and Thami as dominant groups. Distribution of this ethnic composition in the ranking order is Chhetri 34.17% followed by Brahmin (16.54 %), Thami (15.47%), Newar (12.41%), Tamang (8.17%), Kami (3.32%), Sarki (2.22%) and remaining 7.70 percent in other groups. Other groups include Sherpa, Sanyasi/Dushnami, Dharmi/Dholi, Magar, Gharti/Bhujel, and Sunuwar who also have remarkable presence within the district. The ethnic composition (%) by VDCs within Dolakha – Singati Road is presented in Table 3.3.

**Table 3.3: Ethnic Composition of Affected Municipality/VDCs**

Municipality/V DC	Total	Caste/Ethnicity wise population														
		Chhetri	Newar	Brahman-Hill	Tamang	Thami	Magar	Kami	Sarki	Sherpa	Gharti/Bhujel	Sanyasi/ Dashnami	Damai/ Dholi	Majhi	Thakuri	Others
Bhimeshwor Municipality	22,537	7608	4300	3000	2807	1357	154	804	573	383	424	107	330	-	101	589
Suspa Kshyamawati	3437	356	36	346	27	2407	24	156	-	42	18	-	11	-	-	14
Sundrawati	2766	291		989		1321		35	23	-	-	-	21	-	61	25
Sunkhani	4675	2308	145	1269	58	187	33	125	237	-	24	-	129	127	-	33
Lamidanda	4232	2300	193	625	184	551		132	-	31	-	-	175	-	-	41
Total	37647	12863	4674	6229	3076	5823	211	1252	833	456	466	107	666	127	162	702
Percent (%)	100	34.17	12.41	16.54	8.17	15.47	0.56	3.32	2.22	1.22	1.24	0.28	1.77	0.34	0.43	1.86

Source: CBS Nepal, 2011

### 3.3 Profile of the Displaced Households

As revealed by the census data, estimated number 47 persons of 9 households will be affected.. The details of affected households and it's demographic structures is given below.

**Table 3.4: Demographic information**

S.N	VDC	HHS	Male	Female	Total	Family Size
1	Lamidada	1	4	3	7	7.0
2	Sundrawati	1	3	2	5	5.0
3	Sunkhani	7	19	16	35	5.0
<b>Total</b>		<b>9</b>	<b>26</b>	<b>21</b>	<b>47</b>	<b>5.2</b>

Source: Census Survey, December 2015

### 3.3.1 Age of Affected Persons

The total population of the census households is 47 with an average household size of 4.7 people per household. Of the total population of displaced households, the proportion of economically active age groups is 55.3% followed by 45 – 60 years persons (17%), age group of 6-16 years (15%), and under five children (6.4%). Details of displaced persons by gender and age group are summarized in Table 3.5.

**Table 3.5: Displaced Persons by Gender and Age Group**

Age Group	Gender			%
	Male	Female	Total	
<5 Years	2	1	3	6.4
6-16 Year	5	2	7	14.9
16-45 Year	13	13	26	55.3
45-60 Year	4	4	8	17.0
>60 Year	2	1	3	6.4
<b>Total</b>	<b>26</b>	<b>21</b>	<b>47</b>	<b>100.0</b>

Source: Census Survey, December 2015

### 3.3.2 Distribution of Displaced Households by Caste/ethnicity

The subproject alignment is residing by the multiethnic groups in terms of caste/ethnicity, hence, it seems heterogeneous in nature. The below (Table 3.6) so that Braman/Chhetri higher caste group are 66.67 percent and followed by IP are 22.22% followed by yadav 11.11%

**Table 3.6: Caste/Ethnic Composition of the Displaced Households Alignment**

S.N.	Caste/Ethnicity	No of HHs	Percent
1	Brahmin, Chettri	6	66.67
2	Indigenous People ( Thami)	2	22.22
3	Yadav ( Terai caste)	1	11.11
<b>Total</b>		<b>9</b>	<b>100.00</b>

Source: Census Survey December 2015

### 3.3.3 Literacy Status of Displaced Population

The overall literacy status of Displaced household reveals that 10% population are illiterate, and 25% can just able to read and write. However, the highest percent 20.5% population of displaced households have been found within class 6-10. The proportion of people obtaining higher education or above bachelor's level has been found none %. Women literacy status is comparatively low in compare to male literacy status. Table 3.7 provides the details.

**Table 3.7: Literacy Status of Affected Population**

S.N	Education	Gender			%
		Male	Female	Total	
1	Literate	4	7	11	25.0
2	Primary	4	1	5	11.4
3	Lower Secondary	6	2	8	18.2

S.N	Education	Gender			%
		Male	Female	Total	
4	Secondary	3	6	9	20.5
5	Higher Secondary	5	1	6	13.6
6	Bachelor			0	0.0
7	Illiterate	2	3	5	11.4
Total		24	20	44	100.0

Source: Census Survey, December 2015

### 3.3.4 Occupational Status of Displaced Population

Among the affected population majority of them are students. Besides them, 21.28% Agriculture, 14.9% business, 12.8% foreign employment, 10.6% labour and 10.64 service sector. (Table 3.8).

**Table 3.8: Occupation of Displaced Population by Sex**

S.N.	Occupation	Number	Percentage
1	Agriculture	10	21.28
2	Service	5	10.64
3	Business	7	14.89
4	Student	14	29.79
5	Foreign Employment	6	12.77
6	Labour	5	10.64
7	Total	47	100.00

Source: Census Survey, December 2015

### 3.3.5 Food Sufficiency of Affected Households

Among the affected household's about 44% have sufficient production for their household consumption. The below table 3.9 shows the food sufficiency level among affected households.

**Table 3.9: Food Sufficiency Level**

S.N	Food Sufficiency Level	HH	Percentage
1	Less than 3 Months	1	11.11
2	3 to 6 Months	2	22.22
3	6 to 9 Months	2	22.22
4	9 to 12 Months	2	22.22
5	Saving	2	22.22
	Total	9	100

### 3.3.6 Vulnerable Households

Of the total households interviewed 9 having affect on their assets, 4 households have been reported to be vulnerable of different categories. Among them, 50.0% falls on below poverty level and Janajati. Tables 3.11 provide the breakdown of affected vulnerable households by type of vulnerable categories.

**Table 3.10: Affected Vulnerable Households**

S.N.	Vulnerable Category	No. of HHs	Percentage
1	Below Poverty Level	2	50.00
3	Janajati	2	50.00
<b>Total</b>		<b>4</b>	<b>100.00</b>

Source: Census Survey, December 2015

**3.3.7 Household Income and the Poverty**

Nepal is one of the poorest countries in the world. Most of the country's population (above 80 %) lives in rural areas where poverty is more prevalent and sever. Poverty incidence in Nepal is high.

The 2010/11 Nepal Living Standard Survey (NLSS-III) shows that although poverty in Nepal has declined between 2003-04 and 2010-11, approximately one-fourth (25%) of Nepalese population are still below the national poverty line as of 2010-11. The rate of poverty reduction is lower in rural areas compared to urban areas. There is also evidence suggesting that the underprivileged social groups are the most impoverished.

**3.3.8 Average Annual Income and Poverty Status of Affected Households**

In line with the CBS criteria, average annual household income of the census households has been assessed in order to estimate the number of BPL households. Foreign Employment and trade/business has been reported as the main source of earning of census households. The other sources of income of the census households are service; followed by labor, rent/pension, livestock selling, agricultural products.

**Table 3.11: Average Annual Household Incomes**

Income Range	No of HHs	%
<50000	0	0.00
50000- 130500	2	22.22
130500- 200000	3	33.33
200000- 300000	3	33.33
300000- 400000	0	0.00
400000- 500000	0	0.00
>500000	1	11.11
<b>Total</b>	<b>9</b>	<b>100.00</b>

Source: Census Survey, December 2015

Based on the CBS criteria of consumption requirement for minimum subsistence, out of 9 census households, 2 fall under the below poverty line.<sup>5</sup> List of the below poverty displaced households.

<sup>5</sup> The poverty status was calculated based on the national poverty line estimated by the CBS Nepal. While calculating the poverty status, first, the average annual household income was calculated. After this, the poverty



## 4. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

### 4.1 Public Consultation

The public consultation was focused to the local communities at different location across the road alignment. Consultation was pursued by informing about the project and answering questions raised by the communities including DPs. With a view to maintain consistencies on the contents of response, an outline of agenda and approach of public consultation was conceptualized in advance (Table 4.1). Collectively, most of the agenda discussed during the public consultation were related to compensation provision and its rate. The consulted people were informed about different aspects of the projects and likely resettlement impacts and mitigation measures. They were also informed about the (i) process of assessing resettlement impacts during the implementation, (ii) process of compensation determination in accordance to the Land Acquisition Act 1977 and provisions of compensation and other assistance made in the entitlement Matrix. The stakeholders involved in community consultation were, local people, DPs and their family members, local representatives of political parties, school teachers, business persons, women, and other vulnerable groups.

### 4.2 Findings of the Public Consultation and Issues Discusses

Among other the Public consultation and disclosure activities have been found effective on several issues like: (i) disseminating project related information to the local communities, DPs, and other stakeholders, (ii) informing about the likely resettlement impacts and measures to be adopted to avoid/minimize such impacts, (iii) to inform about the provision and process of acquisition, compensation, rehabilitation and relocation (as applicable). It is also found fruitful on assessing local communities' perception, expectation, and suggestions related to the project. Collectively, the result of stakeholder consultation was found to be positive. Some of the key focuses and feedbacks from the community have been summarized in Table.

**Table 4.1: Key Focus and Feedbacks of Community Consultation**

Focuses	Feedbacks
<ul style="list-style-type: none"> <li>On ensuring the accountability of census data of affected assets and DPs, and effective RP implementation</li> </ul>	<ul style="list-style-type: none"> <li>The verification of RP need to be carried out with the presence of relevant representatives (land surveyor, resettlement specialist of the project, engineers, local communities and DPs)</li> <li>Responsible staff and team willing to stay in the field having adequate knowledge about the social and resettlement issues in the rural context need to</li> </ul>

line was measured by converting the average household income into per capita income required for BMN based on the average family size. Then the households are having less than NRs 10,875 per households monthly income is determined as below poverty households.

Focuses	Feedbacks
	be mobilized to implement RP <ul style="list-style-type: none"> <li>Information on the absentee DPs and their affected assets should also be included during the RP implementation</li> </ul>
<ul style="list-style-type: none"> <li>There are number of public structures throughout the Subproject road alignment. Temple, are located along the side of existing road likely to be affected. Hence, to protect these public structures, adequate attention of the project authorities is extremely needed.</li> </ul>	<ul style="list-style-type: none"> <li>Adequate efforts needs to be made during the construction phase to protect the Temples, CFUG building Police check post, and remaining other public utilities like drinking water tap stand irrigation canal etc are located along the side of existing road likely to be affected.</li> </ul>
<ul style="list-style-type: none"> <li>If public structures are likely to be affected within the formation width either side, such structures should be relocated in a convenient places as requested by the local community.</li> </ul>	<ul style="list-style-type: none"> <li>During construction special attention should be paid by PIC regarding the likely affected structures within the COI should be relocated in convenient places as suggested by the local community.</li> </ul>
<ul style="list-style-type: none"> <li>On ensuring effective compensation distribution if extra land will be affected at present design</li> </ul>	<ul style="list-style-type: none"> <li>Local communities including DPs/ community based organization and local land surveyor need to be involved for effective implementation of resettlement activities in the construction phase.</li> </ul>

### 4.3 Disclosure of RP

The project Implement Unit (PIU) will carry out following disclosure activities in order to ensure transparency and active involvement of DPs and other relevant stakeholders in resettlement planning, and implementation process:

- The draft resettlement plan with summary will be uploaded in the website of Executing Agency (EA) and updated in accordance to revision; and
- A copy of approved RP will be officially submitted to ADB to upload in ADB web.
- A summary updated resettlement plan and entitlement matrix will be (translated into Nepali language) will be disclosed to the DPs, local community and other relevant agencies at project district during the implementation once it get finalized. During implementation phase, the assigned social mobilizer will make necessary efforts to deliver/disclose the required information through local language as far as possible. Similarly, the social mobilizer also verbally read out to the DPs during consultations.

### 4.4 Cut-off Date

In the case of land acquisition, the date of publication of preliminary notification for acquisition as provisioned by Land Acquisition Act 1977 will be treated as the cut-off date. For the non-titleholders such as squatters and encroachers, the cut-off date is the date of project census completed for this RP (December 2015)

## 5. GRIEVANCES REDRESS MECHANISM

The objective the grievance redress mechanism (GRM) is to resolve complaints as quickly as possible and at the local level through a process of conciliation; and, if that is not possible, to provide clear and transparent procedures for appeal. A well-defined grievance redress and resolution mechanism will be established to resolve grievances and complaints in a timely and satisfactory manner. All affected persons will be made fully aware of their rights, and the detailed grievance redress procedures will be publicized through an effective public information campaign. The grievance redress process includes four levels:

**First level of GRM:** The first level and most accessible and immediate contact for the fastest resolve of grievances are the contractors, and design and supervision consultants on site. Prior to construction of any works, the PIU and PIC will ensure local community meetings are held to notify local residents and businesses of any temporary disturbances, and to inform them of the Project. If a Local Area Committee (LAC) exists in the area, they should also be informed. If any complaints arise, the contractors, consultants, and DIU can immediately resolve the complaint on site. The PIU/PIC can also be involved in grievance redress at this stage. The PIU and PIC office phone number will be posted in public areas within the subproject areas and construction sites. Any person with a grievance related to the project works can contact the project to file a complaint. The PIC offices will have a safeguards focal person to field and resolve complaints. The safeguards (environment and resettlement) focal person will document the complaint, and immediately address and resolve the issue with the contractor within 1-2 days, if the complaint remains unresolved at the field level. The PIC may seek the assistance of the consultant safeguards specialists (the environmental specialist or social safeguards specialist) to resolve the issue. The PIC safeguards focal person will notify the PIU safeguards focal person that a complaint was received, and whether it was resolved. The PIC safeguards focal person will fully document the following information: (i) name of the person; (ii) date complaint was received; (iii) nature of complaint; (iv) location, and (v) how the complaint was resolved.

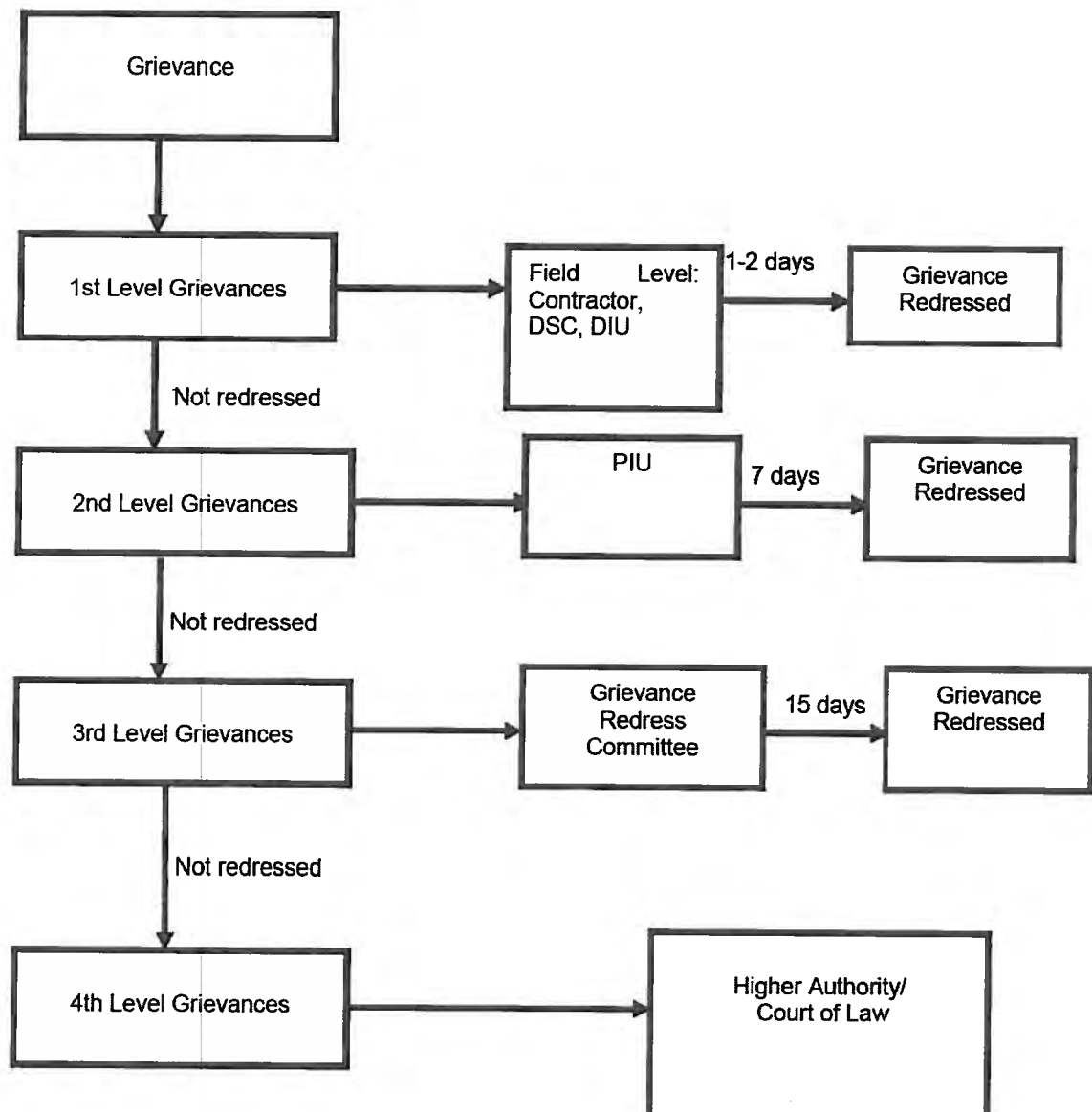
**Second level of GRM:** Should the grievance remain unresolved; the PIC/DIU will forward the complaint to the PIU safeguards focal person. The person filing the grievance will be notified by PIC safeguards focal person that the grievance was forwarded to the PIU safeguards focal person. The PIU will address the grievance. Grievances will be resolved through continuous interactions with affected persons, and the PIU will answer queries and resolve grievances regarding various issues including environmental or social impacts. Corrective measures will be undertaken at the field level by the PIU safeguards focal person within 7 days. He/she will fully document the following information: (i) name of the person; (ii) date complaint was received; (iii) nature of complaint; (iv) location and (v) how the complaint was resolved.

**Third level of GRM:** Should the grievance remain unresolved, the PIU's project director will activate the third level of the GRM by referring the issue (with written documentation) to a Grievance Redress Committee (GRC) constituted by the EA, which will, based on review of the grievances, address them in consultation with the PMU, PIU, DIU, and affected persons. The GRC will consist of PMU leadership, affected persons, and local area committee, among others—determined to provide impartial, balanced views on any issues. The GRC should consist of at least five persons. A hearing will be called with the GRC, if necessary,

where the affected person can present his/her concern and issues. The process will promote conflict resolution through mediation. The GRC will meet as necessary when there are grievances to be addressed. The GRC will suggest corrective measures at the field level and assign clear responsibilities for implementing its decision within 15 days. The functions of the GRC are as follows: (i) to provide support to affected persons on problems arising from environmental or social disruption, asset acquisition (where required), and eligibility for entitlements, compensation, and assistance; (ii) to record grievances of affected persons, categorize and prioritize them, and provide solutions within 15 days; and (iii) to report to the aggrieved parties developments regarding their grievances and decisions of the GRC. The PMU safeguards focal person will be responsible for processing and placing all papers before the GRC, recording decisions, issuing minutes of the meetings, and taking follow-up action to see that formal orders are issued and the decisions carried out.

Fourth level of GRM: In the event that a grievance is not addressed by the contractor, CSC, PIC, PIU or GRC, the affected person can seek legal redress of the grievance in the appropriate courts, the fourth level of the GRM, which is the formal legal court system. The GRM however does not prevent affected persons from seeking legal redress at any time. The grievance redress mechanism and procedure is depicted in Figure 1.

**Figure 2: Grievance Redress Mechanism**



Note: CSC-Design and Supervision Consultant, PIU=Project Implementation Unit

## **6. OBJECTIVES, POLICY FRAMEWORK, AND ENTITLEMENTS**

### **6.1 Government of Nepal Laws**

#### **6.1.1 Resettlement Policies and Acts**

The Land Acquisition Act, 2034 (1977) is the core legal document on land acquisition and resettlement activities in Nepal. There is provision in Clause 3 of the Act to acquire land for any public purpose, subject to award of compensation. According to Clause 4, institutions seeking land acquisition may also request the Government of Nepal to acquire land under regular provisions, subject to compensation by such institutions. Clause 27 of the Act provides for land acquisition through negotiation with the plot owners, where all processes specified in the Act is not required.

The Land Reform Act 2021 (1964) establishes a tiller's right to land he is tilling. The Land Reform Act (LRA) additionally specifies the compensation entitlements of registered tenants on land sold by the owner or acquired for development purposes. The most recent Act Amendment (2001) established a rule that when the State acquires land under tenancy, the tenant and the landlord will each be entitled to 50% of the total compensation amount. Tenants are verified through a record of tenancy at the Land Revenue Office.

#### **6.2 ADB Safeguard Policy Statement (2009)**

The objectives of ADB's Safeguards Policy Statement, 2009 (SPS) with regard to involuntary resettlement are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

ADB's SPS covers permanent and temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. The SPS covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations (NGOs). Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the

poverty line, the landless, the elderly, women and children, and indigenous people, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by social preparation.

- (iii) Prove, or at least restore, the livelihoods of all displaced persons through (a) land-based resettlement strategies when affected livelihoods are land-based, or cash compensation at replacement value for land when the loss of land does not undermine livelihoods; (b) prompt replacement of assets with access to assets of equal or higher value; (c) prompt compensation at full replacement cost for assets that cannot be restored; and (d) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (a) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, economic and social integration of resettled persons into their host communities, and extension of project benefits to host communities; (b) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (c) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas, provide them with legal and affordable access to land and resources, and in urban areas, provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement, to ensure that people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.

- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of the project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.

Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

### 6.3 Gap Filling Between ADB and Government of Nepal Policies

#### 6.3.1 Resettlement

The Government of Nepal's legal frameworks and ADB's SPS share the following:

- (i) Both permanent and temporary involuntary resettlement shall be avoided to the extent possible or minimized where feasible, exploring all viable alternative project designs.
- (ii) Where displacement is unavoidable, people losing assets, livelihood, or other resources shall be assisted in improving status at no cost to them.

There are certain differences as shown in **Table 6.1**, and where different, ADB's SPS will be applied for subprojects.

**Table 6.1: Key Difference between ADB Policy and Government of Nepal Legal Framework**

ADB Policy	Government of Nepal Legal Framework
Compensation for assets regardless of legal ownership.	Legal ownership is required for compensation eligibility; however, tenants registered with the Land Revenue Office are also recognized.
Compensation to all affected persons regardless of tenure for all affected	Encroachers are not entitled to compensation.
Compensation for affected assets at replacement cost.	Compensation is to be determined by the Compensation Fixation Committee to be formed under the Chief District Officer which may not be replacement

#### 6.4 Resettlement Principles and Assistance for the Proposed Project

The Project has prepared this resettlement framework, laying out the purpose, principles, and procedures to be used in the planning, updating and implementation of resettlement for any subproject with resettlement impacts



### **6.4.1 Objectives**

The overall objective of the project resettlement policy is to ensure that all persons affected by the Project are able to maintain and, preferably, improve their pre-project living standards and income-earning capacity by providing compensation for the loss of physical and non-physical assets and, as required, other assistance and rehabilitation measures to reestablish affected livelihood

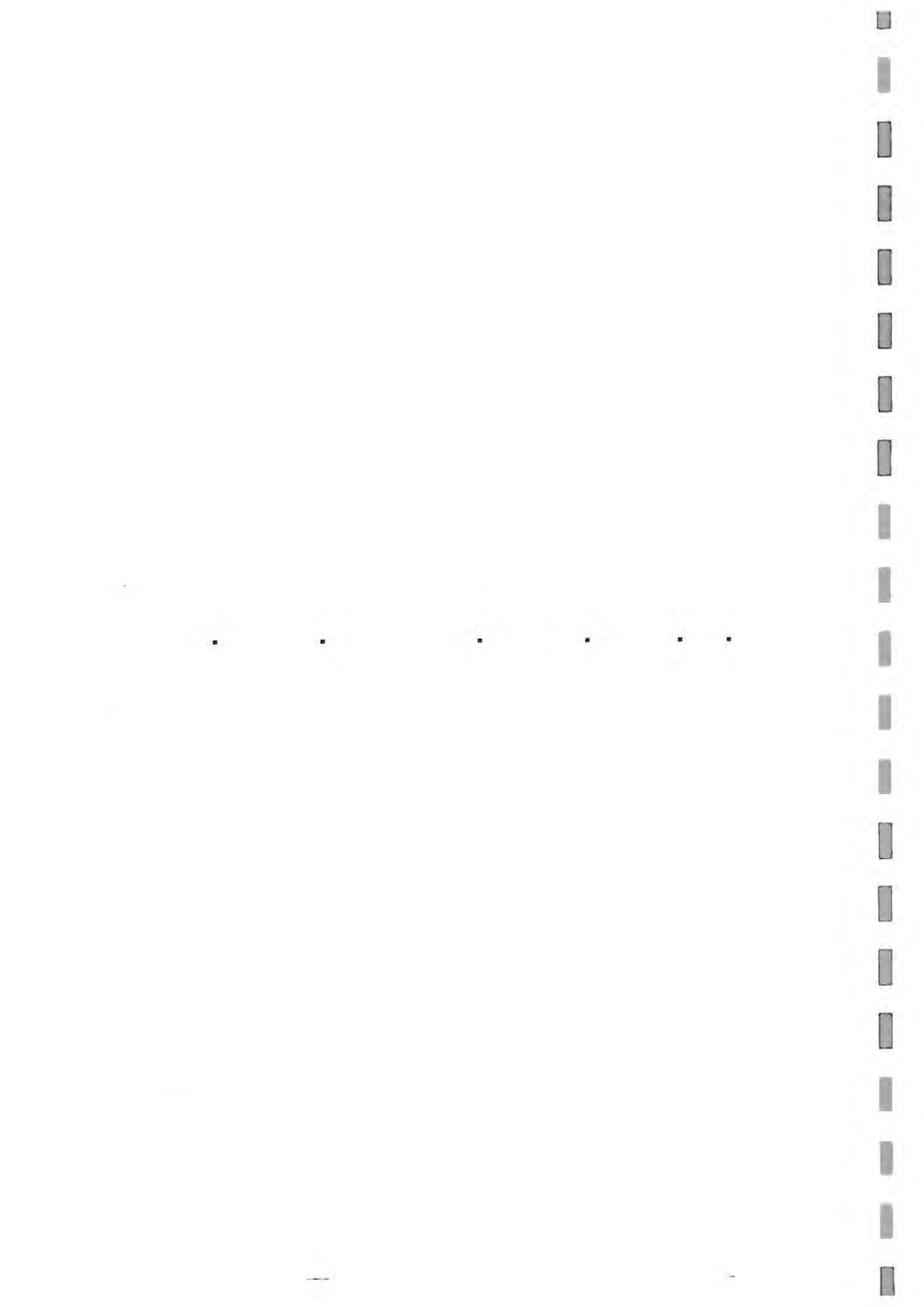
### **6.5 Resettlement Principles**

In support of the resettlement policy objective, the following principles have been adopted for the Project:

- Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative construction methodology during rehabilitation.
- Affected households residing, working, doing business and/or cultivating land within the subproject impacted areas during the conduct of the IOL, to be validated or updated during the DMS, are entitled to be compensated. Compensation will be provided for lost assets, incomes and businesses at market prices, and depending on the severity of impact on their livelihood and income capacity, affected persons will be provided with rehabilitation assistance to improve or restore their pre-project living standards, income-earning capacity and production levels
- Affected households will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that may discriminate against achievement of the resettlement objectives. Lack of formal legal title or rights will not be a barrier to eligibility for compensation and assistance under the Project
- Affected households in a particular subproject will be fully consulted and given the opportunity to participate in decisions that may have adverse impacts on their lives during detailed design, implementation, and operation of the subproject. Development of plans for the acquisition of land and other assets will be carried out in consultation with the affected households who will receive prior information of the compensation, relocation and other assistance available to them
- All acquisition of, or restriction on access to, resources owned or managed by the Affected households as common property, e.g., communal forest, communal farm, will be mitigated by arrangements that will ensure access of those affected households to equivalent resources on a continuing basis.
- There will be no deductions in compensation payments for land, structures or other affected assets for salvage value, depreciation, taxes, stamp duties, fees or other payments.
- Shop owners and operators will be allowed to construct replacement for their stalls before demolishing the existing ones in order to minimize, if not avoid, loss of income arising from the disruption of business operation
- If ownership over any affected asset is under dispute, the compensation for the assets will be held in a court designated bank until its lawful owner is decided by competent legal authorities.

- Affected households that lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living. The minimum size of remaining land and structures will be agreed during the resettlement planning process.
- Temporarily affected land and common property infrastructure will be restored to pre-project conditions
- Effective mechanisms for hearing and resolving grievances during the planning, updating, and implementation of the resettlement plan for any subproject will be established and made known to all affected person
- Existing cultural and religious practices will be respected and, to the maximum extent possible, preserved
- Special measures will be incorporated in the each resettlement plan to protect socially and economically vulnerable groups at risk of impoverishment, such as women-headed households, disabled-headed households, landless households, children and elderly people without support structures, and people living in poverty. Appropriate assistance will be provided to help them improve their socio- economic status
- Adequate resources will be identified and committed during the preparation of the resettlement plan of any subproject. This includes adequate budgetary support fully committed and made available to cover the costs of land acquisition, compensation, resettlement and rehabilitation within the agreed implementation period for the subproject; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities
- Appropriate reporting, monitoring, and evaluation mechanisms will be established as part of the resettlement management system. Monitoring and evaluation of the land acquisition, resettlement, and rehabilitation processes and the final outcomes will be conducted by an independent external monitoring organization
- The resettlement plan or an appropriate summary for any subproject will be translated into local language and placed in local government offices for the reference of affected households
- ADB will not approve any civil works contract to be financed from the loan proceeds for any given geographic location, subproject, component or section unless the Government has satisfactorily completed, for that given location, subproject, component or section, payment of compensation for affected assets and any relocation to new sites, in accordance with the approved resettlement plan. Rehabilitation measures must also be in place but not necessarily completed, as these may be ongoing activities
- Cash compensation or replacement land for affected households losing entire residential land that are covered with titles and other recognized proof of ownership, or home plot in a group relocation site or individual sites for landless affected households needing to move, will be made available ahead of implementation of civil works to allow the affected households sufficient lead time to reconstruct their houses
- No demolition of assets and/or entry to properties will be done until the affected household is fully compensated and relocated

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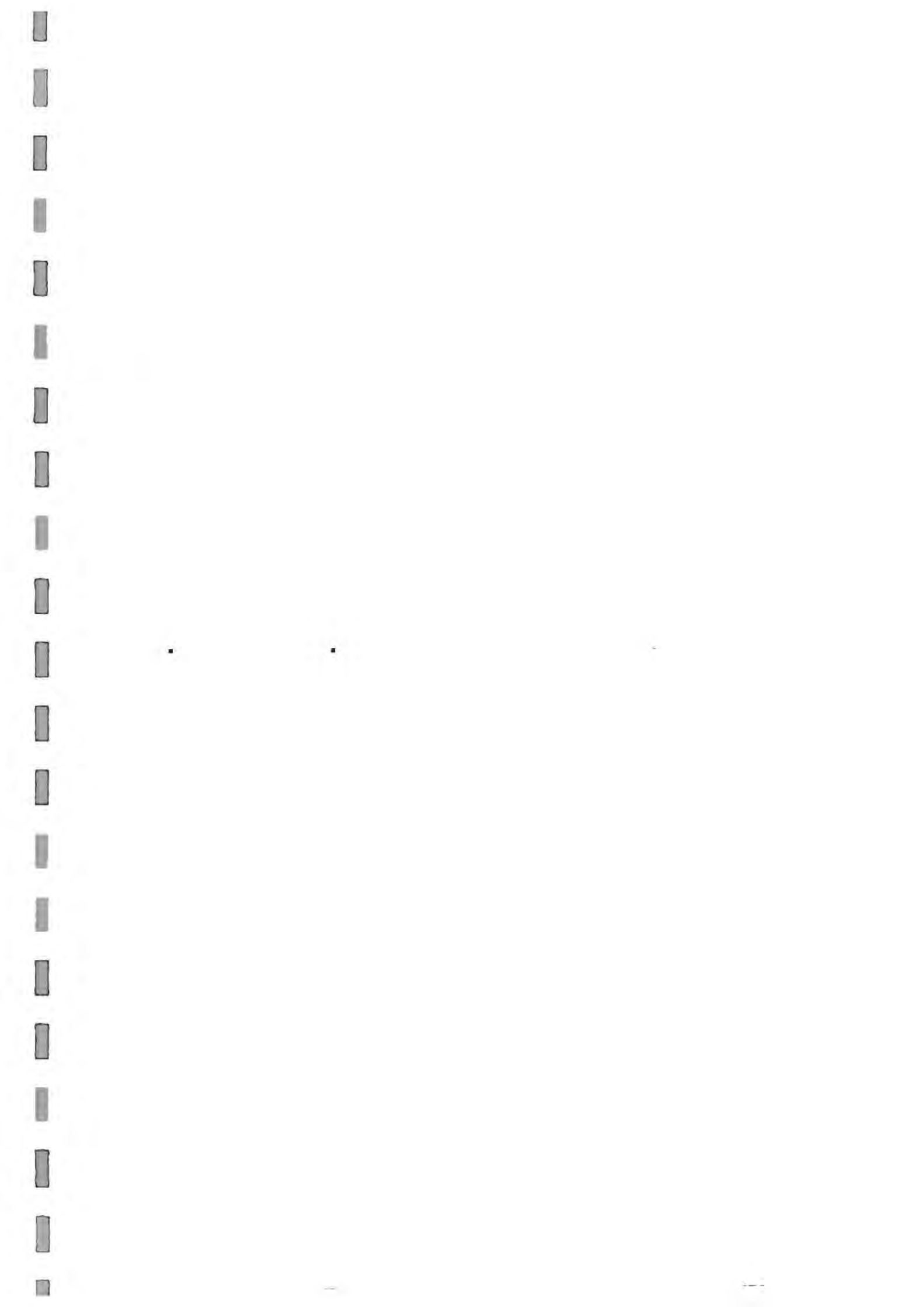
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S.N.	Description of Tasks	Quantity	Rate (NRs.)	Estimated Costs (NRs.)
	Verification			
8	Sub-total (1-7)	-	-	870,000
			10%	87000
				<b>957,000.00</b>

Source: Census Survey, December 2015

### 10.2.1 Summary of Compensation and Resettlement Costs

The summary of resettlement implementation cost includes all the expenses required to compensate for the affected assets including rehabilitation/relocation costs and other financial assistance (Table 10.3). The summary cost also contains additional twenty percent contingency amounts,

### 10.3 Budget and Financing

The costs of resettlement for subprojects is calculated based on (i) the IOL and the DMS, (ii) the entitlements set out in the entitlement matrix of this resettlement framework, and (iii) replacement costs. A contingency of 20% has been included in these cost estimates to be used as required during implementation of the resettlement plan.. All costs for subproject resettlement, including compensation and allowances, operation and administration costs, surveys, monitoring and reporting, and income restoration will be financed by the Government as counterpart funds.

**Table 10.3: Summary of Resettlement Budget and Cost Estimate**

S. N.	Cost Item	Unit	Quantity	Amount (NRS)
1	Estimated compensation for shifting, transportation allowance for structures	9	Lum sum	345,000.00
2	RP implementation Cost all cost	Lump sum		957,000.00
<b>Total</b>				<b>1,302,000.00</b>
<b>20% contingency</b>				<b>260,400.00</b>
<b>Total RP Cost (NRs.)</b>				<b>1562,400.00</b>
<b>US \$ @107 (15 March 2016)</b>				<b>14,601.87</b>

## **11 INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION**

### **11.1 Project Management Unit (PMU)**

The National Reconstruction Authority (NRA) is the Executing Agency (EA) for the Project. A Project Management Unit (PMU) will be formed at the Implementing Agency (IA). The PMU will coordinate social safeguards planning and implementation and ensure that the resettlement framework is followed during subproject implementation. The PMU will be assisted by PMC. Consultants will include a Resettlement Specialist engaged during project implementation. The PMU assisted by PMC will:

- (i) Review and approve resettlement plans, ensuring that the resettlement plans are consistent with ADB's SPS, the resettlement framework, and the loan agreement;
- (ii) Endorse resettlement plans to ADB for review and concurrence;
- (iii) DOR/PIC/PIUs on their tasks relative to developing, updating, and implementing resettlement plans;
- (iv) Secure the budget for carrying out resettlement plans, ensuring that funds are available in a timely manner and in sufficient amounts;
- (v) Approve all disbursements connected with the implementation of the resettlement plans, such as payment of compensation and other entitlements, operational expenses of personnel, etc.;
- (vi) Ensure that funds for resettlement are spent judiciously; and
- (vii) Monitor the implementation of the resettlement plan, ensuring that this is carried out in compliance with the project resettlement principles, the resettlement framework, and with loan agreement.

### **11.2 Project Implementation Units**

The implementing agencies DoR will form PIU under PD. CSC will assist the PIUs. Consultants will include Resettlement Specialists engaged during project implementation.

The PIU and PIC tasks include the following:

- (i) Undertake involuntary resettlement screening and classification of subprojects for submission to PMU and ADB;
- (ii) Prepare the RP and submit to PMU and ADB for review;
- (iii) Secure the approval of the resettlement plan from PMU and concurrence from ADB;
- (iv) Secure prior approval by PMU and concurrence from ADB for any variations in approved resettlement plans;
- (v) Secure the data base of affected households and assets gathered during the preparation and updating of the resettlement plan;
- (vi) Ensure all government requirements are complied with;
- (vii) Facilitate a sustained public information campaign, ensuring that the public, especially the affected households, are updated on any developments regarding the

Project and resettlement activities;

- (viii) Lead the DMS and updated census of affected persons, including the updating of the rates used in calculating compensation and other entitlements to reflect prevailing market rates at the time of compensation;
- (ix) Lead the selection, acquisition, and preparation of replacement plots if required, including the preparation of a coordinated schedule of delivery of compensation and other entitlements, the relocation of people, harvesting of standing crops, and the start of civil works in a particular section of the subproject;
- (x) Lead the delivery of compensation and other entitlements to the affected households;
- (xi) Receive and act on the complaints and grievances of affected households in accordance with the project resettlement principles and the resettlement framework; and
- (xii) Maintain a record of all public meetings, grievances, and actions taken to address complaints and grievances.
- (xiii) Monitor and prepare progress reports on resettlement plan implementation.

### **11.3 Construction and Supervision Consultants (CSCs)**

The CSCs together with the PIU, will assist in developing and updating resettlement plans through the conduct of the DMS in a participatory and transparent way and consistent with the project resettlement principles and the resettlement framework. Once approved by the PMU and reviewed and concurred by ADB, the (Construction and Supervision Consultant) CSC will provide technical advice in the implementation of the approved resettlement plan. The CSC will likewise provide capacity-building orientation and skills training, as needed, to concerned personnel of the PIU

Together with the PIU and CSC will supervise civil works activities to ensure that the contractors adhere with the terms of their contract relative to avoiding and/or minimizing resettlement impacts, in addition to ensuring that contractors provide the necessary compensation and/or assistance to the affected households prior to and/or during construction activities. The SC will assist the PIU in regular monitoring of resettlement plan implementation.

## 12 RP IMPLEMENTATION SCHEDULE AND ACTIVITIES

### 12.1 Implementation Schedule

As per the draft detail design report (submitted on January 2016), the Subproject has been planned to implement from the beginning of April 2016. The procurement of civil works contractor and Construction Supervision Contractor (CSC) will be carried out in 2016. The RP implementation activities expected to start from May 2016 and to conclude July 2018. The RP implementation activities mainly consist the tasks of compensation distribution and associated rehabilitation and resettlement activities. **Table 12.1** provides tentative RP implementation schedule of the Subproject. The timeframe is based on the overall project implementation schedule included in draft detail technical report and will be updated in accordance to the changes likely to be made in the project implementation plan.



Table 12.1: Resettlement plan implementation schedule

Resettlement Action Plan Implementation Schedule																											
Year 2016 to 2018																											
S.N.	Action	Responsibility	January				February				March				April				May				June				
			1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
1	Fixed Cut -off date	DoR/PID																									
2	Census Survey of land and structures	DoR/PID/PIU/PICTPPF-2																									
3	Preparation of RAP	Consultant																									
4	Submission draft RP to ADB	Consultant																									
5	Submission final RP to ADB	DoR/PD																									
6	ADB approved RP	ADB																									
7	Organize CDC and DDC/ UTKHEP joint meeting	PD/DoR/PIC/UTKHEP/CSC																									
8	Assistance distribution	DOR/Division Road / UTKHEP																									
9	Monitoring	DoR/PIC/ Consultant																									

UTKHEP: Upper Tamakoshi Hydroelectric Project

\*RP Implementation activities continuous till June 2018

### 13. MONITORING AND REPORTING

The PID through CSC will conduct regular monitoring and evaluation of the updating and implementation of the resettlement plan. Monitoring and evaluation is intended to help ensure that the resettlement plan is prepared and implemented according to the resettlement framework. The following key indicators will be monitored periodically by PIUs (further suggested monitoring indicators are in table 13.1 and Annex E):

- (i) Compensation and entitlements are computed at rates and procedures as provided in the approved resettlement plan;
- (ii) Affected households are paid as per agreement with project authorities;
- (iii) Public information, public consultation and grievance redress procedures are followed as described in the approved resettlement plan;
- (iv) Public facilities and infrastructure affected by the Project are restored promptly; and,
- (v) The transition between resettlement and civil works is smooth.

The CSC will prepare quarter progress reports on resettlement activities and submit to the PIU, and Subproject office, on the basis of CSC monthly report and field level monitoring will PIU. The EA consolidates the internal reporting and submits the reports to ADB semi-annually. .

The PID as the Project is external monitor who will carry out external monitoring and post-implementation evaluation. Suggested indicators for verification are in Appendix 5 The PID will provide the executing agency and ADB a copy of its semi-annual monitoring reports. The PID will likewise conduct post-resettlement plan implementation evaluation study after one year following the completion of resettlement

#### 13.1 Monitoring and Reporting Need

DoR will hold overall responsibility for the implementation of compensation and resettlement measures, and for associated monitoring and reporting activities. It will be coordinated by the Construction and Supervision Consultant (CSC) involves concerned stakeholders and project affected communities and as well as external agencies.

Monitoring and Reporting (M&R) is the tools for ensuring effective RP implementation. The RP implementation activities need to be monitored in different stages of project cycle. The frequency and nature of monitoring and reporting may varies in different phases.

Resettlement Plan (RP) implementation is a set of long-term activities that need to be carried out based on technical norms, legal process, and administrative steps with the involvement of different stakeholders including local community and DPs. Appropriate combination and coherence is essential between these elements for the successful implementation of RP. Monitoring and Reporting (M&R) plays a crucial role on stimulating different facets related to RP implementation as well as to provide appropriate back-up support. Monitoring and reporting through its periodic assessment and reporting with planned activities facilitates on obtaining necessary feedbacks for effective and timely implementation of RP.

The overall aim of the monitoring programme will be to measure the extent to which the goals of the RP have been achieved. This will be achieved through two broad components:

- performance monitoring;
- impact monitoring; and Indicators (the variables used to measure progress toward the goals of the RP) and targets (the quantified levels of the indicators to be achieved at a given point in time) will be established in consultation with affected communities and other key stakeholders. The following range of indicators will be established:
  - input indicators (to measure the financial, physical and human resources allocated for the attainment of resettlement and livelihood restoration goals);
  - output indicators (to measure the services/goods and activities produced by the inputs; e.g., compensation disbursements for acquired assets, and the construction of replacement services/facilities);
  - outcome indicators (to measure the extent to which the outputs are accessible and used, and the levels of satisfaction with services and activities produced by the inputs. e.g. the ways in which compensation was used by recipients, and changing local attitudes to project implementation);
  - impact indicators (to measure the key dimensions of livelihood restoration so as to determine whether the goals of the RP have been achieved; e.g., restoration and diversification of income levels across different social categories, the sustainability of income-generating activities and changes in literacy levels); and
  - process indicators (to measure and assess implementation processes; e.g., the functioning of liaison/participation structures, the levels of representation of different social categories and the processes by which conflicts and disputes are resolved)

### **13.2 Monitoring in the Subproject**

The RP implementation activities implemented by Construction and Supervision Consultant (CSC) will be monitored on a regular basis both through (i) Internal Monitoring,. The internal monitoring report will be submitted to ADB semi-annually.

#### **13.2.1 Internal Monitoring**

Project Implementation Unit (PIU) with the support of Subproject Office (SPO) and Construction Supervision Consultant (CSC) will oversee and monitor the field level activities. The CSC will maintain records of all transactions in their Management Information System (MIS), followed by entitlement records, payment records signed by DPs and survey based monitoring of RP implementation progress on a monthly basis. Based on the record maintained by CSC office, the PM in the Subproject Office (SPO) will regularly monitor the RP implementation progress and report to PIU on quarterly basis. Among others, the internal monitoring will ensure:

- Verification that there are no outstanding or unresolved land acquisition issues with respect to the project and that property valuation and economic rehabilitation has been carried out in accordance with the provisions of the plan;
- Ensure the completion of information campaign and consultation with DPs;
- Progress on compensation payment;
- Value of entitlement received is equal to that of original approved cost;
- Payment for all types of impact and losses;

- Use of entitlement and check its misuse;
- Status of relocation, if applicable;
- Ensure all economic rehabilitation measures are implemented, as approved;
- Effective operation of the Grievance Redress Committees both a Subproject and community level;
- Funds for implementing land acquisition and economic rehabilitation activities are available in a timely manner, sufficient for the purposes, and are spent in accordance with the plan.

The SPO will also be responsible for monitoring the day-to-day resettlement activities carried out by the CSC and field monitoring. Baseline socioeconomic and census data provides necessary benchmark for field level monitoring. The field level monitoring will be carried out through:

- Review of census information of DPs;
- Consultation and informal interviews with DPs;
- In-depth case studies;
- Informal sample survey of DPs;
- Key informant interview; and
- Community public meetings

The central level GESU under the DoR will also carry out internal monitoring. Among others, the GESU monitoring will also be focused on process monitoring. This will be supportive to GESU to be familiar about the RP implementation processes and on establishing a RP implementation and monitoring parameter within the department. Some of the key indicators applicable for process monitoring are given in **Table 13.1. Monitoring verification indicators is attached Annex F.**

**Table 13.1: Key Indicators for Process Monitoring**

Monitoring Indicator	Basis for Indicator
Basic information on displaced persons' households  (Gender disaggregated data essential for all aspects)	<input type="checkbox"/> Location of the project <input type="checkbox"/> Composition and structure, ages, educational, and skill levels <input type="checkbox"/> Gender of household head <input type="checkbox"/> Ethnic group <input type="checkbox"/> Access to health, education, utilities, and other social services <input type="checkbox"/> Housing type <input type="checkbox"/> Land and other resource-owning and resource-using patterns <input type="checkbox"/> Occupations and employment patterns <input type="checkbox"/> Income sources and levels <input type="checkbox"/> Agricultural production data (for rural households) <input type="checkbox"/> Participation in neighborhood or community groups <input type="checkbox"/> Access to cultural sites and events <input type="checkbox"/> Valuation of all assets
Restoration of living standards	<input type="checkbox"/> Were house compensation payments made free of depreciation, fees, or transfer costs to the displaced persons? <input type="checkbox"/> Have displaced persons adopted the housing options developed? <input type="checkbox"/> Have perceptions of community been restored? <input type="checkbox"/> Have displaced persons achieved replacement of key social and cultural elements?
Restoration of	<input type="checkbox"/> Were compensation payments free of deductions for depreciation, fees, or transfer costs to the displaced persons?

Monitoring Indicator	Basis for Indicator
livelihoods  (Disaggregate data for displaced persons moving to group resettlement sites, self-relocating displaced persons, displaced persons with enterprises affected.)	<input type="checkbox"/> Were compensation payments sufficient to replace lost assets? <input type="checkbox"/> Was sufficient replacement land available of suitable standard? <input type="checkbox"/> Did income substitution allow for reestablishment of enterprises and production? <input type="checkbox"/> Have affected enterprises received sufficient assistance to reestablish themselves? <input type="checkbox"/> Have vulnerable groups been provided income-earning opportunities? <input type="checkbox"/> Are these opportunities effective and sustainable? <input type="checkbox"/> Do jobs provided restore pre-project income levels and living standards?
Levels of displaced persons' satisfaction	<input type="checkbox"/> How much do the displaced persons know about resettlement procedures and entitlements? <input type="checkbox"/> Do the displaced persons know their entitlements? <input type="checkbox"/> Do they know whether these have been met? <input type="checkbox"/> How do the displaced persons assess the extent to which their own living standards and livelihoods have been restored? <input type="checkbox"/> How much do the displaced persons know about grievance procedures and conflict resolution procedures?
Effectiveness of resettlement planning	<input type="checkbox"/> Were the displaced persons and their assets correctly enumerated? <input type="checkbox"/> Was the time frame and budget sufficient to meet objectives, were there institutional constraints? <input type="checkbox"/> Were entitlements too generous? <input type="checkbox"/> Were vulnerable groups identified and assisted? <input type="checkbox"/> How did resettlement implementers deal with unforeseen problems?

