Due Diligence Report – Social Safeguards

Project Number: 35173-013
August 2016

NEP: Third Small Towns Water Supply and Sanitation Sector Project – Tamsariya Town (Nawalparasi 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.

CURRENCY EQUIVALENTS

(as of 26 July 2016)

Current Unit	=	NPR
NPR1.00	=	$ 0.00931
$ 1.00	=	107.37

ABBREVIATIONS

ADB	-	Asian Development Bank
AP	-	Affected Persons
BS	-	Bikram Sambat (Nepali Calendar)
CDC	-	Compensation Determination Committee
CDO	-	Chief District Officer
DDC	-	District Development Committee
DDR	-	Due Diligence Report
DP	-	Displaced Person(S)
DSMC	-	Design, Supervision and Management Consultants
DWSS	-	Department of Water Supply and Sewerage
EA	-	Executing Agency
EMP	-	Environmental Management Plan
GON	-	Government of Nepal
GESI	-	Gender Equality and Social Inclusion
GRC	-	Grievance Redress Committee
GRM	-	Grievance Redress Mechanism
HA	-	Hectares
HHs	-	Households
IP	-	Indigenous Peoples
IR	-	Involuntary Resettlement
LAA	-	Land Acquisition Act
lps	-	Liters Per Second
MoWSS	-	Ministry of Water Supply and Sanitation
NA	-	Not Available
NGO	-	Non-Government Organization
NRs	-	Nepalese Rupee
PD	-	Project Director
PMO	-	Project Monitoring Office
PPTA	-	Project Preparatory Technical Assistance
RF	-	Resettlement Framework
RP	-	Resettlement Plan
RPMO	-	Regional Project Management Office
SSO	-	Social Safeguards Officer
SPS	-	Safeguard Policy Statement
SSE	-	Social Safeguard Expert
TSTWSSSP	-	Third Small Town Water Supply and Sanitation Sector Project
TA	-	Technical Assistance
TDF	-	Town Development Fund
TOR	-	Terms of Reference
WHH	-	Women Headed Household
WSSDO	-	Water Supply and Sanitation Division Office
WTP	-	Water Treatment Plant
WUSC	-	Water Users and Sanitation Committee
VDC	-	Village Development Committee

WEIGHTS AND MEASURES

cum	-	cubic meter
km	-	kilometer
Sq. m	-	square meter
mm	-	millimeter

GLOSSARY OF NEPALI TERMS

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 mortar 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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1. INTRODUCTION

1.1 Project Background

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 STWSSP and aims to extend improved water supplies and sanitation to around 26 small towns / 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. 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.

Over the last two decades, in the water supply and sanitation sector, Government of Nepal has mainly focused towards rural areas. During this period, substantial improvement has been achieved especially in water supply coverage. Recent WHO figures indicate that 81% people use reasonable safe water in Nepal. But the Government's figure on the provision of safe water supply is around 70%. Sanitation is lagging behind the water supply as only about 27% population use latrines. Moreover, infant mortality rate has came down and it is less than hundred. Extending the water supply and sanitation services to hardship area is still a priority in Nepal. However, there are other new issues; migration from hinterland to road center is very common in Nepal. This has created many small towns especially along highways in Terai and Hill as well. Further, political movements in certain parts of the Terai and some hilly region have also contributed population influx in certain towns.

In these towns, the improvement of the service level of drinking water is most desirable; moreover, the quality of water has to be assured. Quality of drinking water in Nepal was largely overlooked in the past due to various reasons. Now, the time has come to ensure both in terms of quantity and quality of drinking water as well to take appropriate steps towards other environmental aspects. This Third Small Towns Water Supply and Sanitation Sector Project aim to fulfill these lacunas up to a certain extent.

The scope of services of the project is to improve health and quality of life of the people living in the project towns by facilitating water supply, drainage, and sanitation facilities as well as by providing health and hygiene education program in about 26 small towns in the country. The Ministry of Urban Development (MoUD) (now Ministry of Water Supply and Sanitation) is the executing agency, whereas the Department of Water Supply and Sewerage is the implementing agency of these projects. A loan of $ 60.0 million (54.9 %) will be provided by ADB to implement the project, whereas $ 23.3million (21.4%) and $ 20.0 million (18.3%) will be contributed by GON and OPEC Fund respectively. Rest amount $5.8 million (5.4%) will be borne by Sanitation Fund, Local Bodies and beneficiaries. Thus a total of $109.2 million has been allocated for the town projects to be implemented under TSTWSSSP.

Small Towns Water Supply and Sanitation Sector Project is designed with the principle of community management, making it demand responsive, and adopting participatory approach. Participatory approach aims for greater community participation in planning, implementation along with their O & M activities. Demand responsiveness is demonstrated by willingness to pay for improved service delivery and ultimately aims at 30% cost recovery. Community management is essential for making the community empowerment so that the community could take full responsibilities on financial, technical and managerial aspects on operation & maintenance activities.

In terms of financing, 70 percent of the cost will be contributed by GON. In regard to cash contribution to be made by WUSC, the initial cash contribution of WUSC should be minimum 5 percent of the civil works contract in the form of upfront cash contribution. The remaining 25 percent to be borrowed from the TDF as a loan at an interest rate not exceeding 5 percent per annum with a maturity of 25 years including a grace period of five years. The project ensures full participation of Water Users and Sanitation Committee in the formulation, implementation and operation and maintenance of water supply, sanitation and drainage facilities.

The main objectives and scope of the project are to:

i. Improve water supply and sanitation facilities and provide a health and hygiene education program in each town.
ii. Support community participation in the development of water supply and sanitation facilities, and
iii. Facilitate Sustainable development of the facilities thereby help/ improve health and quality of life of the people living in the project area.

1.2 TAMSARIYA TOWN POJECT DESCRIPTION

1.2.1 Location and Accessibility

Tamsaria is situated in the Nawalparasi district of Lumbini Zone in Western Development Region. It is located in the mid southern part of the Country. The location of the project area is 27°37'15"N latitude and 84°1'40"E longitude. The project town is surrounded by Argeuli VDC to the East, Mainaghat and Deurali VDCs in the North, Parsauni and Nayabilasi VDCs in the West and Narayani in the South.

Tamsaria is one of the emerging towns of Nawalparasi district. The East-West Highway passes through this town and the major settlements / clusters are located on the both sides of the Highway. It is located at a distance of about 40 km west from Narayangarh. Parasi is the district headquarter and lies 60 km south west from the town.

The proposed 945.24 Km Mechi-Mahakali Electric Railway, which has been on top of the government's priority list, will pass through Tamsaria and one of the nine major junctions will be situated in this location. The junction station will be connected to Abukhairini through Tamsariya-Abukhairini line (72.73 Km) and other eastern and western parts of the country. Development of the proposed railway junction can be expected to accelerate the urbanization process and boost up the local economic activities. The project area has growth potentiality and the economy of the town is gradually shifting from rural agro based to business and commercial based.

1.2.2 Service Area, Households and Population

The proposed town project covers all Wards (Ward Nos 1-9) of Tamsaria VDC (now municipality) and a part of Narayani VDC (Baghkhor cluster) of Navalparasi district. Major settlements / Tole of the service area as well as Ward wise Household and population are shown in table below. The project area accommodates a total population of about 15,590; of which 15,028 is permanent population and 562 is rental population.

Table-1: Households and Population by Wards

VDC	Ward No.	Tole / Settlement	HHs	Population		
				Permanent	Rental	Total
Tamsariya	1	Simanatole, Basantapur, Mainroad, Magartole, Hariyalitole, Phulbari tole	220	1,145		1,145
	2	Amartole, Bhu Pu Tole	317	1,726	19	1,745
	3	Bhiureni tole, Simarhani	95	496		496
	4	Amrasa, Sundarbasti, Sitalnagar, Sangamtole, Pragatitole, Namunatole, Milantole, Milanchowak, Madyabindutole, Kisantole, Gaharitole, Jungletole, Hariyalitole, Chormara Highway, Buddhatole, Bijayatole, Bazar area, Banktole	469	2,495	220	2,715
	5	Danawaritole, Vagratole, Jhayankattatole	454	2,426	61	2,487
	6	Milan Chowk, Ranitar, Tamsaria, Ranitar	245	1,313		1,313
	7	Shanti tole, Samabasitole, Saharitole, Ramailochowk, Purbitole, Milijulitole, Kusumtole, Kalikatole, Chormarabazar, Chautaritole, Bhandaritole, Akaladevitole	394	2,102	247	2,349
	8	Tadi , Naya Basti, School Tole,	374	1,957	5	1,962
	9	Baruwa, Purwatole, Pashim tole	92	483	10	493
Sub-Total			**2,660**	**14,143**	**562**	**14,705**
Narayani		Baghkhor	167	885		885
Grand Total			**2,827**	**15,028**	**562**	**15,590**

Source: Socio-economic Survey, August 2015

There are total 2660 households in the service area of Tamsaria VDC with an average household size of 5.32. The distribution of households by Ward reveals that Ward no. 4 is densely populated with 2495 population living in 469 households and Ward no 9 has least number of households (92) with 483 population. Among the total permanent population (1443) in the service area, 7170 are male and 6973 are female. Male population is slightly higher (50.7%) than the female population (49.30%). Ward wise population composition by gender is also illustrated in Figure-1.

Fig-1: Ward wise population Comosition by Gender

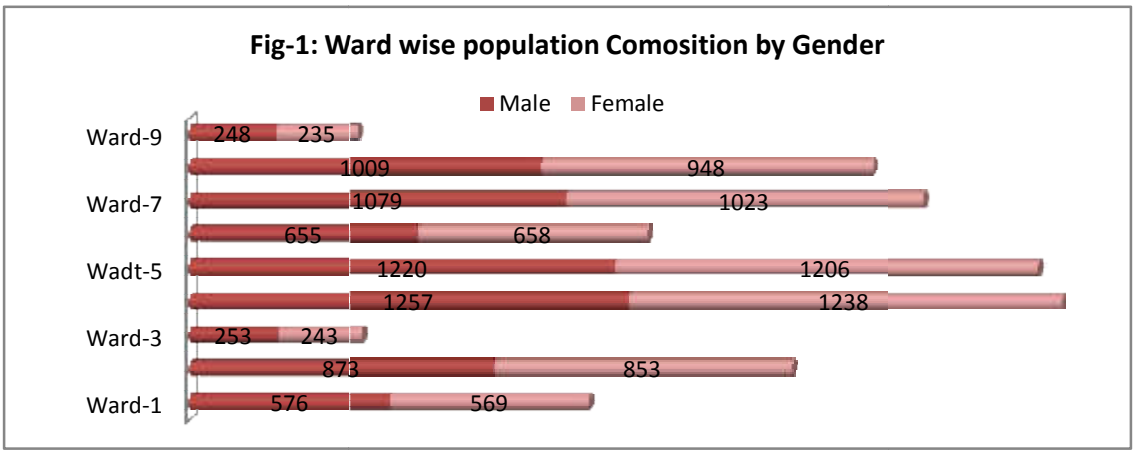
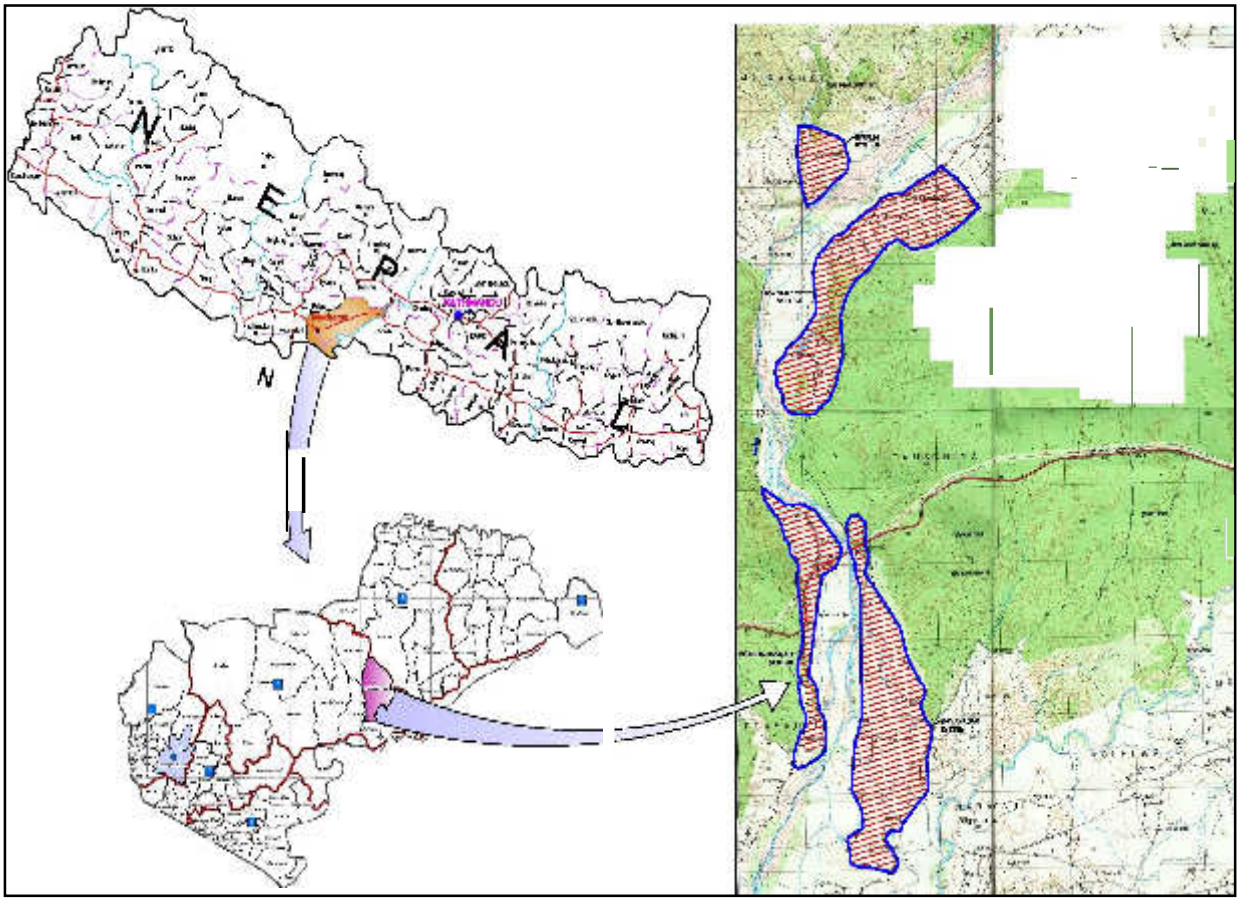


Table-2: Population and Household Size

VDC	Ward No	HHs	Population			Average HH Size
			Male	Female	Total	
Tamsariya	1	220	576	569	1145	5.2
	2	317	873	853	1726	5.4
	3	95	253	243	496	5.2
	4	469	1257	1238	2495	5.3
	5	454	1220	1206	2426	5.3
	6	245	655	658	1313	5.4
	7	394	1079	1023	2102	5.3
	8	374	1009	948	1957	5.2
	9	92	248	235	483	5.3
Total		**2660**	**7170**	**6973**	**14143**	**5.32**

Source: Field Survey, August 2015

Fig-2: Project Location Map



1.2.3 Description of Proposed Subproject Components

This resettlement due diligence report is prepared for the proposed Tamsariya water supply and sanitation subproject, under the Third Small Towns Water Supply and Sanitation Sector Project (STWSSSP). This section describes the different components of the proposed sub-project.

Tamsaria Small Town Water Supply sub-project has been conceptualized as a piped water supply system considering ground water (deep tube wells) as sources.

The service area of Tamsaria Water Supply and Sanitation Sub-project is a strip extended to 11 km southward. Breadth of the service area is quite narrow, less than 2 km in northern part. Girwari River which is about 150m wide, flows down north to south through the service area. Jungle area starts from few hundred meters north from East-West Highway. This jungle separates northern settlement from the Highway. Thus considering the topography, land use, settlement pattern 4 separate distribution schemes are proposed as described below:

Simreni Scheme: This scheme located in the ward no. 3, lies in the north tip of the service area and other side of the river Girwari. The present day households and population are just 95 and 496 respectively (census, August 2015). Simreni Tole, Bhiureni Tole are the main settlements of this ward. Simreni Scheme includes the components such as deep tube well (15.86 lps both for Simreni and Basentapur schemes), transmission main (1510m) and ground reservoir -30 Cum. The further details of each component are given below in this report under separate sub headings.

Basantapur Scheme: This scheme is located in the north side of East - West Highway beyond the jungle area. This will serve wards nos.1,2 and part of 4. Basantapur, Magartole, Bhuptole, Amrasa, are the few major settlements that will be served by this Scheme. This scheme is designed to serve 8,494 permanent and 35 rental populations. A deep tube well installed in this scheme will also serve the demand of Simreni Scheme. An appropriate river crossing structure is to be developed across the Girwari River. Other components proposed for this scheme consists of deep tube well (15.86 lps both for Simreni and Basentapur schemes), transmission main (202m), 200 Cum OHT.

Bhagra – Ranitar Scheme: This scheme is proposed at the western side of the river Girwari, serving wards 5 and 6. This scheme will serve Bhagra, Lohasedhara, Khyankala Tole, Devkota Tole, Ranitar etc. This scheme is designed to serve 5800 permanent population and 101 temporary population. A 100 Cum OHT will distribute the water to the community. Likewise, deep Tube well (11.05 lps) and 954 m transmission mains are proposed for this scheme.

Shivanagar Scheme: This scheme is proposed at the left side of the river Girwari , covering Shivanagar, Chormara bazaar, Tadi, Purwa Tole, Pashim Tole, Baruwa and Baghkhor of Narayani VDC. This will be the largest distribution scheme of the sub-project. The design population of this scheme is 10,660 permanent and 852 temporary population. Ground water will be pumped from deep tube well (17 lps) to a 450 Cum OHT reservoir through 191 m transmission main to serve the community people.

Figure-3: Map Showing Service Area of Simreni and Basantapur Systems

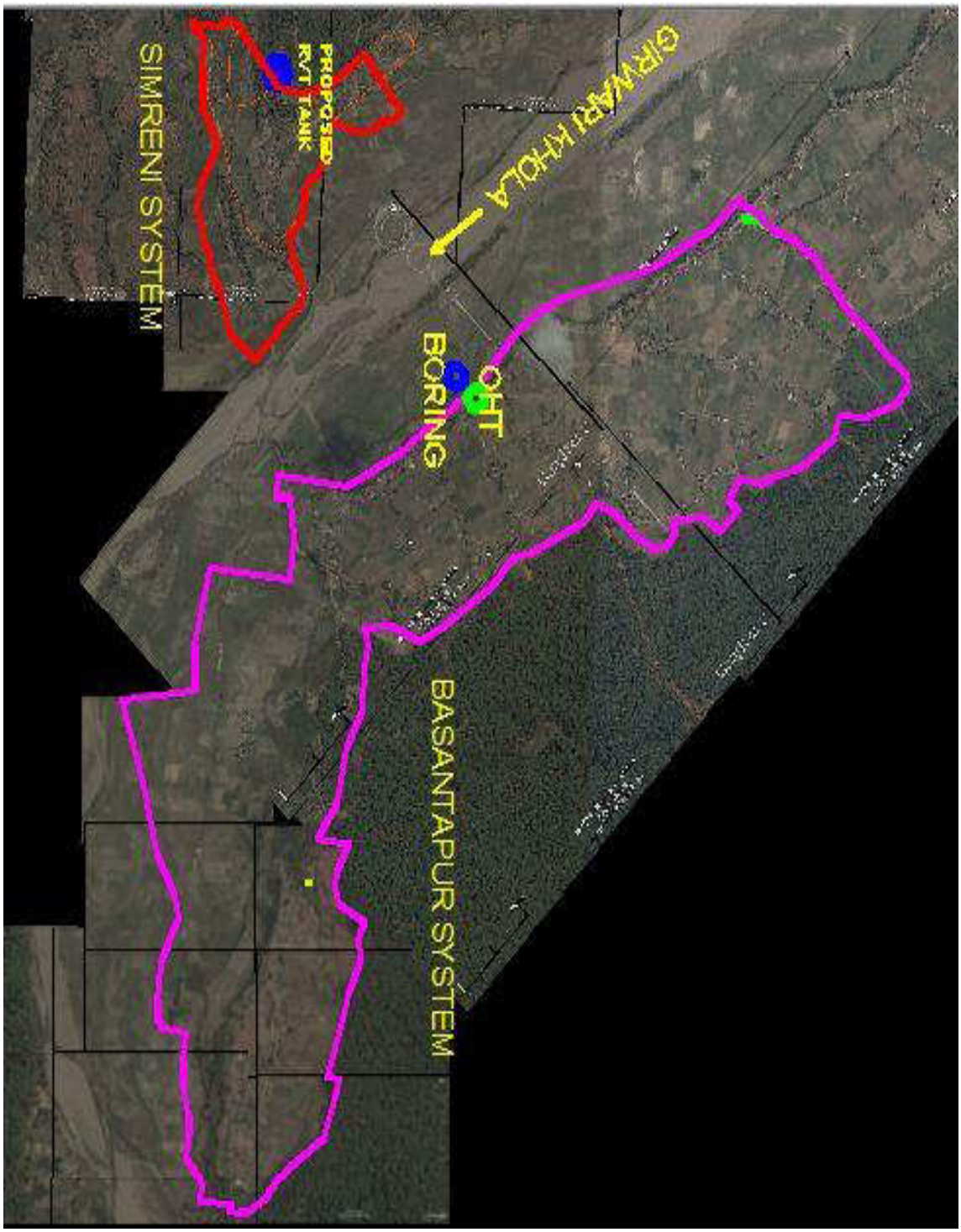
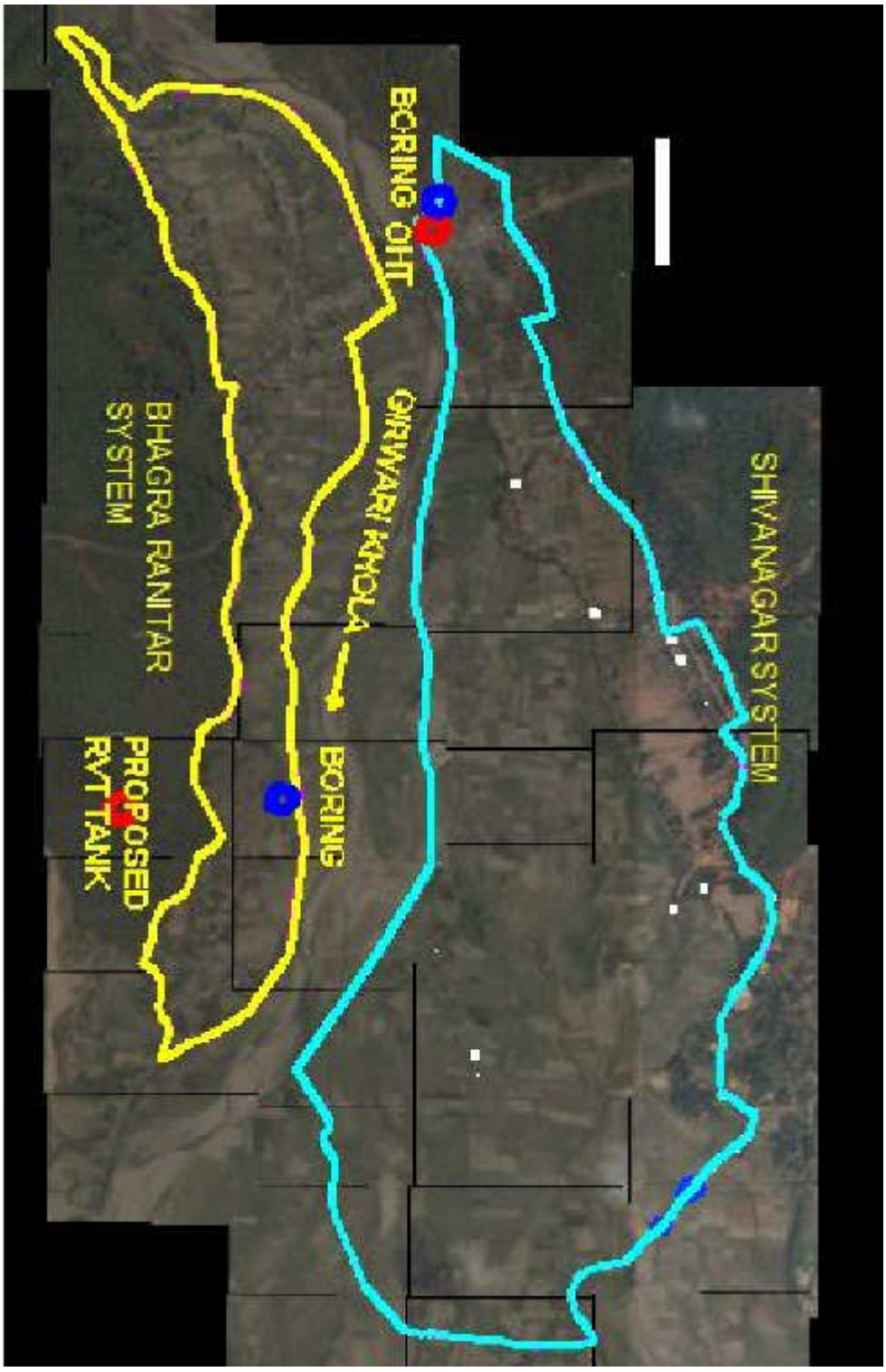


Figure-4: Map Showing Service Area of Shivanagar and Bhagra-Ranitar Systems



1.2.3.1 Source Location and Source Yield

Ground water as source is proposed for this town project. Deep tube wells are proposed to install in the both banks of Girwari Khola. The table below summarizes the location and required safe yield.

Table 3 : Subsystem wise tube well sizes

S. No	Subsystem	Required safe yield from source	Proposed Boring size	Location	Remarks
1	Simreni	1.38 lps	200 x 200 mm	Basantapur Ward no 1	1 tube well to supply both the subsystems (1.38 lps +14.48 lps).
2	Basantapur	14.48 lps			
3	Bhagra - Ranitar	11.05 lps	200 x 200 mm	Ranitar Ward No 6	
4	Shivanagar	17.0 lps	200 x 200 mm	Shivanagar Ward No 4	

1.2.3.2 Components Required for Treatment Process

Pressure Treatment Plants are proposed to treat water. The Treatment Plant units of following capacities are proposed for treatment process.

Table 4: Pumping rates / Treatment plant capacities

S.N.	Sub-system	Pumping Rate (lps)	Remarks
1	Simreni	1.38+14.48 =15.86	Both the subsystems are proposed to use same boring
2	Basantapur		
3	Bagra-Ranitar	11	
4	Shivanagar	17	

1.2.3.3 Transmission mains

Pumping Main: Review of Detailed Engineering Design Report reveals that 2,857 m Pumping main of different sizes is estimated to pump water from deep tube wells to the respective storage tank. Following table summarizes the proposed pumping mains from operating and stand by tube wells.

Table 5: Transmission / Pumping mains

S.No	Subsystems	Length (m)	Pipe size and type	Remarks
1	Simreni	1,510	GI 65 mm	
2	Basantapur	202	DI 200 mm pipe is proposed	Including standby wells
3	Shivanagar (Chormara)	191	DI 200 mm pipe is proposed	-do-
4	Bhagra- Ranitar	954	DI 150mm is proposed	-do-
Total		2,857		

1.2.3.4 Storage Reservoirs

The total storage requirement for the system at the end of design period i.e. 2038 is calculated as 780 m^3. The following table summarizes the requirement of reservoir tanks subsystem wise.

Table 6: Requirement of Reservoir

S.N	Sub Systems	Reservoir sizes (m^3)	Remarks
1	Simreni	30	Proposed Ground Reservoir
2	Basantapur	200	Proposed OHT
3	Bhagra Ranitar	100	Proposed OHT
4	Shiva Nagar	450	Proposed OHT
Total		**780**	

1.2.3.5 Distribution Network

The distribution system comprises of pipe network, which consists of mainly loops and branch in very few places. Distribution pipes will be laid both sides of the all metalled and major roads. Single line pipes are proposed in earthen and other roads. Pipe class & size lesser than 6 kgf and 40 mm are not proposed to use. 40mm diameter pipes are used only in the dead ends (branched) with 2,3 households. The total distribution pipe length of the proposed system is about 74812 m.

1.2.3.6 Valve chambers

Total 241 number of valve chambers have been proposed, which will primarily comprise of valve chambers in air valve, scouring valve, flow control valves for controlling flow in the pipelines etc. The table below summarizes the numbers of valves and their sizes.

Table 7: Distribution Pipe Network

Description	Valve chamber size 1500x 900x1000)	Valve chamber size 900x 900x1000)	150mm pipe valve box
Numbers	96	70	75

1.2.3.7 Generator / Operator house

Three permanent generator operator houses to accommodate the generators shall be constructed. A permanent area to accommodate the pump / plant operator will be provided in each generator house. Accordingly guard room is proposed for this purpose.

1.2.3.8 Office Building / Lab Room

One office building consisting manager's room, cash counters, meeting hall is proposed. However, a separate laboratory room is proposed beneath the 450 Cum OHT storage reservoirs.

1.2.3.9 Sanitation Improvement Component

This component comprises, waste water management, solid waste management, public toilet *etc* as described below.

a. Public Toilet

One public toilet with the capacity of 50 users is proposed in the weekly market place (Haat Bazaar) as discussed with the WUSC and VDC.

b. Individual Household Toilet Improvement

The sanitation improvement basically includes the individual household toilet improvement. Individual toilet improvement and construction cost is not included the project cost but the beneficiaries will be encouraged for sanitation improvement through awareness program. However, poor and vulnerable households will be supported with financial grant for individual toilet construction through Output Based Aid (OBA) program. Such households will be identified through rigorous selection process in coordination with WUSC. Therefore, the exact number and location of households for toilet construction will be identified in construction phase and the individual toilet will be built on private land of respective house owner. Land acquisition is not required for household toilet; hence the land required for individual toilet construction is not included in this report.

c. Waste Water management

Tamsaria VDC does not have a water-borne sewerage system. The current practice of human excreta management and disposal is on-site sanitation consisting of individual household or institutional septic tanks often without a proper effluent disposal system.

A sludge drying bed constructed from masonry structure with gravel packing is proposed. However, the WUSC is looking for suitable land for sludge drying bed in appropriate location and the DDR will be updated once the land is identified.

2. APPROACH AND METHODOLOGY: FIELD WORK AND PUBLIC CONSULTATION

2.1 Objective of the Study

The main objectives of the study are as follows:

- To review safeguard documentation; and
- To assess Involuntary Resettlement and Indigenous Peoples Impacts related issues.

2.2 Approach and Methodology

Following step and methodology were adopted for undertaking the Resettlement Due Diligence.

2.2.1 Desk Review

Desk review was the main step adopted for the study. Relevant reports and documents available at PMO/DWSS, WRPMO, WUSC office and reports prepared by WRDSMC were reviewed in order to assess the land acquisition, requirement and level of likely impact. Followings are the main reports and documents reviewed for the study.

- Detailed Engineering Design Report
- Socio-economic Profile prepared by WRPMO
- WUSC Minutes and Documents
- ADB Safeguard Policy

2.2.2 Field Visit

Field visit to the construction site and major settlements / clusters in the service area was another step for the study. Some field visits were made onward June 2015 immediately after agreement made between PMO and consultant for the consulting services.

The details of the field visits including exact date, location, participants and topic discussed are included in Table-8 and the photographs of such meetings are annexed in this report in Appendix-3.

2.2.3 Observation and Interaction

Direct observation and interaction with local people likely to be affected by project construction activities was carried out during field visit. The details of field visit and interaction are presented below in Table-8.

2.2.4 Public Consultation

Consultations with key stakeholders were carried out in line with ADB's requirements related to environment and social considerations. During the consultation key concerns of people related to the project 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 identify the felt needs/concerns and priorities of the stakeholders.

Consultation and meetings started holding with the WUSC, local community and different stakeholders since from subproject preparation i.e. inception phase to date at different stages to disseminate wide range of project information and to discuss and identify likely

issues, problems/constraints and prospects and feedback from the participants. The consultations conducted so far were mainly covering information dissemination about the subproject & its scope, cost sharing modality, likely positive and adverse impacts, requirement of land acquisition, procedures of compensation valuation and payment of compensation, grievance redress mechanism, and local demand etc.

The major meetings and interactions held during the course of the preparation this report are summarized in table below.

Table-8: Summary of Consultation

S.N.	Date	Location	No. of Participants	Participants	Topics Discussed	Issues Raised
1	26 June 2015	Chormara	30 (M-23, F-7, Dalit-1, Janjati-4, others-25)	WUSC members, WRDSMC representatives, TLO members, College/school teachers, Women Group representatives, beneficiaries and representatives of indigenous community.	Introduction of TSTWSSSP, Role & responsibilities of Stakeholders & transparency of the town projects, Project Scope, design parameters, Financing aspect Land and land acquisition requirement, Social safeguard, Institutional and GESI Environmental safeguard requirements	Land requirement and responsibility for making land available, WUSC composition, subsidy for poor HHs
2	4 August 2015	Chormara	15 (M-5, F-10)	WUSC members, Local Enumerators selected among the beneficiaries	Household survey procedure, social inclusion	
3	11 December 2015	Chormara	76 (M-56, F-20)	WUSC members, Tole committee representatives, PMO representatives, TDF representative, college/school teachers, political party representatives, WRDSMC representatives, beneficiaries and representatives of Dalits and Indigenous community	Presentation and discussion on feasibility report including environmental and social safeguard, land requirement and acquisition process, 5% upfront cash collection.	
4	29 January 2016	Chormara	8 (M-7, F-1)	WUSC members, WUSC staff and DSMC representatives	Discussion on land requirement, land ownership,	

S.N.	Date	Location	No. of Participants	Participants	Topics Discussed	Issues Raised
					and land acquisition procedure	
5	1 March 2016	Chormara	76 (M-57, F-19)	WUSC members, Tole committee representatives, PMO representatives, TDF representative, college/school teachers, political party representatives, WRDSMC representatives, beneficiaries and representatives of Dalits and Indigenous community	Presentation and discussion on Detailed Engineering Report including environmental and social safeguard, land requirement and acquisition process, 5% upfront cash collection.	

3. ENVIRONMENTAL AND SOCIAL SAFEGUARD ISSUES

3.1 Background

Environmental and Social Safeguard have been concern of ADB funded projects, including Water Supply and Sanitation projects. As stated in ADB's Safeguard Policy document**,** safeguard policies are generally understood to be operational policies that seek to avoid, minimize, or mitigate adverse environmental and social impacts, including protecting the rights of those likely to be affected or marginalized by the development process. ADB's safeguard policy framework consists of three operational policies on the environment, Indigenous Peoples, and involuntary resettlement. However this Resettlement Due Diligence Report has been prepared to highlight social safeguard and basically deals on issues regarding involuntary resettlement and indigenous peoples.

3.2 Environmental Assessment

According to the ADB environment categorization system/criteria the project falls under category-B. An Initial Environmental Examination (IEE) is required for such projects. Accordingly, IEE of Tamsariya Town Project will be carried out in line with GoN Environmental Act and regulation and ADB Safeguard Policy Statement, and the impacts of providing infrastructure in the project area will be assessed. A separate volume of IEE Report incorporating Environmental Monitoring Plans (EMP) will be prepared and submitted.

3.3 Involuntary Resettlement

As mentioned in ADB's Safeguard Policy, the involuntary resettlement safeguards basically covers 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.

Nearly 3359 sq.m.of land for construction of different project structures under water supply component has been obtained by WUSC at five different locations. However, land required for sludge drying bed is not included here because the WUSC is looking for suitable land in appropriate location. The details of land requirement sites and corresponding proposed components are presented below in Table-9.

No involuntary land acquisition is required for this town project as all available lands are public lands. For the public land use WUSC has received consent from municipality. The land obtained by the WUSC is public vacant land and free from encroacher or illegal users. No settlement will be adversely affected and neither physical displacement nor economic displacement occurs, and hence no involuntary resettlement impacts are anticipated due to land acquisition.

Table-9: Land Requirement Site and Proposed Structures for Water Supply Component

S.N.	Land Requirement Site / Location	Required Land Area	Proposed Structures
Water Supply Component			
1	Old office building compound of existing Chulesi W/S System, Chormara Bazar, Shivanagar-4.	Approx. 4 Kattha (1352 sq.m)	• Tube well-I for Shivanagar sub-system (17 lps) including Generator / Operator house • Treatment Plant for Shivanagar Sub-system(17 lps) • OHT for Shivanagar Sub-system (100 Cum) • Office Building/ Laboratory
2	Chormara Bazzar, Ward No-7. Former VDC owned land where under construction VDC building	Approx. ½ Kattha (169 sq.m)	• Tube well -II for Shivanagar
3	Basantapur, Ward no-9, public land in front of Loksewa HS School	Approx. 3 Kattha (1014 sq.m)	• Tube well for Basentapur sub-system - 14.48 lps including Generator / Operator house • Treatment Plant for Basantapur sub-system- 14.18 lps • OHT for Basantapur sub-system -200 Cum • Sump well for Simreni sub-system - 1.38 lps
4	Ranitar, Phulbari	500 sq.m	• Tube well for Bhagra Ranitar sub-system - 11.05 lps including Generator / Operator house • Treatment Plant for Bhagra-ranitar sub-system- 11 lps • OHT for Bhagraranitar sub-system -100 Cum • Guard House
5	Existing scheme's ground RVT area, Simreni	324 sq.m	• Proposed ground reservoir for Simreni sub-system -30 Cum
Sanitation Component			
6	Sludge Drying Bed		
Total		3359 sq.m	

The details of land requirement and IR/IP impacts are discussed in section- 5 of this report and the proof the ownership of land and other document related to land acquisition are annexed in this report in Appendix-2. The Resettlement Impact screening checklist attached in Appendix-1 also describes the land acquisition site, ownership, likely impacts etc.

3.4 Indigenous Peoples

According to the ADB's Safeguard policy the Indigenous Peoples safeguards are activated 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 a distinct indigenous cultural group; geographically distinct habitats or ancestral territories; distinct customary cultural, economic, social, or political institutions; and a distinct language.

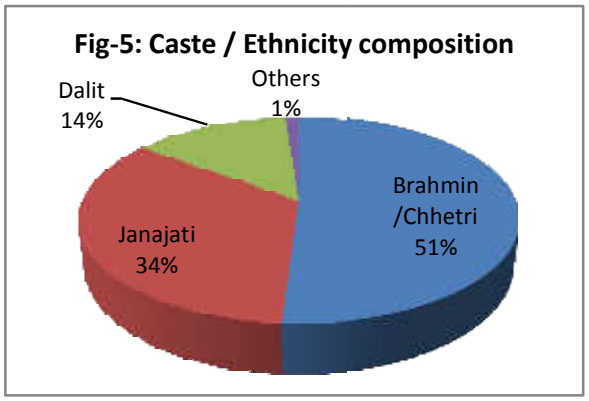
The Tamsariya Town Project service area is mosaic of multi Caste / Ethnic groups. The town is one among the emerging towns along the East-Waste Highway with high population grow rate. Road access, market facility, educational institutions, financial institutions, and other facilities are the major factors that attract the people of diverse ethnicity / caste in to this town.

Proposed service area is heterogeneous in terms of caste and ethnicity and comprises multi caste / ethnic groups. Each caste and ethnicity is characterized by its own customs, traditions, culture and nature of occupation with which they are associated. As the finding socio-economic survey carried out by WRDSMC shows that Brahmin and Chhetri, comprising 51 percent of total families, are the most prevailing group in the service area. Janagati are the next major indigenous group with 34 percent , followed by Dalit which constitutes nearly 14 percent.

Table-10: Caste / Ethnicity

S.N.	Caste / Ethnicity	Total
1	Brahmin /Chhetri	1357
2	Janajati	906
3	Dalit	366
4	Others	31
Total		**2660**

Source: Field Survey, August 2015



The field observation reveals that all the settlements / clusters in the service area are heterogeneous in terms of caste/ethnicity and no specific territory of indigenous people has been observed. Furthermore in the context of service area, belonging to the indigenous group does not necessarily mean that they are underprivileged. The WUSC policy and rules reflect that all are treated equally and there is no discrimination on receiving water supply service based on ethnicity and caste.

The impact on indigenous people will be more positive increasing the access to drinking water rather than adverse impact. 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 land acquisition. Therefore Indigenous People Plan is not required for this sub-project.

4. GRIEVANCE REDRESS MECHANISM (GRM)

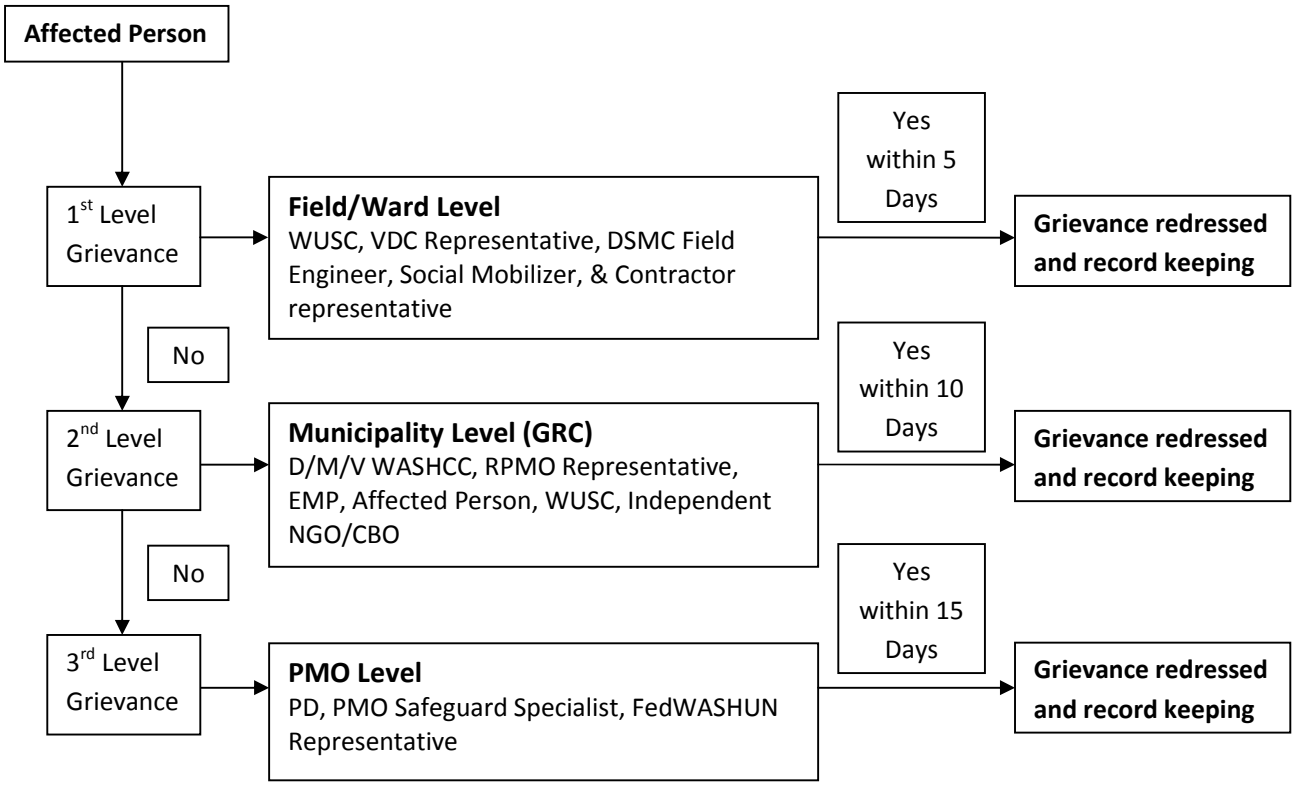
A town project-specific grievance redress mechanism (GRM) will be established to receive record, evaluate, and facilitate the resolution of AP's project related concerns, complaints, and grievances. The GRM will be responsible for the social and environmental performance at the sub project level. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns related to the town project.

A multi-tier GRM for the town project has been proposed; each tier having time-bound schedules and with responsible persons identified to address grievances and seek appropriate persons' advice at each stage, as required. The grievance redresses process is basically initiated at site level at first. If the grievances that are immediate, urgent and site specific, the contractor and DSMC on-site personnel will provide the most easily accessible or first level of contact for quick resolution of grievances. Contact phone numbers and names of the concerned PMO site office focal person and contractors, will be posted at all construction sites at visible locations. The three tiers Grievance redress process is outlined as below.

1st Level Grievance (Field/Ward Level): The phone number of the PMO site office should be made available at the construction site signboards. The contractors representative, RPMO focal person, DSMC site engineer and Social Mobilize will visit site and immediately resolve the grievances on-site in consultation with each other, and will be required to do so within 5 days of receipt of a complaint/grievance. The record of such grievances will be maintained and if not be redressed will be forward to GRC.

2nd Level Grievance (Municipality / VDC Level): The grievances that cannot be redressed within 5 days at field/ward level will be reviewed by the grievance redress committee (GRC) headed by Mayer/ Executive Officer of concerned municipality or VDC President / Secretary with support from RPMO designated focal person and DSMC Environment Monitoring Person. The GRC will make attempt to resolve them within10 days; and if not will be forwarded to PMO.

3rd Level Grievance (PMO Level): All the grievances forwarded through GRC will be reviewed and discussed at central level. The PMO in consultation with PMO social / environment specialists and FEDWASHUN representative will resolve them within 15 days. The GRC process is also illustrated in following figure.



Note: GRC = Grievance Redressed Committee, DSMC = Design, Supervision and Management Consultant, PMO = Project Management Office, EMP= Environment Management Person, D/M/V WASHCC = District/Municipal/Village Water and Sanitation Coordination Committee

In line with the Third Small Towns Water Supply and Sanitation Sector Project (TSTWSSSP) Operational Guideline-2071 and ADB Project Administration Manual of TSTWSSSP the composition of the GRC for the town project has been proposed as follows:

- D/M/VWASHCC Chair person (Mayer/EO of Municipality or VDC Secretary) — Chairperson
- WUSC Representative — Secretary
- RPMO Representative — Member
- AP Representative — Member
- DSMC Representative (EMP) — Member
- Representative from NGO working within project area — Member
- Contractor Representative — Member

The GRC shall have at least two women members and AP representative or independent NGO as committee members. In addition, for project-related grievances, representatives of Citizen Forum and other concerned agencies can be invited as observers in GRC meetings.

The WUSC is aware of likely grievances to be occurred during construction phase. Most of the GRC members including Executive Officer of Municipality (chairperson) are available, active and efficient to address project related issues / complaints / grievances. However, few members such as contractor's representative will be nominated after the contract award.

5. LAND AVAILABILITY AND RESETTLEMENT IMPACTS

As stated earlier Tamsaria Town Water Supply sub-project has been conceptualized as a piped water supply system considering ground water (deep tube wells) as sources. This section deals with land requirement for different components of the proposed town project and resettlement impacts.

5.1 Town Project Components

Based on the topography, land use and settlement pattern 4 separate distribution schemes are proposed as discussed earlier. The different components proposed for all 4 distribution systems are summarized in Table-11 and the details of each component such as location, area and land ownership are given in Table-12.

Table-11: Proposed Components of the Town Project

Component	Sub-component	Capacity / Length	Remarks
Intake / Boring	Tube well-I for Shivanagar Scheme	17 lps	Ground water source. Boring including Generator / Operator house
	Tube well -II for Shivanagar Scheme		
	Tube well for Basentapur Scheme	14.48 lps	
	Tube well for Bhagra Ranitar Scheme	11.05 lps	
	Sump well for Simreni Scheme	1.38 lps	
Treatment Process	Treatment Plant for Shivanagar Scheme	17 lps	
	Treatment Plant for Basantapur Scheme	14.18 lps	
	Treatment Plant for Bhagra-ranitar Scheme	11 lps	
Transmission mains	Transmission mains for pumping water from deep tube wells	2,857m length GI pipes of 65mm diameter	
Storage Reservoirs	OHT for Shivanagar Scheme	100 Cum	
	OHT for Basantapur Scheme	200 Cum	
	OHT for Bhagraranitar sub-system	100 Cum	
	Ground reservoir for Simreni Scheme	30 Cum	
Distribution Network	Distribution Network for all schemes	Approx. 71.95 km. length of diameter ranging from 40 m to 200 m	
Generator / Operator house / Guard house		1	
Office Building / Laboratory Room		1	
Valve Chambers		• 96 Nos valve chambers of size 1500x 900x1000 • 70 Nos valve chambers of size 900x 900x1000 • 75 Nos pipe valve box of 150 mm	
Sanitation Component	Sludge drying bed		
	Individual toilet	No need of land acquisition as the respective house owners will provide the land.	

5.2 Land Requirement for the Proposed Components

For the construction of different structures of water supply component the town project land is required at five different locations. The proof of ownership of lands and other related documents are annexed to this due diligence report (Appendix-2). The details of land availability and ownership of proposed sites for the town project are given in table below.

Table-12: Land location, area and ownership of proposed sites for Tamsariya Town Project

Component / Structure	Location	Land Required	Land Available	Land ownership	Remarks
I. Intakes					-
1.1Tube well-I for Shivanagar sub-system - 17.0 lps including Generator / Operator house	Old office building compound of existing Chulesi W/S System, Chormara Bazar, Shivanagar-4	32 m X 44 m (including Treatment Plant, OHT and Office Building)	4 Kattha (1352 sq.m)	Public land using by Chulise W/S Scheme	Municipality has given consent to WUSC for land use (see appendix-2)
1.2 Tube well-II for Shivanagar sub-system	Chormara Bazzar, Ward No-7. Municipality owned land where former VDC building is under construction.	10 m x 10 m	½ Kattha (169 sq.m)	Municipality	Municipality has given consent to WUSC for land use (see appendix-2)
1.3 Tube well for Basentapur sub-system - 14.48 lps including Generator / Operator house	Basantapur, Ward no-9, public land in front of Loksewa HS School	22m x 27 m (for both Basentapur & Semreni & sub-systems)	4 (1352 sq.m)	Public land	WUSC has received letter of consent from Municipality for land use (appendix-2)
1.4 Sump well for Simreni sub-system - 1.38 lps including Generator / Operator house	Land same as 1.3			Public land	Same as 1.3
1.5 Tube well for Bhagra Ranitar sub-system - 11.05 lps including Generator / Operator house	Phulbari, at southern side of Durga Bhagabhati Mandir	20 m x 25 m (including Treatment Plant, OHT, Guard house)	4 Kattha (1352 sq.m)	Public land	Municipality has given consent to WUSC for land use (appendix-2)
II. Treatment Facilities					
2.1 Treatment Plant for Shivanagar sub-system- 17 lps	Same land / location as 1.1	Located on same land as 1.1	Same as 1.1	Same as 1.1	Same as 1.1
2.2 Treatment Plant for Basantapur sub-system- 14.18 lps	Same land / location as 1.3	Same as 1.3	Same as 1.3	Same as 1.3	Same as 1.3

Component / Structure	Location	Land Required	Land Available	Land ownership	Remarks
2.3 Treatment Plant for Bhagra-ranitar sub-system- 11 lps	Same land / location as 1.5	Same as 1.5	Same as 1.5	Same as 1.5	Same as 1.5
III. Distribution Reservoir tanks					
3.1 Proposed OHT for Shivanagar sub-system -450 Cum	Same land / location as 1.1	same land as 1.1	Same as 1.1	Same as 1.1	Same as 1.1
3.2 Proposed OHT for Basantapur sub-system -200 Cum	Same land / location as 1.3	8 m x 8 m	Same land as 1.3	Same as 1.3	Same as 1.3
3.3 Proposed ground reservoir for Simreni sub-system -30 Cum	Existing Simahani scheme's ground RVT area, Simreni	18 m x 18 m	1 Kattha (338 sq.m)	Public land (land using by existing Simrani w/s scheme)	Municipality has given consent to WUSC for land use (appendix-2)
3.4 Proposed OHT for Bhagra Ranitar sub-system -100 Cum	Same land / location as 1.5	17 m x16 m	Same land as 1.5	Same as 1.5	Same as 1.5
IV. Other structures/Components					
4.1 Office Building/ Laboratory Room	Located on same land as 1.1	Same as 1.1	Same as 1.1	Same as 1.1	Same as 1.1
4.2 Guard House for Bhag Raranitar sub-system	Located on same land as 1.5	Same as 1.5	Same as 1.5	Same as 1.5	Same as 1.5
4.3 valve chambers – 65 nos				Government/ Public road RoW	
4.4 Transmission main of 2.265 Km	Ward nos 1-9			Government/ Public road RoW	
4.5 Distribution pipe network of. 71.95 km				Government/ Public road RoW	
V. Sanitation component					
5.1 Public Toilet with capacity of 50 users	Haat Bazaar			Public land	
5.1 Sludge drying bed	Land to be finalized by WUSC			To be finalized by WUSC	

5.3 Findings

All the water supply components and transmission mains and distribution network are proposed on public land and municipal/government road right-of-way. Lands at five different locations are required for construction of project components such as tube well, treatment plant, OHT, office building etc.

For Shivanagar scheme approximately 4 kattha (1352 sq,m) land is required in Chormara Bazar area where tube well, treatment plant, OHT (100 Cum) and office building will be located. WUSC has selected same size of land within the compound of existing Chulesi W/S system at Chormara Bazar, Shivanagar-4. There is an old office building of Chusesi system at western corner of the compound and available vacant land is sufficient for proposed structures. The land is public land under the ownership of municipality and it has been using by existing Chulesi system. The WUSC has made consultations with Chulesi WUSC and as per the consensus between them Chulise WUSC has no objection if the land is used by town project because they agree to merge the system. The WUSC has also received consent from municipality to use the land, which is annexed in this report (appendix-2).

Another nearly ½ kattha (169 sq.m) land required for tube well-II for Shivanagar scheme which is available at Chormara Bazar. The land is owned by former VDC where VDC building is under construction. Now the town has been declared as Madyabindu Municipality and accordingly the ownership of land has been transferred to the municipality. The municipality meeting held on 2 February 2016 has given the permission to WUSC for using ½ kattha (169 sq.m) land at north-west corner of the municipality owned land area.

For Basantapur scheme nearly 3 kattha (1014 sq.m) land is required for construction of tube well, treatment plant, OHT and sump well. The land is public land and WUSC requested to Municipality for granting permission for land use. Accordingly the municipality has given consent to use 4 (1352 sq.m) land in front of Loksewa Higher Secondary School (refer annex for consent letter). The land is mostly barren land with some bushes and no any structures located on the land.

Bhagra Ranitar Scheme is proposed to serve wards nos. 5 and 6 and will includes Tube well, treatment plant, OHT etc. Nearly 3 kattha (1014 sq.m) land is required for these components. Initially the WUSC selected approximately 4 kattha (1352 sq.m) land at Ranitarn, but later on suitable land is available at Phulbari within the premises of Durga Bhabagati Mandir which is more appropriate in terms of topography and proximity to the service area. This is public land located at Southern side of Durga Bhagabhati Mandir. The temple management committee agrees to provide the land for the town project and the municipality also has given the consent for 4 kattha (1352 sq.m) land use.

Additional land area of about 324 sq.m.is required for proposed ground reservoir (30 Cum) for Simrani scheme. Public land is available at Simarhani where ground RVT of existing Simarhani Water Supply System is located. The WUSC requested to municipality for making available the required land, and accordingly the municipality has given consent of using 1 kattha (338 sq.m) public land.

Transmission main pipe lines of 202 m length are proposed within existing municipal road RoWs/vacant government and public land as far as possible. Likewise distribution network of about 74,812 m are proposed along existing municipal/government road RoWs and public vacant land. No relocation/resettlement impacts or impacts on structures are anticipated along alignment for water supply component of the town project. Hence, no permanent IR / IP impacts are predicted due to laying of transmission mains and distribution lines

Temporary impacts of transmission and distribution network laying and house connections will be limited to temporary disturbance in access to shops and residences. The contractor will be required to provide signs 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 500 m at a time to minimize disruption. No road closures are anticipated 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. Provision of house connections may cause temporary disruptions in access to residences during construction. The contractor will be required to maintain access. Construction contracts will include the above provisions.

The proof of ownership of above mentioned lands and other related documents are attached in Appendix-2. The details of likely impacts due to land acquisition for corresponding components are given in table below.

Table-13: Proposed sub-project components and their Involuntary Resettlement and Indigenous Peoples impact status

S.N.	Component	Area	Capacity / Length	IR Impacts	IP Impacts	Proposed Mitigation Measure
1	**Intake**					
1.1	Tube well-I for Shivanagar sub-system (including TP, OHT, Office Building/Lab)	4 Kattha (1352 sq.m)	17.0 lps	Public land using by existing Chulesi W/S Scheme. There is an old office building of Chusesi Scheme at western corner of the compound and available vacant land within the premises is sufficient for proposed structures. Therefore no IR impacts are anticipated.	None	
1.2	Tube well -II for Shivanagar	½ Kattha (169 sq.m)		Out of the total land owned by Municipality the WUSC has got consent for using aboutm169 sq.m vacant land which is sufficient for boring. There is no any structure and trees on this site and no IR/IP impacts are anticipated.	None	
1.3	Tube well for Basentapur sub-system - (including TP, OHT and Sump well for Simreni)	3 Kattha (1014 sq.m),)	14.48 lps	The land is mostly barren land with some bushes and no any structures located on the land. Since the land is public vacant land there is no need of compensation and no IR impacts will occur.	None	
1.4	Sump well for Simreni sub-system - 1.38 lps including Generator / Operator house	Same land as 1.3	1.38 lps	Will be located on same land as 1.3	None	

S.N.	Component	Area	Capacity / Length	IR Impacts	IP Impacts	Proposed Mitigation Measure
1.5	Tube well for Bhagra Ranitar sub-system - including Generator / Operator house	500 sq.m (including TP, OHT and Guard house)	11.05 lps	This is public land under the ownership of municipality located at Southern side of Durga Bhagabhati Mandir in Phulbari. The temple management committee agrees to provide the land for the town project and also the municipality has given the consent for using 4 kattha (1352 sq.m) land. There are trees and bushes on this site. However the structures can be built on barren land as far as possible in order to avoid possible vegetation loss. There are no any structures on this land and IR impacts are not expected.		
2	**Treatment Facilities**					
2.1	Treatment Plant for Shivanagar sub-system	Same land as 1.1	17 lps	Same as 1.1		
2.2	Treatment Plant for Basantapur sub-system	Located on same land as 1.3	14.18 lps	Same as 1.3		
2.3	Treatment Plant for Bhagra-ranitar sub-system	Located on same land as 1.5	11 lps	Same as 1.5		
3	**Distribution Reservoir Tanks**					
3.1	Proposed OHT for Shivanagar sub-system	Located on same land as 1.1	450 Cum	Same as 1.1		
3.2	Proposed OHT for Basantapur sub-system	Located on same land as1.3	200 Cum	Same as 1.3		
3.3	Proposed ground reservoir for Simreni sub-system	324 Sq.m	30 Cum	This is public land being used by existing Simarhani W/S system where a ground RVT of the system is located. There is no other structure on the land and no IR impacts are anticipated.		
3.4	Proposed OHT for Bhagraranitar sub-system	Located on same land as 1.5	100 Cum	Same as 1.5		
4	**Transmission mains**					

S.N.	Component	Area	Capacity / Length	IR Impacts	IP Impacts	Proposed Mitigation Measure
4.1	Transmission mains		Total length 2857 m and pipe size 65mm	The alignments are proposed on public land and municipal / government road rights of way as far as possible. Permanent land acquisition is not required and no IR / IP impacts are anticipated.	None	
5	**Distribution Network**					
5.1	Distribution Network	Ward no.s 1-9	Total length 74812 m and pipe size 40 mm - 200 mm	Distribution pipes will be laid both sides of the all metalled and major roads. Single line pipes are proposed in earthen and other roads. Since alignments are proposed on public land and municipal/government road rights of way as far as possible, no land acquisition required; hence and no IR / IP impacts are anticipated.	None	
6	**Other structures**					
6.1	Office Building/ Laboratory Room	Proposed on same land as 1.1	Land same as 1.1	Same as 1.1.	Same as 1.1	
6.2	Guard House for Bhagraranitar sub-system	Will be located on same land as 1.5	Land same as 1.5	Same as 1.5	Same as 1.5	
6.3	Valve chambers		65 nos	Since valve chambers will be located along pipe alignments on public land and municipal/government road rights of way, additional land acquisition is not required and no IR impacts are expected.	None	
7	Sanitation Component					
7.1	1 Public Toilet with capacity of 50 users	400 sq.m	capacity of 50 users	Proposed on public land and private land acquisition is not required.	None	
7.2	Sludge drying bed			Land to be finalized		

6. SUMMARY AND CONCLUSION

This Resettlement Due Diligence basically emphasizes on review of safeguard documentation and Resettlement and Indigenous Peoples impacts. This report is based on desk review of relevant documents as well as field visit. The status of major resettlement due diligence activities and findings are summarized as follows.

- The impacts of project construction activities will be minimal and no need of physical displacement (relocation, loss of residential land, or loss of shelter) and no economic displacement (loss of assets, access to assets, income sources, or means of livelihoods). Nearly 3395 sq.m land is obtained by WUSC at different five sites for construction of project structures such as intakes (tube wells), RVTs/OHTs, Treatment plants and Office Building. However, private land acquisition is not required as available land is public land. For the public land use WUSC has got consent from municipality. Therefore, no IR/IP impacts are anticipated.

- Though the service area is heterogeneous in terms of caste/ethnicity, no specific territory of indigenous people has been reported. All are treated equally by WUSC and there is no discrimination on receiving water supply service based on ethnicity and caste. Poor indigenous people will be benefitted from OBA service. Therefore, the impacts on indigenous peoples will be more positive increasing the access to drinking water rather than adverse impacts.

- Some low magnitude site specific impacts such as affects on private structures caused by construction activities can be anticipated. Such impacts can locally be dealt and mitigated. For this Grievance Redress Mechanism should effectively be implemented and emphasis should be given on information dissimilation and frequent interaction with local people and dealing local issues in a participatory fashion.

APPENDIXES

APPENDIX-1

SOCIAL SAFEGUARDS SCREENING CHECKLIST

Country Nepal

Subproject Name **Tamsariya Small Town Water Supply and Sanitation Project**

Date July, 2016

I. Resettlement Impact Checklist

(Note: Involuntary Land Acquisition is not required for the town project)

A. Probable Resettlement Effects	Yes	No	Not Known	Remarks
Acquisition of Land				
1. Will there be land acquisition?	√			Nearly 3359 sq.m land is obtained by WUSC at different five sites for construction of intakes (tube wells), RVTs/OHTs, Treatment Plants and Office Building. However, involuntary land acquisition or private land acquisition is not required as available lands are public land.
2. Is the site for land acquisition known?	√			Five different sites for land acquisition have been identified i.e. Chulesi W/S scheme premises at Chormara Bazar-4; Municipality land at Chormara Bazar-7; Basantapur -9 in front of Loksewa HS School; Phulbari at southern side of Durga Bhagabhati Mandir; and Existing Simahani scheme's ground RVT area
3. Is the ownership status and current usage of land to be acquired known?	√			The ownership status of lands in all sites is known. All the lands at five different sites are the public land under the ownership of municipality / government. For the public land use WUSC has got consent from Madyabindu municipality (Appendix- 2).
4. Will easement be utilized within an existing Right of Way (ROW)?	√			The pipe laying will be carried out along the existing Right of Way as far as possible in order to avoid the private land loss and to minimize the other possible adverse impacts.

5. Will there be loss of shelter and residential land due to land acquisition?		√		As the land obtained is public land and there is on any structures on the land, there will be no loss of shelter and residential land.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		√		Since the acquired land is non-agricultural vacant land, there is no impact on agriculture and other productive assets.
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?		√		The land is mostly barren public land with some bushes, and hence losses of crops, trees and fixed assets are not anticipated.
8. Will there be loss of businesses or enterprises due to land acquisition?		√		Since there is no need of private or residential land acquisition, there will be no loss of business or enterprises.
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		√		Loss of income source and means of livelihoods are not anticipated.
Restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		√		There is no any designated park and protected area in or near to the project. The land obtained is mostly barren land with some trees (in Phulbari) and bushes. Since loss of vegetation will be insignificant, local people will not lose access to natural resources.
11. If land use is changed, will it have an adverse impact on social and economic activities?		√		Construction of small structures on small size of public barren lands will not result chance in land use, and hence adverse impact on social and economic activities are not expected.
12. Will access to land and resources owned communally or by the state be restricted?		√		There is no any land and resources owned communally.

Information on Displaced Persons:

Any estimate of the likely number of persons that will be displaced by the Subproject? **[√] No [ ] Yes**

If yes, approximately how many? __N/A_____

Are any of them poor, female-heads of households, or vulnerable to poverty risks? **[√] No [ ] Yes**

Are any displaced persons from indigenous or ethnic minority groups? **[√]No [ ] Yes**

2. Indigenous Peoples Impact Screening Checklist

KEY CONCERNS (Please provide elaborations 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, schedules tribes, tribal peoples), z"minorities" (ethnic or national minorities), or"indigenous communities" in the subproject area?		√		The service area of the sub-project 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 i.e. *Janajati* in sub-project areas are socially, economically and politically integrated into the mainstream society, and considering the nature and scale of the subproject, adverse 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?		√		N/A
3. Do such groups self-identify as being part of a distinct social and cultural group?		√		N/A
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		√		N/A
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?		√		N/A
6. Do such groups speak a distinct language or dialect?	√			The ethnic groups in the service area speak their own distinct languages 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 historically been marginalized, and socially 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?	√			There is legal provision of at least 33 % women participation in WUSC.

B. Identification of Potential Impacts

KEY CONCERNS (Please provide elaborationson 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 i.e.*Janajati* because all the beneficiaries will get water supply service irrespective of their ethnicity/caste and economic status. Poor indigenous people will be benefitted from OBA service. Therefore, the impact on indigenous people will be more positive increasing the access to drinking water rather than adverse impact.
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)		√		N/A
11. Will the subproject affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		√		N/A
12. Will the subproject be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		√		N/A
C. Identification of Special Requirements *Will the subproject activities include*				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		√		N/A
14. Physical displacement from traditional or customary lands?		√		N/A

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 cualtural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		√		N/A
16.	Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples ?		√		N/A
17.	Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples ?		√		N/A

D. Anticipated subproject impacts on Indigenous Peoples

Subproject component/ activity/ output	Anticipated positive effect	Anticipated negative effect
1. Civil Works: it includes the construction of following project components • Three numbers of Tube Wells i.e. for Shivanagar sub-system (17 lps), Bhagra Ranitar sub-system (11.05 lps),and Basantapur + Simreni sub-systems (15.86 lps) • Treatment Plant for Shivanagar sub-system- 17 lps • Treatment Plant for Basantapur sub-system- 14.18 lps • Treatment Plant for Bhagra-ranitar sub-system- 11 lps • OHT for Shivanagar sub-system -450 Cum • OHT for Basantapur sub-system -200 Cum • Ground reservoir for Simreni sub-system -30 Cum • OHT for Bhagra Ranitar sub-system -100 Cum • Office Building / Laboratory Room • Guard House for Bhag Raranitar sub-system • Sanitation Component (public toilet)	Regular safe water supply through efficient water supply system	None
2.Pipeline Network: includes excavation, pipe laying and backfilling for transmission mails and distribution network as following • Transmission main of 2.85Km • Distribution pipe network of 74.812 Km m	Regular water supply through improved distribution network.	None

APPENDIX- 2

Documents Related to Land Acquisition and Minutes of Consultative Meetings

आज मिति २०६९/११/१८ गतेका दिन मध्यबिन्दु नगरपालिकाको कार्यालयमा नगरपालिकाका कार्यकारी अधिकृत श्री राजेन्द्र प्रसाद दैवकोटा ज्यूको अध्यक्षतामा तपसिलको उपस्थिति मा नगरपालिका बैठक बसियो ।

उपस्थित

कार्यकारी अधिकृत श्री राजेन्द्र प्रसाद दैवकोटा

प्राविधिक वन कार्यालय प्रमुख श्री जीवराज पौडेल

आमन्त्रित श्री बाबुप्रसाद थापा, सहरी खा.पा. अध्यक्ष

श्री पवित्राम महतो वडा नागरिक मञ्च संयोजक

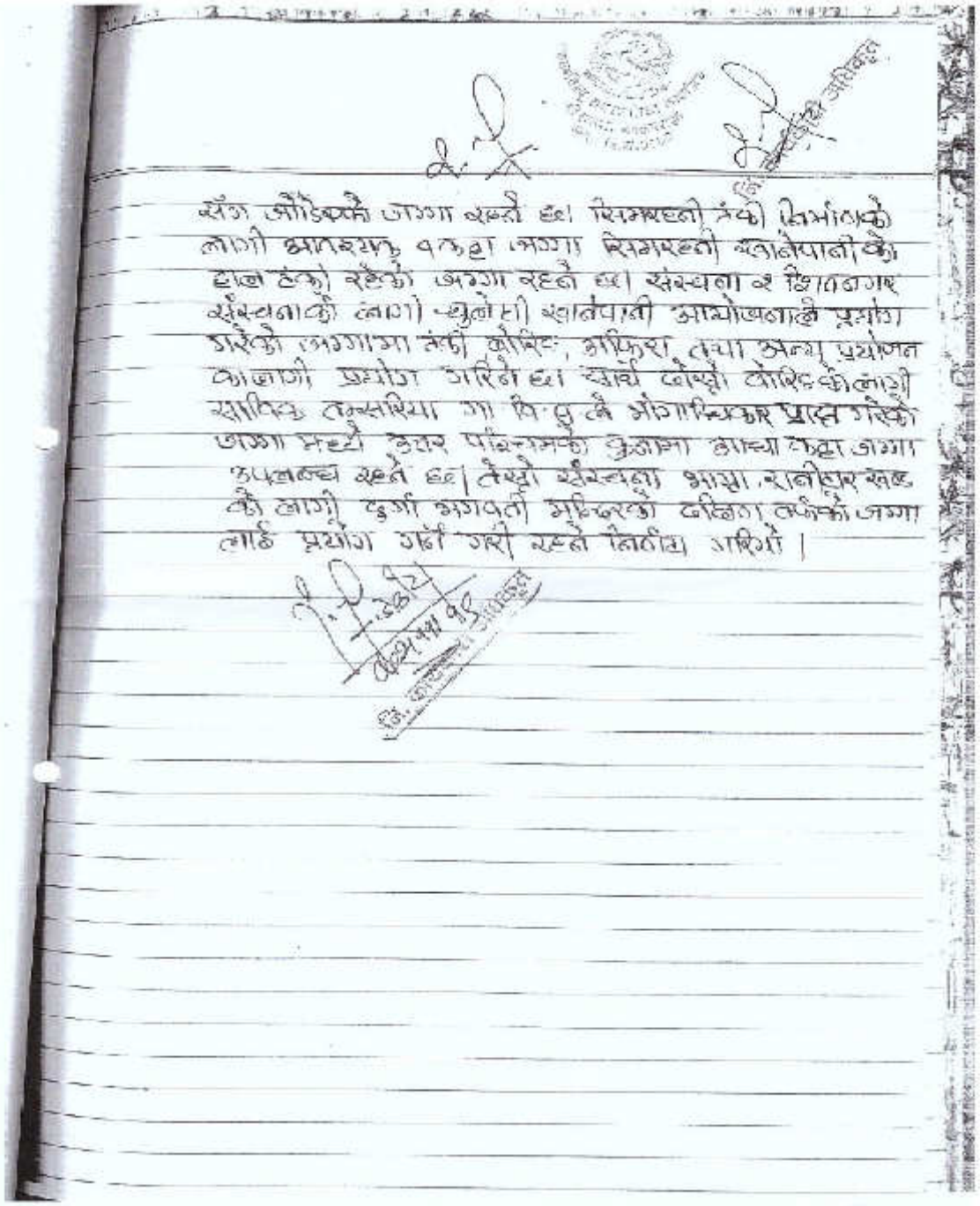
श्री अमृत प्रसाद ज्ञवाली " " "

पारित निर्णय

दोस्रो साना शहरी खानेपानी तथा सर-सफाई आयोजना अन्तर्गत निर्माण हुन गइरहेको तम्सरिया खानेपानी तथा सर-सफाई आयोजनाको विभिन्न संरचना निर्माण को लागी आवश्यक पर्ने जग्गाहरु मध्ये यस न.पा.अर्न्तगत रहेका निम्नानुसारका जग्गाहरु प्रयोग गरी संरचना हरु निर्माण गर्नको लागी स्वीकृति प्रदान गरिएको व्यहोरा जानकारी गराईन्छ ।

स्थान	संरचना	क्षेत्रफल	कित्ता नं
१ चुतैया गा.पा.को कार्यालय रहेको ठाउँ	बोरिङ निर्माण टंकी	४ कट्ठा	
२ गोरमारा -६	साबिक तम्सरिया गा.वि.स.ले भौतिक विकास किरणको कुनै खेतमा आवश्यक		
३ बसन्तपुर - ९	टंकी बोरिङ	४ कट्ठा	
४ रानीनगर/फुलबारी	टंकी बोरिङ	५ कट्ठा	
५ सिमरहनी	टंकी निर्माण	१ कट्ठा	

माथी उल्लेखित जग्गाहरु संरचना १ नम्बरको संरचनाको लागी टंकी, बोरिङ, गार्ड हाउस को लागी साबिक वडा नम्बर वडा नं ४ मा रहेको सामुदायिक उ.मा.वि. आदि चौपारी



Note: Please see next page for Unofficial Translation of this Minutes

Unofficial Translation

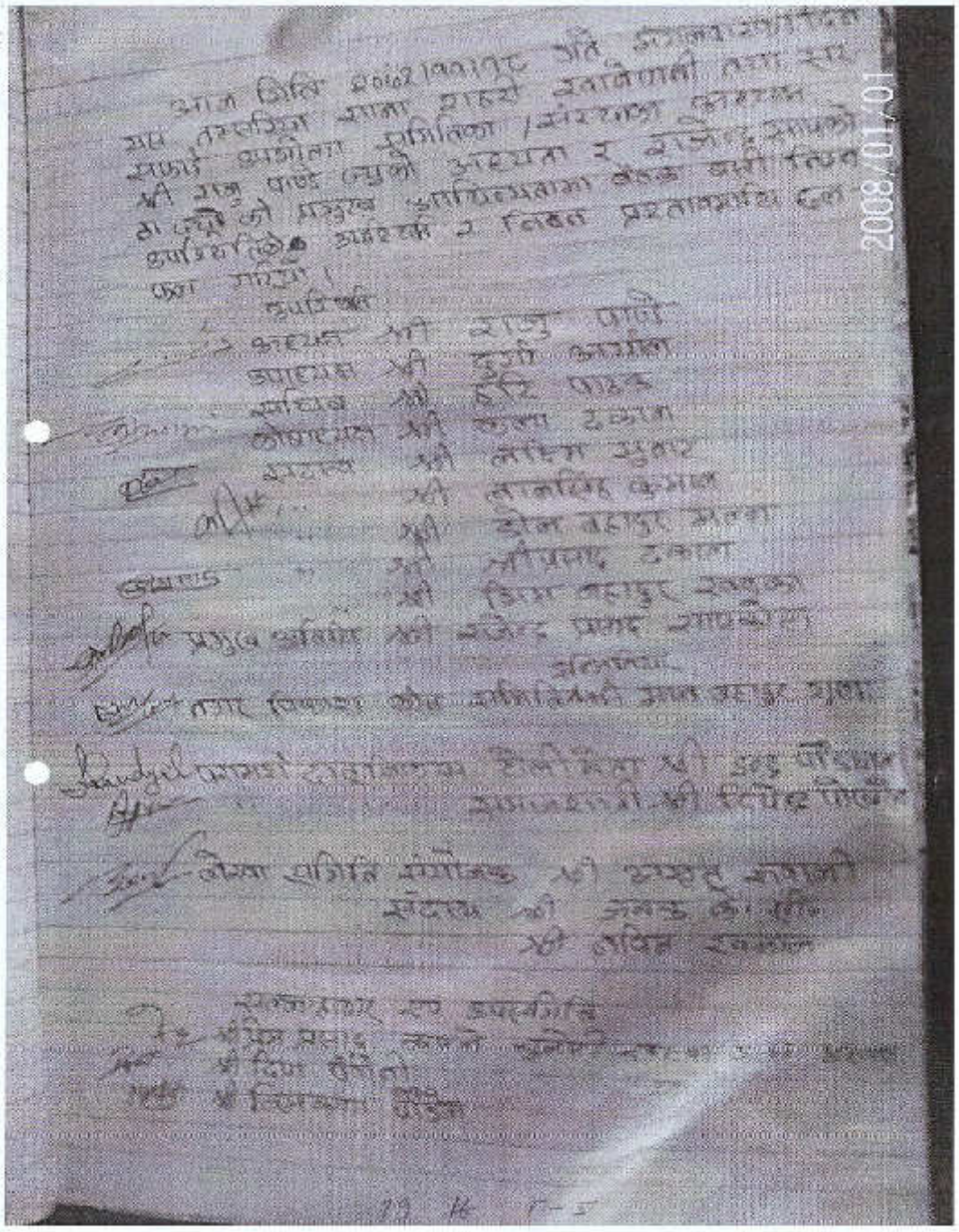
A meeting of Madyabindu Municipality held on 2072/11/19 B.S (3 March 2015) at Municipality Office under the chirmanship of Mr. Rajendra Prasad Devkota, Municipality Executive Officer, in the presence of following members:

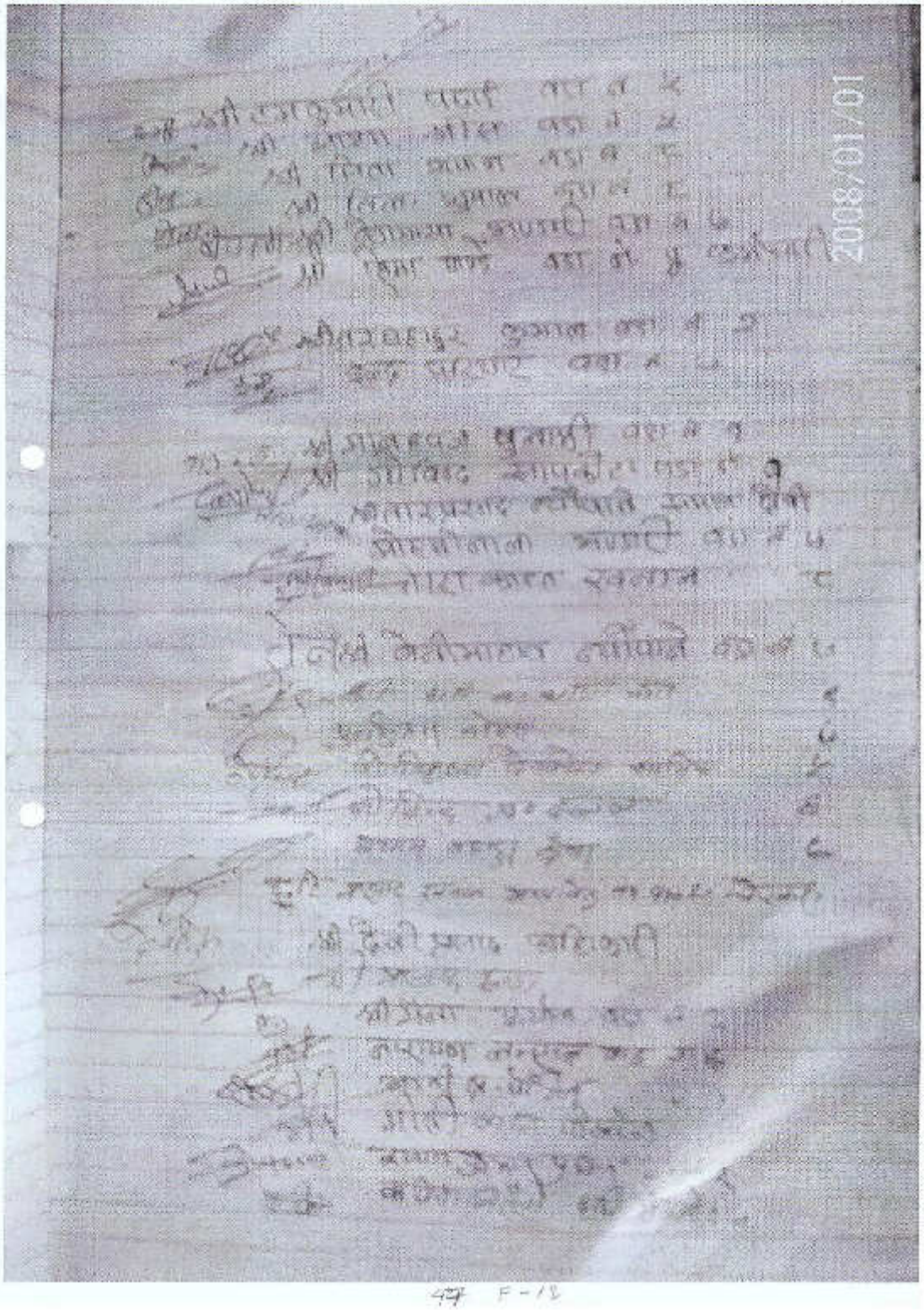
Mr. Rajendra Prasad Devkota, Municipality Executive Officer
Mr. Bhesraj Poudel, Sayuta Ward Office Chief
Invitee Mr. Raju Pandey, Tamsariya Small Town WUSC Chairperson
Mr. Parsuram Mahato, Ward Citizen Forum Coordinator
Mr. Amrit Prasad Gyawali, Ward Citizen Forum Coordinator

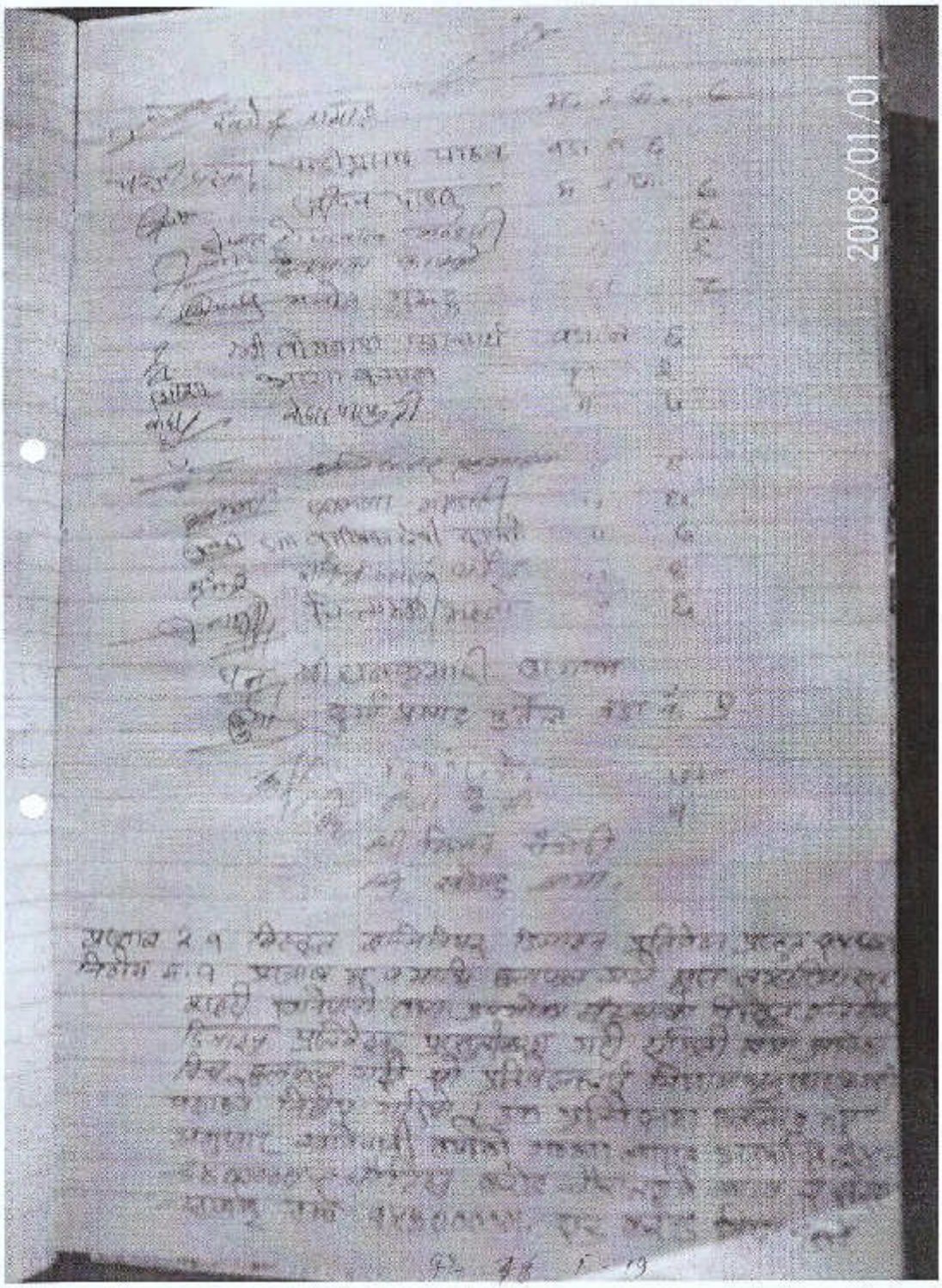
Decisions:
Out of the land required for construction of different structures of Tamsariya Small Town Water Supply and Sanitation Project to be implemented under Third Small Towns Water Supply and Sanitation Project permission has been given to use following lands belonging to the Municipality.

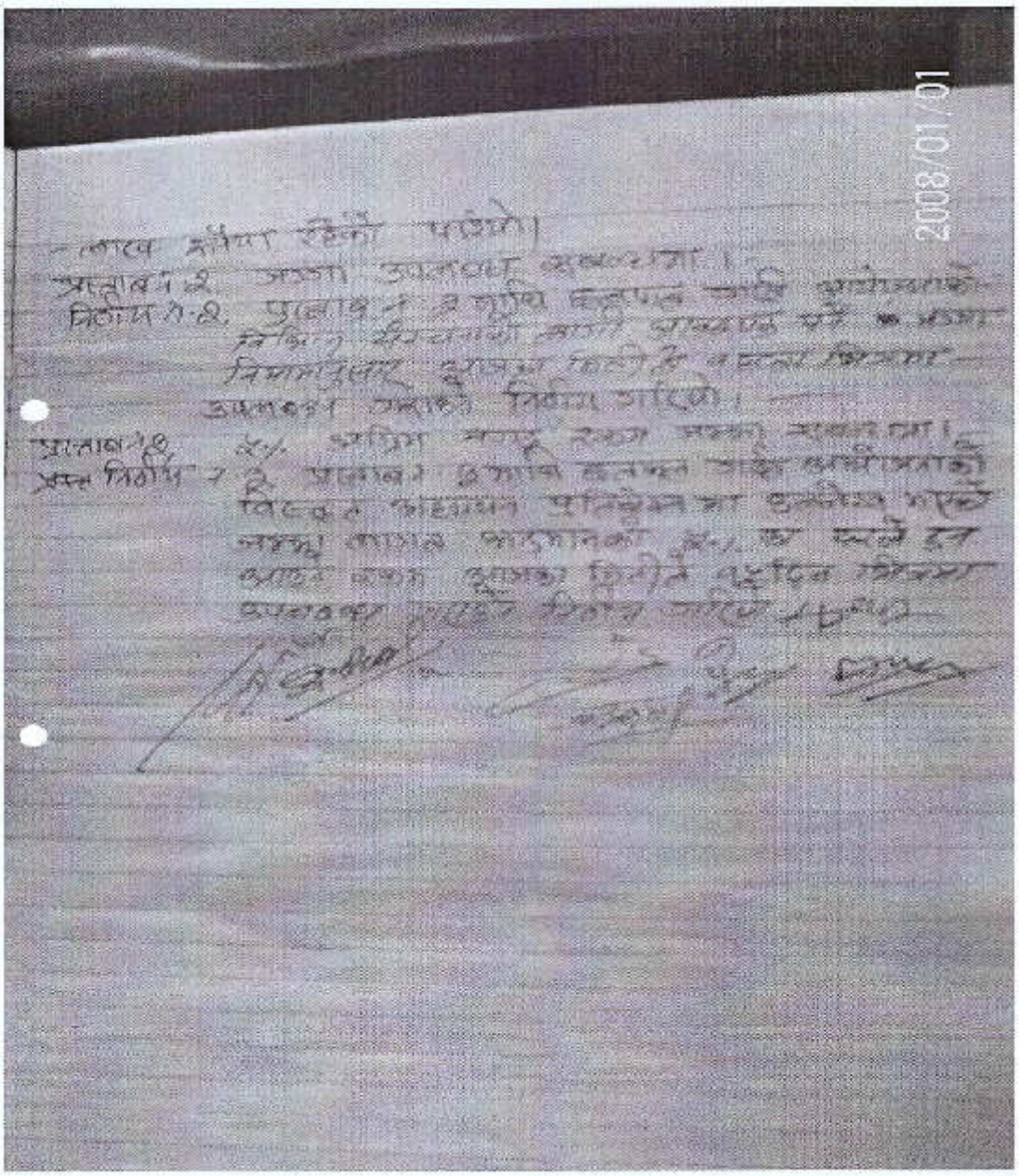
Location	Structure	Area
1- Chulesi W/S system's office building site	Boring/Office	4 Kattha
2- Chormara-6, Former VDC Owned land	Boring	½ Kattha
3- Basantapur-9	RVT/Boring	4 Kattha
4- Ranitar, Phulbari	RVT/Boring	4 Kattha
5- Simarhani	RVT/Boring	4 Kattha

It is decided that among above mentioned lands for RVT, boring, guard house of Basantapur sub-system the land will be at former Basantapur Ward no-2 in front of Loksewa HS School. For Simrahani RVT construction 1 Kattha land will be at the Simarhani W/S existing RVT area.For Shivanagar Structure the land using by Chulesi Water Supply Scheme will be used for boring, RVT(OHT), Office and other purpose. Similarly for boring-II the ½ Kattha land will be available at north-south corner of land owned by former Tamsariya VDC. For structure of Bhagra Ranitar sub-system the land located in southern side of Durga Bhagawati Mandir is decided to use.




2008/01/01


2008/01/01



Note: Please see next page for Unofficial Translation of this Minutes

Unofficial Translation

Tamsariya Small Town Water Supply and Sanitation Project Users Committee's meeting held on 2072/11/18 B.S (2 March 2015) under the chirmanship of Mr. Raju Pandey, WUSC chairperson in the presence of Mr. Rajendra Sapkota as chief guest and discussed on following agendas.

Attendees

WUSC Chairperson, Mr. Raju Pandey
Vice-chairperson, Durga Aryal
Secretary, Hari Pathak
Treasurer, Kala Dhakal
Member, Laxmi Sunar
Member, Lal Sing Kumal
Member, Dol Bdr. Malla
Member, Shree Prasad Dhakal
Member, Bhim Bdr. Khadka
Chief guest, Rajendra Sapkota
TDF Engineer, Man Bdr. Gurung
Consultant TL, Indra Poudel
Consultant Sociologist, Deependra Pokharel
Finance Committee Coordinator, Amrit Gyanwoli
Member, Janak K.C.
Member, Navin Khanal

Other Attendees

51 participants

Decisions

Agenda No. 1: Regarding Detailed Engineering Design Report Presentation
Decision No. 1: The Detailed Engineering Design Report was presented to the stakeholders of concerned Small Town Water Supply Project and it's User Committee for necessary discussion. It was decided that only after discussing the report with all the concerned stakeholders, the project will move forward. From the presented report, it was deduced that the total cost of Water Supply Component and Sanitation Component is NRs. 349.4 million and NRs. 15.3 million respectively.

Agenda No. 2: Regarding Land Acquisition
Decision No. 2: It was decided that the required land needed for the construction of various structures will be provided legally within 1 week from today.

Agenda No. 3: Regarding 5% Cash Collection
Decision No. 3: It was decided that the 5% amount will be collected within 15 days from today after obtaining the total cost of the project from the Detailed Engineering Design Report. (**Note**: as per the cost sharing modality of TSTWSSSP 5 % cash contribution of total project cost should be collected from beneficiaries as upfront cash).

APPENDIX-3

Maps and Photographs

Google based map showing the location of proposed ground reservoir 30 Cum for Simreni sub-system

Google based map showing the location of proposed ground reservoir 30 Cum for Simreni sub-system, and boring and OHT 200 Cum for Basantapur sub-system

Google based map showing the location of proposed 450 Cum OHT for Shivanagar sub-system

Google based map showing the location of proposed 100 Cum OHT for Bhagra Ranitar sub-system

PHOTOGRAPHS

Land site at Chormara Bazar (Chulesi W/S system premises) where tube well, treatment plant, OHT (100 Cum) for Shivanagar Scheme and office building will be located (View from West)

Land site for Shivanagar Scheme (View from East) at Chormara Bazar and old office building of Chusesi W/S system

Land Site and VDC building at Chormara Bazar for Tube well-II of Shivanagar Scheme

Land site (barren land excluding trees) for Basantapur Scheme where tube well,

treatment plant, OHT and sump well will be located

Land site at Phulbari for Bhagra Ranitar Scheme where tube well, treatment plant, OHT and sump well will be located.

Land site for Simreni Scheme and ground RVT of existing Simarhani Water Supply System

Consultative / Interactive Meeting with WUSC and Beneficiaries

Discussion / Interaction with WUSC members and Beneficiaries Regarding Land Acquisition