

Due Diligence Report–Social Safeguards

May 2017

NEP: Regional Urban Development Project

Development of Integrated Waste Processing Site in
Attariya Municipality

Prepared by Project Coordination Office (PCO), Department of Urban Development Building and Construction (DUDBC), Ministry of Urban Development (MOUD), Government of Nepal for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 01 March 2017)

Currency Unit	=	Nepalese Rupee (NPR)
NRp1.00	=	\$ 0.00937
\$1.00	=	NPR 106.75000

ABBREVIATIONS

ADB	=	Asian Development Bank
BPL	=	below poverty level
CBO	=	community-based organizations
CDC	=	compensation determination committee
CDO	=	chief district officer
CFC	=	compensation fixation committee
CPR	=	community property resource
DDC	=	district development committee
DOR	=	Department of Roads
DSC	=	design and supervision consultants
DUDBC	=	Department of Urban Development and Building Construction
GON	=	Government of Nepal
GRC	=	grievance redress committee
Ha	=	hectares
LA Act	=	Land Acquisition Act
MOPPW	=	Ministry of Physical Planning and Works
NGO	=	non-government organizations
NRs	=	Nepalese Rupees
PCO	=	project coordination office
PIU	=	project implementation unit
PCO	=	project coordination office
PMSC	=	project management and support consultant
PLI	=	poverty level income
PPTA	=	project preparatory technical assistance
PSA	=	poverty and social assessment
RP/IPP	=	resettlement plan
RPIU	=	regional project implementation unit
R&R	=	resettlement and rehabilitation
ToR	=	terms of reference
WHH	=	women headed households
VDC	=	village development committee

WEIGHTS AND MEASURES

sq.m	=	square meter
cum	=	cubic meter
km	=	kilometer
mm	=	millimeter
Ropani	=	Size of land parcel; 1 ropani= 16 anna (0.509ha)-508.72 sq.m
Anna	=	Size of land parcle; 1 anna= 4 paisa (0.0509ha)
Paisa	=	Size of land parcle; 1 paisa= 4 dam = 31.80 sq.m
Dam	=	Size of land parcle; 1 dam= 1.99 sq.m
Bigha	=	Size of land parcle; 1 bigha= 20 katha (0.678ha)
Crore	=	10 million (= 100lakh)
Dhur	=	Size of land parcle; 1dhur= 0.0017ha
Katha	=	Size of land parcle; 1 katha= 20 paisa (0.0339ha)
Kucchi	=	Temporary structure e.g. a rural hut made of wood, bamboo or stone with mud mortat and a thatched roof
Lakh, lac	=	100,000
Pukka	=	Structure (house/ building) with permanent roofing made of RCC/ RBC
Semi-pukka	=	House or building made of stone with mud mortar and clay, timber, slate or corrugated iron roofing

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I. INTRODUCTION

1. The Government of Nepal has requested financial assistance from the Asian Development Bank (ADB) for the Regional Urban Development Project (RUDP) in line with the Government of Nepal as well as ADB's urban sector related policies and operational plans. The RUDP aims to improve living standards and urban services in Far Western Region (FWR) municipalities of Attariya, Bheemdatt, Dhangadhi, and Jhalari-Pipaladi through planning, infrastructure investments and institutional strengthening; as well as in the non-FWR municipalities of Biratnagar, Birgunj, Nepalgunj and Siddharthanagar. The project will improve infrastructure and service delivery in urban roads, drainage, sanitation and solid waste management in 8 municipalities to improve resilience and livability. In addition, for Attariya and Jhalari-Pipaladi, the project will construct municipal office buildings.

2. This due diligence report (DDR) has been prepared for the development of the integrated waste processing site in Attariya municipality, which includes sanitary landfill site, to assess the likely social impacts of the subprojects as per the applicable government policies and procedures and in accordance with ADB's Safeguard Policy Statement, 2009 as observed during the site visits as well as the information received from the project and the municipality.

3. The main objective of the DDR is to assess the current land use patterns and likely social impacts due to implementation of the proposed subprojects with respect to land acquisition, compensation and involuntary resettlement, and common properties, if any, in terms of displacement, loss of incomes, and social links. During the due diligence process, likely involuntary resettlement and indigenous people impacts were assessed based on the information and documents provided by the project coordination office (PCO), regional project implementation unit (RPIU) and municipality of Attariya. Interviews and discussions with municipal officials and community stakeholders were carried out along with observation through site verification.

II. DESCRIPTION OF SUBPROJECTS

A. Solid Waste Management

4. Presently, the municipality of Attariya lacks a functioning solid waste collection and disposal system. There are no solid waste treatment and disposal sites. It is therefore proposed to develop an Integrated Waste Processing Site (IWPS), comprising facilities for waste separation, composting of organic waste, recycling facilities and disposal sites for waste material that cannot be reused.

1. Sanitary Landfill Site

6. Based on field visits and stakeholders' consultation meetings, an abandoned channel of the Godawari River located in Attariya municipality has been identified as the sanitary landfill site to be developed under the project. The site is located within less than 2 km south of the East-West highway (**Figure 1**). The site can be developed as an IWPS for about 40 years. The site location for waste sorting/ transfer station and sanitary landfill site is shown in **Figure 2**. The conceptual plan of IWPS in Attariya is provided in **Figure 3**. The conceptual design also accommodates the recycling, composting sites and fecal sludge treatment plant. A leachate treatment system and ground water monitoring well and weather station have been provisioned and buffer area and service road have been proposed. Landfilling will be done in a phased

manner through cells and daily soil cover will be used to reduce nuisances. The site will be prepared prior to landfilling using clay liners and necessary geo-membrane and geotextiles as necessary with proper provision of storm water drains and cut off drains.

Figure 1: Site Location for IWPS within the municipality

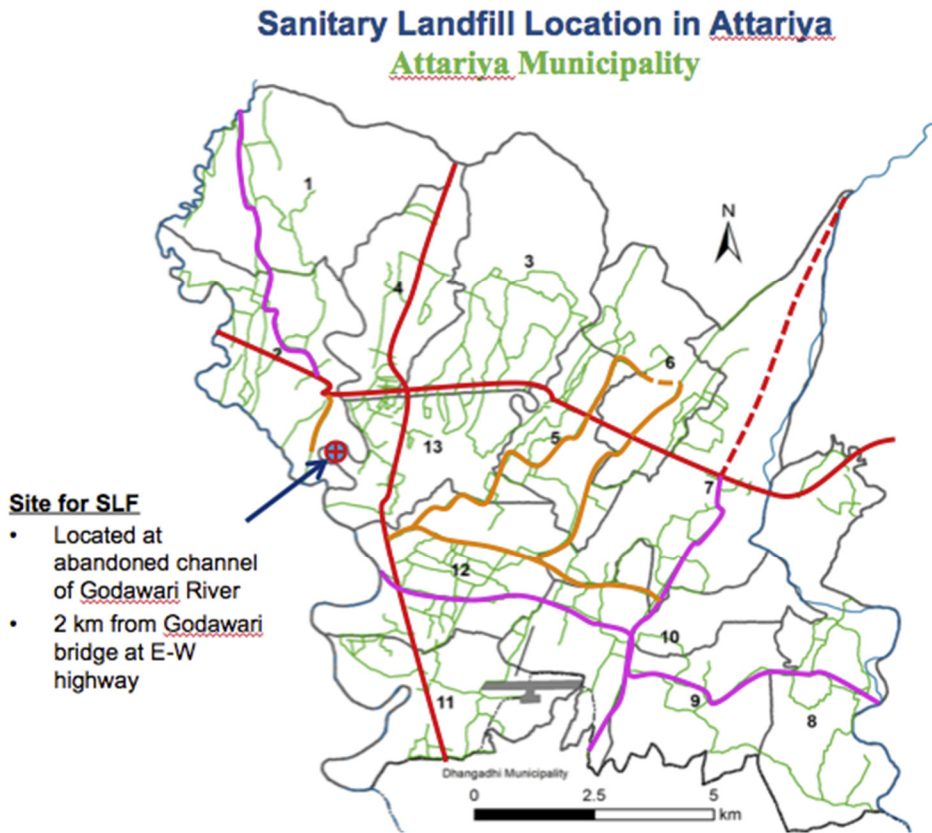
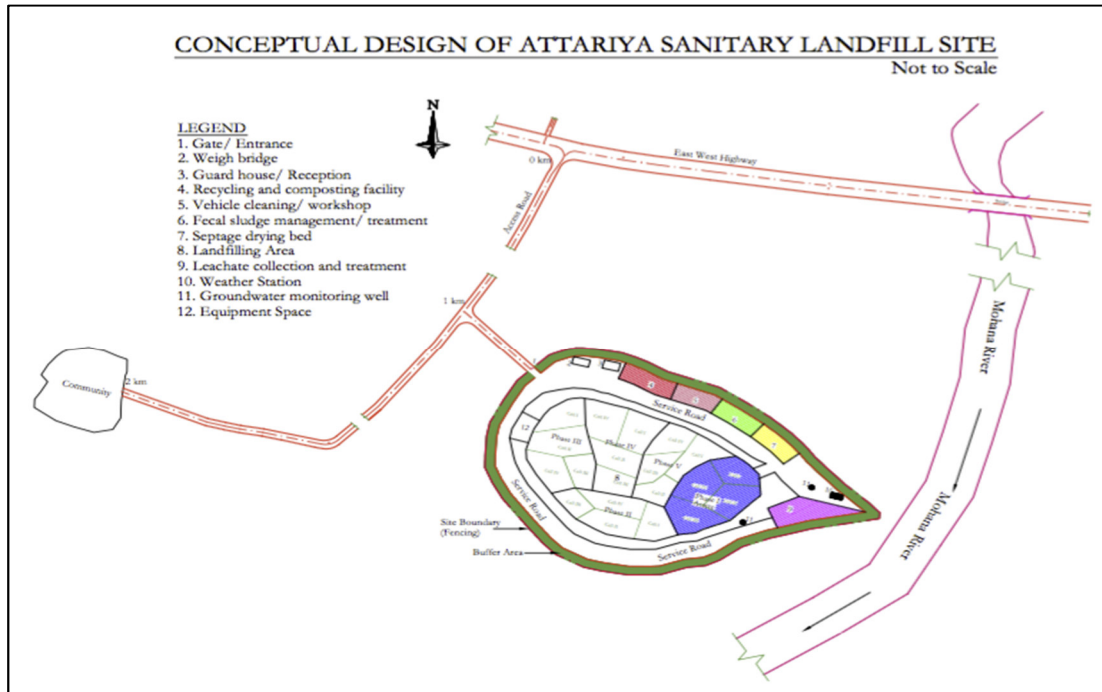


Figure 2: Boundary of the IWSPS



Figure 3: Conceptual Plan of IWPS - Attariya



III. SCOPE OF LIKELY IMPACTS OF THE SUBPROJECTS

A. Involuntary Resettlement

7. The likely impacts of involuntary resettlement with respect to 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 for the proposed sites are presented below.

8. **Integrated Waste Processing Sites (IWPS):** The proposed location of IWPS, including landfill in Attariya is located in the Choukidanda Mahila Community Forest in ward No. 2 of Attariya municipality. The proposed landfill site is an oxbow of the Godawari River and according to municipality staff and PPTA experts is no longer directly connected with the river. It is located at 1 Km from the nearest settlement. (**Figure 2**) and would not directly impact any surrounding settlements.

Figure 4: Photograph of the proposed IWPS - Attariya



The proposed IWPS is located in the middle of a forest area primarily dominated by grass and bushes regenerated in riverine ecosystem (**Figure 4**). About 12.83 Bigha (8.49 ha) land will be required for construction of the IWPS facilities. Though the proposed location is within the boundary of the CF, it is an isolated patch of land (an oxbow of the Godawari River) without cultivation and vegetation. It is reported that the area is not recognized as having ancestral or traditional values or source of livelihood for particular groups of the local people. Similarly, cultivating and managing non-timber forest products from the proposed area were also not reported from the extensive consultations during the PPTA. Discussion with municipality staff and PPTA technical expert and site observation confirm that there will be no any restriction to access the forest resources and other private and public lands during construction and operation of the subproject.

9. **Access road for IWPS.** The access road of 1 kilometer needs to be upgraded, and a few hundred meters of new road construction are required to connect the existing access road to the highway (**Figures 1 and 3**). The exact alignment of the access road to the proposed landfill site will be finalized during detail design phase. The initial concept design indicates that the new road construction of a few hundred meters traverses the community forest bifurcated from the existing road. It was observed that the indicative alignment of the

proposed commenting road passes through disperse forest through bush lands. The proposed road alignment will not restrict access to forest and other resources.

10. No private land acquisition is required for this subproject as all the required lands are community forest lands. As result of the proposed subproject activities (i) there wouldn't be change in collection, management and access to forest resources; and (ii) no settlement will be adversely affected and neither physical displacement nor economic displacement shall occur, and hence no involuntary resettlement impacts are anticipated. Therefore, a resettlement plan is not required for this subproject.

11. The Forest Act 1993 has made it clear that all the community-based forests including community forests, collaborative forests, leasehold forests and religious forests are owned by the government, which is handed over to communities for the conservation, management and sustainable use of forest and its products. Though involuntary resettlement impacts are not anticipated and resettlement plan is not required, interagency transfer of land use rights based on the Procedure for Providing Forest Areas for Other Purposes 2063 (2007) needs to be followed. The due diligence team reviewed the status of steps and procedures to be followed to acquire the community forest lands for construction of landfill site. The current situation is as follows:

Table 1: Current Situation

Steps	Procedures/ Activities	Responsibility	Current Status
1 st	Start official correspondence and consultations with the concerned community forest user group (CFUG) to get consent of the communities	Municipality	Municipality started to correspond and consult with CFUG
2 nd	Identify and demarcate of the community forest lands (area) required for the project	Municipality/ Project in presence of CFUG	A tentative area for IWPS has been demarcated with an area of 10.17 ha
3 rd	Document the details of forests conducting inventory of the proposed forest areas	Municipality/ Project in presence of CFUG	Progress depends on step 2 nd above
4 th	<ol style="list-style-type: none"> 1. Get official approval from CFUG executive committee as well as General Assembly 2. Apply to DOF to get consent from DFO attaching all supporting documents (justification of projects showing no other options available, approval letter of CFUG, inventory report, etc.) 3. Get recommendation letter from NPC confirming that the proposed RUDP projects are of national priority 	<p>CFUG with facilitation by Municipality/ Project</p> <p>Municipality/ Project and CFUG</p> <p>PCO/ Project director and Municipalities</p>	Project description has been prepared and will be submitted to DOF with CFUG's general assembly minutes
5 th	If 4 th step results in positive outcome, immediately start commissioning EIA ^{1/} or IEE studies (as per the requirements of schedule 1 and 2 of Environment	Municipality/ Project	Progress depends on the achievement of steps 2, 3 and 4 above

¹ According to the Environment Protection Rules 2054, waste management activities to the undertaken with the objective of providing services to a population of more than 10,000 require EIA study whereas less than ten thousands required IEE .

Steps	Procedures/ Activities	Responsibility	Current Status
	Protection Rules 2054) to prepare EIA/ IEE study report		
6 th	Submit an application to MOFSC through DOF for securing cabinet approval attaching all supporting documents resulting from Steps 4 and 5.	Municipality/ Project	Progress depends on the achievement of steps 2, 3, 4 and 5 above
7 th	Get cabinet approval, sign forest lease agreement with concerned Director of Regional Forest Directorate as prescribed in Schedule-21, preparing a Forest Lease format prescribed in Schedule-19 and paying the annual fee mentioned in Schedule-20 of the Forest Rules(2051)	Project Director/ PCO/ Municipality	Progress depends on the achievement of steps 2, 3, 4 and 5 above
8 th	Start project construction	Municipality / Project	Progress depends on the achievement of steps 2, 3, 4 and 5 above

CFUG = Community Forest User Group, DFO = District Forest Office, DOF = Department of Forest, EIA = environmental impact assessment, IEE = initial environmental examination, IWPS = integrated waste processing site, MOFSC = Ministry of Forest and Soil Conservation, NPC = National Planning Commission, PCO = project coordination office.

B. Indigenous Peoples

12. According to the ADB's safeguard policy the indigenous peoples safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of indigenous peoples or affects the territories or natural or cultural resources that indigenous peoples own, use, occupy, or claim as an ancestral domain or asset. The term indigenous peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the characteristics such as self-identification as members of distinct indigenous cultural group, geographically distinct habitats or ancestral territories; distinct customary cultural, economic, social, or political institutions and a distinct language.

The indigenous people in Attariya municipality share similar economic and political system with the mainstream society. The indigenous people are not significantly different from the non-indigenous households and other local families living in the project areas in terms of livelihood patterns, and access to economic, health and educational opportunities. The indigenous people in general do not display any significant social or economic traits that would distinguish them from non-indigenous people communities, except in their cultural identity and national identification as indigenous people or Janajati/Adhibasi (in Nepali language). According to the project preparatory technical assistance (PPTA) socioeconomic study (2015), the composition of indigenous people household is 26.34% in Attariya municipality. The caste and ethnic composition of the project municipalities is presented in Table 2.

Table 2: Distribution HHs in Attariya Municipality by Caste/ Ethnicity

Caste/ Ethnicity	Attariya Municipality	
	No of Households	%
Hill Dalit	2642	19.74
Terai Dalit	6	0.04
Hill Janajati (Excl. Newars)	473	3.53
Janajati (Newars)	83	0.62

Terai Janajati	2969	22.19
Hill B/C	7140	53.36
OBC	7	0.05
Muslim	17	0.13
Others	44	0.33
Total	13381	100

Source: Socioeconomic study of the RUDP-FWR Municipalities, 2015.

13. There are a total of 1621 user households having total population of 9,638 with female and male proportion of population 4,788, and 4,850 respectively of the Choukidanda Mahila Community Forest where the proposed IWPS is being planned. Among the CF beneficiaries, about 150 households belong to Indigenous people (Community Forest Operational Plan, 2073/074-2077/078 B.S). There wouldn't be any impacts on IPs because the proposed subproject will not have impact on Indigenous people's practices and lifestyles. The subproject implementation proposal has been endorsed by the executive committee of the CFUG with IP representatives.

14. The field observation reveals that all the settlements/clusters in the municipality are heterogeneous in terms of caste/ethnicity and no specific territory of indigenous people has been observed and reported. The lands owned or occupied by indigenous people in the project municipalities are not considered of ancestral or tribal value. Individual ownership of lands has been in practice among indigenous people for many generations. The municipality policy and rules reflect that all are treated equally and there is no discrimination on receiving municipal services based on ethnicity and caste.

15. The provisions of the proposed SWM facilities will have overall beneficial effects by bringing a solution to the waste management problems clearly visible now (i.e. no sufficient collection of waste, unsuitable waste disposal leading to contamination of land and water and to public health problems). Besides, it is expected that the project will have no impact on their cultural identity, survival and cultural resources. With municipal facility improvements, subprojects are expected to result in improved health and quality of lives of both indigenous people and non-indigenous people. In addition, the project will create short-term employment opportunities in infrastructure construction and maintenance for local people. No physical displacement and economic displacement of indigenous people is anticipated as a result of implementation of the subprojects. The project design has included activities, which will address requirements in social and behavioral changes to complement the improved waste collection and management system. The gender equality and social inclusive (GESI) action plan and performance-based socioeconomic development program includes specific actions favorable to indigenous people. Therefore, indigenous people plan is not required for this subproject in Attariya.

IV. SITE OBSERVATION & CONSULTATIONS

16. PPTA social safeguard consultant visited the subproject sites on 3-6 September; 24-29 October and 23-27 December 2016 and conducted site observations and held discussions with municipality officials, local communities and the CFUG. The proposed site for the IWPS was visited and also discussed with local people, including CFUG members. The local people and CFUG members were supportive to provide the required land for the IWPS. It was suggested that the legal procedures should be followed to transfer community forest lands for this public use. It was noted that the CFUG executive committee has decided to allow construction of IWPS in the community forest area. The decision is yet to be endorsed by the general assembly of the CFUG member. The municipality has sent an official letter to district forest office on 4 December 2016 for demarcation of proposed area. The RPIU is following up for further steps to get the permission of land use.

17. ADB's pre-fact finding mission accompanied by PCO, RPIU and PPTA environmental and social safeguard specialists during 7–11 November 2016 conducted a field visit to assess key safeguard issues and associated risks during project preparation and implementation. During the site visit it was observed that the proposed land was in the forest and CFUG members were supportive to the project and construction of the landfill in the community forest area. They also agreed to expedite the process for further endorsement. It was informed that the access road could be designed avoiding this settlement and there won't be an impact on these houses. It was noted that no private land is needed for the approach road and landfill. The proposed site in the forest is open space and not used for livelihood related activities. Hence, there will not be an impact on the livelihoods of the forest users.

V. CONCLUSION AND RECOMMENDATIONS



18. Based on the assessment and documents reviewed, the subproject will have no involuntary resettlement impacts (both permanent and temporary). The SWM subproject is being constructed on community forest lands for which forest lease agreement shall be done with the Regional Forest Directorate as prescribed in Schedule-21, preparing a forest Lease format prescribed in Schedule-19 and paying the annual fee mentioned in Schedule–20 of the Forest Rules, 2051. It seems that the subprojects do not pose a reputational risk to Asian Development Bank due to lack of social safeguards impacts and the subproject can be recommended for financing. However, following recommendations are suggested:

- (i) Follow the prescribed procedures and steps to acquire the community forest lands as per MOFSC's Procedure for Providing Forest Areas for Other Purposes 2063 (2007).
- (ii) The DPR of the proposed IWPS should be prepared in such a way that the subproject does not disturb but protect the forests during the construction and operation of the subproject, including construction and operation of its access roads.
- (iii) The municipality, RPIU, and PCO should extend and expand the community consultation and disclosure process during detailed design and during the construction period to ensure that the local communities including CFUG are fully aware of project activities at all stages of construction. The surrounding communities and neighborhood (tole) groups should be consulted and made aware of proposed civil works and project activities prior to construction. It is also proposed that such community meetings and discussions should be documented and continued in the coming phases of project execution.

19. Attariya municipality is yet to finalize the land for construction of municipal building. A separate DDR needs to be prepared once the municipal building construction site is finalized.

20. The DDR has been prepared considering the land use patterns and ownership status as of field visits on 3-6 September; 24-29 October and 23-27 December, 2016. Any changes in this regards between this date and actual construction shall be substantiated by preparing an updated report.

Annex 1: Letter from CFUG to Attariya Municipality Indicating Consent for Providing CF Lands for Subproject

श्री चौकीडाँडा महिला सामुदायिक वन उ. समूह
 अत्तरिया नगरपालिका चौकीडाँडा कैलाली

प.सं. ०६५/७४
 च.नं. ८७

मिति: २०७३/७/१३

विषय: सहमति पठाइएको बारे।

श्री अत्तरिया नगरपालिका कार्यालय
 अत्तरिया, कैलाली

उपरोक्त विषय सम्बन्धमा तपाईं कार्यालयको प्राप्त पत्रानुसार अत्तरिया नगरपालिकाको छिहरमेला व्यवस्था सम्बन्धमा मिति २०७३/७/१३ गतेको यस चौकीडाँडा महिला सामुदायिक वन उपमौला समितिको निर्णय यस पत्रसँग संलग्न राखि सहमति जारी पठाइएको व्यहोरा अनुसृत छ।

म.प्र. अ.प्र.स.
 मोहन व. खत्री



आवृत्ति मिति २००३/०६/१३ गतेका दिन यसको
 कार्यक्रम महिला सामुदायिक वन उपभोग समूहका अध्यक्ष
 माने जे. रजनीको अध्यक्षतामा गरेको बैठकमा निम्न
 प्रस्तावहरू माथि छलफल गरी निर्णयहरू पारित गरियो

उपस्थिति

- | | | | | |
|-----|------------|----|------------------|---------------|
| १. | अध्यक्ष | -- | प्रमोद व. रजनी | <u>Prabhu</u> |
| २. | उपाध्यक्ष | -- | कृष्ण व. रजनी | <u>Prabhu</u> |
| ३. | सचिव | -- | पावती अहिराई | <u>Prabhu</u> |
| ४. | स-सचिव | -- | शिवे राज रजनी | |
| ५. | कोषाध्यक्ष | -- | विर व. सुनार | <u>वीर</u> |
| ६. | सदस्य | -- | रमेश अहिराई | |
| ७. | " | -- | कृष्ण देव अहिराई | |
| ८. | " | -- | जमुना अहिराई | <u>जमुना</u> |
| ९. | " | -- | जातकी मलारी | <u>जातकी</u> |
| १०. | " | -- | ललिता बिष्ट | <u>ललिता</u> |
| ११. | " | -- | प्रकाश व. रजनी | <u>प्रकाश</u> |

अन्य उपस्थिति

संस्थापक समिति

- | | | | |
|----------|----|--------------------|--------------|
| संस्थापक | -- | हरिब कि. क. | <u>Meera</u> |
| सदस्य | -- | वेद प्रकाश पाण्डेय | |
| " | -- | रमल कि. क. | |

अन्य उपस्थिति

- | | | |
|----|-------------------------|------------------|
| १. | पुरक व. अहिराई | <u>व. अहिराई</u> |
| २. | वासुदेव पाण्डेय | <u>वासुदेव</u> |
| ३. | गणेशलाल जोशी | <u>गणेश</u> |
| ४. | पल व. राउत | <u>पल</u> |
| ५. | पल राउत | <u>पल</u> |
| ६. | पल राउत जोशी | <u>पल</u> |
| ७. | पल व. अहिराई (वन इशाला) | <u>पल</u> |

सूचक नं. नेपाली
 ९ देव वहादुर साउद
 १० कमल सिंह विष्ट
 ११ नरेश्वर राज महराज
 १२ छेदल व साउद



सुपरी
 बहाइ
 बहाइ
 बहाइ

प्रस्तावहरू:

१. अन्तरीया नगरपालिकाको फोहर मैला व्यवस्थापन सम्बन्धमा ।
२. नदि करान लटेबन्धन सम्बन्धमा ।

निर्णयहरू:-

१. प्रस्ताव नं. १ माथि छलफल गर्दा अन्तरीया नगरपालिकाको प्राप्त पत्र अनुरार अन्तरीया नं. पा. को फोहर मैला व्यवस्थापन गर्ने यस सा. व. को सहमतिमा लागी पत्राचार गरेकोले यस चौकिडाँडा महिना सामुदायिक वन उपभोक्ता समितिका समितिका गोदावरी नदिदेखि पश्चिम रैकवार विन्चवा प्राप्त जाटा देखि पूर्व गोदावरी र मोहना नदि मुल्ले दोमिल्ला देखि उत्तर पूर्व पश्चिम बाजमाग देखि अन्दाजी एक किलोमिटर छोडेर दक्षिण धति चार किल्ला क्षेत्रको हुला छोटे छोरेथान नगरका नदिका काटेका क्षेत्रको अन्दाजी १३-०-० (तेह विगाह) जग्गाको अन्तरीया नगरपालिका क्षेत्रको फोहर मैला व्यवस्थापन को लागी सामुदायिक वनको साधारण सत्रामा प्रस्ताव लैजाउने गरी हालताइ सहमति दिने यस सहमति कार निहाय जारी गरियो ।
२. प्रस्ताव नं. २ माथि छलफल गर्दा यस चौकिडाँडा महिना सामुदायिक वन उपभोक्ता समितिका एवं तर्फको जग्गा गोदावरी नदिका क्षेत्रको जग्गा करान गरी हुला छोटे विस्वा समेत जग्गाउने गरेको र महिदन्मा



समेत जोखिमपत्र रूकेका रू धरपुली मिति २०६३/०६/०६ गत आएका आवरण बचाका करण गोपम नदिका बाढले डलाढला खाक खेर तिसमको संरक्षक जगाउनुका साथै सो-व-को अन्वेषी ७ कडा जग्गा कयन गरी जगाइ लुगेकाब तत्काल तरुणधनगत निगमन परती रूकेका हुका पुन उपलब्ध बचाप नियमन का डिभिजन कार्यालय चक्रवादी कलाजी, मुख्य नियन्त्रण कार्यालय चक्रवादी कलाजी र भु-संरक्षण कार्यालय चक्रवादी कलाजीमा व्यापक तार जाली माग गर्ने रू उचित तरुणधनका लागि समुपनामा समावेश गरी पाउन माग गर्ने समेत रूव समाल-जट निर्णय परीत गरियो ।

(Handwritten signatures and stamps)

Annex 2: List of People Consulted

S.N.	Name	Office/Address	Affiliation/Position /Profession
1.	Rabindra Bohora	Divisional Office, DUDBC	Manager, RPIU-RUDP
2.	Rajendra Bhandari	Attariya Municipality	Sub Engineer, Attariya Municipality
3.	Ram Govinda Aryal	District Soil Conservation Office, Dhangadhi	Chief Conservation Officer
4.	Yogendra Prasad Ojha	Office of District Development Committee, Kailali, Dangadhi,	Programme Officer
5.	Ram Autar Chaudhari	District Forest Office, Kailali	Forest Ranger
6.	Bharat Prasad Shrestha	District Forest Office, Kailali	Assistant Forest Officer
7.	Jagadish Prasad Gupta	District Forest Office, Kailali	Senior Forest Officer
8.	Sambhu Singh	District Forest Office, Kailali	Assistant Forest Officer
9.	Narendra Khatri	Office of Groundwater Development Committee, Dhangadhi	Division Chief
10.	Mohan B. Khatri	Chukidand Mahila CFUG	Chairperson of CGUG
11.	Karna B, Yandi	Chukidand Mahila CFUG	Vice Chairperson of CGUG
12.	Ramesh Bhattarai	Chukidand Mahila CFUG	User Member

Annex 3: Involuntary Resettlement Screening

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		X		No private land acquisition is required for this subproject as all the required lands are community forest lands. However, Interagency transfer of land use right based on the Procedure for Providing Forest Areas for Other Purposes 2063 (2007) needs to be followed. The land for the proposed Attariya municipal building is owned by the local government.
2. Is the site for land acquisition known?	X			The site is located in Srikrishna Community Forest and land under ownership of government of Nepal.
3. Is the ownership status and current usage of land to be acquired known?	X			The land ownership rests with government and forest products being used and managed by the community forestry user groups. However, the proposed site is open space in the forest.
4. Will easement be utilized within an existing Right of Way (ROW)?			X	
5. Will there be loss of shelter and residential land due to land acquisition?		X		
6. Will there be loss of agricultural and other productive assets due to land acquisition?		X		
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?			X	The exact impacts on forests will be assessed during EIA and final detailed design of the subproject.
8. Will there be loss of businesses or enterprises due to land acquisition?		X		
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		X		
Involuntary restrictions on land use or on access to legally designated parks and protected areas				

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
10. Will people lose access to natural resources, communal facilities and services?		x		
11. If land use is changed, will it have an adverse impact on social and economic activities?		x		The exact impacts on forests will be assessed during EIA study to be conducted for the subproject as per the Environment Protection Rules 2054
12. Will access to land and resources owned communally or by the state be restricted?		x		
Information on Displaced Persons:				
<p>Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, approximately how many? _____</p>				
<p>Are any of them poor, female-heads of households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>				
<p>Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>				

Annex 4: Indigenous people Impact Screening

Impact on the indigenous peoples (IPs)/ Ethnic Minority (EM)	Yes	No	Remarks or identified problems, if any
Are there any IPs or EM groups present in the project locations?		x	The field observation reveals that all the settlements/ clusters in the municipality are heterogeneous in terms of caste/ ethnicity and no specific territory of indigenous people has been observed and reported
Do they maintain distinctive customs or economic activities that may make them vulnerable to hardships?		x	The IPs share similar economic and political system with non-indigenous groups in terms of livelihood patterns, and access to health and educational opportunities
Will the project restrict their economic and social activity and make them particularly vulnerable in the context of the project?		x	No physical displacement and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) of indigenous people is anticipated as a result of implementation of the subprojects.
Will the project change their socio economic and cultural integrity?		x	With municipal facility improvements, subprojects are expected to result in improved health and quality of lives of both IPs and non-IPs
Will the project disrupt their community life?		x	Project will have no impact on IP's community life
Will the project positively affect their health, education, livelihood or social security status?	x		The provisions of the proposed solid waste management facilities will have overall beneficial effects to all households in the municipality irrespective of cast and ethnic backgrounds by bringing a solution to the waste management problems clearly visible now (no sufficient collection of waste, unsuitable waste disposal leading to contamination of land and water and to public health problems)
Will the project alter or undermine the recognition of their knowledge, preclude customary behaviours or undermine customary institutions?		x	Project will have no impact on IP's cultural identity, survival and cultural resources. The project design has included activities which will address requirements in behavioral changes to be habitual with improved waste collection and management system
In case no disruption of indigenous community life as a whole, will there be loss of housing, strip of land, crops, trees and other fixed assets owned or controlled by individual indigenous households?		x	No settlement will be adversely affected and neither physical displacement nor economic displacement occurs, and hence no involuntary resettlement impacts are anticipated due to the subprojects.