

Due Diligence Report

Project number: 35173-013
January 2016

NEP: Third Small Towns' Water Supply and Sanitation Sector Project – Surunga, Jhapa District

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

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Ministry of Urban Development
Department of Water Supply and Sewerage
Small Towns Water Supply and Sanitation Sector Project (STWSSSP)
Project Management Office (PMO)
Panipokhari, Maharajgunj, Kathmandu, Nepal



**Enhance Functionality in Small Towns Water Supply and Sanitation Sector Project
(STWSSSP)**

Resettlement Due Diligence Report

For

**Surunga Small Towns Water Supply and Sanitation Sector Project
Jhapa District**

Kathmandu, January 2016

Submitted by:

Joint Venture in Between



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CURRENCY EQUIVALENTS

(As of 5 Nov 2014)

Currency Unit	=	NPR
NPR 1.00	=	\$0.00996
\$1.00	=	97.95

WEIGHTS AND MEASURES

cum	–	cubic meter
Km	–	kilometer
m ²	–	square meter
Mm	–	millimeter
m ³	–	micrograms per cubic meter

ABBREVIATIONS

ADB	–	Asian Development Bank
AP	–	Affected persons
BPL	–	Below poverty line
CBS	–	Central Bureau of Statistics
CDC	–	Compensation determination committee
CDO	–	Chief District Officer
DDC	–	District Development Committee
DSC	–	Design and supervision consultants
DWSS	–	Department of Water Supply and Sewerage
EA	–	Executing agency
GON	–	Government of Nepal
GRC	–	Grievance redress committee
GRM	–	Grievance redress mechanism
IR	–	Involuntary resettlement
lps	–	Liters per second
MUD	–	Ministry of Urban Development
NLSS	–	Nepal Living Standards Survey
PD	–	Project director
PMC	–	Project management consultant
PMO	–	Project management office
PPTA	–	Project preparatory technical assistance
RF	–	Resettlement framework
RP	–	Resettlement plan
RS	–	Resettlement specialist
SSO	–	Social Safeguards Officer
SPS	–	Safeguard Policy Statement
STWSSSP	–	Small Towns Water Supply and Sanitation Sector Project
TA	–	Technical assistance
TDF	–	Town development fund
TOR	–	Terms of reference
WSSDO	–	Water Supply and Sanitation Division Office
WTP	–	Water treatment plant
WUSC	–	Water users and sanitation committee
VDC	–	Village Development Committee

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I. INTRODUCTION

A. Introduction

1. 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 Enhance Functionality in Small Towns Water Supply and Sanitation Sector Project (STWSSSP) is designed to improve the performance and efficiency of the projects constructed during the first phase STWSSSP projects. There are 29 small town subprojects constructed in this phase. The Enhance Functionality in Small Towns Water Supply and Sanitation Sector Project (STWSSSP) aims to strengthen the overall efficiency and effectiveness of service 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 6 months.

2. The Enhance Functionality in Small Towns Water Supply and Sanitation Sector Project (STWSSSP) uses a sector lending modality of ADB. A total of 29 towns are proposed to be covered under the project. Preparation for the The Enhance Functionality STWSSSP is underway and the funding is secured by the ADB as well as the GON. 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 29 Small Towns will be covered by this project.

B. Proposed Subproject Components

3. This land acquisition and resettlement due diligence report is prepared for the proposed Surunga Small Towns Water Supply and Sanitation Sector subproject, under the The Enhance Functionality in Small Towns Water Supply and Sanitation Sector Project). The proposed service area of the water supply subproject includes ward nos. 4, 5, 8 and 9 of former Surunga VDC (Now Surunga Municipality). The total households of the wards of selected service area are 2,674 and total population is 14,493 excluding the institutional population in 2014.

II. SUBPROJECT DESCRIPTION

A. Proposed components

4. The Surunga sub-project has been conceptualized as a groundwater pumping system. The water for supply comes from the groundwater tube-wells source. The town has a full water treatment system. The system is operating with low efficiency because of some problem in the functioning of WTP and distribution pipeline problems Therefore these problems will be solved by the proposed project.

5. The details of the enhancement works are given below in Table 1.

Table 1: The details of the enhancement works

S. No.	Name of structure	Existing	Additional	Total
1	No. and capacity of Reservoirs:	1(450 cum)		1(450 cum)
2	Treatment Facilities	1(PF 1) Chlorination Unit	Chlorination Unit (Rehabilitation)	1(PF 1) Chlorination Unit
3	Pipeline Length:			
3.1	Transmission	0.2 km		0.2 Km
3.2	Distribution	35 km	15 km	50 Km
3.3	Total	35.2 Km	15 km	50.2 Km
4	Chlorination Unit with lab	None	One	One
5	Office Building:	One	One	One

6. The technical components are designed with close coordination with safeguard team and WUSC executive members to avoid involuntary resettlement impacts. Among the components, Deep Tube Well, Pressure filter, Disinfection Unit, Laboratory Room requires construct in existing land of WUSC. No additional land is required.

7. A due diligence process was conducted for proposed project sites and alignments in line with the Resettlement Framework prepared for the Third STWSSSP 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 Surunga Water Users Committee and submit to ADB; and receive a 'no objection' confirmation from ADB prior to start of construction.

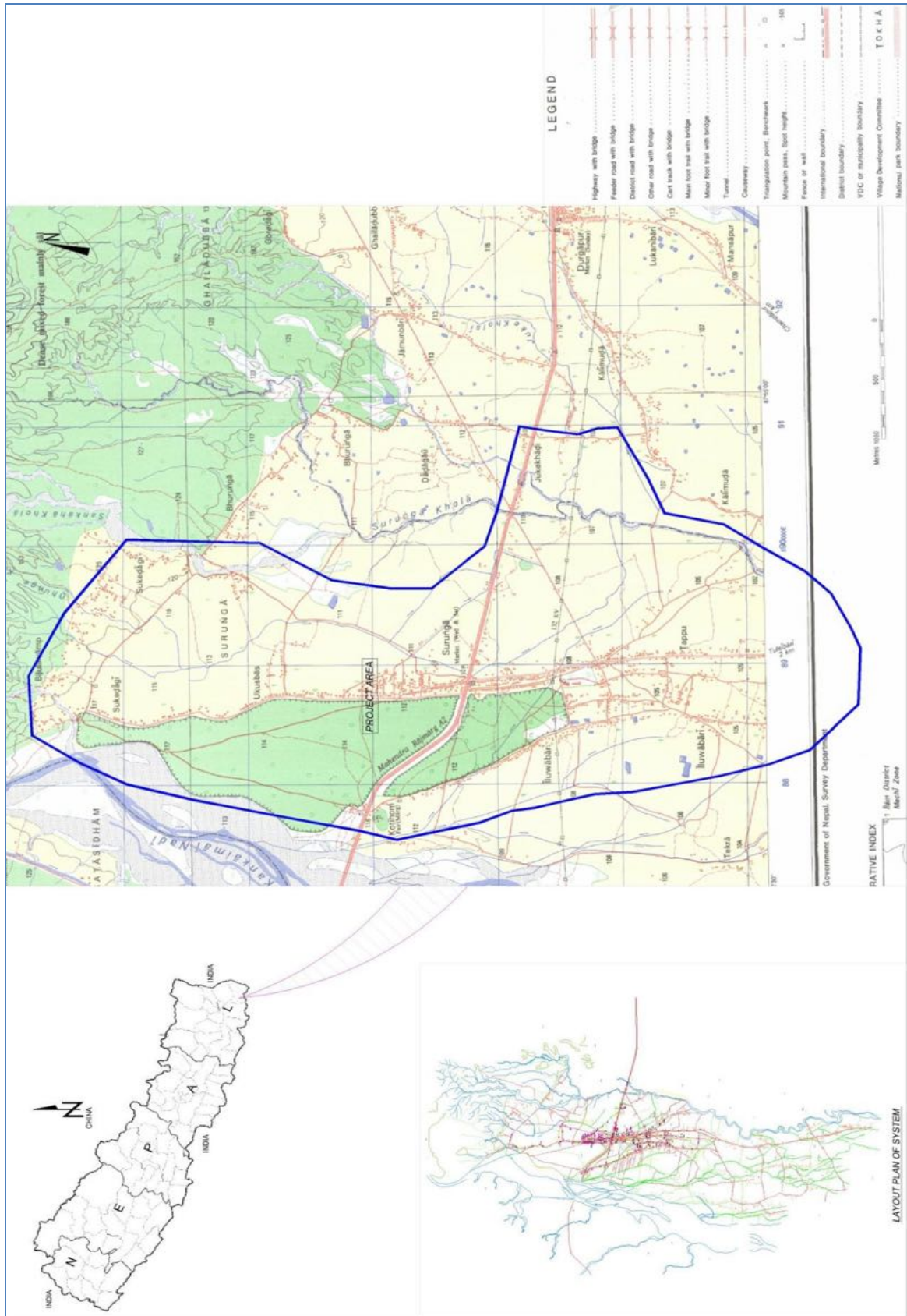


Figure 1: Map of Surunga Water Supply Subproject

III. FIELD WORK: SURVEYS AND PUBLIC CONSULTATION

A. Field Visit

8. Field visit to all proposed sites (i.e. sites with existing facilities proposed for continued use/rehabilitation, as well as new works), 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.

B. Public Consultation

9. 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.

10. 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 2: Summary of consultations

Date	Location	No. of Participants	Participants	Topics Discussed	Issues Raised
2071/3/28	Water Users and Sanitation Committee Office	Male = 4 Female = 1 Total = 5	WUSC executive members, project safeguard team	Upgrading the water supply system due to increase in demand	Means and required construction/rehabilitation works to improve supply
2072/6/8	Water Users and Sanitation Committee Office	Male = 7 Female = 3 Total = 10	WUSC executive members, project safeguard team, community users	Land acquisition, resettlement, Environmental Impacts while implementing the proposed, "Enhance Functionality" in Small Town Water Supply and Sanitation Sector Project	Resettlement issues, environmental issues, Willingness for individual connections to water supply; Upgrading of existing reservoirs, treatment plant & water source. Water quality; Subsidy to the poor.

IV. RESETTLEMENT IMPACTS

A. SCOPE OF LAND REQUIREMENTS

11. The sub-project components are proposed both in WUSC private land and government land. Existing facilities proposed for integration (continued use/rehabilitation within existing premises) include the rehabilitation works only. There is no new structure to

be constructed except for the chlorination units for disinfection. The rehabilitation of the treatment plant will be done within the treatment plant complex. The land is owned by WUSC. The distribution pipeline will follow road's RoW (government land) for laying. The existing water supply system in Surunga Municipality will be integrated with the proposed enhancement works.

12. No relocation impacts or impacts on structures are anticipated at any of the identified sites or alignments for water supply improvement proposals in Surunga Project. Temporary impacts of network laying and house connections are limited to potential access disruptions for shops and residences. Land ownership documents for different sites with existing facilities, and a no objection letter and minutes of meeting/resolution to provide land for water supply facilities from the land owners are annexed to this due diligence report.

13. About 15 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 signal 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.

14. Provision of 4,503 house connections for the year 2030, will be made by WUSC according to the demand. They are not included in the cost estimation, therefore it will not cause any environmental or social impacts. However there will be temporary disruptions in access to residences during connection distribution process. The contractor will be required to maintain access to the public mobility if required during construction period. Table 3 gives details of IR impacts of each proposed subproject component.

No additional land is required for other project structures, because they are rehabilitation works.

Table 3: Proposed sub-project components Surunga Municipality Water Supply Sub-project and their involuntary resettlement impact status

Components	Area (sq.m)	Land Ownership	IR Impacts	IP Impacts	Proposed mitigation measures
Rehabilitation of aeration tank		Existing	Noise pollution	None	Sound muffler installed
Installation of Backwashing arrangement		Existing	Inundation	None	Proper drainage system
Installation of fire hydrant		Existing	Minor impact (site specific)	None	Traffic diversion
Network rehabilitation activities/ Additional distribution network		Existing	Traffic disturbance	None	Arrangement for traffic diversion with traffic
			Air pollution		Dust reduction should be controlled

V. SOCIO-ECONOMIC PROFILE

15. The total population of the village is around 21,616 with 4,308 households. The proposed service area covers only 12,820 population and 2,617 households which is 60% of the total households and 59% of the total population. Brahmans and Chhetris are the most dominant ethnic groups in the village, whereas Satars and Newars are the second most dominant groups. The remaining groups Rais, Magars, Damais, Sarkis, Bhujels, Gurungs and Limbus are other ethnic groups in the area. The main occupation of the inhabitants of the project area is agriculture and animal husbandry.

16. Deteriorating water quality, unsanitary condition and lack of personal hygiene are often blamed for the prevalence of water borne diseases. Diseases like diarrhea and dysentery are the most common in VDC and other diseases like skin irritation; infection and coughing etc are also common. Besides tuberculosis, encephalitis and malnutrition were reported during field observation. There is one health post in the project area to treat ordinary diseases. Lack of medicines and technical health workers at local area, it has become very difficult for local. For major treatment people have to travel headquarter or to India (Siliguri). Most of the household (60%) uses groundwater from the shallow tube well with hand pumps without any preliminary treatment.

17. There is only one public toilet located along the East-West highway near bus stand at town core area of the Surunga Bazaar. The overall sanitation of Surunga bazaar is moderate with 70% of the population, using private toilet. Remaining populations use Kankai riverbank, stream nearby, fields and forest area for open defecation. The Sanitation situation of Surunga town is moderately satisfactory. The main commercial area of Surunga VDC is Surunga bazaar located in ward no 5. Most of the households in the commercial area have toilet facilities. Only 66.3% of the household have sanitation facilities; some with flush latrine, ordinary pit latrine and vented pit latrine

VI. INFORMATION DESSIMINATION

18. 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 PAF and related stakeholder.

VII. GRIEVANCE REDRESS

19. 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 AP is not satisfied by the resolution the team, it will forward to executive committee of WUSC. The WUSC committee will ensure the grievances are addressed and AP is satisfied. Again if AP is not satisfied the resolution made by WUSC executive committee, it will forwarded chief district officer.

VIII. CONCLUSIONS

20. The subproject has insignificance impact on land and livelihood of PAF. It doesn't require dislocating any private and public structures. There is no land acquisition and hence no significant impact in livelihood of PAF but the water fetching time is reduced. The land is required for the rehabilitation of WTP (Pressure filter) , Disinfection Unit and Laboratory Room but the required land is already owned by the WUSC. That is to say that the structures will be built in the existing land. Therefore compensation cost is not required for the implementation of this sub project. It doesn't require dislocating any private and public structures and hence falls under the B category of ADB guidelines and this DDR is prepared.

Appendix I: IR & IP Screening Checklist

**INVOLUNTARY RESETTLEMENT AND INDIGENOUS PEOPLE
SCREENING CHECKLISTS**

A. Introduction

1. Each project/subproject/component needs to be screen for any involuntary resettlement impacts and indigenous people impacts which will occur or already occurred. This screening determines the necessary action to be done by the project team.

B. Information on project/subproject/component:

- a. District/ Administrative Name: Jhapa
- b. Location: Surunga Municipality
- c. Civil work dates (proposed): February 15, 2016 to August 15, 2016
- d. Technical Description: It is an enhancement project and only rehabilitation type of works will be carried out.

Country

Nepal

Subproject Name

Surunga Small Town Water Supply and Sanitation Project

C. Screening Questions for Involuntary Resettlement Impact

A. Probable Involuntary Resettlement Effects	Yes	No	Not known	Remarks
Involuntary Acquisition of Land				
1. Will the project include any physical construction work?	√			Rehabilitation of WTP, pipeline and disinfection unit
2. Does the proposed activity include upgrading or rehabilitation of existing physical facilities?	√			
3. Will there be land acquisition?		√		
4. Is the site for land acquisition known?				NA
5. Is the ownership status and current usage of land to be acquired known?	√			NA
6. Will easement be utilized within an existing Right of Way (ROW)?	√			The pipe laying will be carried out along the right of way as far as possible in order to avoid the private land and to minimize the other possible adverse impacts.
7. Will there be loss of shelter and residential land due to land acquisition?		√		
8. Will there be loss of agricultural and other				NA

productive assets due to land acquisition?				
9. Will there be losses of crops, trees, and fixed assets due to land acquisition?				NA
10. Will there be loss of businesses or enterprises due to land acquisition?				NA
11. Will there be loss of income sources and means of livelihoods due to land acquisition?				NA
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
12. Will people lose access to natural resources, communal facilities and services?		<input checked="" type="checkbox"/>		There is no any designated park and protected area in or near to the project.
13. If land use is changed, will it have an adverse impact on social and economic activities?		<input checked="" type="checkbox"/>		
14. Will access to land and resources owned communally or by the state be restricted?		<input checked="" type="checkbox"/>		
Information on Displaced Persons:				
<p style="text-align: center;">Any estimate of the likely number of persons that will be displaced by the Subproject?</p> <p>Yes [<input checked="" type="checkbox"/>] No []</p> <p>If yes, approximately how many? <u>None</u></p>				
<p>Are any of them poor, female-heads of households, or vulnerable to poverty risks? [<input checked="" type="checkbox"/>] No [] Yes</p>				
<p>Are any displaced persons from indigenous or ethnic minority groups? [<input checked="" type="checkbox"/>] No [] Yes</p>				

2. Indigenous Peoples Impact Screening Checklist

KEY CONCERNS (Please provide elaboration on the Remarks column)	YES	NO	NOT KNOWN	Remarks
Indigenous Peoples Identification				
1. Are there socio-cultural groups present in or use the subproject area who may be considered as "tribes" (hill tribes, scheduled tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the subproject area?		√		The service area of the subproject is heterogeneous in terms of ethnicity/caste & culture, and no specific territory of indigenous people or socio-cultural groups has been observed. Most indigenous people in subproject areas are economically and politically integrated into the mainstream society, and considering the nature and scale of the subproject, impacts on indigenous peoples are insignificant.
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the subproject area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?		√		
3. Do such groups self-identify as being part of a distinct social and cultural group?		√		
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		√		
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?		√		
6. Do such groups speak a distinct language or dialect?	√			The ethnic groups in the service area speak their own distinct language among their members, but Nepali is spoken as common language.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	√			Dalits and Janajati groups have been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against to some extent.
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?	√			

B. Identification of Potential Impacts

KEY CONCERNS (Please provide elaboration on the Remarks column)		YES	NO	NOT KNOWN	Remarks
9.	Will the subproject directly or indirectly benefit or target Indigenous Peoples?	√			The subproject directly benefits the Indigenous/Janajati because all the beneficiaries will get water supply service irrespective of their ethnicity/caste and economic status.
10.	Will the subproject directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)		√		
11.	Will the subproject affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		√		
12.	Will the subproject be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		√		
C. Identification of Special Requirements <i>Will the subproject activities include</i>					

13.	Commercial development of the cultural resources and knowledge of Indigenous Peoples?		√		
14.	Physical displacement from traditional or customary lands?		√		
15.	Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		√		
16.	Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		√		
17.	Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		√		

D. Anticipated subproject impacts on Indigenous Peoples

Subproject component/ activity/ output	Anticipated positive effect	Anticipated negative effect
1. Civil Works (Rehab of WTP, chlorination unit)	Regular water supply through efficient water supply system	None
2. Pipeline Works (Excavation, pipe laying and backfilling)	Regular water supply through improved distribution network.	None

Appendix II: Minutes of Meeting

English Translation of Minute of Meeting - Phase II

Surunga Small Town Water Supply Sanitation and User's Committee organized a public hearing workshop on 2072/6/8. Participations were made from all concerned stakeholders. After discussion in the public hearing it was observed that there will be no negative impacts on the environment, no necessity of land acquisition and no need of resettlement while implementing the proposed "Enhance Functionality" in Small Town Water Supply and Sanitation Sector Project. As such it was decided to inform this conclusion to the concerned authorities.

Surunga

आज मिति २०७१ साल असार २८ गते शनिवार का दिन यस श्री सुरुङ्गा खानेपानी तथा सरसकार्ड उपमो-
का संस्थाका अध्यक्ष, सचिव, सदस्य तथा कार्यवाहीहरू
तथा ITECO नेपाल वाट पारनु हुने ITECO प्रमुख
ज्यू तथा इन्जिनियर ज्यू हरू किच यस संस्थाका
विभिन्न पत्रहरूमा गतिविधिहरूका बारेमा जानकारी
द्वलकलमा निम्न अनुसार उपस्थिति रहन गयो।

उपस्थिति :-

अध्यक्ष : श्री प्रेम प्रसाद दाहाल ~~सुरुङ्गा~~
सचिव : श्री रुपनारायण कतिवडा
सदस्य : श्री लिला प्र. ग्रेवाल ~~सुरुङ्गा~~
लेखपाल : श्री नारायण सु. नेपाल ~~सुरुङ्गा~~

ITECO नेपाल / SALT

हरि प्रसाद ठकाल ~~सुरुङ्गा~~
राधक ठकुरी ~~सुरुङ्गा~~

प्रस्ताव नं. व. आयोजना शनः निर्माण सम्बन्धमा।
उपरोक्त प्रस्ताव माथि हलकल गर्दा
उपरोक्त समिति, कार्यवाही तथा ITECO / SALT सम्म
परामर्श दाता किच यस सुरुङ्गा खाना
सहर खानेपानी तथा सरसकार्ड उपमोका समिति
किच आयोजना शन निर्माण गर्नु पर्ने सम्बन्धमा
अन्तरक्रिया रू स्थलगत भ्रमण गरी, आयोजना
शनः निर्माण गर्न आति आवश्यक भएको ले आवश्यक
प्रक्रिया अघि बढाउन सर्वसम्मत निर्णय गरियो।



आज मिति सुरङ्गा खानेपानी आयोगको कार्यालयमा आइवीन टागले सुरङ्गा का दिन सुरङ्गा खानेपानी आयोगको सर सफाई उपमार्गको संस्थाको अध्यक्ष श्री पुष्प प्रसाद दाहाल प्यु को अध्यक्षतामा वृत्तको बैठकमा निम्न अनुसारको पदाधिकारीहरूको उपाध्यतिमा निम्न अनुसारको निर्णय गरियो

उपाध्यति

- अध्यक्ष :- श्री पुष्प प्रसाद दाहाल
- उपाध्यक्ष :- श्री अनुका मैनाली
- सचिव :- श्री रमेश नारायण खतिवडा
- कोषाध्यक्ष :- श्री सुरेश कुमार गुरुङ
- सदस्य :- श्री योका पाण्डे
- सदस्य :- श्री रमेश दाहाल
- सदस्य :- श्री लिला प्रेमवाल
- सदस्य :- श्री आमृता राई
- सदस्य :- श्री ललित को. कार्की

आयोज्य सदस्य :- श्री रमेश रिजाल
इटाका नेपाल

प्रस्ताव नं.-१ आयोजनाको क्षमता आविर्द्धि कार्यक्रम संचालन गर्ने सम्वन्धमा,

पारित नं.१ उपरोक्त प्रस्ताव माथी इलफुल गर्दा सुरङ्गा खानेपानी आयोगको क्षमता आविर्द्धि कार्यक्रम अन्तर्गत आयोजनाको च. नं. १६६ को पत्र अनुसार यस आयोजनामा कार्यक्रम संचालन गर्ने अर्थात् आदिग्रहण, पुनवासको व्यवस्था गर्नु नपर्ने भएको हुनाले वातावरणमा कुनै प्रतिकूल असर नपर्ने व्यापारिक सबलसमा निर्णय गरिन्छ। सोही अनुसार सम्वन्धित सरकारी निकायमा जानकारी गराउने।

Appendix III: Photographs



Photo No. 1



Photo No. 2



Photo No. 3



Photo No. 4

