# Due Diligence Report – Social Safeguards

Project Number: 35173-013

July 2016

NEP: Third Small Towns Water Supply and Sanitation Sector Project – Birendranagar Town (Chitwan District) Subproject

Prepared by Third Small Town Water Supply and Sanitation Sector Project, Ministry of Water Supply and Sanitation, Government of Nepal for the Asian Development Bank.

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### **Abbreviations**

ADB – Asian Development Bank

AP – affected persons

BS – Bikram Sambat (Nepali calendar)

BPL – below poverty line

CBS – Central Bureau of Statistics
CBO – Community Based Organization

CDO – Chief District Officer

DDC – District Development Committee

DDR \_ Due Diligence Report

DI Ductile Iron

DOR – Department of Roads
DMA \_ District Metering Area
DP - Displaced Person(s)

DSMC – Design, Supervision and Monitoring Consultants

DTW Deep Tube Well

DWSS - Department of Water Supply and Sewerage

EA – Executing agency

EMP – Environmental Management Plan

ERDSMC \_ Eastern Regional Design, Monitoring and Supervision

FGD \_ Focus Group Discussion
GON - Government of Nepal

GESI – Gender Equality and Social Inclusion

GH \_ Guard House
GI Galvanised Iron

GRC – Grievance Redress Committee
GRM – Grievance Redress Mechanism

Ha – hectares HH – households

IA – Implementing Agency
IP – Indigenous People

IR – Involuntary Resettlement

KM \_ Kilometres
LA - Land Acquisition
LAA - Land Acquisition Act
lps - litres per second

MoWSS - Ministry of Water Supply and Sanitation

NA – not available

NGO – Non-Government Organization

NLSS – Nepal Living Standards Survey

NPC – National Planning Commission

NPR – Nepalese Rupee
NRW \_ Non-Revenue Water
OHT \_ Over Head Tank
PAF Project Affected Person

PD - Project Director

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PMO – Project Management Office

PPTA – Project Preparatory Technical Assistance

RCC Reinforced Cement Concrete
RF – Resettlement Framework

RoW \_ Right of Way

RP - Resettlement Plan

R&R - Resettlement and Rehabilitation

RS – Resettlement Specialist SSO – Social Safeguards Officer

SDSA – Social Development and Safeguards Assistant

SPS – Safeguard Policy Statement SSE – Social Safeguard Expert

STWSSSP - Small Towns Water Supply and Sanitation Sector Project

TA – Technical Assistance
TDF – Town Development Fund
ToR – Terms of Reference

VDC \_ Village Development Committee
WHH - Women Headed Households

WSSDO - Water Supply and Sanitation Division Office

WTP – Water Treatment Plant

WUSC - Water Users and Sanitation Committee

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### I. INTRODUCTION

#### 1.1 Introduction

The Small Towns Water Supply and Sanitation Sector Project (STWSSSP) is a key initiative of Government of Nepal aiming at improved water supply and sanitation services in small towns and emerging urban areas of Nepal. The Third STWSSSP builds upon lessons learnt from implementation of the First and Second STWSSSP and aims to extend improved water supplies and sanitation to around 26 small towns / subprojects. Ten of these subprojects are newly identified, while others are held over from the previous projects and remaining can be identified later. Remedial or extension works in towns previously covered by the first two projects are also candidate subprojects. The third STWSSSP aims to strengthen the overall effectiveness of project delivery with a particular focus on technical and financial aspects, at both national and local levels. Its envisaged outputs include: (i) improved water supply and sanitation infrastructure; (ii) strengthened sector policy, regulatory and institutional capacity and service delivery; and (iii) improved project implementation. The Project will also strengthen Government of Nepal's efforts to meet its millennium development goals. The project is to be implemented in 5 years from 2014 to 2019.

The third STWSSSP uses a sector lending modality of ADB. A total of 26 towns are proposed to be covered under the project. Preparation for the Third Small Town Water Supply and Sanitation Sector Project is underway and an ensuing loan is imminent within 2014 followed by implementation. Department of Water Supply and Sewerage (DWSS) is the implementing agency whereas the Ministry of Urban Development is the executing agency. The project will assist in implementing a part of the 15-year Development Plan for Small Towns Water Supply and Sanitation Development in the country and about 26 Small Towns will be covered by this project.

## 1.2 Proposed Subproject Components

This land acquisition and resettlement due diligence report is prepared for the proposed Birendranagar (Chitwan) water supply and sanitation Town project, under the Third Small Towns Water Supply and Sanitation Sector Project (STWSSSP). The proposed service area of the water supply subproject includes complete area of ward No. 10 of Rapti Municipality and partial area of ward no 6, 9 of Rapti Municipality and ward no. 15 of Khairehani Municipality. The total households of the wards of selected service area are 1922 and total population is 11,763 population in base year 2017.

## II. SUBPROJECT DESCRIPTION

## 2.1 Proposed Components

The BirendranagarTown water supply and Sanitation Project has been conceptualized as a typical groundwater pumping system with Overhead RCC Tanks for distribution. The entire distribution network is to be supplied from one reservoir system. The three tube wells will be used for pumping water to overhead tank. The overhead tank will feed the entire service area. The entire service area has been divided into 3 zones - A, B & C. Three new deep tube wells have been designed for the proposed boring depth in range 130 m and fitted with submersible pumps of about 42 HP for drilled deep tube well (DTW) with expected yield of 20-25 lps. The summary of salient features is given below:

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**Table 1: Salient Features** 

SN	<i>Items</i>	Description
1	Service Area	Complete area of Ward No. 10 of Rapti Municipality and partial area of ward no 6, 9 of Rapti Municipality and ward no. 15 of Khairehani Municipality
2	Type of Structures	
	(a) Bore Hole Drilling	3 Sets
	(b) Pumps, Electricity line, Transformer and Generator	Pumps- 4 (with1 stand by pump), Electricity line- 11kV, Transformer-1 (125kVA and Generator-1 (1- 125KVA)
	(c) Overhead Tank (NosCapacity m³)	Proposed 1- 450
	(d) Valve Chamber (Bricks/RCC)	32/15
	(e) Office Cum GH	1
	(f) Generator House	1
	(g) Household Connection	1922
	(hi) Fire Hydrant	6
	Total Length of pipe:	
3	Distribution Network (meter)	63,103
	DI	5,080
	PE	57,253
	GI	770
8	Social Status	
	Present Population (2015)	11,053
	Base Year Population (2017)	11,763
	Design Year Population (2037)	22,100
	Weighted Growth Rate %	3.2
	Land Area Available(Kattha)	7 (2373.48sqm)

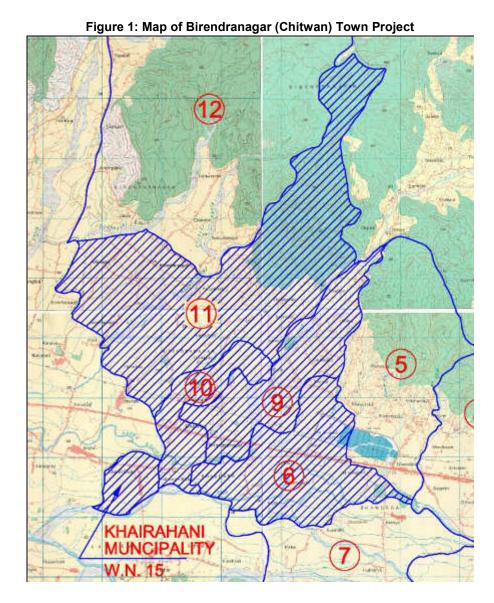
Pumping mains are of DI pipes. The distribution system comprises of a pipe network, which are looped in certain cases and branched in other. In order to manage NRW in the proposed system, total system is divided into 3 DMA.

DI and PE (HDPE pipe) are used in the distribution of water in the service area. DI pipe has been used only for 150 mm diameter and above pipes in distribution system. Similarly in case of bigger diameter PE pipes, maximum outer diameter of 160 mm has been adopted in the design. Minimum diameter of distribution pipe has been adopted as 50mm.

The total pipe length of the proposed distribution system works out to be over 63.103 KM. The project area will have a new household connection of 1922 numbers. Dry dial volumetric rotary piston type water revenue meter for all house connections are proposed. A guard house, office building, compound wall, generator house and store room will be constructed in OHT station.

The efforts are maximized to reduce the impact. The technical components are designed with close coordination with safeguard team and WUSC executive members to avoid involuntary resettlement impacts. For the construction of, OHT and other project components required at least 2031.78sq.m. Land. The WUSC has recently purchased the land and ownership transfer process is completed. (see Annex III: for ownership certificate).

A due diligence process was conducted for proposed project sites and alignments in line with the Resettlement Framework prepared for the Third STWSSP and ADB SPS 2009. This report describes the findings and provides copies of relevant legal documents, resolutions, minutes of meetings and photographs. Upon project implementation, the Social Safeguards Officer at PMO will be required to undertake a review of this due diligence, prepare a confirmation letter or report documenting any modifications for the subprojects in Birendranagar and submit to ADB; and receive a 'no objection' confirmation from ADB prior to start of construction.



## III. FIELD WORK: SURVEYS AND PUBLIC CONSULTATION

## 3.1 Outline of Field Work

Field visit to all proposed sites OHT location, transmission main alignments, distribution pipeline alignment; and consultations with stakeholders were conducted to confirm land

ownership and use, and the need for surveys and further consultations. Available land ownership documents for identified components were also collected during field work.

## 3.2 Public Consultation

Consultations were undertaken with key stakeholders in line with ADB's requirements pertaining to environment and social considerations. Tools used for consultation were stakeholder meetings and Focus Group Discussions (FGD). Key concerns of the people related to the project and inclusion of poor in the drinking water supply scheme, willingness to pay, upfront cash collection, people's participation in project implementation were discussed.

During field visits to all proposed sites and pipeline alignments, potential impacts and mitigation measures were assessed and discussed with stakeholders. The consultations helped in identifying the felt needs/concerns and priorities of the stakeholders. The field visits/reconnaissance surveys also helped ascertain that no further surveys and inventories are required.

Table 0.2-1: Summary of public consultations carried out by Consultants team

SN	Meeting Date	Facilitator/	Venue	Par	ticipants	Topic of discussion
		stakeholders		Men	Women	
	31 July, 1 Aug and 2 Aug, 2015	WUSC members, ERDSMC team, GESI expert and Safeguard specialist	WUSC office, Birendranagar	11	6	Project area delineation, secondary data collection, user's role &contribution
2	6 Aug, 2015	WUSC members, ERDSMC team, Local people of W.No 2	Shakti Mahadev Temple, W.No 2	15	10	Area Meeting (ToleBaithak), discussion as in S.No 1
3	6 Aug, 2015	WUSC members, ERDSMC team, Local people of W.No 3	Moonlight School Compound, W. No 3	20	11	Area Meeting discussion as in S.No 1
4	10 Aug, 2015	WUSC members, ERDSMC team, Local people of W.No 4 & 6	GumbaChowk ward no.6	17	13	Area Meeting discussion as in S.No 1
5	18 December, 2015	Consultant Team, DWSSDO, WUSC members, TDF, ERDSMC team, Local people of service area	Former Birendranagar VDC Office	41	37	Presented draft study report

JORR KULA

Figure 2: Google Map

# IV. LAND AVAILABILITY AND RESETTLEMENT IMPACTS

## 4.1 Findings

The sub-project components are proposed both in land owned by WUSC and public land. The pumping system is proposed within the land owned by WUSC and the distribution network will be laid down existing Right of Way (RoW) of road network. The OHT Premises

comprising of treatment unit (if any), storage reservoir, office building and generator House will be construct in the land owned by the WUSC.

No relocation impacts or impacts on structures are anticipated at any of the identified sites or alignments for water supply proposed in Birendranagar Town Project. Temporary impacts on network laying and house connections are limited to potential access disruptions for shops and residences. Land ownership documents for water supply components are annexed to this due diligence report.

About 63.103 Km long distribution network is proposed along public road within rights of way. No road closures will be required during construction; contractor to undertake construction on one side of the road first and on completion of the same, start work on the other side to minimize impact on traffic. The contractor will be required to provide signage at appropriate locations indicating available alternate access routes to minimize traffic disruptions. The contractor will have to ensure access to shops and residences using simple wooden walkways where required and limit the excavation to a length of 500 m at a time to minimize disruption. Construction contracts will include the above provisions. In the case of right of way (ROW) of road is 1.5m both side according to municipal by laws of Nepal 13 feet is minimum RoW of service road where as maximum diameter of pipe is 0.3m.

Provision of 1922 house connections may cause temporary disruptions in access to residences during construction. The contractor will be required to maintain access. Table 4.1 provides details of land availability, ownership status at the sites where new facilities are proposed and Table 4.1 gives details of IR impacts of each proposed subproject component.

Table 4.1: Details of Land Availability at sites where new facilities proposed Component wise Land Requirement

SN	Components	Capacity	Area	Land	IR Impacts	ΙP	Proposed mitigation
			(sq. m)	Ownership		Impacts	measures
1	OHT, office cum guard house, generator, compound wall	OHT 450cu.m	2031.78	WUSC	None. Land is available in WUSC premises. The land is owned by WUSC so no IR impact is anticipated during construction period	None	
2	Transmission pipeline for pumping main			50 m.	Transmission system will be developed in the OHT areas.  Hence, no IR impacts anticipated.	None	Contractor will have to ensure access and safety through simple measures such as provision of planks as per EMP provisions, which will be specified in the contract document.
3	Distribution			Public	Will be within	None	Contractor will have to
	pipelines:			Road	the RoWs of		ensure access and safety

SN	Components	Capacity	Area	Land	IR Impacts	IP	Proposed mitigation
			(sq. m)	Ownership		Impacts	measures
	63.103KM				roads.  Hence, no IR impacts anticipated.		through simple measures such as provision of planks as per EMP provisions, which will be specified in the contract document.
							The maximum diameter of pipe is 0.3m whereas Row of Road is both side 1.5m,
4	Domestic connections- 1922 No			Public Road	None	None	
5	Land fill site			N/A	None	None	

#### V. SOCIO-ECONOMIC PROFILE

The beneficiaries' households of water supply service area are 1922. The total beneficial population including institutional is 11,763. The average household size of the households is 5.8 which is higher than national average 4.88. The most economically active population by age group between 16 to 59 years of ages has been reported about 61percentage in water supply service area. The percentage of old aged group i.e. 60 years and above is about 3.75 percentage of the total population of the households. The ethnic composition is diverse in the service area. The Brahmin, Chhteri, Gurung Tharu, Magar and Dalit are major ethnic groups

The educational status of the project district is sound. The overall literacy rate is about 92 percentages which is above than national average. The difference of men/women ratio is similar. The agriculture, trade/business and migration for foreign employment are major occupations of the people in service area. The people engaged in service (government and non-government) sector are found to be very nominal. More than 77 percentages of households have food sufficiency for whole year. The sanitation and hygienic situation is satisfactory in the project area. About 97.5% HHs have toilet in the project service area. The project district has declared ODF in 2014. The Typhoid, Fever, Gastric, Asthama are prevalent diseases in the project area. The situation of gender is considerably well off in project district. The access of women in property, decision making, health, and education development work and community participation is significantly good.

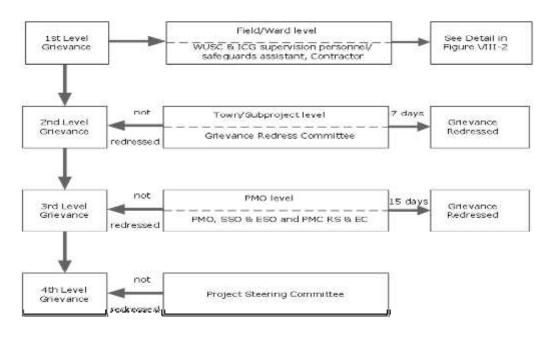
## VI. INFORMATION DISSEMINATION

The DDR is publicly available in Water Users and Sanitation Committee office, District Water Supply and Sanitation Division Office, Project Management and Implementation Support Team, Project Implementation Unit. Further, the DDR is translated in local i.e. Nepali language and made available in WUSC and project regional/district office. The report is also made available to any requester including Project Affected Persons (PAF) and related stakeholder.

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#### VII. GRIEVANCE REDRESS

The WUSC assigns one executive member as focal person to handle grievances of the Project Affected Persons (PAF) who are not satisfied with the procedure of the preparation of DDR and project implementation. The deputed member with representative of supervision consultant and contractor will settle the grievances. The WUSC in facilitation of project staffs will check the level of follow-up on these grievances and share observations. If the Affected Person (AP) is not satisfied by the resolution of the team, it will forward to executive committee of WUSC. The WUSC committee will ensure that the grievances are addressed and AP is satisfied. Again if AP is not satisfied with the resolution made by WUSC executive committee, it will be forwarded to chief district officer. In the case of GRM formation of Birendranager town; it will be formed as per the ADB Project Administration Manual in the chairmanship of WUSC Chairman after the starting of its implementation phase.



69- Shrehmen manded Specialists

ESO- Englisermental Safeguera's Cilicer

1696- Inggirmantelian Care Greek

PMC- Project Normagenteet Consultant

PNO- Project Namezement Office

200- Percetterlanent: Specialist

560- Social Saleguerd Officer

VILLEO- Value Clears and Sanitation Committee

## VIII. CONCLUSIONS

The subproject has insignificance impact on land and livelihood of PAF. It doesn't require dislocating any private and public structures. The water supply components are proposed to be constructed in the land owned by WUSC and distribution network will be on government land (road). It doesn't require dislocating any private and public structures. Hence, falls under the C category of ADB guidelines and this DDR is prepared.

## **Annex I: Minutes of Meeting**

## **English Translation of Minute of Meeting**

Birendranagar Small Town Water Supply Sanitation and User's Committee has been organized a public meeting on dated 2072/4/17.Participationwas made from all concerned stakeholders. After discussion in the meeting it was conclude that about programme lunch in their town by Small town and carry out the technical and social survey.

## **Participants**

Chairman: Mr.Rajendra Prasad Burlakoti

Vice- Chairman: Mr.RamchandraPathak Secretary: Mr.Buddhi Raj Thapaliya

Treasurer: Mrs. Uma Grung

Members Mr. Murari Prasad Silwal Members Mr. Om PrakahsSedai Members Mr. Ram Pukar Thakur Members Mr. Pdam Raj DallaKoti

Members Mrs.SasiMahato

Members Mrs. Kamal Sunar (B.K)
Members Mrs.HimalaPandey

**Technical and Social Team** 

Er. Mr.SambadBhattrai

Sociologist Mr. Shiva Adhikari

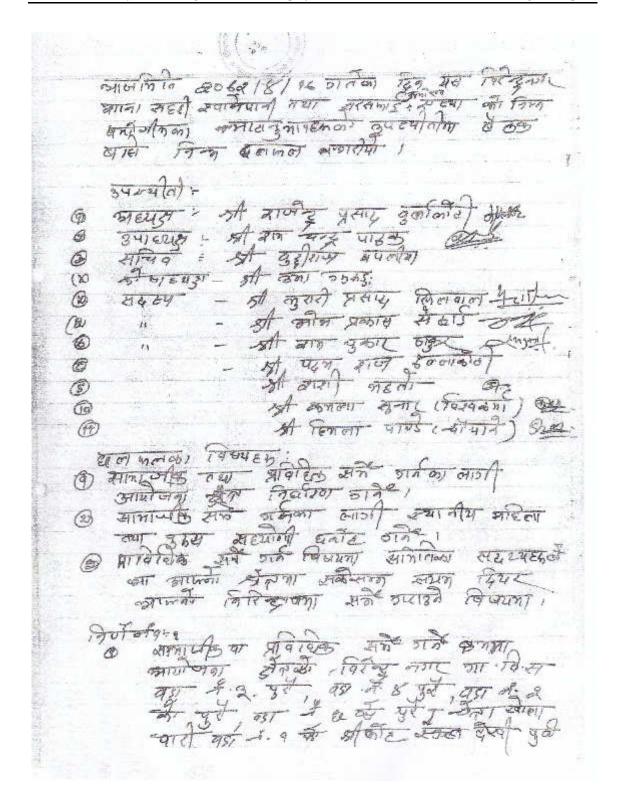
Social mobilizar Ms Bijal Shrestha and TirthaBhatta

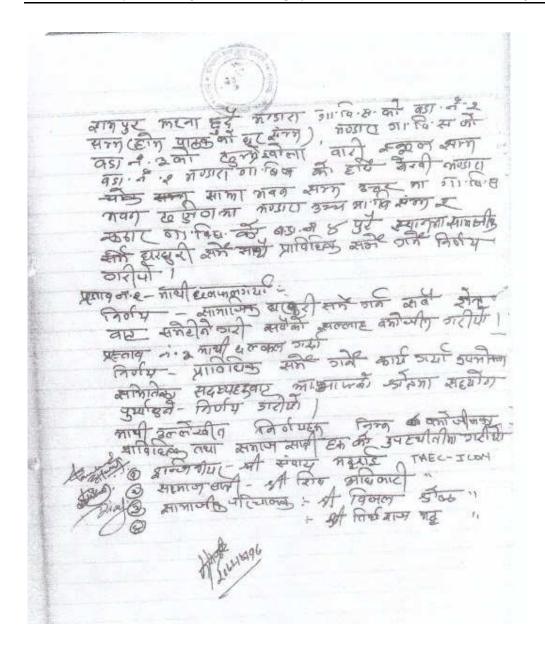
#### Agenda of the Meeting

- 1) Delineation of Service Area about the project at Birendranagar
- 2) Carry out Social and Technical survey selection through local enumerator
- 3) Carry out Technical Survey on behalf of local people/WUSC.

#### **Decision**

- Delineation of Service area of Birendranagar VDC entire ward no.2,3,4, and 6 Practical Area of Ward no.1 lower side of Rampur Jharana up to ward no.2 of Bhandara VDC likewise Ward no 2 and 3 of Bhandara VDC In south up to Dhungre river to School and ward no 2 From Hardi to Bhandara Chock along with Ward no. 4 of Khatar VDC.
- 2. Carry out Social Survey including all area of selected ward consensus to all member of WUSC
- 3. Help to survey team by WUSC member in their respected area.





# **Annex II: Project Photographs**



View of proposed land for Overhead Tank, Deep boring, Office Building, Generator house and Guard House construction site. Land is purched by WUSC in parmanent nature.



Interaction with WUSC member



Role model with enumerators



Orientaion to Enumerator about project and survey



Proposed OHT construction side , test boreing drillng



Data Collection at ward no. 2



Consulting with local peoples during survey at ward no. 2



Consultation with beneficiaries in Bhandara VDC



Consultation and draft report presentation



Consultation and draft report presentation

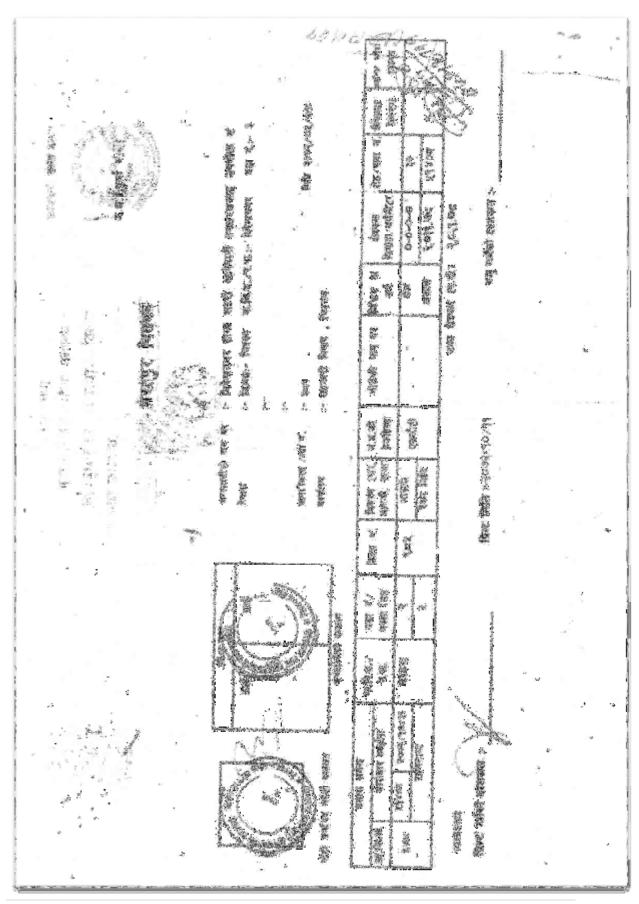


Consultation and draft report presentation



Consulting with local peoples during survey at ward no.5

TWSSSP: DDR of Birendranagar Town WSS Subproject	Due Diligence Repo
Annex III: Land Ownership Certificate and Other I	egal Documents
Annex III. Zana Ownership certificate and Other I	iegai botaments



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