Due Diligence Report – Social Safeguards

Project Number: 35173
March 2016

NEP: Third Small Towns Water Supply and Sanitation Sector Project – AnbuKhareni

Prepared by Department of Water Supply and Sewerage for the Asian Development Bank.

Resettlement Due Diligence Report

Project Number: 35173
August 2016

NEP: Third Small Towns Water Supply and Sanitation Sector Project – Abukhaireni Town Project

Prepared by the 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 come 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 hills 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 Water Supply and Sanitation (MoWSS) 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.

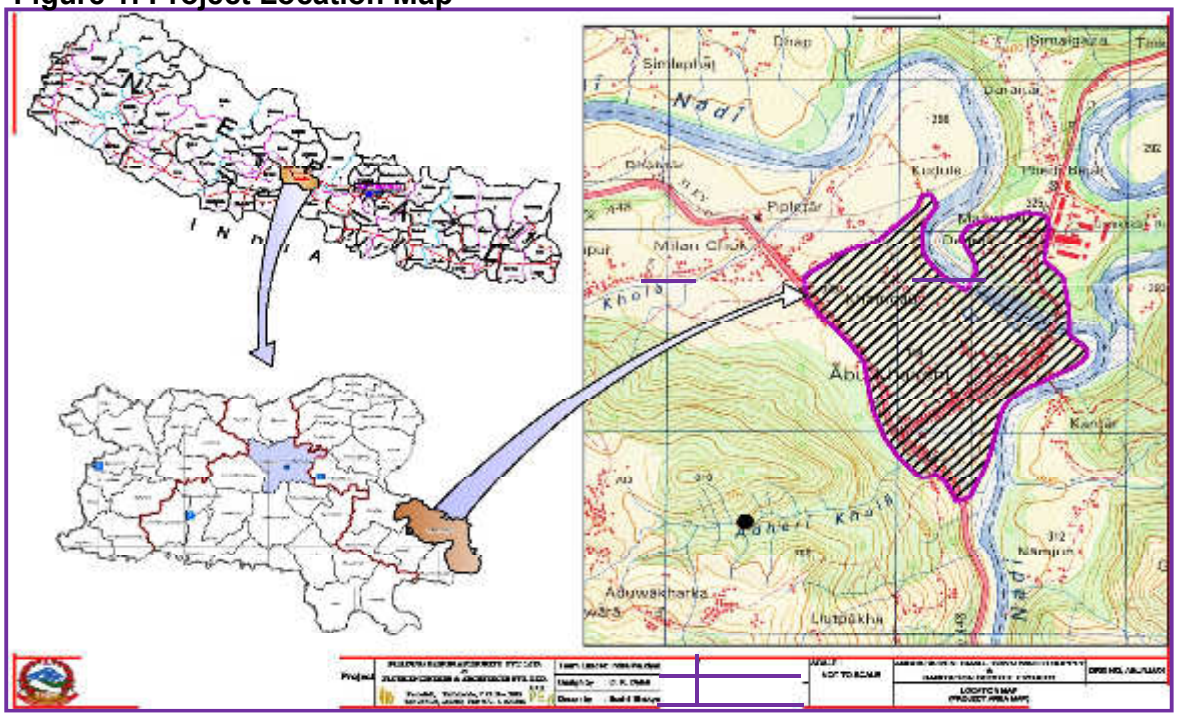
1.2 Abukhaireni Town Project Description

1.2.1 Location and Accessibility

Abukhaireni is situated in Tanahun district of Gandaki Zone in Western Development Region. The project town is situated at the confluence of Marsyangdi River and Daraundi River. The location of the project area is $27^0$54'17" North Latitude and $84^0$32'8.4" East Longitude. Famous Gorakhkali Rubber Factory is situated very near to this town.

Abukhaireni is one of the emerging towns of Tanahun district, located on the junction of Prithvi Highway and Gorkha - Narayangarh Highway. The distance between this town and Kathmandu is 114 Km. and that of Pokhara (the regional headquarter of the Western Development Region) is 86 km and Gorkha is 30 Km. Damauli is the districts headquarter of Tanahun and is about 30 km west to the project area.

Figure 1: Project Location Map



1.2.2 Service Area, Households and Population

The proposed town project covers Wards nos 5 and 6 of Abukhaireni VDC of Tanahun district and Ward no 5 of Deurali VDC of Gorkha district. Major settlements / Tole of the service area as well as Ward wise Household and population are presented in Table-1. As the table shows the proposed service area accommodates a total population of about 7,618; of which 4,717 is permanent population and 2,901 is rental population. The rented population in the service area is quite considerable.

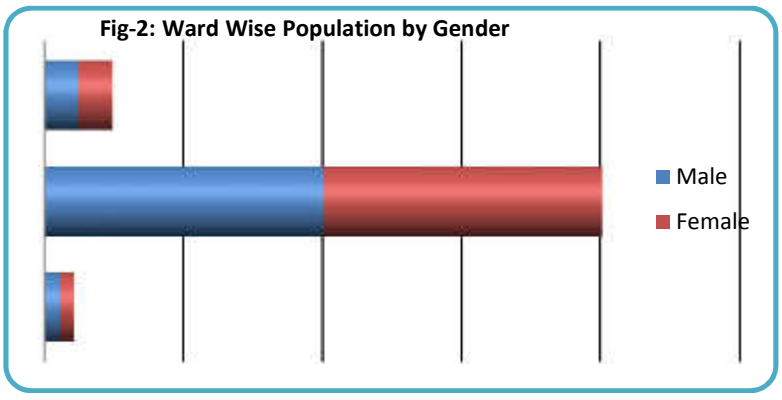
There are total 881 households in the service area with an average household size of 5.35. The distribution of households by Ward indicates that Ward no. 6 of Abukhaireni is densely populated with 6670 population living in 745 households and Ward no 5 has least number of households (30) with only 224 population. Ward no.5 of Deurali VDC has 106 households with 724 population.

Table-1: Households and Population by Wards

VDC/ Municipality	Ward No	Major Settlements /Tole	HHs	Population		
				Permanent	Rental	Total
Abukhaireni	5	Ganesh Tole, Kukurgade, Panitanki	30	213	11	224
	6	Bichbahadur Tole, Bich Bazar, Vidyalaya Marga, Chisapani, Chaktole, Dandatole, Kandel tole, Khatritole, Krishna mandir tole, Manakamana Chowk, Namunatole, Pragati Marga, Shanti Tole, Shree Siddhiganesh Tole, Tallo Bazar, Thumki chautara	745	4011	2,659	6670
Deurali	5	Ramshah tole	106	493	231	724
Total			**881**	**4,717**	**2,901**	**7618**

Source: Field Survey, July 2015

Among the total permanent population (4,717) in the service area, 2373 are male and 2344 are female. Male population is slightly higher (50.3%) than the female population (49.7%). The sex ratio was found to be 1:0.98. Ward wise population composition by gender is illustrated in Figure-2.



1.2.3 Proposed Subproject Components

This resettlement due diligence report is prepared for the proposed Abukhaireni 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

Abukhaireni Small Town Water Supply sub-project has been conceptualized as a piped water supply system considering conjunctive use of surface source from SudiKhola (stream source) and sub-surface water (proposed dugwell in Marsyangdi River) as sources.

Existing structures like 100 and 200 Cum RCC reservoirs; roughing filter and slow sand filter each with capacity of 12 lps are in good conditions. Existing transmission main and distribution network is leaking and need replacement. Based on the topography, settlements and existing structures decentralized distribution system is adopted and are described below:

i.) **Distribution system A:** This subsystem is proposed to serve part of area situated east of Gorkha- Narayangarh Highway and is designed to cater 1,440 permanent and 498 rented (total 1,938) population. Gravity surface sources (SudiKhola) will be used to feed a 100 Cum existing reservoir through which water will be distributed.

ii.) **Distribution system B:** This sub system is designed to cater 6,909 permanent and 4,439 rented (total 11,348) population. Water will be distributed through existing 200 Cum RCC reservoir and proposed 400 Cum reservoir. In dry season this sub system will use both gravity sources and pumped water from Marsyangdi River.

iii.) **Distribution subsystem C:** This area has been taken into account for future extension. A separate dedicated distribution main is provided and taken into the cost. However, distribution network is not designed now.

a. Source Location

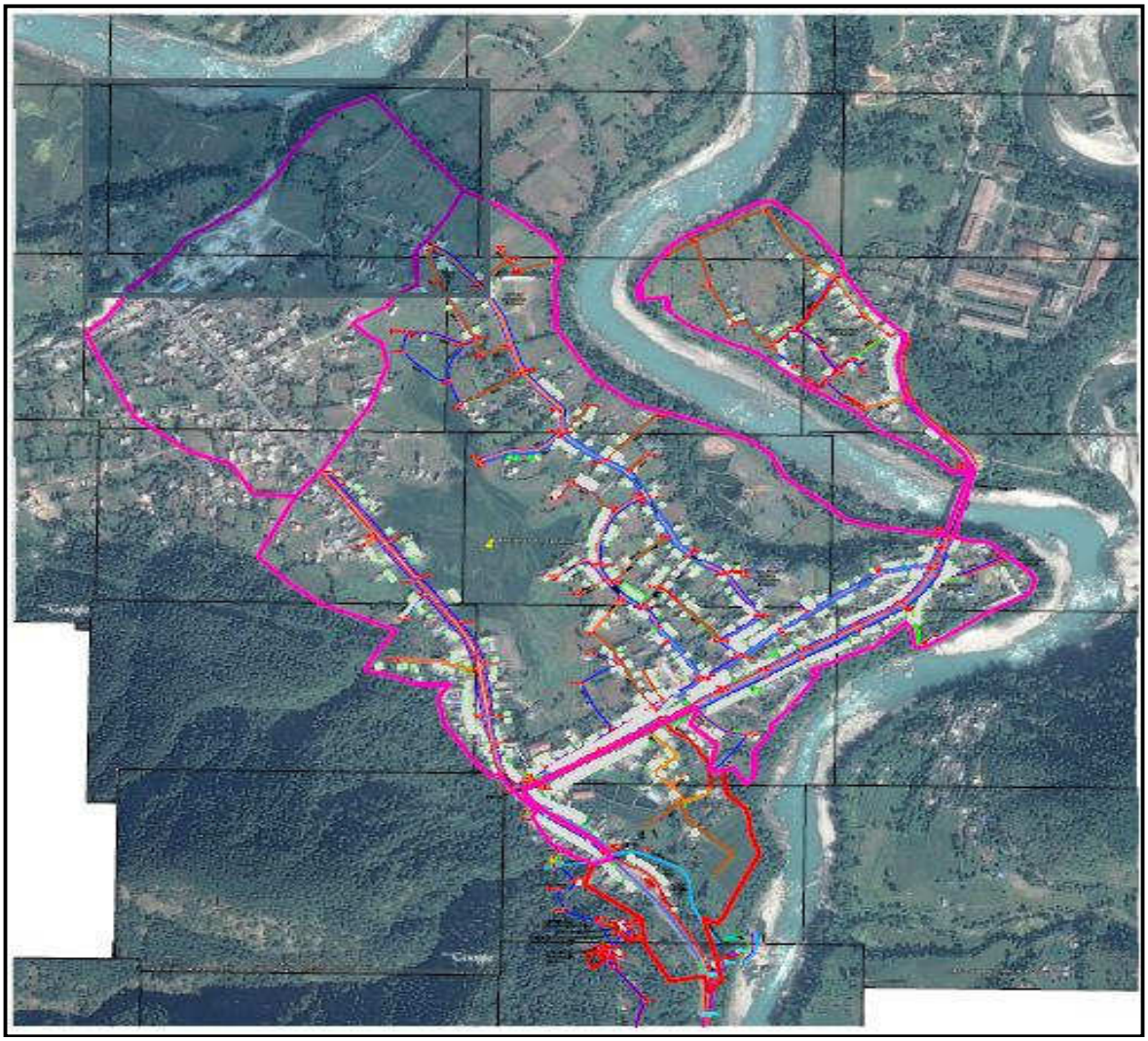
In the immediate south of service area of Abukhaireni, protected community forest area is located, which is serving as watershed area. The watershed is steep and covered with good vegetation. SudiKhola (stream source) drains the catchment and flows toward north. The perennial source is the present gravity sources of supply and 12 lps of water is being distributed even in dry season. The existing intake shall be modified properly.

Similarly, Marsyangdi River flows from the northern boundary of the service area. Water can be pumped to compensate dry season discharge and thus dug well is proposed in the bank of this river.

b. Source Yield

As discussed above Abukhaireni water supply system will have conjunctive sources of water. One is surface water (gravity) from Sudi Khola and next sub-surface water from Marsayangdi River which needs pumping. The Saudi and Todke Pani as measured by WUSC in the April 2015 has discharge of 16 lps and was more than 85 lps in June 2015 as measured by Consultant. It was reported that in dry season discharge won't reduce less than 16 lps. Utilizing 75 % of the discharge for the water supply purpose discharge of 12 lps of water can be tapped from these source in dry season.

Figure 3: Project Service Area Map



For the supplement of deficit water, sub-surface water source is proposed. One dug well is proposed at the bank of Marsyangdi River and is expected to produce 17 lps.

The total design water demand is **2,177.55 m^3/ day (***25.20lps).The system is conceptualized to feed from gravity sources during wet season (from months June to November) and to compensate from pumping during dry season.*

To be noted here is that the Marsyangdi river is snow fed perennial river which is one among the seven larger tributary rivers of Saptagandaki river system. There is no irrigation cannel and other water use from the river immediate downstream to the water abstraction point (i.e dug well). The dry season discharge of the river is estimated more than 10,000 lps. Therefore, abstraction of 17 lps water from the river will not negatively affect any downstream users even during the dry season.

1.2.3.1 Components Required for Treatment Process

Following components have been proposed for treatment process

Sedimentation Tank:
Sedimentation tank is proposed in the surface water of Saudi source to remove the grits and suspended particles. Two sedimentation tanks each with capacity of 12.61lps are proposed in the gravity flow of Sudi source so that at least one of them is working while another one is under maintenance.

Roughing Filter:
The R.C.C. horizontal flow type rectangular roughing filter with 3 compartments packed with gravels has been proposed. Four units of roughening filters each with capacity of 3.3lps are proposed. Capacity of Roughing filter (proposed 4x3.3=13.2 and existing 12 lps total 25.2 lpsie wet season flow.)

Slow Sand Filter:
Slow sand filter (SSF) made of R.C.C. is proposed to remove fine suspended solids thus by reducing the turbidity of water.

1.2.3.2 Transmission mains

Gravity Source: Transmission main of 2,265 m is proposed. 150mm size pipes are proposed to cater design water demand. The pipe will be laid on public foot trail which width ranges from 3 m to 1.5 m.

Pumping Main: Pumping main of 150 mm diameter and 430 m length is required to pump water from Marsyangdi River to Slow Sand Filter. The pipe will be laid on public foot trail which average width is about 1.5 m.

1.2.3.3 Ground Reservoirs

The total storage requirement for the system at the end of design period i.e. 2038 is calculated at 700 Cum. The provision of this quantity has been fulfilled by providing additional ground reservoirs.

One new reservoir will be constructed of RCC which is designed as ground based tank, and two existing reservoirs which are in good condition will also be used as summarizes in table below.

Table -2: Requirement of Reservoir

Sub Systems	Reservoir sizes (Cum)	Remarks
A	100	Existing RCC situated at WUSC office premises in good condition
B	200	Existing RCC in good condition
	400	Proposed
Total	**700**	

1.2.3.4 Distribution Network

The total distribution pipe length of the proposed system is about 16.964 km as shown in table below. Distribution pipes will laid both sides of the all metalled and major roads. Single line pipes are proposed in earthen and other roads. To be noted here is that land acquisition

will not required for distribution network as public road and public land will be used as far as possible.

Table 3: Distribution pipe network

S. No	Sub Systems	Length of Pipes (m)
1	System A	2,165
2	System B	14,799
3	System C	Distribution network not design
Total		**16,964**

1.2.3.5 Generator / Operator house

One permanent generator house to accommodate the generator shall be constructed at the bank of Marsyangdi River. In case of failure of power supply the generator shall be used to supply power to the pumps to deliver water. A permanent area to accommodate the pump / plant operator will be provided in this generator house.

1.2.3.6 Office Building/ Laboratory Room

Laboratory room, counters, managers room cannot be accommodated in the present WUSC office building. Thus new one is proposed to accommodate the required facilities. The new office building will consists of manager's room, cash counters, meeting hall etc. Lab room, store will be placed in the existing building (refer Drawing Volume for details).

1.2.3.7 Sanitation Improvement

a. 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 Out 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 finalized 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.

b. Waste Water management

Abukhaireni 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. Gravel packing will enhance to percolate moisture and dry sludge faster. Dried sludge can be sold to the farmers for composting.

The public land initially proposed by WUSC for sludge drying bed seems inappropriate due to its proximity to Marshayangdi river and smaller area than required. However recently the WUSC has identified the location and obtained the land of required size, which is included in this report.

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 People 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 prepare by WRDSMC were reviewed in order to assess the status of project activities 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 for the consulting services.

The details of the field visits including exact date, location, participants and topic discussed are included in Table-4 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.

2.2.4 Public Consultation

Consultations with key stakeholders were undertaken 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-4: Summary of Consultation

S.N.	Date	Location	No. of Participants	Participants	Topics Discussed	Issues Raised
1	27 June 2015	Abukhaireni	59 (M-43, F-16, Dalit-2, Janjati-21, others-36)	WUSC members, VDC secretary, WRDSMC representatives, TLO members, College/school teachers, Women Group representatives, NCCN President, beneficiaries and representatives of indigenous community.	Introduction of TSTWSSSP, Role & responsibilities of Stake holders & transparency, Project Scope, design parameters, Financing aspect Land and land acquisition requirement, Social safeguard, Institutional and GESI Environmental safeguard requirements	Responsibility for making land available, WUSC composition, subsidy for poor HHs
2	21 July 2015	Abukhaireni	15 (M-6, F-9)	WUSC members, Local Enumerators selected among the beneficiaries	Household survey procedure	
3	12 December 2015	NCCN meeting hall, Abukhaireni	76 (M-60, F-16)	Executive Officer-Abukhaireni Muni, 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.	
4	28 January 2016	WUSC Office	5	WUSC members, WUSC staff and DSMC representatives	Discussion on land requirement, land ownership, and land	

					acquisition procedure	
5	2 March 2016	NCCN meeting hall, Abukhaireni	58 (M-42, F-16)	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 concerns, land requirement and acquisition process, 5% upfront cash collection etc.	

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 deals on issues regarding involuntary resettlement and indigenous people. The social safeguard screening checklist annexed in appendix-1 depicts the details of the likely impacts 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 Abukhaireni 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 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 10939.12 sq.m.of land for the town project has been obtained by WUSC at seven different locations, where different structures of water supply component and sanitation component will be located. The WUSC has recently identified the site for sludge drying bed and the land required for this is also included this report. The details of land requirement sites and corresponding proposed components are presented below in Table-5.

No involuntary land acquisition is required for this town project as available land is either WUSC owned land or Public land. For the public land use WUSC has received consent from municipality. The land obtained by the WUSC for water supply component is public vacant land and free from encroachers or illegal users. No settlement will be adversely affected and neither physical displacement nor economic displacement will occur; and hence no involuntary resettlement impacts are anticipated due to land acquisition.

Table-5: Land Requirement Site and Proposed Component

S.N.	Land Requirement Site / Location	Land Obtained by WUSC	Proposed Structures / Components
1	Luldhub (SudiKhola stream source area), Abukhaireni Ward-6 &7	7-6-0-0 (3751.92 sq.m)	• Intake (SudiKhola stream source) • Sedimentation Tank for Sudi source (12.61lps)
2	Kanaghat (Right Bank of Marsyangdi River) Abukhaireni Ward no-5,	1-8-0-0 (763.06 sq.m)	• Dug well • Generator house • Operator house
3	Kukurgade, Abukhaireni Ward no-5	1440 sq.m	• Roughing Filter
4	Luitpakha, Ward no-6	3-8-0-0 (1780.54 sq.m)	• Slow sand filter (SSF)
5	Kukurgade, Ward no-5, (existing WUSC Office)	660 sq.m	• Existing Office Building • Proposed Office Building • Existing RVT 100 Cum • Proposed Office Building
6	Kukurgade, Ward no-5 (existing RCC RVT -200)	2-8-0-0 (1271.8sq.m)	• Existing RVT 200 Cum • Proposed RVT 400Cum
7	Sludge Drying Bed	2-8-0-0 (1271.8sq.m)	• Sludge drying bed
Total		**10939.12 sq.m**	

The details of land requirement and IR/IP impacts are discussed in this report under the section- 5: Land Availability and Resettlement Impacts 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 about the details of 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 Abukhaireni Town Project service area is mosaic of multi Caste / Ethnic groups. The town is one among the emerging towns along the Prithvi Highway with high population grow rate. Road access, market facility, educational institutions, hospitals, financial institutions including banks, 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. The finding of socio-economic census survey conducted by DSMC reveals that majority of families belong to Indigenous group i.e. *Janajati* which shares 65.15 percent of total households in the project

area. Brahmin / Chhettry constitute 26.67 percent, Dalits have shared 5.33 percent and 2.84 percent is shared by Muslim and others. Among the Indigenous people Gurung, Magar and Newar are predominant ethnic groups.

Table-6: Ethnicity /Caste

VDC	Brahmin / Chettri	Janajati	Dalit	Muslim and Others	Total
Abukhaireni	207	505	39	24	775
Deurali	28	69	8	1	106
Total HH	**235**	**574**	**47**	**25**	**881**
Percent	**26.67**	**65.15**	**5.33**	**2.84**	**100**

Source : Field Survey, 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 reflects 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 Peoples Plan is not required for this sub-project.

The Indigenous Peoples Impact Screening Checklist attached in Appendix-1 describes the likely impacts on indigenous peoples.

4. GRIEVANCE REDRESS MECHANISM (GRM)

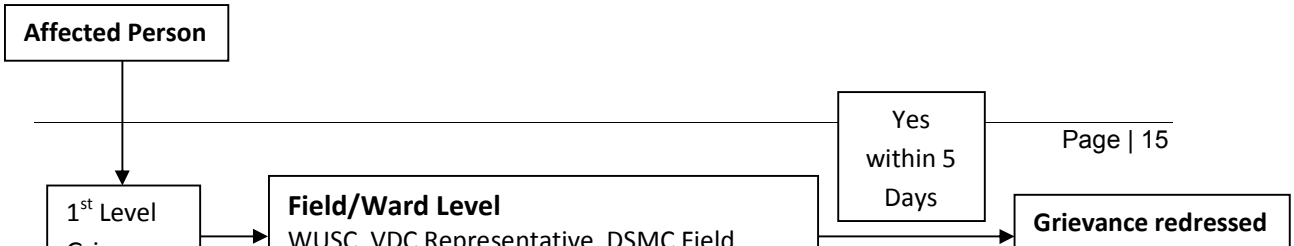
A town project-specific grievance redress mechanism (GRM) has been established to receive record, evaluate, and facilitate the resolution of AP's project related concerns, complaints, and grievances. The GRM will be responsible for the social and environmental performance at the sub project level. The 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, who are the most easily accessible or first level of contact persons, will provide 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 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.



In line with the Third Small Towns Water Supply and Sanitation Sector Project (TSTWSSSP) Operational Guideline-2071 and ADB Project Administration Manual of TSTWSSSP a Grievance Redress Committee has been formed on 10 August 2016. The minutes of Abukhaireni WUSC meeting regarding the GRC formation is attached in Appendix-2. The GRC is headed by Executive Officer of Abukhaireni Municipality and other members of the committee are as follow.

1. Chairperson: Ms.Durga Thapa, Executive Officer, Aabukhaiteni Municipality
2. Secretary: Mr. Sanukaji Thapa, Aabukhaireni WUSC
3. Member: RPMO representative
4. Member: Affected Person / community representative
5. Member: Environmental Safeguard Officer
6. Member: Ms. Ambika Thapa, Community Service Centre
7. Member: Contractor representative

5. LAND AVAILABILITY AND RESETTLEMENT IMPACTS

As stated earlier the Abukhaireni Small Town Water Supply sub-project has been

conceptualized as a piped water supply system considering conjunctive use of surface source from Saudi Khola (spring source) and sub-surface water (proposed dugwell in Marsyangdi River) as sources.

5.1 Sub Project Components

Based on the topography, settlements and existing structures decentralized distribution system is adopted as described below:

Table-7: Sub-systems of the Town Project

Sub-system	Description
Distribution system A:	This subsystem is proposed to serve part of area situated east of Gorkha- Narayangarh Highway and is designed to cater 1,440 permanent and 498 rented (total 1,938) population.
Distribution system B:	This sub system is designed to cater 6,909 permanent and 4,439 rented (total 11,348) population.
Distribution system C :	This area has been taken into account for future extension. A separate dedicated distribution main is provided but distribution network is not designed now.

The different components proposed for all three distribution systems are summarized in Table-8 and the details of each component such as location, area and land ownership are given in Table-9.

Table-8: Proposed Components of the Town Project

Component	Sub-component	Capacity / Length	Remarks
Intake	SudiKhola Stream source	12.6 lps	Surface water (gravity) source
	Dug well at Bank of Marsyangdi River	17 lps	sub-surface water source
Treatment Process	Sedimentation Tank	12.6 lps	
	Roughing Filter	25.2 lps	
	Slow Sand Filter		
Transmission mains	Transmission mains for gravity source	• 2265 m for gravity source	
	Transmission mains for pumping system	• 430 m for pumping system	
Ground Reservoir	RVT for sub-system A	100 Cum	
	RVT for sub-system B	600 Cum (Existing 200 Cum + 400 Cum proposed)	
Distribution Network	Distribution Network for sub-system A	2,165 m	
	Distribution Network for sub-system B	14,799 m	
Generator / Operator house			
Office Building / Laboratory Room			
Sanitation Component	Sludge Drying Bed		

5.2 Land Requirement for the Proposed Components

For the construction of different components/structures of the town project land is required at

seven 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-9: Land location, area and ownership of proposed sites for Abukhaireni Town Project

Component	Location	Land Required	Land Available	Land Ownership	Remarks
I. Intakes					-
1.1 SudiKhola (stream source)	Abukhaireni Ward-6 &7	25m x 25m	7-6-0-0 (3751.92 sq.m)	Public / Government	Abukhaireni Municipality has given consent for this public land use (refer Appendix-2 for letter of consent).
1.2 Dug well	Abukhaireni Ward no-5, (Right Bank of Marsyangdi River)	22 m x 30m	1-8-0-0 (763.06 sq.m)	Public / Government	Abukhaireni Municipality has given consent for this public land use (refer Appendix-2 for letter of consent).
II. Treatment Facilities					
2.1 Sedimentation Tank for Sudi source (12.61lps)	Abukhaireni Ward no-6 &7	24m x 18m	Located on land same as 1.1	Public / Government	Same as 1.1
2.2 Roughing Filter	Kukurgade, Ward no-5	40 m x 33 m	1440	Public	WUSC has got consent from Municipality for this public land use (refer Appendix-2 for letter of consent).
2.3 Slow sand filter (SSF)	Luitpakha, Ward no-6	36 m x 40 m	3-8-0-0 (1780.54 sq.m)	Public	Municipality has given consent to use 3-8-0-0 (1780.54 sq.m) land (refer Appendix-2)
III. Reservoir tanks					
3.1Existing RCC RVT -100	WUSC Office premises (existing RVT), Ward no-6	11 m x 6 m	1-4-0-2 (639.86 sq.m)	WUSC (with ownership certificate)	The land already owned by WUSC (refer Appendix-2 for ownership certificate)
3.2 Existing RVT -200 Cum	WUSC existing RVT compound, Ward-6	36 m x 30 m	About 3 Ropani (1526.22 sq.m)	WUSC	WUSC has already owned 8 Anna (254.32 sq.m) within the existing 200 Cum RVT and for additional 2-8-0-0 (1271.8sq.m) public land municipality has given the consent (refer Appendix-2).
3.3 Proposed RVT - 400 Cum					
IV. Other structures/Components					

4.1Generator / Operator house	Abukhaireni Ward no-5, VDC(Right Bank of Marsyangdi	22 m x 30 m	Located on land same as 1.2	Public land	Same as 1.2
4.2 Office Building/ Laboratory Room	WUSC Office premises (existing RVT), Ward no-6	22 m x 30 m	Located on land same as 3.1	WUSC	Same as 3.1
4.3 Transmission main (2,265 m)	Abukhaireni Ward no-6,7 &5			Public /government	
4.4 Distribution pipe network (16,964 m)				Public /government	
V. Sanitation component					
5.1 Sludge drying bed	Ward no-6, Kanaghat, near to Krishna Mandir, adjoining to Thulo Dhunga (Right Bank of Marsyangdi River)	2-8-0-0 (1271.8sq. m)	2-8-0-0 (1271.8 sq.m)	Public land	Abukhaireni Municipality has given consent for this public land use (refer Appendix-2 for letter of consent).

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 seven different locations are required for construction of project components such as intake, sedimentation tank, roughing filter, slow sand filter, RVT, office building, sludge drying bed etc.

For SudiKhola stream intake and Sedimentation Tank for SudiKhola source land is required at SudiKhola stream source area, which is located Ward nos 6&7 of Abukhaireni Municipality. Total land area of 7-6-0-0 (3751.92 sq.m) has been obtained by WUSC. The land is public land and WUSC has got consent form Abukhaireni Municipality to use the land. Land is located along the SudiKhola on both banks of stream, which is mostly barren land with some bushes, and hence vegetation loss due to construction of intake and sedimentation tank will be insignificant. No structures are on the proposed site.

Land at Kanaghat (right bank of Marsyangdi River) Ward no-6 land is required for construction of Dug Well, Generator House and Operator House. The land is public/government land and WUSC requested to Municipality for land use. Accordingly the municipality has given consent to use 1-8-0-0 (763.06 sq.m) land (refer annex for consent letter). The land is mostly barren land with some bushes and on any structures located on the land.

Additional land area of about 1440 sq.m.is required for Roughing filter at Kukurgade, Ward-6. The land is public land where there is no any structure. The WUSC has received letter of consent from Municipality for land use.

For the Slow Sand Filter land is available at Luitpakha, Ward no-6, which is public land. Upon the request of WUSC the Abukhaireni Municipality has given permission to use 3-8-0-0 (1780.54 sq.m) public land. The land is sufficient for Slow Sand Filter and no additional land required at this site. No any permanent structure is located on this land and IR impacts are not anticipated.

The proposed Office Building will be located within the existing WUSC office building premises. The WUSC has already owned 1-4-0-2 (639.86 sq.m) land which is sufficient for new office building. Therefore no additional land needs to be acquired at this site.

New RVT of 400Cum has been proposed at same site in Kukurgade Ward-6 where existing RVT 200Cum is located. The WUSC has already owned 0-8-0-0 (254.32 sq.m) land within the existing RVT premises. This land is not sufficient for new RVT and additional land is required. The WUSC requested municipality to make available additional 2-8-0-0 (1271.8 sq.m) adjoining public land, and accordingly the municipality has given the consent to use this land.

Transmission main pipe lines of 2.26 Km length are proposed within existing municipal road RoWs/vacant government and public land as far as possible. Likewise distribution lines of 16.96 Km are proposed along existing municipal/government road RoWs and public vacant land. Hence, no permanent IR impacts are anticipated due to laying of transmission mains and distribution lines. No relocation impacts or impacts on structures are anticipated along pipeline alignment of the town project.

Under the sanitation component another land is required for sludge drying bed and the location of the land has recently been identified. The land is located in Abukhaireni Municipality Ward no-6 at Kanaghat (Right Bank of Marsyangdi River) near to Krishna Mandir, the plot adjoining to Thulo Dhunga. The land is public land and WUSC requested to Municipality for land use. Accordingly the municipality has granted permission on 16 August 2016 to use approximately 2-8-0-0 (1271.8 sq.m) land for sludge drying bed (refer Appendix-2 for letter of consent).

Temporary impacts of transmission and distribution network laying and house connections are 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-10: Proposed sub-project components and their Involuntary Resettlement and Indigenous Peoples impact status

S.N	Component	Area	Capacity / Length	IR Impacts	IP Impacts	Remarks / Mitigation Measure
1 Intake						
1.1	SudiKhola Stream source	7-6-0-0 (3751.92 sq.m)	12.6 lps	Mostly barren land with some bushes and shrubs along the SudiKhola stream on both banks. No structures are on the proposed site. Although the WUSC has obtained 7-6-0-0 (3751.92 sq.m) land only 625 sq.m land will be used for intake and vegetation loss will be insignificant. The local people are using limited forest product such as fodder available on the acquired land.	None	WUSC and Municipality joint meeting has assured that there will no hindrance in accessibility and no restriction for local people in using the forest product (refer Appendix-2 for minutes of meeting).
1.2	Dug well at Bank of Marsyangdi River	1-8-0-0 (763.06 sq.m)	17 lps	The land is public /government land located at right bank of Marshayangdi river. It is mostly barren land with some bushes. There is no any structure on the site and no IR/IP impacts are anticipated.	None	
2 Treatment Process						
2.1	Sedimentation Tank	Same as 1.1	12.6 lps	Same land as 1.1	None	Same as 1.1
2.2	Roughing Filter	1440 sq.m	25.2 lps	About 1440 sq.m of public land has been obtained by WUSC. There is no any structure and free from encroacher, hence no IR/IP impacts are anticipated.	None	
2.3	Slow Sand Filter	3-8-0-0 (1780.54 sq.m)		WUSC has 3-8-0-0 land at Luitpakha (existing SSF) and same land can be used. No need of private land acquisition and no IR impacts are anticipated.	None	
3 Transmission mains						
3.1	Transmission mains for gravity source		Length 2265 m and pipe size 150mm	Since the alignments are proposed on public land and municipal / government road rights of way, land acquisition is not required.	None	
3.2	Transmission mains for pumping system		430 for pumping system	Alignments are proposed on public land and municipal / government road rights of way and no IR impacts are anticipated.	None	
4 **Ground Reservoir**						
4.1	RVT for sub-system A (existing)	1-4-0-2 (639.86 sq.m)	100 Cum	The land already owned by WUSC (existing WUSC Office premises). The existing RVT can be use, hence no additional	None	

				land required and no IR/IP impacts anticipated.		
4.2	RVT for sub-system B	3-0-0-0 (1526.22 sq.m)	600 Cum (Existing 200 Cum + 400 Cum proposed)	Of total 3 Ropani (1526.22 sq.m) land 8 Aana land has already owned by WUSC and rest 2-8-0-0 land is public land and municipality has given the consent to use the land. No structure on the land and no IR/IP impacts are anticipated.	None	
5 Distribution Network						
5.1	Distribution Network for sub-system A		2,165 m	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 no IR impacts are anticipated.	None	
5.2	Distribution Network for sub-system B		14,799 m	Since alignments are proposed on public land and Municipal/government road rights of way as far as possible, no land acquisition required and no IR impacts anticipated	None	
6 Other structures						
6.1	Generator / Operator house	Same as 1.2		Proposed in the same site as 1.2. No IR impacts anticipated.	None	
6.2	Office Building / Laboratory Room	Same as 4.1		Proposed in the same site as 4.1.No IR impacts anticipated.		
7 Sanitation Component						
7.1	Sludge drying bed	2-8-0-0 (1271.8 sq.m)		The land is public land located at right bank of Marshayangdi river. It is mostly barren land with some bushes on the land and some trees around it. There is no any structure on the site and no IR/IP impacts are anticipated.		

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, field visit and public consultation. The status of major due diligence activities and findings are summarized as follows.

- The adverse impacts of the town project due to land acquisition will be insignificant because there is 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 10939.12 sq.m land is obtained by WUSC at different seven sites for construction of project structures such as intake, RVTs, Roughing Filter, Slow Sand Filter and Office Building. However, no private land needs to be acquired as available land is either WUSC owned land or 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 impact on indigenous people will be more positive increasing the access to drinking water rather than adverse impact.

- Some low magnitude site specific impacts such as temporary disturbance in access to shops and residences and affect 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 approach.

APPENDIXES

APPENDIX-1

SOCIAL SAFEGUARDS SCREENING CHECKLIST

Country Nepal

Subproject Name **Abukhaireni 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 Involuntary Resettlement Effects	**Yes**	**No**	**Not Known**	**Remarks**
Acquisition of Land				
1. Will there be land acquisition?	√			Nearly 9647.38 sq.m land is obtained by WUSC at different six sites for construction of intake, RVTs, Roughing Filter, Slow Sand Filter and Office Building. However, no private land needs to be acquired as available land is either WUSC owned land or Public land.
2. Is the site for land acquisition known?	√			Six different sites for land acquisition have been identified i.e. SudiKhola stream source area Ward-6 &7, Kanaghat (Right Bank of Marsyangdi River) Ward no-5, Kukurgade Ward no-5, Luitpakha Ward no-6, Kukurgade Ward no-5 (existing WUSC Office), Kukurgade Ward no-5 (existing RCC RVT -200)
3. Is the ownership status and current usage of land to be acquired known?	√			The ownership status of lands in all sites is known. Land located within the premises of existing WUSC building is under the ownership of WUSC (see ownership certificate in appendix-2), and other lands at five different sites are the public land under the ownership of municipality. For the public land use WUSC has got consent from Abukhaireni 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?		√		The land obtained by WUSC is either WUSC owned land or public land, free from encroacher and on any structures on the land. Hence

				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?		√		N/A
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?		√		N/A
8. Will there be loss of businesses or enterprises due to land acquisition?		√		N/A
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		√		N/A
Involuntary 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 local people are using limited forest product such as fodder available on the acquired land. WUSC and Municipality joint meeting has assured that there will no hindrance in accessibility and no restriction for local people in using the forest product (refer Appendix-2 for minutes of meeting).
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 elaborationson 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. The 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?	√			N/A
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 elaborations 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 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?		√		

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

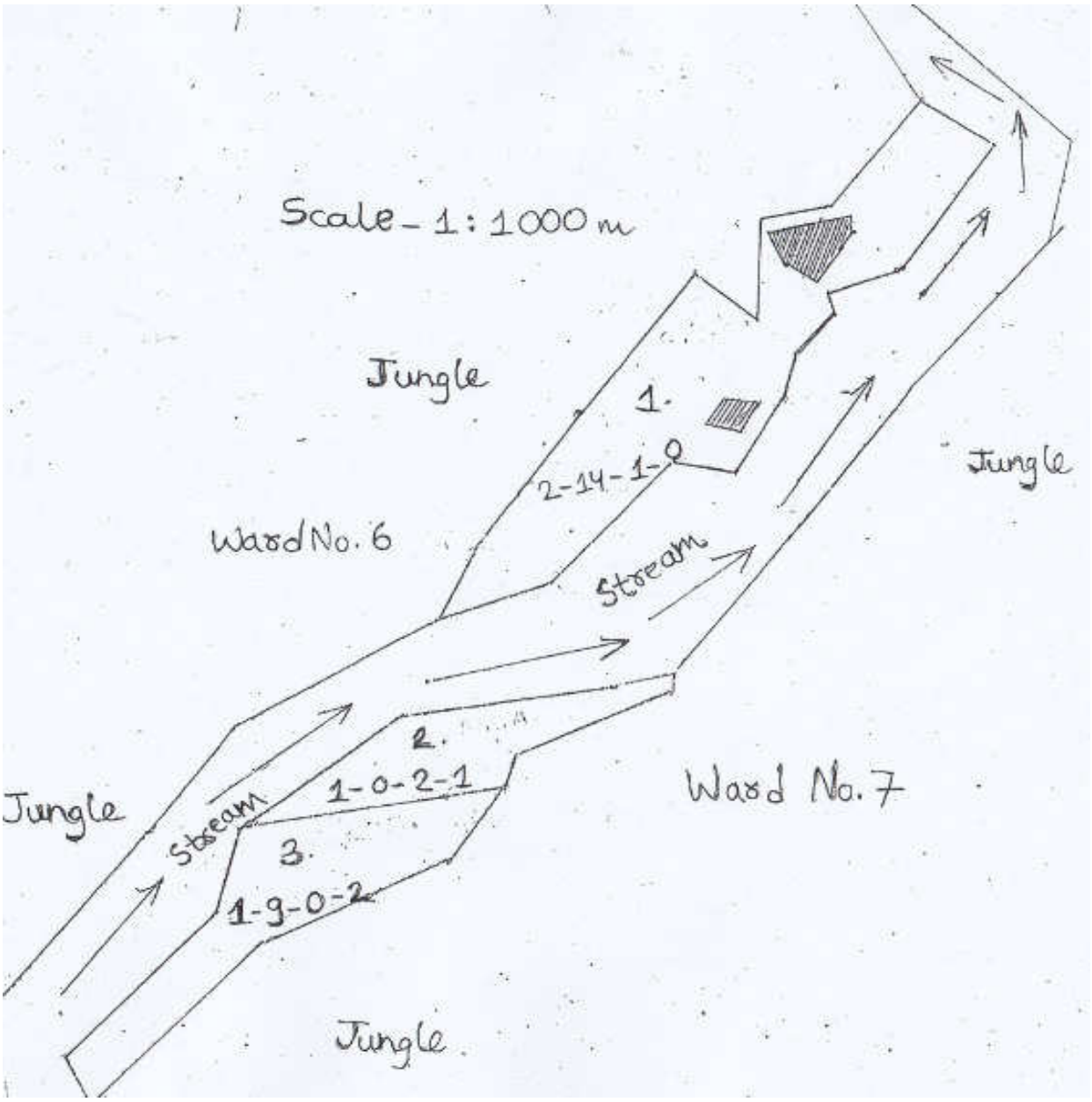
D. Anticipated subproject impacts on Indigenous Peoples

Subproject component/ activity/ output	Anticipated positive effect	Anticipated negative effect
1. Civil Works: it includes the construction of following project components • Intake for SudiKhola Stream source (12.6 lps) • Dug well at Bank of Marsyangdi River (17 lps) • Sedimentation Tank (12.6 lps) • Roughing Filter (25.2 lps) • Slow Sand Filter • RVT for sub-system A (100 Cum) • RVT for sub-system B. 600 Cum (Existing 200 Cum + 400 Cum proposed) • Generator / Operator house • Office Building / Laboratory Room • Sanitation Component	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 mains for gravity source (2265 m) • Transmission mains for pumping system (430 m) • Distribution Network for sub-system A (2,165 m) • Distribution Network for sub-system B (14,799 m)	Regular water supply through improved distribution network.	None

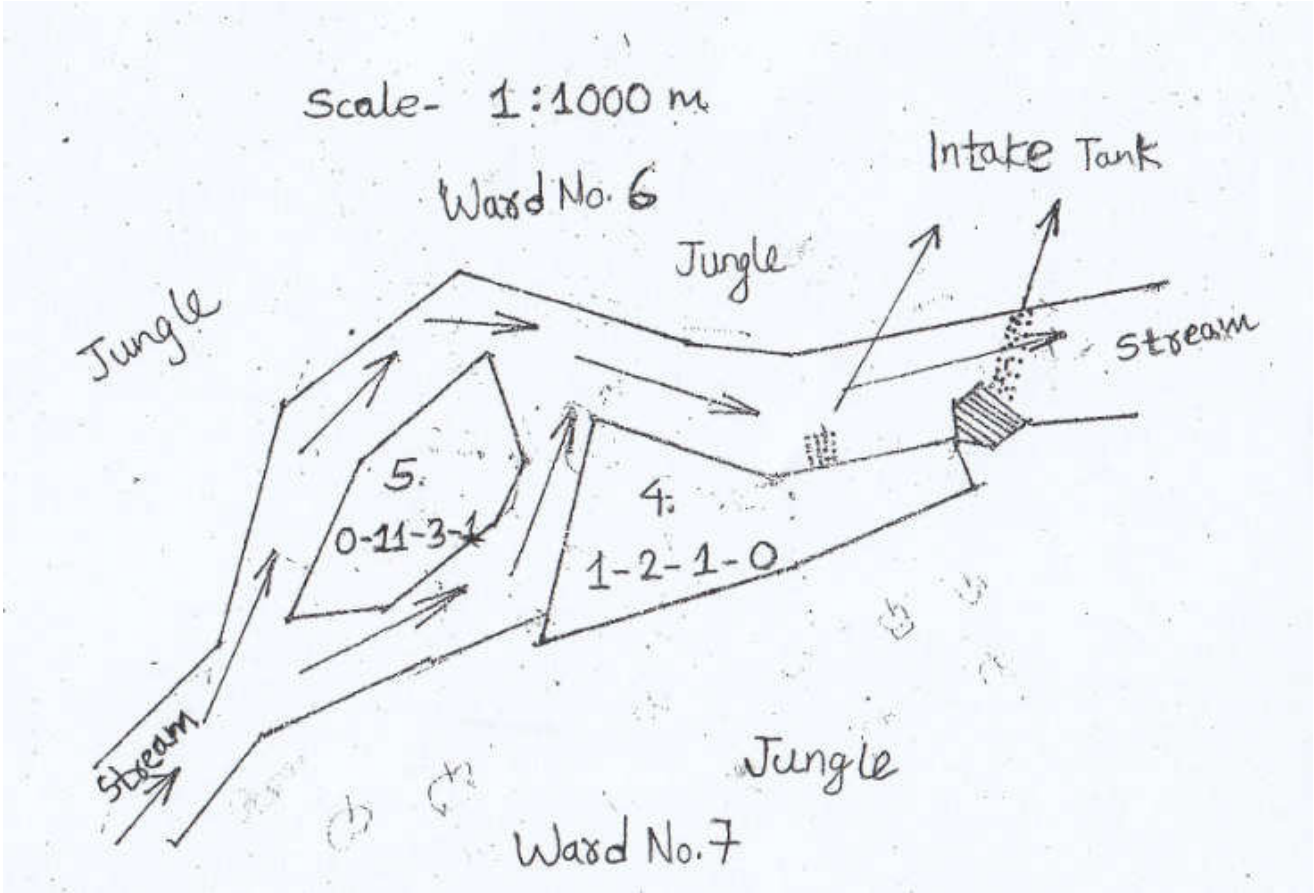
APPENDIX- 2

Maps and Documents / Minutes Related to Land Acquisition

2.1: Sketch of Land plots owned by WUSC at Source area

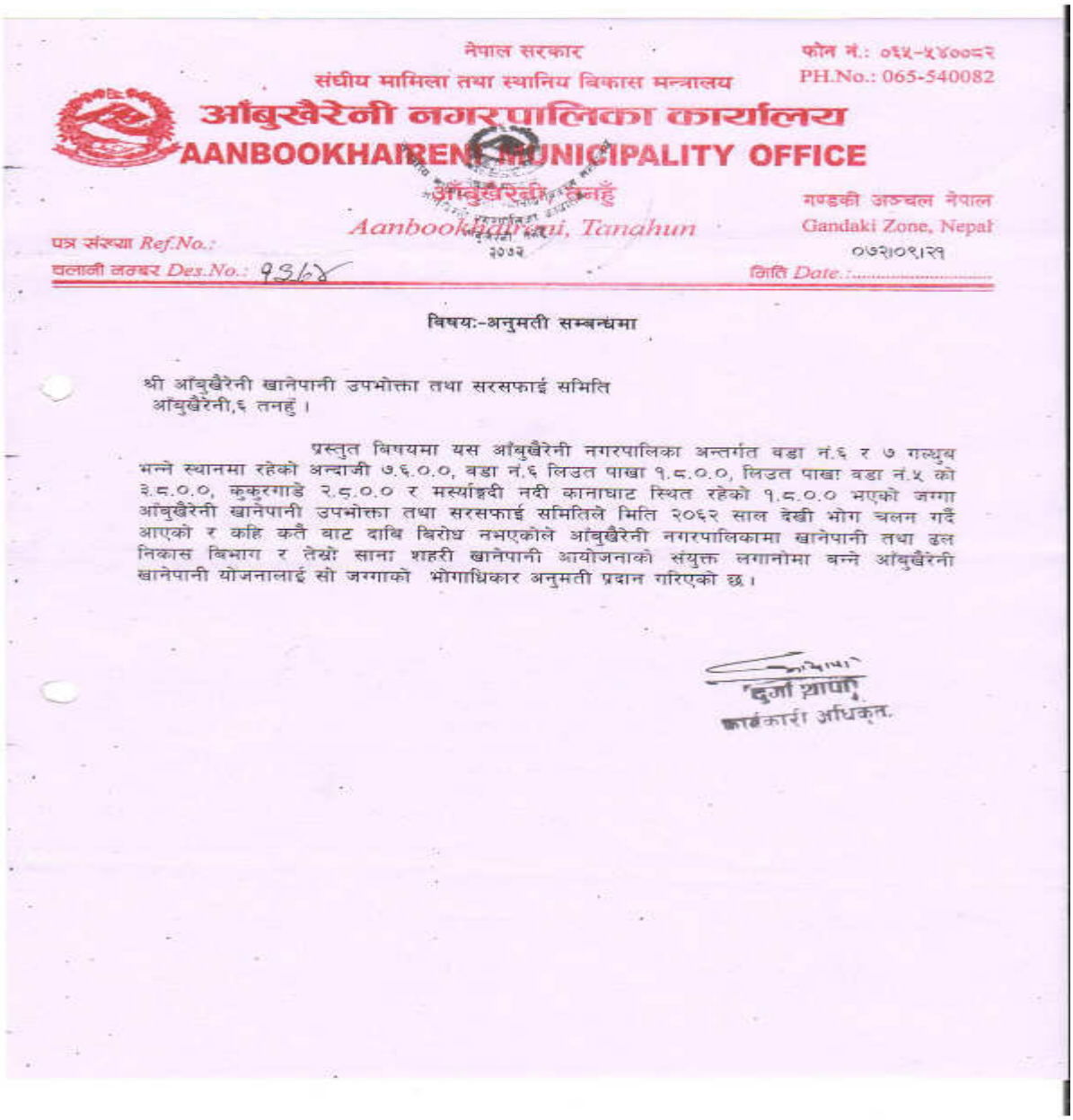


Sketch of Land plots owned by WUSC at Source area where intake structure and Sedimentation Tank for Sudi Khola (stream source) will be located.



Sketch of Land plots owned by WUSC at Source area where intake structure and Sedimentation Tank for Sudi Khola (stream source) will be located.

2.2: Letter of Consent from Abukhaireni Municipality



नेपाल सरकार
संघीय मामिला तथा स्थानिय विकास मन्त्रालय
फोन नं.: ०६५-५४००८२
PH.No.: 065-540082

आँबुखैरेनी नगरपालिका कार्यालय
AANBOOKHAIRENI MUNICIPALITY OFFICE
आँबुखैरेनी, तनहुँ
Aanbookhairani, Tanahun
गण्डकी अञ्चल नेपाल
Gandaki Zone, Nepal

पत्र संख्या Ref.No.:
चलानी नम्बर Des.No.: 9368
मिति Date.: ०७२।०९।२१

विषयः-अनुमती सम्बन्धमा

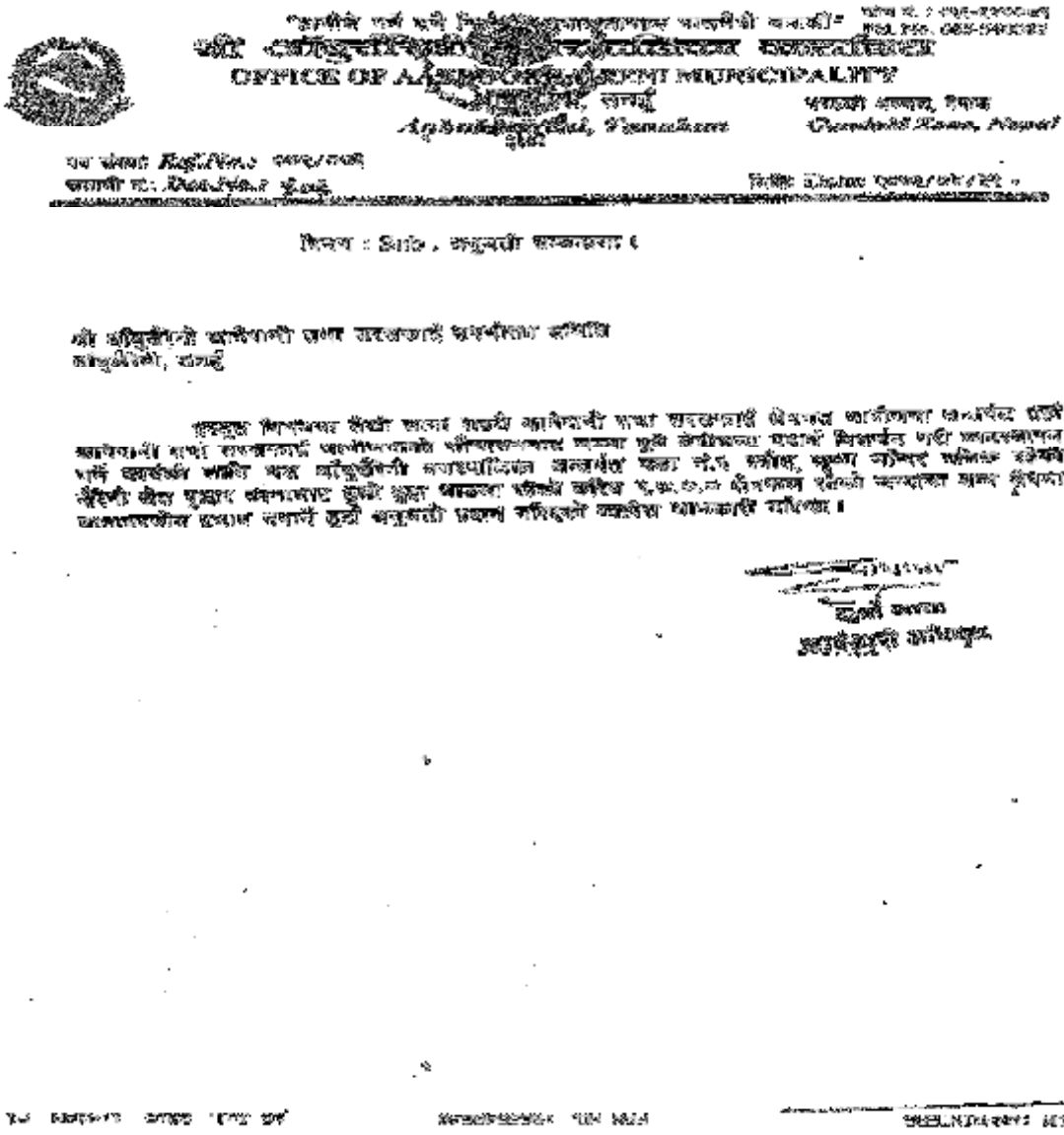
श्री आँबुखैरेनी खानेपानी उपभोक्ता तथा सरसफाई समिति
आँबुखैरेनी,६ तनहुं ।

प्रस्तुत विषयमा यस आँबुखैरेनी नगरपालिका अन्तर्गत वडा नं.६ र ७ गल्थुब भन्ने स्थानमा रहेको अन्दाजी ७.६.०.०, वडा नं.६ लिउत पाखा १.८.०.०, लिउत पाखा वडा नं.५ को ३.८.०.०, कुकुरगाडे २.८.०.० र मर्स्याङ्दी नदी कानाघाट स्थित रहेको १.८.०.० भएको जग्गा आँबुखैरेनी खानेपानी उपभोक्ता तथा सरसफाई समितिले मिति २०६२ साल देखी भोग चलन गर्दै आएको र कहि कतै बाट दावि विरोध नभएकोले आँबुखैरेनी नगरपालिकामा खानेपानी तथा ढल निकास विभाग र तेस्रो साना शहरी खानेपानी आयोजनाको संयुक्त लगानोमा बन्ने आँबुखैरेनी खानेपानी योजनालाई सो जग्गाको भोगाधिकार अनुमती प्रदान गरिएको छ ।

दुर्गा पाण्डे
कार्यकारी अधिकृत

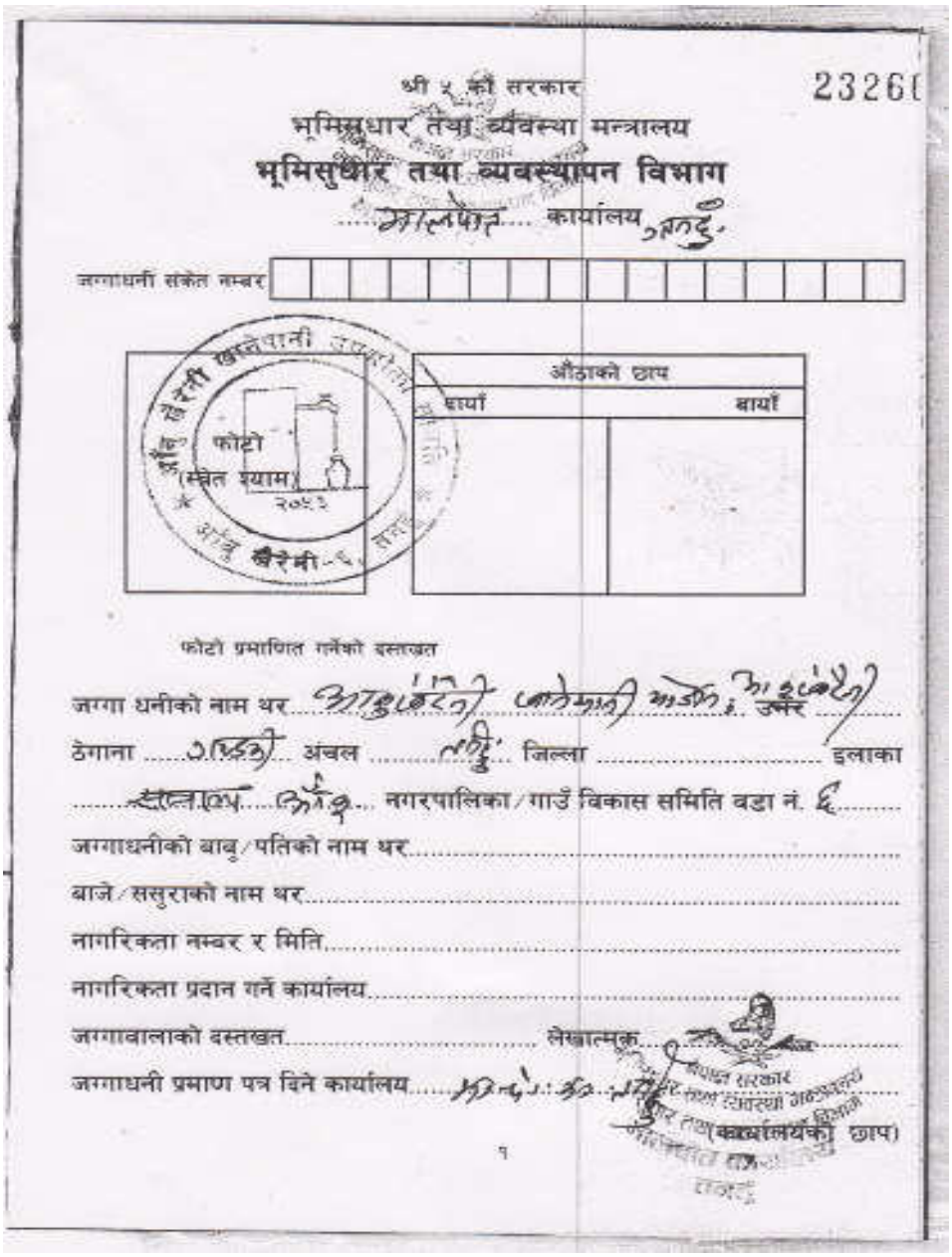
Letter of Consent (LoC) issued by Abukhaireni Municipality in 2072 / 09 / 21 B.S (January 5, 2016) giving the permission to utilize the public land of about 7-6-0-0 (3751.92 sq.m.) at Goldhub, Ward no-6 &7 source area, 1-8-0-0 (763.06 sq.m.) at Liut Pakha Wadr no-6, 3-8-0-0 (1780.54 sq.m) at Liyut Pakha Ward no-5, 2-8-0-0 (1271.8 sq.m) at Kukurgade and 1-8-0-0 (763.06 sq.m.) at Matsyangdi River Bank Kanaghat.

2.3: Letter of Consent from Abukhaireni Municipality



Letter of Consent (LoC) for land use issued from Abukhaireni Municipality on 2072 / 04 / 32 B.S (16 August 2016) stating that permission is granted to utilize approximately 2-8-0-0 (1271.8 sq.m) land for sludge drying bed located in Abukhaireni Municipality Ward no-6 near to Krishna Mandir, Kanaghat adjoining to Thulo Dhunga, since there is no environmental impact on other area due to land use.

2.4: Land Ownership Certificate Issued by Land Reform Office



श्री ५ को सरकार

23261

भूमिसुधार तथा व्यवस्था मन्त्रालय

भूमिसुधार तथा व्यवस्थापन विभाग

.....तानाहुँ..... कार्यालय, तनहुँ.

जग्गाधनी सकेत नम्बर

	औंठाको छाप
फोटो (श्वेत श्याम) २०५२	दायाँ / बायाँ

फोटो प्रमाणित गर्नेको दस्तखत

जग्गा धनीको नाम थर .....

ठेगाना .....अचल ..... जिल्ला ..... इलाका

.....नगरपालिका/गाउँ विकास समिति वडा नं. ६.....

जग्गाधनीको बाबु/पतिको नाम थर.....

बाजे/ससुराको नाम थर.....

नागरिकता नम्बर र मिति.....

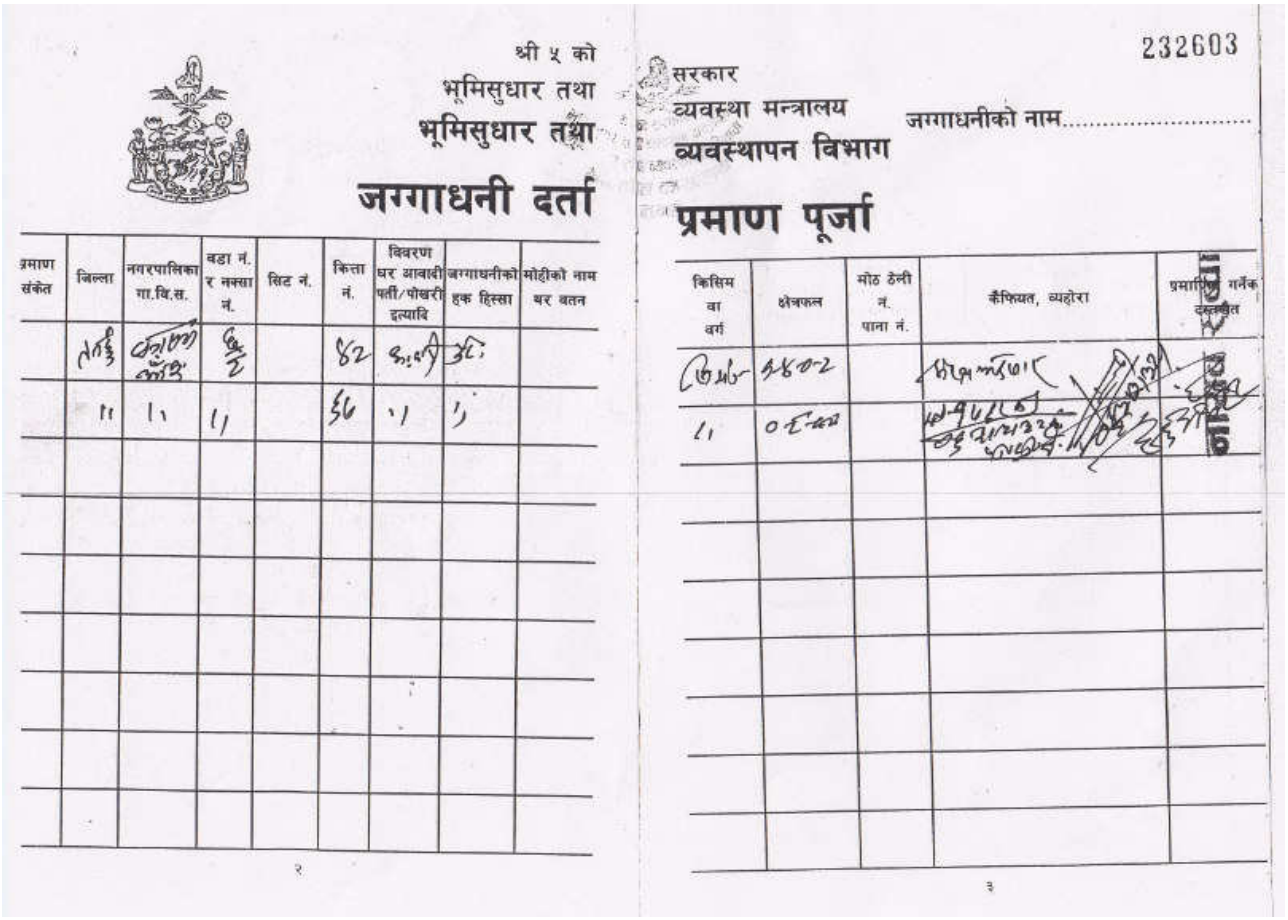
नागरिकता प्रदान गर्ने कार्यालय.....

जग्गावालाको दस्तखत..... लेखात्मक.....

जग्गाधनी प्रमाण पत्र दिने कार्यालय.....

(कार्यालयको छाप)

Land Ownership Certificate of Abukhairine Water Supply and Sanitation Users Committee issued by Land Reform Office, Tanahau.



श्री ५ को
भूमिसुधार तथा
भूमिसुधार तथा

जग्गाधनी दर्ता

प्रमाण संकेत	जिल्ला	नगरपालिका गा.वि.स.	वडा नं. र नक्सा नं.	सिट नं.	कित्ता नं.	विवरण घर आवादी पती/पोखरी इत्यादि	जग्गाधनीको हक हिस्सा	मोहीको नाम थर बतन
					42			
					56			

२

232603

सरकार
व्यवस्था मन्त्रालय
व्यवस्थापन विभाग

जग्गाधनीको नाम.....

प्रमाण पूर्जा

किसिम वा वर्ग	क्षेत्रफल	मोठ ठेली नं. पाना नं.	कैफियत, व्यहोरा	प्रमाणित गर्नेको दस्तखत
	0-4-0-2			
	0-8-0-0			

३

Land Ownership Certificate of Abukhairine Water Supply and Sanitation Users Committee, Parsal no.42 of area 1-4-0-2 (639.86 sq.m) and Parsal no.67 of area 0-8-0-0 (254.32 sq.m) at Ward-6 , Kukurgade.

2.5: Minutes of Meeting

आज मिति २०६२ साल कार्तिक १४ गते शनिवारका दिन यस आँबु खैरेनी खानेपानी उपभोक्ता तथा सरसफाई समिति आँबु खैरेनी-६, तनहुँ का अध्यक्ष श्री नरसुराम कडेलको अध्यक्षतामा तपशिलमा उल्लेखित पदाधिकारी तथा सदस्यहरुको उपस्थितिमा समितिको बैठक बसि छलफल पश्चात निम्नानुसारको निर्णय पारित गरियो ।

उपस्थिती :-

1. अध्यक्ष :- श्री नरसुराम कडेल
2. उपाध्यक्ष :- श्री शालीग्राम अधिकारी
3. सचिव :- श्री सानुकाजी थापा
4. कोषाध्यक्ष :- श्री कृष्ण कडेल
5. सदस्य :- श्री दुर्गा अधिकारी
6. " :- श्री चन्द्र कुमारी आले
7. " :- श्री भगवान केसी
8. " :- श्री डम्बर कुमार श्रेष्ठ
9.
10. संयोजक सुरक्षा योजना समूह :- श्री कमलनारायण श्रेष्ठ

प्रस्ताव नं. १ :- आय व्यय अनुमोदन सम्बन्धमा ।

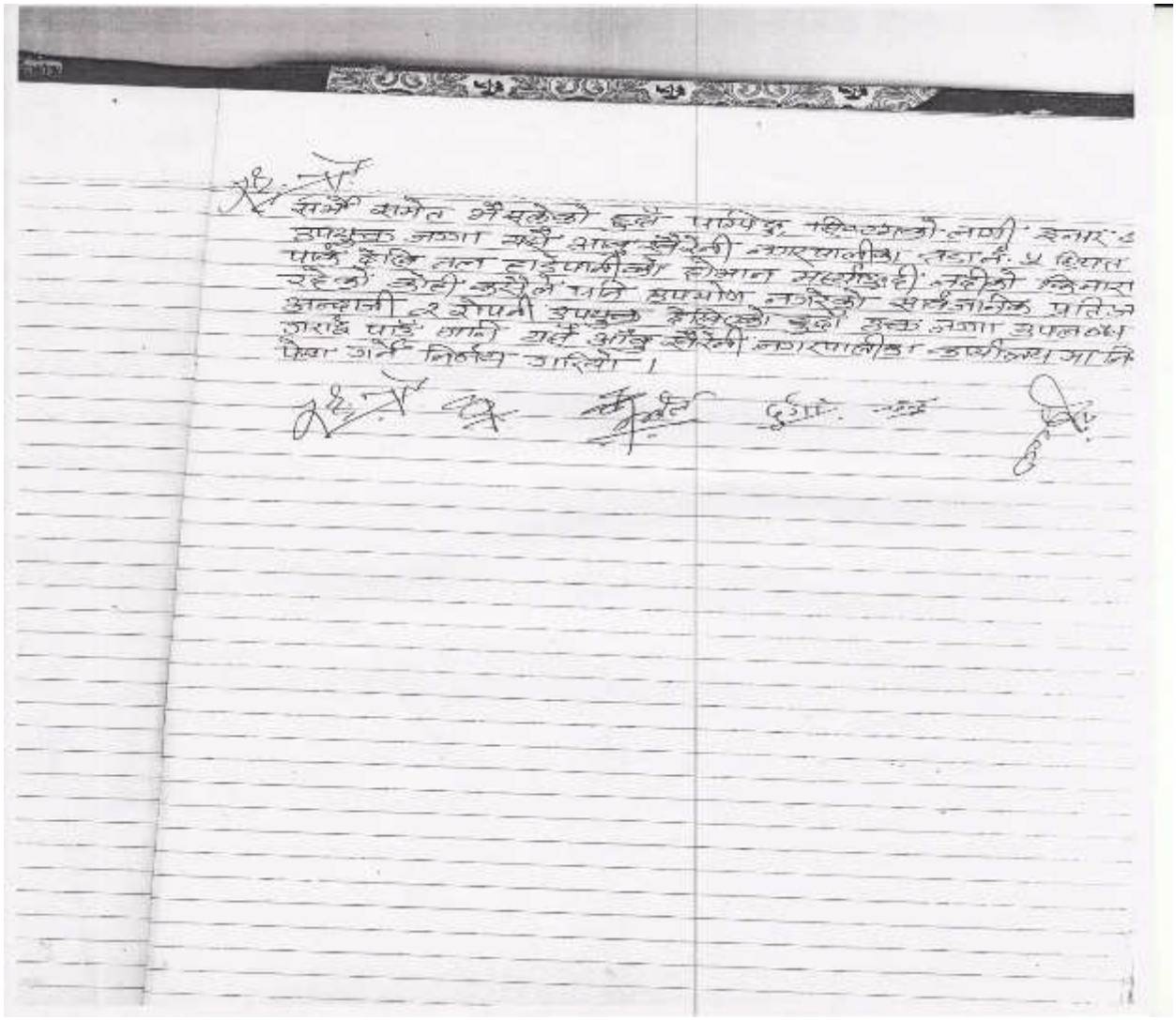
निर्णय नं. १ :- यस आयोजना समितिको मिति २०६२ आश्विन महिनाको तपशिल बमोजिमको आय व्यय अनुमोदन गर्ने निर्णय गरियो ।

तपशिल

२०६२ आश्विन महिनाको जम्मा आय रु. ३०३,२५०।४५
" " " " व्यय रु. १८६,५०२।४३
" " " " बचत रु. ११६,७४८।०२
अ. ल्या. — रु. ४२,६५,२६४।९३
२०६२ आश्विन मसान्त सम्मको कुल मौज्दात रु. ४३,८२,०१२।९५

प्रस्ताव नं. २ :- जग्गा माग गर्ने सम्बन्धमा ।

निर्णय नं. २ :- उक्त प्रस्ताव माथि छलफल गर्दा यस आयोजनाको दोस्रो साना सहरी खानेपानी योजना कार्यक्रम अन्तर्गत आयोजना सम्पन्न गर्ने भविष्यमा पानीको स्रोत र जनसंख्या वृद्धिको दरलाई मध्येनजर गर्दा हाल उपयोग भैरहेको पानीको स्रोत नपुग हुने स्थिति देखिएकोले मर्स्याङ्दी नदी किनारमा इनर बनाई पम्पीङ्ग सिस्टमबाट पानी उपलब्ध गराउनु पर्ने भएकोले -



Please see next page for unofficial translation

Unofficial Translation

On the day dated Kartik 14, 2072 BS (31 October 2015), Saturday, meeting held under the chairmanship of Aabukhaireni Water Supply and Sanitation Users Committee's Chairperson, Mr. Nastu Ram Kadel in presence of the below mentioned attendees to take necessary decisions regarding the concerns for the project implementation.

Attendees:

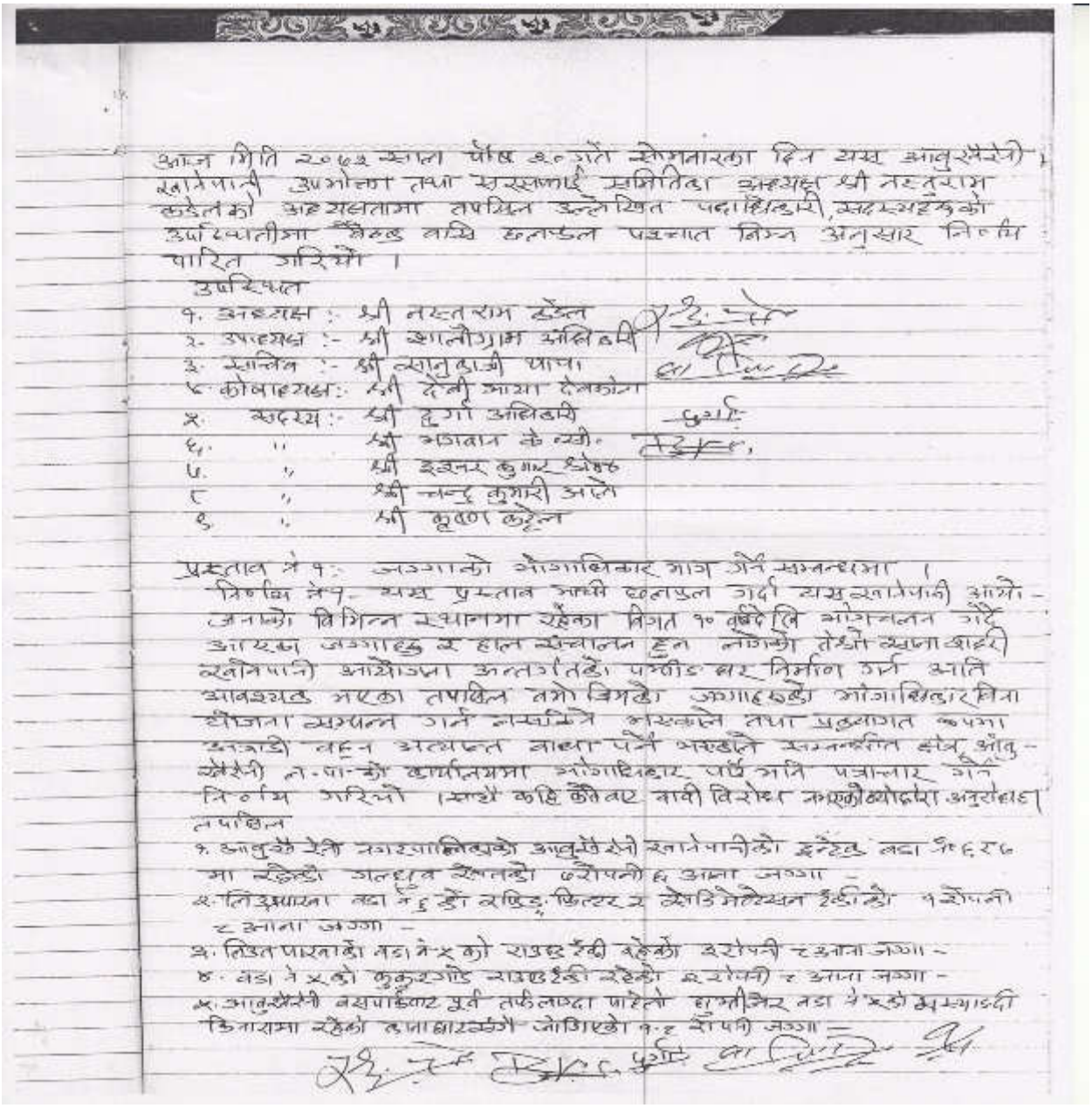
1. Chairperson: Mr. Nastu Ram Kadel
2. Co-Chairperson: Mr. Shaligram Adhikari
3. Secretary: Mr. Sanukaji Thapa
4. Treasurer: Mr. Krishna Kattel
5. Member: Mr. Bhagwan K.C.
6. Member: Mrs. Durga Adhikari
7. Member: Mrs. Chandra Kumari Aale
8. Member: Mr. Ishwor Kumar Shrestha
9. Coordinator, Water Safety Plan Group: Mr. Kamal Narayan Shrestha

Decision No. 1:

Related to monthly income and expenditure of the WUSC (not relevant to land acquisition).

Decision No. 2:

In view of the available sources for water and population growth rate of the project area, the existing source of water currently being used may not be able to meet the water demand of the growing population in the near future; hence it is required constructing a dug well with installment of pumping system on the bank of the Marshyangdi River. Since, the proposed area has already been surveyed; it is decided to submit necessary application to the Abukhaireni Municipality requesting for making available approximately 2 ropani (1017.44 sq.m) unused public land in Ward No. 5 on the bank of the Marshyangdi River located somewhere below the park at the confluence of Hadepani and Marsyandi river.



Copy of the minutes of meeting of Abukhaireni Water Users and Sanitation Committee requesting Abukhaireni Municipality for consent to use the following lands

- 7-6-0-0 (3751.92 sq.m) land located at Goldhub, Intake of Abukhaireni W/S Ward no-6&7
- 1-8-0-0 (763.06 sq.m) land at Luitpakha Ward no-6 for Roughing Filter and Sedimentation Tank
- 3-8-0-0 (1780.54 sq.m) land at Luitpakha existing round tank Ward no-5
- 2-8-0-0 (1271.8 sq.m) land at Kukurgade existing round tank Ward no-5
- 1-8-0-0 (763.06 sq.m) land at the bank of Marsyangdi River adjoining to Kanaghat Ward no-5

आज मिति २०६३ साल श्रावण १९ गते मंगलवारका दिन यस आँबुखैरेनी खानेपानी उपभोक्ता तथा सरसफाई समितिका अध्यक्ष श्री नरुतराम कडेल ज्यूको अध्यक्षतामा आँबुखैरेनी नगर पालिकाको कार्यकारी अधिकृतको रोहवरमा बैठक बसि तपसिल बमोजिमको निर्णय गरियो ।

तपसिल :-

१. अध्यक्ष :- श्री नरुतराम कडेल
२. उपाध्यक्ष :- श्री शालीग्राम अधिकारी
३. सचिव :- श्री मानुकाजी धाया
४. कोषाध्यक्ष :- श्री देवी माया येवकोटा
५. सदस्य :- श्री भगवान के.सी.
६. " श्री दुर्गा अधिकारी
७. " श्री चन्द्र कुमारी अर्याल
८. श्री अन्त व. के.सी.
९. श्री इश्वर कुमार थ्रेष्ठ

विषय प्रवेशः

कार्यकारी अधिकृत आँबुखैरेनी ने.पा. श्री दुर्गा धाया के.सी.

प्रस्तावः नं.१. हक दावी नरहेको सम्बन्धमा ।

निर्णय नं.१. यस आँबुखैरेनी खानेपानी तथा स-अयोजनाको इन्टेक र यसको आसपासको क्षेत्रमा रहेको जग्गा नसौं अतिदुलि यस संस्थाले प्रयोग गर्दै आएको र उक्त जमिनमा कसैको हक दावी नरहेको, त्यसको प्रयोजनबाट जाउँका बासिन्दाहरुलाई आवत जावत गर्न र वन पैदावर उपभोग गर्न कुनै बाधा नपर्ने भएकाले यस संस्थाले सो गाडिकार प्राप्त गरेको तथा भोग गर्दै आएको कुल क्षेत्रफल ७ रोपनी ६ आना मध्येबाट ६२४ वर्ग मिटर आयोजनालाई आवश्यक पर्ने जमिन प्रयोगमा बिना अवरोध निर्माण सम्पन्न गर्न सकिने भएको व्योहोरा निर्णय गरियो ।

Please see next page for unofficial translation

Unofficial Translation

On the day dated Shrawan 11, 2073 BS (26 July 2016), Tuesday, meeting held under the chairmanship of Aabukhaireni Water Supply and Sanitation User Committee's Chairperson, Mr. Nastu Ram Kadel in presence of Executive Officer of Aabukhaireni Municipality to take decision regarding the concerns for the project implementation.

Attendees:

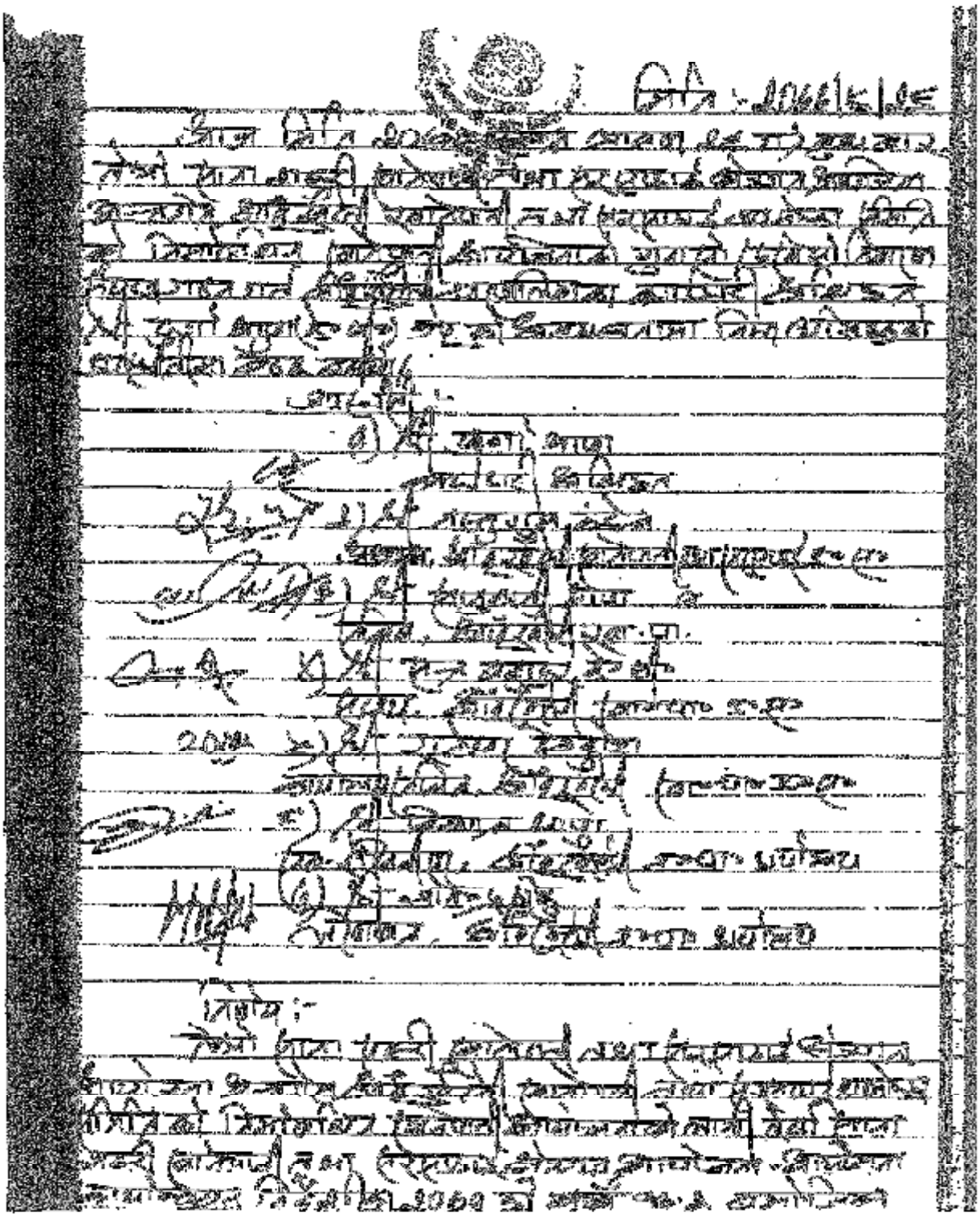
1. Chairperson: Mr. Nastu Ram Kadel
2. Vice-Chairperson: Mr. Shaligram Adhikari
3. Secretary: Mr. SanukajiThapa
4. Treasurer: Mrs. Devi Maya Devkota
5. Member: Mr. Bhagwan K.C.
6. Member: Mrs. Durga Adhikari
7. Member: Mrs. Chandra Kumari Aale
8. Member: Mr. Santa Bahadur K.C.
9. Member: Mr. Ishwor Kumar Shrestha

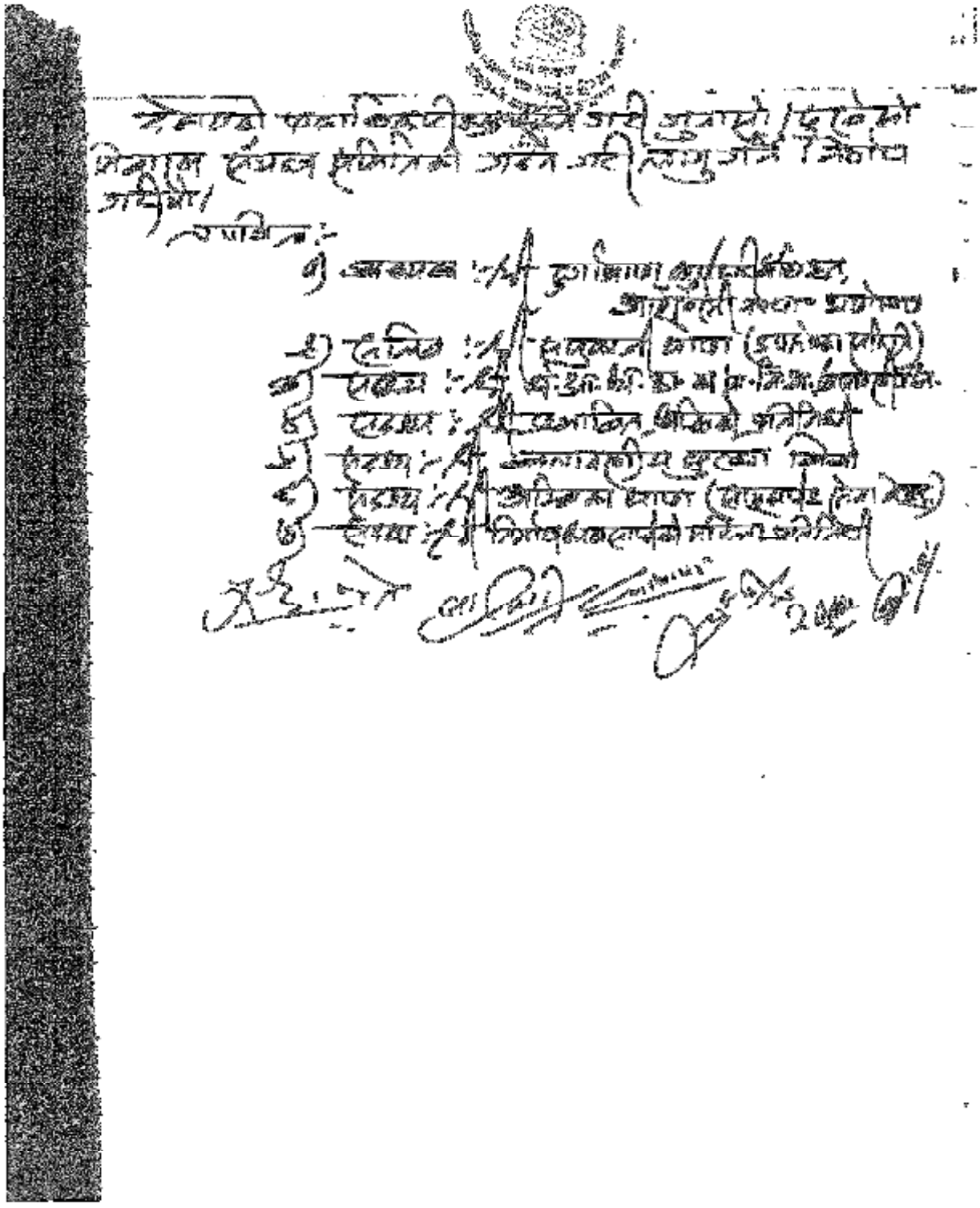
Special Attendee: Executive Officer of Aabukhaireni Municipality- Ms. Durga Thapa K.C.

Agenda No. 1: Regarding unclaimed ownership of land

Decision No. 1: The land available in and around the proposed intake area of the Aabukhaireni Water Supply and Sanitation Sector Project is being used by this WUSC from long time back, and there is no place for anybody to claim the ownership rights of this land. With the usage of this land for the project, ***there will no hindrance in accessibility and no restriction for local people in using the forest product***. Therefore, it is stated that out of total 7 ropani 6 ana (3751.92 sq.m) land owned by WUSC, nearly 625 sq.m land required for the project could be used without any obstacle.

***(Note**: Abukhaireni Municipality has granted permission to WUSC for this public land use. Please see the Letter of Consent (LoC) issued by Abukhaireni Municipality on 5th January, 2016).*





Please see next page for unofficial translation

Unofficial Translation

On the day dated Shrawan 26, 2073 BS (10 August 2016) Wednesday, meeting held under the chairmanship of Durga Thapa, Executive Officer of Aabukhaireni Municipality, to form Grievance Redress Committee for Aabukhaireni Water Users and Sanitation Committee implementing under Third Small Town Water Supply and Sanitation Sector Project.

Attendees:

1. Ms.Durga Thapa, Executive Officer, Aabukhaiteni Municipality
2. Mr. Nastu Ram Kadel, Chairperson Aabukhaireni WUSC
3. Mr. Sanukaji Thapa, Secretary Aabukhaireni WUSC
4. Mr. Santa Bahadur K.C., member Aabukhaireni WUSC
5. Mr. Rajeshwor Devkota, Office Secretary Aabukhaireni WUSC
6. Mr. Bishal Thapa, Engineer Aabukhaireni WUSC
7. Mr. Gyandra Shrestha, Accountant Aabukhaireni WUSC

Decision

It is decided to form a Grievance Redress Committee comprising following members for Aabukhaireni Water Users and Sanitation Committee implementing under Third Small Town Water Supply and Sanitation Sector Project in accordance to the Third Small Town Water Supply and Sanitation Sector Project- Project Implementation Guidelines clause no-17.2.

1. Chairperson: Ms.Durga Thapa, Executive Officer, Aabukhaiteni Municipality
2. Secretary: Mr. Sanukaji Thapa, Aabukhaireni WUSC
3. Member: RPMO representative
4. Member: Affected Person representative
5. Member: Environmental Safeguard Officer
6. Member: Ms. Ambika Thapa, Community Service Centre
7. Member: Contractor representative

APPENDIX-3

PHOTOGRAPHS

Google based map showing the locations of Dug Well on the bank of Marshangdi River, proposed 400 Cum RVT and existing RVTs

PHOTOGRAPHS

Existing Sudi Khola Source Intake

Proposed Sudi Khola Source Intake Site

Proposed Sudi Khola Stream Source Intake Site

Proposed Sedimentation Tank Site at Sudi Khola Source Area

Proposed Dug well Site at the Bank of Marsyangdi River

Existing VRT and Proposed RVT (400 Cum) Site

Existing Roughing Filter and Proposed Roughing Filter Site

Existing Slow Sand Filter and Proposed Slow Sand Filter Site

Proposed Sludge Drying Bed Site at Kanaghat

Proposed Sludge Drying Bed Site at Kanaghat

Consultative Meeting with WUSC and Beneficiaries

Abukhaireni Water Users and Sanitation Office Building (Proposed Office Building will be located at same site)