

# Resettlement and Indigenous Peoples Plan

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## NEP: Tanahu Hydropower Project

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## ACRONYMS

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ADB	-	Asian Development Bank
AH	-	Affected Household
AIH	-	Affected Indigenous Household
AIP	-	Affected Indigenous Person
AP	-	Affected Person
CBO	-	Community-based Organization
CD	-	Community Development
CDC	-	Compensation Determination (Fixation) Committee
CDO	-	Chief District Officer
CDP	-	Community Development Plan
CDS	-	Community Development Strategy
DDC	-	District Development Committee
DDR	-	Due Diligence Report
DMS	-	Detailed Measurement Survey
COI	-	Corridor of Impact
EA	-	Executing Agency
EIA	-	Environmental Impact Assessment
EIB	-	European Investment Bank
EMP	-	Environmental Management Plan
ESMU	-	Environmental and Social Management Unit (within THL)
ESMSP	-	Environmental and Social Service Provider
ESSD	-	Environmental and Social Study Department (within NEA)
FHH	-	Female Headed Household
FS	-	Feasibility Study
GESI	-	Gender Equality and Social Inclusion
GESIAP	-	Gender Equality and Social Inclusion Action Plan
GoN	-	Government of Nepal
GRC	-	Grievance Redress Committee
GRM	-	Grievance Redress Mechanisms
HH	-	Household
IA	-	Implementing Agency
IEE	-	Initial Environmental Examination
IoL	-	Inventory of Loss
IP	-	Indigenous People
IPPF	-	Indigenous People Plan Framework
JICA	-	Japan International Cooperation Agency
LA	-	Land Acquisition
LAC	-	Land Acquisition and Compensation
LARC	-	Land Acquisition, Resettlement and Compensation
LB	-	Left Bank
LCF	-	Local Consultative Forum
M&E	-	Monitoring & Evaluation
NEA	-	Nepal Electricity Authority
NGO	-	Non-Governmental Organization
O&M	-	Operation & Maintenance
PAM	-	Project Administration Manual
PIC	-	Project Information Centre
PMS	-	Preliminary Measurement Survey
PPTA	-	Project Preparation Technical Assistance
PoE	-	Panel of Expert

**ACRONYMS**

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PSC	-	Project Supervision Consultant
RB	-	Right Bank
RCMB	-	Resettlement, Compensation and Mitigation Budget
RE	-	Rural Electrification
REP	-	Rural Electrification Program
RF	-	Resettlement Framework
RIPP	-	Resettlement and Indigenous People Plan
RoW	-	Right of Way
RP	-	Resettlement Plan
RRC	-	Resettlement and Rehabilitation Costs
SES	-	Socio-Economic Survey
SEBS	-	Socio-Economic Baseline survey
SEIS	-	Socio-Economic Impact Survey
SESAH	-	Socio-Economic Survey of Affected Households
SPS	-	Safeguards Policy Statement (of ADB)
SEIA	-	Supplementary Environmental Impact Assessment
SIEE	-	Supplementary Initial Environmental Examination
THL	-	Tanahu Hydropower Limited
THP	-	Tanahu Hydropower Project
TL	-	Transmission Line
UpRIPP	-	Updated Resettlement and Indigenous People Plan
USD	-	United States Dollar
VDC	-	Village Development Committee

**UNITS**

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ha	-	hectare/s
km	-	kilometers
km <sup>2</sup>	-	square kilometers
l/s	-	liters per second
m	-	meter
m <sup>2</sup>	-	square meter
m <sup>3</sup>	-	cubic meter
Rnd'd %	-	Rounded percentage
ropani	-	ropani
sqm	-	square meter
amsl	-	above mean sea level

**CURRENCIES**

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NRs	-	Nepali Rupees
USD	-	US Dollar

Note: Applied exchange rate: USD 1.00 = NR 113,49



## DEFINITIONS OF SOCIAL SAFEGUARD – INVOLUNTARY RESETTLEMENT TERMS

### **Affected Household (AH)**

An affected household (AH) includes all the affected people who occupy a housing unit. A housing unit can be a house, apartment, dwelling, a group of rooms, a single room, or others, where the APs are “living under one roof”. In addition, the APs share meals or living accommodation, and may consist of a family, families or some other grouping of people. A single housing unit will be considered to contain multiple households if either meals or living space are not shared.

### **Affected Person (AP)**

An affected person indicates any juridical person being as it may an individual, a household, a firm or a private or public institution who, on account of the execution of the Program and its subprojects or parts thereof would have their:

1. Right, title or interest in any house, land (including residential, agricultural and grazing land), water resources or any other fixed or moveable asset acquired or possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or
2. Business, occupation, work, place of work or residence or habitat adversely affected with or without physical displacement; or
3. Standard of living adversely affected.

### **Compensation**

Provide replacement land and structures or cash to APs at replacement cost for assets, resources and/or sources of livelihood and income acquired or adversely affected by the project.

### **Corridor of Impact**

It is the area which is impacted by civil works in the implementation of the project and is important in two particular respects:

1. Legally as the area within which APs will be entitled to compensation and other measures (in general coming under the heading of resettlement) for any loss of land, structures, land use and occupation or livelihoods; and
2. Operationally as the agreed and demarcated area within which construction activities will take place and which must be cleared of all structures and obstructions.

### **Cut-off Date for Eligibility**

This refers to the date prior to which the occupation or use of the area makes residents/users/occupants of the same eligible to be categorized as AP (see definition of eligibility). In this project, the cut-off date coincides with the final day of the census of APs and Inventory of Losses (IOL) and which is preceded by a public consultation or announcement. Persons not covered in said census are not eligible for compensation and other entitlements, unless they can show proof that:

1. They have been inadvertently missed out during the census and the IOL; or
2. They have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS). In view thereof, the final list of APs is determined during the DMS. The establishment of cut-off date for eligibility is intended to prevent the influx of ineligible non-residents who might take advantage of project entitlements and speculate on land values and to prevent speculation by eligible APs.

## DEFINITIONS OF SOCIAL SAFEGUARD – INVOLUNTARY RESETTLEMENT TERMS

<b>Displaced Person</b>	In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (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
<b>Detailed Measurement Survey</b>	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the Inventory of Losses (IOL), severity of impacts, and list of APs done earlier during the project's feasibility studies. The final cost of resettlement for the subproject will be determined following completion of the DMS. At feasibility study level this can be regarded as Preliminary Measurement Survey (PMS).
<b>Eligibility</b>	<p>Eligible APs may fall under any of the following groups:</p> <ol style="list-style-type: none"><li>1 Those who have formal legal rights to land lost including customary and traditional rights;</li><li>2 Those who do not have formal legal rights to land lost as of the cut-off date but have claims to such land or assets that are recognizable under national laws; and</li><li>3 Informal settlers who satisfy the condition for eligibility to compensation as provided in the definition of "cut-off date for eligibility".</li></ol> <p>Non-eligible APs include those making claims based on subsequent occupation after the cut-off date for eligibility.</p>
<b>Entitlement</b>	This refers to a range of measures comprising compensation, income restoration support, transfer assistance, livelihood substitution, relocation support, etc. which are provided to APs, depending on the type and severity of their losses, to restore their economic and social base.
<b>Income Restoration</b>	This is the re-establishment of sources of income and livelihood of the severely affected and vulnerable households to supplement the compensation received for affected assets so as to achieve, at the least, complete restoration of pre-project living standards. This term is used synonymously with "Rehabilitation."
<b>Inventory of Losses</b>	This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Corridor of Impact are identified, measured, their owners identified, their exact location pinpointed.

## DEFINITIONS OF SOCIAL SAFEGUARD – INVOLUNTARY RESETTLEMENT TERMS

<b>Involuntary Resettlement</b>	It is the displacement of people, not of their own preference, from their homes, assets, sources of income and livelihood in the Project COI. Involuntary resettlement may result in any or a combination of the following: loss of land and other fixed assets, loss of income and/or employment, relocation, separation of family members, disintegration of communities, etc. Unless appropriate and adequate mitigation measures are carried out, involuntary resettlement will result to further hardship and impoverishment among the APs, especially the marginal sectors of society (see definition of “vulnerable groups”). These adverse social impacts of development projects are often borne by APs not of their own desire but involuntarily.
<b>Land Acquisition</b>	Refers to the process whereby an individual, household, firm or private institution is compelled to alienate all or part of the land s/he/it owns or is in the process of getting the ownership in favor of the government for the project in return for compensation at replacement costs.
<b>Rehabilitation</b>	Above, as in income restoration and rehabilitation.
<b>Relocation</b>	This is the physical displacement of an AP from her/his pre-project place of residence and/or business.
<b>Replacement Cost</b>	Replacement cost involves replacing an asset at a cost prevailing at the time of its acquisition. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. Depreciation of assets and structures should not be taken into account for replacement cost. Where there are no active market conditions, replacement cost is equivalent to delivered cost of all building materials, labor cost for construction, and any transaction or relocation costs.
<b>Resettlement</b>	This includes all measures taken to mitigate any and all adverse social impacts of the project on AP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.
<b>Resettlement Plan</b>	This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation which are all aimed at helping APs re-establish their pre-project standards of living.
<b>Resettlement Effects</b>	Resettlement Effects mean all negative situations directly caused by the project including loss of land, property, income generation opportunity, and cultural assets as triggered by the project.

## **DEFINITIONS OF SOCIAL SAFEGUARD – INVOLUNTARY RESETTLEMENT TERMS**

<b>Right-Of-Way</b>	The right-of-way is a public available and governmental owned strip of land following a centerline (such as for roads, canals, etc.) providing an area of access. The project will use the complete area where necessary. In case some of the RoW has been encroached upon by informal occupiers/ formal users (for example people now living, doing business, or cultivating land within the RoW), the project intends to adopt a corridor-of-impact (COI) within the RoW to avoid adverse land acquisition and resettlement related impacts.
<b>Significant Resettlement Effects</b>	Involuntary resettlement impacts of a subproject are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).
<b>Vulnerable Groups</b>	These are distinct groups of people who: (1) have the vulnerable status: (i) female headed households with dependents; (ii) disabled household heads with no means of support; (iii) households falling under the Nepal national indicator for poverty; (iv) elderly households with no other means of support; (v) indigenous people who often have traditional land rights but no formal titles, (2) are landless households, and/or (3) might suffer disproportionately or face the risk of being further marginalized by the effect of resettlement, that will be confirmed/identified during the DMS.

## I. EXECUTIVE SUMMARY

1. This Updated Resettlement and Indigenous Peoples Plan (UpRIPP) combines the reporting of involuntary resettlement planning with that of indigenous peoples planning. The report follows the format that has already been adopted for the Draft RIPP dated December 2012 which was prepared during the Project Preparation Technical Assistance (PPTA) stage. The key reasons for combining the two social safeguard reports are:

- 1 The majority (73%) of people affected (APs) by the Tanahu Hydropower Project (THP) are indigenous Janajatis.
- 2 Impacts are resettlement related, such as loss of land and other assets which can have significant effects on their households.

2. However, the updated socio-economic surveys of affected households (SESAH) and ongoing consultations confirmed that:

- 1 The Project will have no impacts on the Janajati cultural identity, survival and cultural resources, livelihood systems<sup>1</sup>; nor on their cultural territories or ancestral domains. The family types and the educational attainment among the affected Janajati households (affected indigenous households (AIHs)) and non-Janajati affected households are similar.
- 2 AIHs have no significant social or economic trait that would distinguish them from other AHs, except in their ethnic identity and national identification.
- 3 AIHs will experience the same adverse and favorable impacts, have opted for the same compensation and mitigation measures, have actively participated in the same way in the Project's surveys, consultation, grievances and other activities and have access to same entitled mitigation and other measures as other AHs.

3. This updating of the RIPP relates to the impacts of constructing and operating the THP comprising its main components: (a) surface headworks (reservoir and dams), (b) underground tunnels and powerhouse, (c) access roads, (d) service areas / buildings, (e) site installation areas, (f) soil / excavation material disposal areas, and (g) construction material sites.

4. The main objectives of the UpRIPP are to review and, where necessary, to update and upgrade the Draft RIPP dated December 2012 in order that:

- 1 Adverse social impacts and their associated compensation measures (both compensations already granted and compensation yet to be granted) are documented.
- 2 Mitigation measures are properly planned, effectively executed, diligently monitored and objectively evaluated.

### A. Project Description

5. The THP, formerly known as the Upper Seti Hydropower Project, is a storage type hydropower project with an installed capacity in the main powerhouse of 140 MW and an estimated average annual energy generation of 585.7 GWh (in years 1-10) and 489.9 GWh (from year 11 onwards) – all for supply into the Nepalese national grid. The main surface components of the Project are a 140 m high concrete gravity dam with a crest length of 215 m located on the Seti River about 2 km upstream of its confluence with the Madi River and an associated reservoir

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<sup>1</sup> The livelihood impacts elaborated in the RIPP are resettlement oriented impacts but not indigenous peoples' livelihood system related.

some 25 km long with a surface area of 7.26 km<sup>2</sup> at a full supply level of 415m asl. The reservoir will have a gross capacity of some 295 million m<sup>3</sup> which will be exploited to generate peak power during Nepal's low flow dry season. An underground power scheme will cut through the rock mass of the right flank of the Seti valley to exploit a sharp loop of the Seti River. The power scheme waterway consists of a headrace tunnel (7.4m diameter, 1,419m long), a steel-lined penstock (various diameters, 163m long), draft tube tunnels (various diameters, 52m long) and a tailrace tunnel (7.4m diameter, 242m long). This waterway extracts water from the reservoir through an intake just upstream of the dam and conveys it into an underground powerhouse before releasing it to the Seti River via the tailrace tunnel. The underground powerhouse (dimension 89m long, 22m wide and 45 m high) will be constructed 6 km (measured along the river course) downstream of the dam. New permanent roads will provide access to the Project area. Temporary facilities will include construction access roads, contractor's camps, equipment and maintenance yards, office areas, project staff's camp area etc.

6. As well as the construction of the dam and power scheme, the Project includes two further technical components and two regional development components. With respect to social safeguard reporting requirements, the two technical components – the transmission line and the rural electrification program (REP) - will be documented separately with their own RIPP's to be prepared and submitted to the financing agencies for review and approval. This option was offered in the Draft RIPP and chosen by THL in accordance with the recommendations of the Asian Development Bank (ADB) Review Mission of September 2017. The two development components – the Community Development (CD) and Gender Equality and Social Inclusion (GESI) - involve a set of development activities, which will be used to both compensate and enhance the livelihood of affected and non-affected households. These two components are related to the THP UpRIPP in the following way:

- 1 The Community Development component covers 6 community development program areas (i) education, (ii) health (and water supply, sanitation, hygiene), (iii) gender, (iv) social inclusion (ethnic and vulnerable groups), (v) local economic development, (vi) livelihood promotion (through farm and forest related activities). The Community Development Plan (CDP) will not be limited to the THP affected households only, but also include non-affected households, aiming at rehabilitation and complementary/new livelihood support measures.
- 2 As the THP has been classified as an effective gender mainstream project, this action plan (GESIAP) seeks to empower women including those (i) participating in THP and rural development projects at the planning and implementing stages (jobs, livelihood measures, etc.), (ii) increasing awareness of their rights, knowledge and economic development, and (iii) roles and status in their families and communities.

7. The Project site is near Damauli Town, the capital of Tanahu district. Tanahu district belongs in Province 4 and is one of the 75 districts of Nepal and is geographically located in the Western Development Region of the country. The provincial capital, Pokhara, is only some 40km from the Project site. Under the previous, but recently reformed, administrative boundaries, the Project area covered 8 Village Development Committee areas (VDCs) and one Municipal area. The VDCs were (i) Chhang, (ii) Majhkot, (iii) Bhimad, (iv) Jamune Bhanjyang, (v) Kotdarbar, (vi) Rishing Ranipokhari, (vii) Sabhung Bhagawatipur, and (viii) Kahu Shivapur. The Municipal area was Byas Municipality, with Damauli Town as its main urban settlement. As a result of a recent administrative reform of Nepal, boundaries have changed. The Project area of the generation project now covers two Municipalities namely Byas and Bhimad and two Rural Municipalities namely Rising and Myagde.

## B. Scope of Land Acquisition and Resettlement

The Project involves loss of private assets including land, structures and trees, as well as public infrastructure. **Table I-1** provides an overview linking affected households to individually owned assets and indicates affected public infrastructure used by the residents. This overview does not include government or communally owned resources, such as river and forest respectively – it is expected that use or occupation of such resources by the Project will also affect local people.

**Table I-1: Affected Assets and their Owners/Users**

Description		AHs		APs	
Affected Population					
Total		547		3,919	
Surveyed		475		3,403	
Not surveyed		72		516	
Ethnicity / Cast					
High/Middle Cast		126	547	903	3919
Janajati		395		2830	
Dalit		17		122	
Unknown		9		64	
Affected Private Assets					
Land	resid. 3.164 ha	49	489 (42 AHs twice affected)	APs can be more than one time affected	3919
	prod. 69,084	482			
Structures	primary 81	81	114 AHs (31 AHs twice affected)		
		displaced AHs			
	secondary 64	64			
Trees	5155 fruit trees	177	About 100 AHs twice affected		
	6360 other trees				
Crops		none			
Affected Public Assets					
Cremation sites (ghats): 9		This infrastructure is used by residents including AHs			
Rest places (thani): 6					
Bridges: 7					
Foot rails: 11					
Public roads: ca. 4 km					
Note:	Through the selected items and grouped topics this table intends to provide a summary of people and assets related aspects in the context of the Executive Summary, and does not present a complete detailed picture. Its mainly based on published DMS, with Beteni/Banchare area to be confirmed.				

8. The overview presented in **Table I-1** is self-explanatory and reflects the results of all detailed measurement survey (DMS) activities as of August 2018. Nevertheless, some complementary description will facilitate an understanding of the overall picture. The private assets are owned and used by their owners, including 32 squatters and encroachers using their structures on non-private land. The AHs have a clear understanding of the impacts of the Project on their assets and their livelihood and have clarified and agreed with THL, either individually or collectively (through an AP committee) the valuation and compensation aspects. Possible

temporary lease of private assets has not been included, as at the current stage of planning there is no need for such acquisitions. In case there would be such requirements, THL will then manage the temporary land occupation immediately. Such an approach avoids unnecessary unrest among households if they are only potential AHs.

### **C. Socio-economic Information and Profile**

9. At the current closing stages of the pre-construction phase, the Socio-Economic Survey of Affected Households (SESAH) confirmed that there are 547 AHs with 3,919 APs (2,038 female, 1,881 male). Of this total, 475 AHs with 3,043 APs (1,783 female, 1,617 male) have been surveyed between May 2017 and January 2018. Although this is a survey coverage of 87%, THL is endeavoring to conduct household surveys of the remaining 72 AHs. From the surveyed 475 AHs, there are 396 vulnerable AHs and 346 Janajati AHs meaning Affected Indigenous Households (AIHs). Of the total vulnerable AHs, 87% are AIHs.

10. The SESAH shows that about 73% of AHs belong to the nationally identified Janajati indigenous group. The caste groups (high and middle castes) are the second social group affected by the Project with 24% of the total AHs. Dalits (low caste) are with 3% a rather minor group. The Project will not have any impacts on the Janajatis' cultural identity, survival or cultural resources. Janajatis share a similar socio-economic status with other APs. As a result, they are not noted to be any different from other hill population groups living in the project area in terms of livelihood patterns and family types, and also in terms of social, economic, health and educational status. Like all AHs, these AIHs have actively participated in the compensation planning process and received the same mitigation entitlements in accordance with the Resettlement Framework (October 2012). They will also equally participate in the CDP and GESIAP defined livelihood support and enhancement activities.

11. The majority (63%) of AHs experience impacts as a result of the ongoing land acquisition by the project for the reservoir area. Some 22% of AHs experience impacts as a result of the completed land acquisition by the project for the camp area, while the remaining 15% experience impacts as a result of land requirements by other project components. The main features of all AHs are characterized by:

- 1 64% of AHs are nuclear households, and others are joint households.
- 2 99% (almost all) of AHs practice Hinduism.
- 3 82% (a fairly high proportion) of AH are literate.
- 4 63% of AHs list agriculture alone or in combination with other income sources as the primary source of income, while 15% of AHs list jobs alone or in combination with other income sources as the primary source of income.
- 5 79% of AHs have an annual income between NPR 50,000 and NPR 650,000.

12. Studies confirmed, that land affected by the Project do not comprise traditional land or ancestral domains of the Janajati communities. Concerning affected cultural assets, no shrines, temples or other religious structures or sites, are regarded as traditionally sacred by Janajatis. In addition, no specific forestland or water body is linked with their rituals, ancestries or spiritual realms. The Janajati AHs have shown their willingness to cooperate with the Project with regard to land acquisition and compensation.



#### **D. Information Disclosure, Consultation and Participation**

13. The consultations and discussions with the affected people and communities is a continuous ongoing activity throughout the project cycle. This activity started during the PPTA, is continuing during the ongoing pre-construction phase, will be followed during the construction phase, and can continue into the operation phase. After the PPTA, between 2013 and mid-2017 (ongoing pre-construction phase) THL has and will continue to keep APs and non-APs informed about general and specific items of land acquisition, resettlement, compensation and mitigation measures. The efforts undertaken by EAs and IAs are expressed through the assessed numbers of 2,218 meetings (public, meetings, coordination and cooperation meetings, individual and group discussion both formal and informal, any gathering and discussion during field work and transect walks, informing AHs during DMS and SESA, and others), where an estimated 12,990 people were contacted (2,857 female and 10,133 male participants). This estimate is regarded as lower bound, as most likely there have been more participants in other (known and not known, recorded and not recorded) meetings.

14. From the SESA survey and confirmed through observations during field work, it has been noticed that nearly all (99%) of the AHs know about the Project mainly through friends/neighbours, the project staff and the PIC. Their perception of project benefits focuses on increased employment and income opportunities, followed by an expectation for support in agricultural development. Concerning adverse impacts, AHs mentioned the loss of assets and income as their major problem, followed by concerns about disruption of social/cultural ties due to displacement, and loss of access to resources/facilities as well as to agricultural production and sale. The opinions of Janajati and non-Janajati AHs do not differ significantly.

15. Two Public Information Centres (PICs) established by the Executing Agency (EA) facilitate easy access to project information. The Draft RIPP has been translated into Nepalese and distributed among APs, and similarly the same will be applied for the UpRIPP. The full entitlement matrix is already available to APs in the Nepali language, at accessible locations in the project area. The approved Draft RIPP and the Updated RIPP will be disclosed on the EA and ADB websites. The EA will continue to provide project information to all APs and other stakeholders throughout the life of the Project.

16. As the Project nears the end of the pre-construction phase, the villagers (both affected and not affected), have a very good understanding of the most frequently discussed and explained items of such meetings, which are DMS, SESA, LARC (Land Acquisition, Resettlement and Compensation) procedures, asset valuations, timing of payments all related to their entitlements, but also know about special provisions, grievance procedures, involvement of authorities and administration offices, vocational training, and other topics. The contacted AHs show repeatedly an open attitude and a very cooperative behavior towards the THP also during their efforts to raise items concerning their eligibility. There have been two channels of exchange of information and complaint established, viz. two committees representing APs, and four local consultative forums (LCFs).

#### **E. Grievance Redress Mechanisms**

17. As a general policy, the Executing and Implementing Agencies (EA/IA) work proactively toward preventing grievances through the implementation of impact mitigation measures and community liaison activities that anticipate and address potential issues before they become grievances. In case unanticipated impacts arise or if the mitigation measures are not properly implemented, or unforeseen issues occur, a predefined procedure will be followed for the

Grievance Redress Mechanism (GRM) by the Project. The objective of the grievance redress mechanism is to resolve complaints as quickly as possible at the local level through a process of conciliation, and if that is not possible, to provide clear and transparent procedures for appeal. The defined grievance approach aims at having complaints pass through defined stages and at some stage resolved before, as a last resort, they are brought before a court of law.

18. The GRM has been established to allow APs to appeal against any disagreeable decisions, practices, activities or grievances arising from compensation for land and assets. The villagers, including APs, have been made fully aware of their rights and the GRM by the NEA/THL. The APs have access to grievances redress committees, (i.e. the Local Consultative Forum, Compensation Determination Committee) and to courts regarding their grievances. While regarded as a “last option”, every AP can appeal to the Court of Law if they think that their complaint has not been correctly and /or satisfactory dealt with and resolved. Furthermore, use of the GRM does not impede APs access and they can take their issues to a court of law at any time, should they choose to do so.

## **F. Legal Framework**

19. This UpRIPP has been prepared under consideration of the Nepali legal framework related to land acquisition and compensation. The Land Acquisition Act is the primary legal instrument for all land acquisition, compensation determination and relocation of APs in Nepal. The Act has a limited scope in resettlement and rehabilitation of APs. Considering the differences between the government laws, regulations and guidelines and the safeguard policies of ADB, Japan International Cooperation Agency (JICA) and the European Investment Bank (EIB), a detailed equivalence assessment has been completed for agreed implementation.

## **G. Entitlement, Assistance and Benefits**

20. All APs in the project area are entitled to receive compensation for all losses and affected assets, and rehabilitation assistance to help improve or at least to restore pre-project living standards, income-earning capacities, and production levels. A detailed Entitlement Matrix has been prepared for the Project, which summarizes the main types of losses and the corresponding entitlements.

21. Between December 2012 when the Draft RIPP was prepared and August 2018 when the Final UpRIPP was prepared, all AHs of the camp and access components received their compensation, and about 90% of the reservoir affected households received their compensation as well disbursed. Of the remaining AHs, the majority are either living overseas or not having the legal documents required for application. The exact status of compensation for all components captured under this UpRIPP is further summarized in paragraph 34. The compensation rate for land, as determined by the Compensation Determination Committee (CDC), remains unchanged, until an order, if any, from the Ministry of Home Affairs to override the rate has been received.

22. Throughout the already completed PPTA phase and the ongoing pre-construction phase, the APs voiced the need for fair and timely compensation. Over these years, the APs recognized the need to present themselves as an organization, as the topics and issues to be clarified increased continuously and formed two committees which represent the APs', namely the “Hydropower Direct Affected Area Concerned Committee” and the “Direct Concerned Reservoir Area Conservation Committee”. These two committees submitted a joint letter to THL on 20 November 2016 presenting 26 demands. In response, THL wrote a letter to the Chief District Officer (CDO) on 11 January 2017, which included THL responses to each of the 26 demands.

The two committees then issued a press release on 10 February 2017. Their major concerns are the lack of participation of the affected persons in the Compensation Determination Committee (CDC) and the unsatisfactory compensation rate for land. On 12 March 2017, THL sent a status update and comments on the 26 demands directly to both concerned committees with a request to provide more details. THL continued close discussions with the two concerned committees and agreed to provide Cultivation Disruption Allowances considering 5-year potential disturbances to APs. Accordingly, the 21-Points agreement covering this as well all other 26 points demands was signed on 28 October 2017.

23. In addition, the established four Local Consultative Forums (LCFs) are effective platforms for consultation and addressing grievances, all of which can normally be settled through this organization. After reviewing the grievances, the LCF forwards them to THL who verifies the issue, related project responsibilities, and THL's role in order to decide whether and which actions are to be taken.

## **H. Relocation of Housing and Resettlement**

24. The occupation by the project of private and government land results in 145 cases where AHs losing both primary structures (residential buildings) and secondary structures (walls, sheds, toilets, kitchen, water tanks, others). All of the owners' preferred compensation in the form of cash – none of the owners expressed any interest in compensation "in-kind" (e.g. house-for-house). They perceived no advantages in "in-kind" compensation as they all desire to relocate to places of their own choice.

25. There is a need for adequate and timely compensation so as to make a smooth self-relocation for AHs possible. THL has paid 100% of the compensation for structures located along the Right Bank access road, in the camp area (including in the adjacent site installation and sub-station areas) and in the reservoir. This has already led to different cases:

- 1 Some AHs have already completed their relocation.
- 2 Some AHs are currently in the process of "moving" or constructing their new house.
- 3 Some AHs are waiting as long as possible until they have to self-relocate.

26. For all the cases, THL has paid compensation as early as possible, in order that these AHs can decide and implement their relocation ideas and are not forced under time pressure to leave their houses and premises immediately after receipt of compensation payments. In addition, all the AHs are allowed to use any construction materials from their affected structures (although these very materials have been paid for through compensation). In addition to compensation payments for loss of assets, allowances are part of the support to AHs as defined in the Resettlement Framework.

## **I. Income Restoration and Rehabilitation**

27. The livelihood restoration strategy has its focus on non-land based programs aimed at preventing impoverishment, restoring incomes and building viable communities. These programs include activities which provide employment, occupational training, direct credit, financial literacy and management, small business and enterprise development for job creation. A special Community Development Strategy as part of the Project will be launched to provide health and education facilities and income-generation assistance to affected vulnerable people. The affected Janajati households will be major beneficiaries of the strategy.

28. THL has provided vocational training through the Council for Technical and Vocational Training, which is a government operated entity, to Sixty (60) APs as part of the first phase of training. The first 3 month training session composed of two courses for building electricians for 40 AHs and one for plumbing for 20 AHs with a total of 390 lesson hours for 60 AHs that was completed between 02 November 2017 and 17 March 2018. The skill development training will support APs livelihood restoration and enhancement. In addition, THL has completed a first community support activity for a water supply scheme to some affected areas along the Right Bank access road.

## **J. Resettlement Budget and Financing**

29. The UpRIPP Resettlement, Compensation and Mitigation Budget (RCMB) has been calculated with NRs 2,189,158,961 or USD 19,289,444 including compensation for private and commune/government structures, financial assistance, allowances and costs of some infrastructure development, and some other items. As of August 2018, THL has used 54% of this budget. As already proven during the pre-construction phase, the financial planning and execution requires an adaptive management approach.

## **K. Institutional Arrangement**

30. Both THL and NEA are the executing agencies (EAs) with THL responsible for the construction of the dam and hydropower plant and also the related transmission line. NEA has established THL including its dedicated Environment and Social Safeguard Management Unit (ESMU) to deal with social and environment safeguard issues. NEA has its own Environmental and Social Study Department (ESSD). The ESMU has to ensure that all safeguard plans are effectively implemented.

31. Under the ESMU, an Environmental and Social Management Service Provider (ESMSP) is being recruited to support THL on planning, preparing, implementing and monitoring environmental and social safeguard activities and measures. The ESMSP will work directly with the ESMU and the implementing agencies (IAs). The recruitment of the ESMSP is underway – the notice inviting EOI was published on 8 November 2017, in the national newspaper (the Rising Nepal) and on ADB's website for the recruitment of consulting services (CSRN) and shortlisting is ongoing. It is estimated that shortlisting, proposal preparation, proposal evaluation, contract negotiations and award of contract will take several months and an ESMSP will not be in place until the end of 2018. In order to fill the gap until the ESMSP is in place, THL (with support from ADB) has appointed three local bridging consultants covering (i) social safeguards, (ii) environmental safeguards, and (iii) fisheries. The Environmental and Social Management Unit (ESMU) of THL has currently only some staff with limited environment and environmental and social background. Establishing the ESMU is a need for managing the safeguards requirements of THP. Therefore, the involvement of ESMSP will be guiding actor in the strengthening of capacity by various means including day-to-day work, technical briefings, in-house training sessions, and others. Project Supervision Consultant (PSC) will assist in this matter.

## **L. Implementation Schedule**

32. The implementation schedule of the UpRIPP has to follow closely the construction schedule of the project infrastructure. The land acquisition shows satisfying progress through the EA. Compensation payments have been completed for the camp site and access road and are in being completed for the reservoir area by end of 2018. Similar activities are either under

preparation or will have to be initiated for other components. The Project will ensure payment of full compensation to each AP

33. As of September 2018, the status of the construction related planning and implementation work is summarized as follows:

- 1 The pre-construction phase (Phase 1) began in July 2015 and is expected to extend up to the final quarter of the year 2018. This phase will be followed by a 62-month long construction phase (Phase 2) and thereafter, by a 5-year operation phase (Phase 3).
- 2 The main construction works will be executed in three separate contract packages – dam, power scheme and transmission line. Two of these contracts (dam and power scheme) have been concluded and construction is expected to commence during Q4-2018. The third contract (transmission line) is in the bidding phase with construction expected to begin in 2019.
- 3 Pre-construction works by THL started between February 2015 and May 2016 and included:
  - i. construction of a new access road on the Right Bank of the Seti River between the new Seti Bridge and the powerhouse was completed in November 2017,
  - ii. upgrading of the existing road between the Prithivi Highway and the new Seti Bridge was completed in April 2018,
  - iii. construction of a new access road from the new Seti Bridge to the Beteni area on the Left Bank of the Seti River has a scheduled start of construction in late 2018,
  - iv. construction of a new electricity substation was completed in January 2018,
  - v. construction of the Employer's (and Engineer's) Camp and Office area was completed in June 2018.

34. With regard to Land Acquisition, Resettlement and Compensation (LARC), the status is as follows:

- 1 Permanent acquisition of private land and other assets has been completed for camp area and access roads and is ongoing for the reservoir (including dam) area. However, for the land and assets along the short length of access road on the Left Bank of the Seti River from the new Seti Bridge to the Beteni settlement a Detailed Measurement Survey (DMS) started in April 2018 so that completion of compensation payments is scheduled for 4<sup>th</sup> quarter 2018.
- 2 Compensation payments have been made in full to the households affected by the Employer's Camp and Office area, by the access roads (except for, as mentioned above, the short access road on the Left Bank of the Seti River from the new Seti Bridge to the Beteni settlement). For the households affected by the reservoir, completion of payments is expected by 4Q 2018. Payments of allowances related to loss of assets have been completed, whereas payments of vulnerability allowances and additional support should be finalized by the end of 2018.
- 3 The ongoing recruitment of an ESMSP should be completed in 2018.
- 4 The Community Development Plan (CDP) will have to be updated by the ESMSP as one of its earliest tasks, which could be expected in 2019. In parallel the Gender Equality and Social Inclusion Action Plan (GESIAP) will have to be updated, if necessary.
- 5 Implementation of the CDP began on 2 November 2017 with a 3-month long training program for 60 AHs. The training program comprised two courses – one for building

electricians (attended by 40 participants) and one for plumbers (attended by 20 participants). This is the first support provided by the Project to AHs through training.

#### **M. Monitoring and Reporting**

35. Internal monitoring will focus on consultation, timely payment of compensation, livelihood restoration and effectiveness of the grievance redressal system. It will be done on a quarterly basis. As the project is category A, an external monitor will review internal monitoring result and implementation status of the UpRIPP. The external monitoring reports will be provided on a quarterly basis and will be disclosed on the donor websites. The Project also has a provision for an independent Panel of Experts to review key results and give overall guidance. The preparation for establishing such a panel are ongoing.

## II. DESCRIPTION OF THE PROJECT

### A. Background

1. The government of Nepal declared a national power crisis in 2008. The country has been suffering an acute power shortage, particularly in the winter dry season (November-April). Kathmandu has experienced blackouts of up to 14-18 hours every day in the dry season. Annual peak demand has been growing by 10% and the power deficit has been expanding rapidly. Because of constant power shortage, the customers have increasingly relied on diesel-based self-power generators, which are expensive and polluting. The cost of diesel has doubled over since 2008. The Tanahu Hydropower Project (THP – or “the Project”) is part of the solution to tackle energy security, especially in Katmandu. Although some progress has been made in the THP Project area during the current implementation phase of the Project including a significant proportion of rural households being electrified, the general situation remains unchanged. The country’s overall energy strategy includes projects like THP, which focuses mainly on urban areas, but also special schemes targeting energy security in rural areas. In the medium term, Nepal is also expected to develop energy export projects. THP is a medium-sized hydropower plant (140 MW) with water storage to make power supply available year-round and meet the country’s peak demand in particular for the dry season.

2. The THP has a long history as it started in 1999 already with first steps undertaken by the Nepal Electricity Authorities (NEA) and a sequence of various studies, surveys and reports since then as documented in **Annex 1**. The ongoing implementation includes (i) a pre-construction phase from July 2015 to 2nd half year 2018, (ii) followed by a 62 months long construction phase until 2023, and (iii) will be completed by a first operation stage of 5 years (partly overlapping with the construction phase), where also environmental and social Monitoring & Evaluation are expected leading to corrective measures. Taking into consideration the scheduled construction completion year 2023, the overall study and construction period will have covered a period of 25 years.

3. The Project is being co-funded by Asian Development Bank (ADB), Japan International Cooperation Agency (JICA) and European Investment Bank (EIB). The loan agreement for an amount of USD 150 million was signed with ADB on February 21, 2013. Similarly, the loan agreement for an amount of USD 184 million was signed with JICA on March 13, 2013 and the loan agreement with European Investment Bank (EIB) was signed on May 7, 2013 for an amount of USD 70 million, which was further increased to USD 85 million. ADB and EIB loans will be used for the construction of head works, rural electrification, transmission line, and that of JICA for the construction of the tunnel, powerhouse, and supply and installation of hydro-mechanical and electromechanical equipment. Funds from GoN and NEA will be used for the pre-construction infrastructures.

4. The THP is to provide stable power supply and to cope with increasing power demand in the overall country, thereby contributing to economic development, improvement of civil life, and adaptation to climate change. The detailed effects of the Project include (i) power supply during the peak hours in the dry winters as peak load power sources, (ii) replacement of diesel consumption by a cheaper and cleaner power source, (iii) stabilization of a power supply system through increased controllability and flexibility for power generation and reduced transmission losses due to proximity to the load center, and (iv) introduction of hydropower technology innovations to Nepal with their application to subsequent similar type projects.

5. Tanahu Hydropower Limited (THL) was established in March 2012 as a subsidiary company of Nepal Electricity Authority (NEA) and is responsible as the executing agency (EA) to promote the Project. THL has the overall responsibility to plan, prepare, implement and monitor all agreed environmental and social mitigation and enhancement measures. Within THL the Environmental and Social Safeguards Unit (ESMU) was established on 16 October 2015 through an approval of the THL Board and started its operation on 27 October 2015 being in charge of environmental and social safeguards. This unit will be supported by an Environmental and Social Management Service Provider (ESMSP). In addition, this unit is cooperating with the Project Supervision Consultant (PSC) also on environmental and social safeguards.

6. The vast majority of project affected people (APs) are nationally identified Janajatis (indigenous peoples). The Project will not have any impacts on their cultural identity, survival, cultural resources or cultural territories. The sources of livelihood, family types and educational attainment of the Janajati and non-Janajati households are similar. As such, impacts on Janajati households are relate to resettlement. The affected indigenous households (AIHs) have actively participated in the compensation planning as any other AH and receive same mitigation measures as all AHs. They also equally participate in community development activities as well as livelihood support and enhancement activities. Consequently, all impacts on AHs including AIHs are addressed by the Project's entitlements.

## **B. Features of the Tanahu Hydropower Project**

7. The THP is a category "A" classified project as defined by the ADB Safeguard Policy Statement (SPS) from 2009, because of its significant involuntary resettlement impacts, which requires a resettlement plan including an assessment of social impacts. Including indigenous people planning with resettlement planning a Draft Resettlement and Indigenous People Plan (Draft RIPP – December 2012) was prepared during the PPTA and has been revised in this Updated RIPP during the final stage of the pre-construction phase. A screening has been prepared under **Annex 2.1** combined with pictured impressions of **Annex 2.2**.

8. The THP, formerly known as Upper Seti Hydropower Project, is a storage type hydropower project with an installed capacity of 140MW and with an estimated average annual energy generation of 585.7 GWh (Years 1-10) and 489.9 GWh (Year 11 onwards). The main components of the Project are a 140m high concrete gravity dam with a crest length of 215 m on the Seti River, which will create a storage reservoir some 25 (river) km long with a surface area of 7.26 km<sup>2</sup> at FSL (EL 415m) and a gross storage capacity of some 295 million m<sup>3</sup>. The proposed dam is located about 2 km upstream of the confluence of the Seti and Madi Rivers. An underground power scheme is located on the right flank of the Seti valley exploiting a sharp loop of the Seti River. The power scheme waterway consists of a headrace tunnel (7.4m diameter, 1,419 m long), a penstock shaft (5.7m diameter, 163m long) and a tailrace tunnel (7.4m diameter, 242m long). This waterway diverts water from the reservoir just upstream of the dam into an underground powerhouse before returning it to the Seti River via the tailrace tunnel. The underground powerhouse (dimension 89m long, 22m wide and 45 m high) will be constructed 6 km (along the river course) downstream of the dam. Permanent and temporary roads provide access to the Project area. Temporary facilities will include contractor's camps, yard, office areas, project staff's camp area etc.

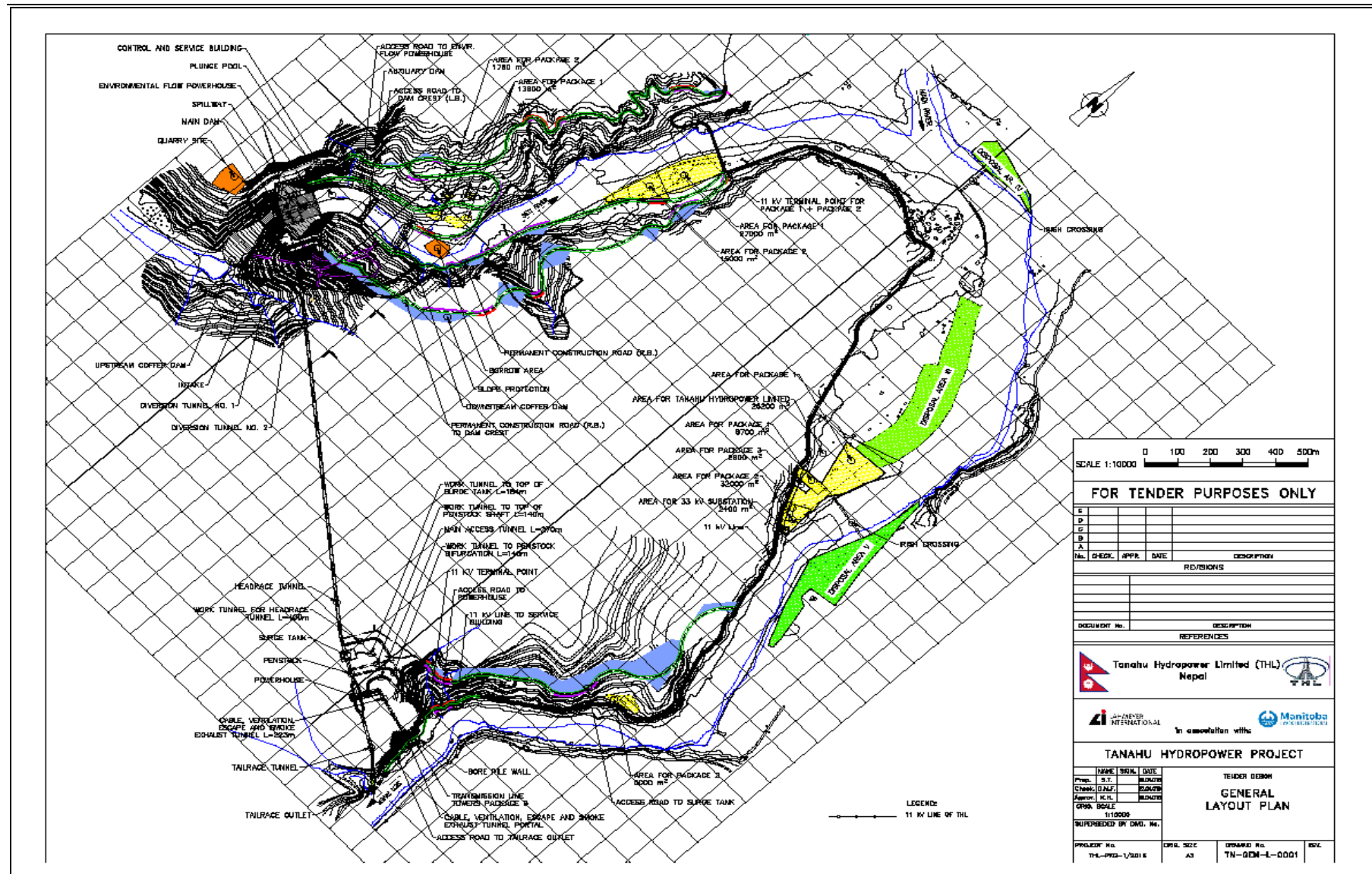
9. The salient technical details of the main components of the THP are presented in **Annex 2.3** which provides information in relation with the layout of the Project as shown in **Figure 1**.

10. THP foresees construction of the following main components (permanent unless otherwise described):



- 1 A concrete gravity dam with a crest some 140 m high above the lowest foundation level and incorporating a 4-bay gated spillway, gated water level lowering and sediment flushing openings and a small power scheme to exploit downstream environmental water releases to generate electricity. A downstream auxiliary dam creating a plunge pool to safely dissipate the energy of spilled water.
- 2 A temporary river diversion scheme comprising an upstream and a downstream cofferdam in the Seti River and two tunnels through the right valley flank (after use, the cofferdams will be removed, and the tunnels plugged).
- 3 A power intake located on the right valley flank immediately upstream of the dam.
- 4 An underground power scheme through the right valley flank comprising a headrace tunnel, a surge tank, a penstock system, a powerhouse with generating units and switchyard, a draft tube tunnel system, a tailrace tunnel, a main access tunnel and a cable, ventilation, exhaust, escape tunnel.
- 5 A tailrace outfall located on the right valley flank some 5.5 (river) km downstream of the dam.
- 6 Various temporary underground work tunnels which will be used during construction and plugged thereafter or, in the case of maintenance, gated for future access.
- 7 Various access roads to the dam and powerhouse.
- 8 Operation buildings for dam and powerhouse.
- 9 Temporary construction infrastructure including offices, stores, camps, workshops, yards, roads and utility services.

**Figure 1: Detailed Layout of THP with its Salient Features**



### **C. Other Project Components**

11. The Project includes two technical components and two regional development components. With respect to social safeguard reporting requirements, two technical components, the transmission line and rural electrification program will be documented separately with their own RIPPs to be prepared and submitted to the financing agencies for review and approval. This option was offered in the Draft RIPP and chosen by THL in accordance with recommendations of the ADB Review Mission in Sept. 2017, rather than including them into this UpRIPP. The preparation of distinctive RIPPs for these two components will be among the priority tasks of the Environmental and Social Management Service Provider (ESMSP) in due course. The two components Community Development (CD) and Gender Equality and Social Inclusion (GESI) are providing a set of development activities, which will be used for both compensation measures and livelihood enhancement measures for affected and non-affected households.

12. The outline and concept of a Community Development Strategy (CDS) was also prepared during the PPTA for ADB by THL in August 2012. It will serve as basis for the preparation of the Community Development Plan (CDP) for the 6 community development program areas. The CDP will not be limited to the THP affected households only, but also include non-affected households, aiming at rehabilitation and complementary/new livelihood support measures. The six areas are not limited to the RIPP defined mitigation measures for AHs, but extend its support for local socio-economic development to all villages in wards located in the THP area, so that all residents would have the opportunity to actively participate in the CDP defined interventions for:

- 1 Education.
- 2 Health (and water supply, sanitation, hygiene).
- 3 Gender.
- 4 Social inclusion (ethnic and vulnerable groups).
- 5 Local economic development.
- 6 Livelihood promotion (through farm and forest related activities).

13. A Gender Equality and Social Inclusion Action Plan (GESIAP) was prepared during the PPTA in tabled form and being orientated towards ADB report requirements (see Project Administration Manual (PAM) dated 28 January 2013). This GESIAP is related to both social and environmental ADB safeguard areas and will require detailed planning review for implementation. As the THP has been classified as effective gender mainstream project, this plan seeks to empower women including:

- 1 Participating in THP and rural development projects at planning and implementing stages (Jobs, livelihood measures, etc.).
- 2 Increasing their awareness of their rights, knowledge and economic development.
- 3 Roles and status in their families and communities.

14. Similar to their active involvement in land acquisition, resettlement and compensation (LARC) activities, the Janajatis (indigenous peoples) will also equally participate in the CDP and GESIAP defined livelihood support and enhancement activities.

### **D. Project Status**

15. The described status of the project components refers to September 2018.

16. The construction of the Tanahu Hydropower Project has been split into three contract packages. This UpRIPP addresses resettlement impacts associated with packages 1 and 2. Their current status can be described as follows:

1 Package 1:

It concerns the head works (comprising construction of the main dam, the auxiliary dam, the river diversion and other associated works). It is expected that a contract for Package 1 will be signed during the 4th quarter of 2018.

2 Package 2:

It includes waterway, powerhouse and related equipment (comprising construction of the underground tunnels, shafts and powerhouse cavern, the supply and installation of the powerhouse generating equipment and other associated works). It is expected that a contract for Package 2 will be signed during 4<sup>th</sup> quarter of 2018.

3 Package 3:

It concerns the THP related transmission line, which is not addressed under this UpRIPP.

17. In terms of detailed design, this is complete for packages one and two, except for the components which require design by the contractor (namely, construction material sites and additional access roads, see Table III-3) which can only be determined during construction.

18. In addition, the pre-construction works show the following status of completion:

1 Access roads:

The new access road on the Right Bank between Seti bridge and tailrace outlet has been constructed between February 2015 and November 2017.

The rehabilitation of the Left Bank existing road between Prithivi and Seti bridge started in April 2016 and was completed two years later in April 2018.

The construction of the new access road from the Seti bridge to the Beteni area on the Left Bank is part of the same contract, however, construction did not start yet and can be expected for 2019.

2 Power substation:

Construction work started in February 2015 and has been completed in January 2018.

3 Camp facilities:

This work started in May 2016 and will be finalized in October 2018.

19. The other Project components have the following status:

1 Community Development:

As the status of the CDP did not change since the PPTA, there is the necessity for a detailed review and updating of this plan. However, as registration for vocational training was completed in the third quarter of 2017, a 3 months training session for 60 AHs took place between 02 November 2017 and 17 March 2018. It is composed of two courses for building electrician and one for plumbing for 40 and 20 participants respectively. This has been the first Project's support to AHs through training.

## 2 Gender Development:

As the status of the GESIAP did not change since the PPTA, there is the need for a detailed review and updating of this plan. At preparation stage of this UpRIPP there is no specific action under implementation.

## E. Project Location

20. The Project site is near Damauli City, the district capital of Tanahu district of the Province 4 of Nepal, but is located closer to the semi-urban area, Pokhara which is just 40km away from the Project site. Tanahu is one of the 75 districts of Nepal and geographically located in the Western Development Region of the country.

21. The THP is located on the Seti River with its reservoir extending about 25 km upstream inundating the low-lying lands (below 415 masl) along the Seti River. The dam site is located near Damauli Bazaar at Byas Municipality and Rising Municipality on the left and right banks of the Seti River, respectively. The reservoir area covers the two municipalities Vyas and Bhimad and the two rural municipalities Rising and Myagde of the District (in detail: Byas Municipality, Kahu Shivpur, Jamune, Rising Ranipokhari, Kot Durbar, Chhang, Sabung Bhagawatipur, Majhkot and Bhimad VDCs of then administrative units). The powerhouse is located at Byas Municipality and Rising Municipality. The proposed camp areas borrow areas and quarry sites are located mainly in the Byas.

22. Due to the changes caused by a recent administrative reform of Nepal, the Project area (generation project) now covers two Municipalities and two Rural Municipalities, compared with formerly one Municipality Byas with Damauli as its major urban settlement and the eight village development committees Chhang, Majhkot, Bhimad, Jamune Bhanjyang, Kot Durbar, Rising Ranipokhari, Sabum Bhagawatipur, and Kahun Shivapur. With these changes in the structure of local government bodies, the Project affected VDCs and municipality have been renamed.

23. The Project area consists of two rural municipalities and two municipalities. The rural municipalities include (i) Rising, and (ii) Myagde, whereas (i) Bhimad and (ii) Byas are the two municipalities. Byas municipality with Damauli as its major urban settlement also forms part of the project area directly affected by the project facilities such as dam, access road and other associated features. **Figure 3** shows the Project RMs and municipality and the main project components. The map also shows the reservoir/inundation area, major highways (Prithvi highway) plus two rivers (Seti and Madi). **Table II-1** provides a component-wise overview of the project-affected area. The majority of the Project construction activities are confined to Rising Rural Municipality and Byas municipality with the remaining RMs and Municipality primarily getting affected as a result of reservoir formation.

Figure 2: Regional Location Map of THP

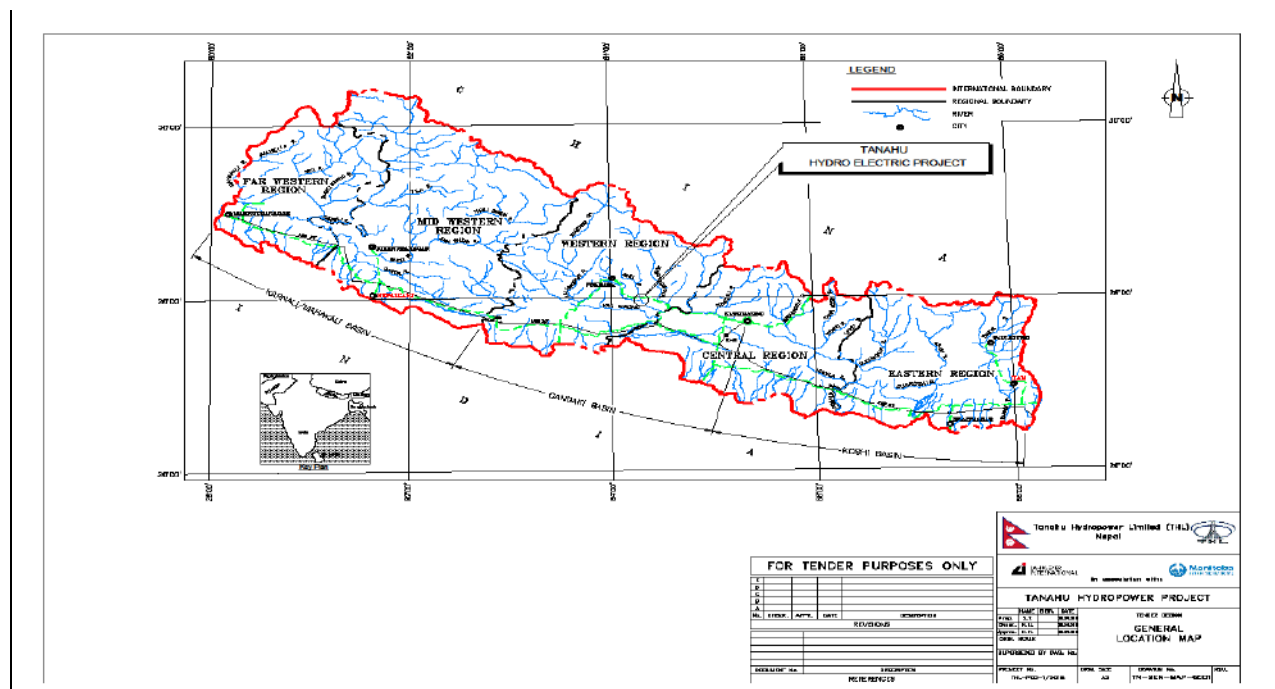
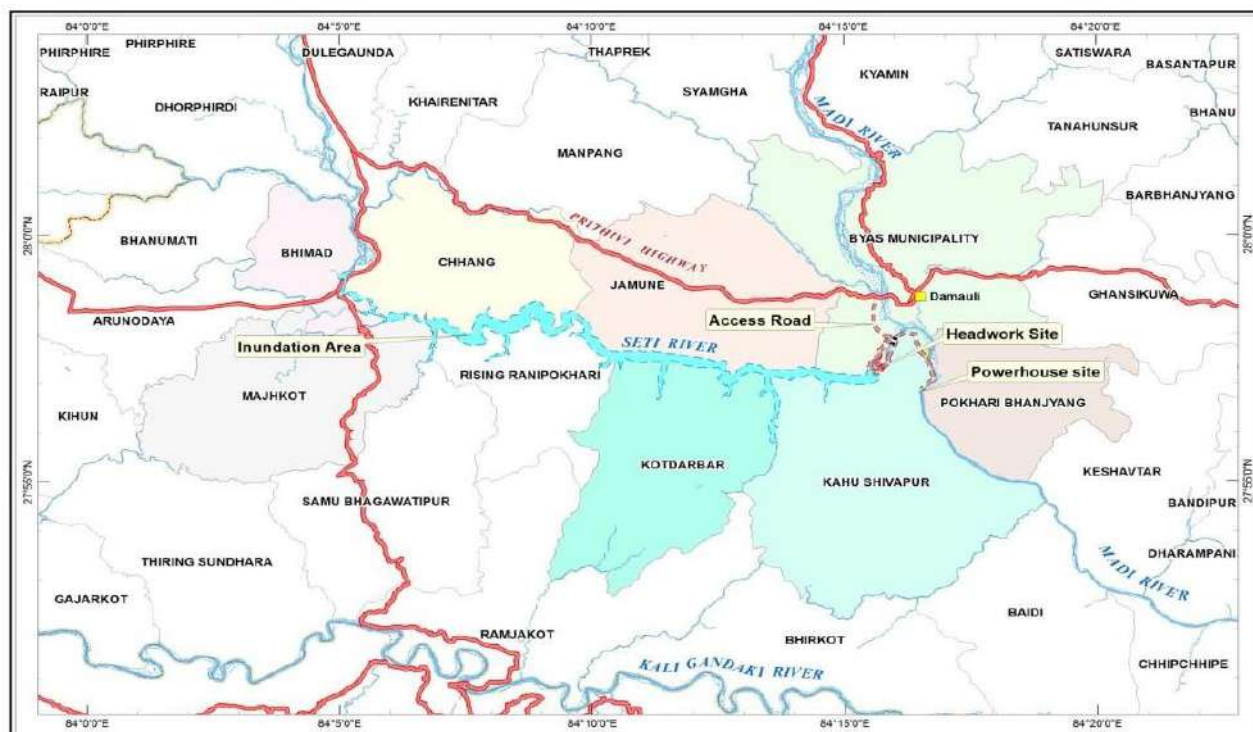


Figure 3: District Location Map of THP

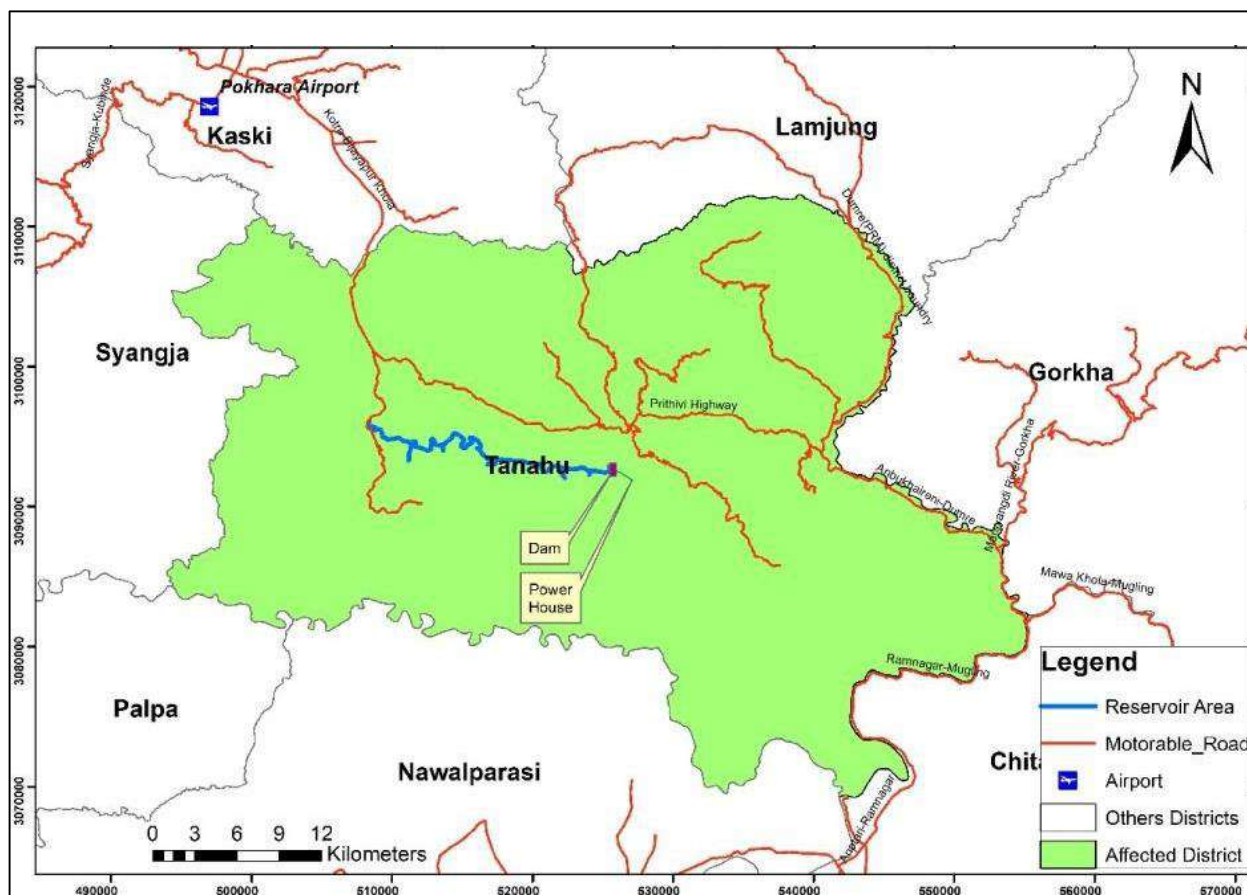


**Table II-1: Project Component-wise Affected Administrative Units and Settlements**

Project Component	Project Affected Administrative Units			Remarks
	Affected Rural Municipality	Wards	Affected Villages/settlements	
Access Road	Rising	1	Beltar, Hoksetar, Jhaputar, Malinga	This access road links main highway with Camp site, Power House Site and Dam site on the right bank of Seti river.
	Byas Municipality	5	Patan (Gunadi Mahendrapur)	
			Betini	
Camp Site	Rising	1	Jaruwa, Jhaputar, Beltar	Located close to Power house site at Jhaputar
Reservoir Area	Bhimad Municipality	6	Birtakhet	Bhimad 5, 6, Myagde 1, 2, 3, 4, 5 and Byas 5 (Beteni area) are located on the right/left bank. Rising 1, 6, 7, 8 are located on the right bank of the Seti river. The dam site is located at Dulepahara. Byas municipality is located on the left bank of the dam site and Rising 1on the right bank.
	Myagde	4	Kuduletar Chokretar	
		5	Jhakas Fulbari, Narayantar,	
			Bhimad Municipality	
	Rising Patan, Bandarkuna, Bhain-sikile, Dablang, Phedi khola Malang, Wantang khola			
	Myagde	1		
		2	Gunadi, Jhape Bhabar Tuni bote	
			3	
	Rising	7	Korlang Khola,Lima Khola, Machadang,	
	Rising	1	Lima Khola, Lokma Seti bagar	
Access Road to Dam Site	Byas Municipality	5	Beni Patan, Beteni	This access road links dam Site on left bank of Seti River and Camp Facilities.
Temporary Facilities	Rising	1	Hoksetar	The proposed temporary facility in Hoksetar overlaps with the access road to Camp Site and Dam Site
Other Facilities (Spoil disposal sites)			Byas Municipality	5
Current (new) administrative units			Previous (old) administrative units: VDCs	
Name		Ward No.	Name	Ward No.
Vyas Municipality		5	Vyas Municipality	7
Bhimad Municipality		5	Risingranipokhari VDC	9
			Majhkot VDC	9
			Samunbhagabatipur VDC	2
			Bhimad VDC	1
Rising Rural Municipality		1	Kahun Shivapur VDC	3
		6	Kotdarbar VDC	1
		7		2 & 7
		8	Risingranipokhari VDC	7 & 8
Myagde Rural Municipality		1	Jamune Bhanjyan VDC	1
		2		4 & 5
		3		6
		4	Chhang VDC	2 & 4
		5		7 & 8



Figure 4: Accessibility Map of the Project



24. The project area is easily accessible and connected to the other parts of the country through the Prithivi Highway. The reservoir area has a road access of about 15 km that connects Bhimad with Khairani at Prithivi Highway. The project can be accessed through road and is located about 150km west from Kathmandu. The Prithvi Highway leads to Damauli bazar from Kathmandu and from Damauli, the project site can be reached by a project access road of about 10.4km. Alternatively, the nearest airport to the project is Pokhara Airport which is about 40km from Damauli Bazar. The 6km access road from the Prithivi Highway connects to the left and right bank of the dam site whereas another 4.4km road connects to the powerhouse site from the newly constructed reinforced concrete bridge on the Seti River.

#### F. Minimization of Resettlement Impacts

25. Utmost care has been taken in defining the sites of the Project to avoid or minimize impact on local communities and households. During project preparation, the engineering team and social safeguard team consulted each other and made all efforts to minimize impacts on people and assets. Joint field visits were undertaken by the two teams for site finalization for temporary facilities and spoil disposal so as to ensure minimal adverse impacts on the local communities

26. During land identification for the project sites, all efforts were made to identify a suitable plot of government land free of encumbrances and impacts instead of acquiring private land. In case of private land acquisition, care was taken that the land/location selected for dam and powerhouse site does not comprise of cultivable or grazing land. As a result, while the dam is



located at Dulepahara, which translates as a gorge with steep rocky slope, the power house (underground) site is physically characterized by rocky area.

27. After preparation of the Draft RIPP December 2012, the Project worked to avoid impacts on households. Compared with the feasibility study related 708 AHs during PPTA, the detailed design related impacts concern 547 AHs at the final stage of the pre-construction phase. This high number of reduced 161 AHs, however, refers to different reasons and applied scenarios, including:

- 1 As a result of the review of the THP layout and some engineering design adjustments as well as final land requirements of preparatory construction works led to a significant reduction of the affected area by about 23 ha. About 21 of this reduction is caused by a 15 ha smaller reservoir area and a 6 ha smaller camp area. The remaining reduction of 2 ha results from the area balance of the right bank access roads, disposal area and quarry sites.
- 2 Reduction of land requirements was also achieved through a minimizing approach of numbers of soil / material excavation disposal areas keeping it at the planned minimum. In case the demand of construction work for such areas would be higher, other areas could re-assessed including potential options of governmental or communal land for river bank protection or reclaiming land for developments purposes of communities.
- 3 Similar approach concerns site installation areas, for which the land acquisition was already mainly completed and is only partly ongoing for one remaining location. A final requirement for sites installation might not occur but could also be raised by the contractors during construction phase. Only then further most likely temporary land occupation and compensation procedures should start during construction phase in order to avoid social unrest during the pre-construction phase by approaching potential affected households, but not having a confirmed need and taken decision about the use of privately owned and/or used land by the Project.
- 4 For the disposal areas there is only 1 ha difference, but DMS and SESA confirms that this concerns governmental land and no private owners of land.
- 5 Another more potential reason is that the difference between a feasibility study related census combined with a preliminary measurement surveys of affected assets compared with a detailed design related formal detailed measurement survey through officially responsible authorities can lead to some extent to different numbers of AHs. Certainly, within the 6 years between the census and SESA some socio-demographic changes occurred included potential AHs (status 2012) and actual AHs (status 2018).

### III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

#### A. Project Overall Land Requirements

28. The final overall land requirements of THP have been reviewed and completed by the Supplementary EIA which was approved on 13 October 2017 (before EIA 2009, Addendum 2012), which takes into account changes occurring between 2009 and 2017 about project title, generation capacity, forest data, and other aspects. As part of the preparation of this UpRIPP, this has been reviewed and summarized for the various types of land use as shown in **Annex 3.1**, where the land requirements are also related to salient features of the THP. The overview of **Table III-1** indicates that:

- 1 The overall land required by the Project is mainly comprised of forest, followed by fallow land and agricultural land with a total of nearly 79%. While the land use in the highlands is dominated by forest, the gentle slope and river basin areas are mainly being used for cultivation. While river and flood plain cover 21% of the required land, the built up / residential land covers with only 0.2% a nearly negligible portion.
- 2 Private ownership of land represents only 15%, whereas governmental/public and communal land represents 85% the larger portion of the land requirements.

**Table III-1: Project Overall Land Requirements**

Land Use and Ownership											
Forest Land		Agricultural Land		Fallow Land (Barren)		River and Flood Plain	Built up / Residential Land		Area		
Community	Private	Govt.	Private	Govt.	Private	Govt.	Public	Private	Total		
Area [hectares]											
417.61	5.29	1.00	124.64	269.39	32.99	226.59	0.00	1.51	Private	164.43	1079.02
422.90		125.64		302.38			1.51		Govt. / Public	496.98	
									Community	417.61	
Percentages [%]											
39.00		11.85		28.0		21.0	0.15		Private	Govt./Public	Community
		78.85							15	46	39
100									100		

#### B. Corridors of Impact and Affected Private Areas

29. The Project's Corridors of Impact (Col) can be distinguished having different features as listed in **Annex 3.2** in detail. The impacts vary with regard to:

- 1 Type of land requirements:  
Linear resettlement describes components having linear patterns of land acquisition (roads, tunnels, electricity lines, and others), whereas site-specific resettlement is associated with discrete, nonlinear areas and fixed area (such as the creation of the reservoir, camp and other sites).
- 2 Duration of land acquisition which is mainly of permanent nature; and
- 3 Ownership of land, where the Project has private, communal and governmental owners of affect land and other assets.

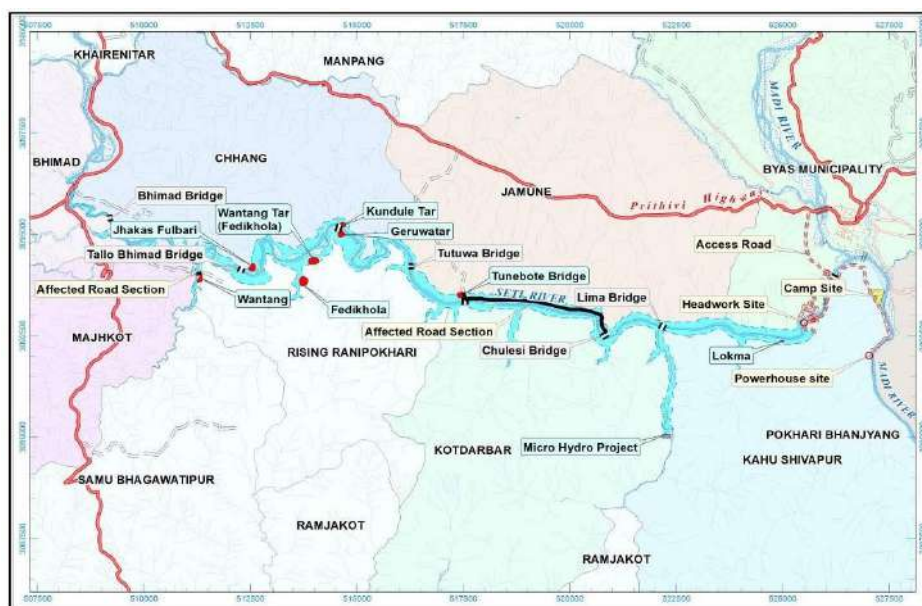
30. The Project involves loss of private, communal land, governmental land, public infrastructure and resources (trails, suspension bridges, loss of forest, etc.). Land acquisition is mainly confined to the reservoir and other project components namely the campsite, access road and temporary facilities. **Table III-2** provides details of the areas acquired for each corridor of impact and makes a comparison to the latest S-EIA indicating reasons for changes in the land requirements. The actual land requirements are based on the DMS (as of August 2018) in relation with the final engineering design and are currently less than the S-EIA based estimates, because:

- 1 The buffer zone has not yet been surveyed so that there are no confirmed DMS based land requirements calculated.
- 2 Less area for camp, but this might be subject to final requirements.
- 3 Significant smaller land requirements for access road and site installation areas.

**Table III-2: Project Main Components and their Confirmed Affected Private Areas**

Confirmed Affected Areas										Comparing Comments
Inventory of Loss						S-EIA				
Component	Owner	Type of Land	Ropani	Hectares 1 Ropani = 0.05087		Hectares	Component			
Reservoir	Households	Residential	43,078	2.19	62,256	0.85	77.5	Reservoir and Buffer Zone	The buffer zone around the reservoir covers an area of total 901 ha - 726 ha reservoir (FSL) = 175 ha. Location for fish hatchery to be looked for, only 2 out of 4 ha assumed to be private land Private Forest is in the buffer zone, thus not in the IoL	
		Productive	1180,740	60.06		69.36				
		Forest	not in IoL	0		5.29				
		Fish hatchery	not in IoL	0		2				
	School	Residential	0	0	0,003	0	0	In this area the difference of rounded 9 ha private affected land would be located.		
		Productive	0,051	0,003		0				
Camp and adjacent site installation	Households	Residential	7,887	0.401	6,476	0	11.48	Camp	There have been less private land requirements than expected.	
		Productive	119,410	6,074		11.48				
RB Access Road	Households	Residential	5,523	0.281	1,009	0	46.53	Access Roads	Cannot be compared as land requirements of access roads are not yet final-defined, except the RB access road and part of the LB access road. It can be assumed that there will be significantly less land requirements, however this is subject of review.	
		Productive	14,320	0.728		15.25				
Site installation with access roads	Beteni & Banchara	Households	Residential	5,719	0.291	2,505	31.28			
			Productive	43,520	2.214					
Soil / excavation material disposal area	Private or Gov.	Residential			preliminary	0.41	26.92	Disposal Site	As there are 3 sites defined at current pre-construction phase, these are 2 sites less compared with the 5 from the feasibility study.	
		Fallow	393.2	20,00		20,000				26.51
Quarries / borrow areas	Depending on construction design			n.a.		2	Quarry Site	Subject or review after civil contractor will have confirmed the use of such areas. No land acquisition or contacting owners will be done before.		
Totals			92,248		164.43					

**Figure 5: Reservoir Area Map**



### C. Affected Private Owners and their Assets

31. The Project with its components will adversely affect private and public assets and resources. At the time of preparing this UpRIPP (August 2018, the pre-construction phase) a total of 547 households are expected to be affected by loss of land, structures and/or trees. No impacts on business structures have been recorded by the DMS activities to date. **Table III-3** provides details of the total land to be acquired and numbers of related affected households. The largest

proportion of AHs results from the reservoir. A complementary overview about the current situation can be summarized as follow:

- 1 The shown number of AHs include cases of one or more affected assets.
- 2 It can be confirmed, that there is no significant difference of types of project impacts on Janajati and other households.
- 3 Details about the type and scale of loss of assets for each AH by Name has jointly been prepared by THL and PSC in the IoL of which an extract has been enclosed in **Annex 4**.
- 4 All Ahs on private land are owners and users of their land and other assets. This concerns also the 32 squatters and encroachers in the reservoir area with regard to their structures on governmental land.
- 5 From the surveyed 475 AHs for the camp, access road, reservoir and site installation areas, there are 156 female and 404 male responding heads of households and/or spouse (560 answering cases include couples where both partners play this role) acting as possessor of the affected assets through signing documents and/or receiving cash compensation.

**Table III-3: Project Main Components Acquiring Private Land and their AHs**

Project Component	Implementation Status			Land Acquisition	Total				SESAH			
					AHs		APs		Surveyed AHs		Surveyed APs	
	DMS	SESAH	Compensation Payments	[ha]	No.	%	No	No.	%	Female	Male	No.
Camp	Completed			6,476	115	21	824	105	22	396	356	752
Access Road (RB and LB)	Both components as one land acquisition action. DDR was prepared by an NGO and approved by ADB.			1,009	34	6	244	34	7	128	116	244
Reservoir	Completed		Ongoing Completion date: Dec. 2018	62,258	343	63	2457	300	63	1128	1022	2150
Site Installation	Completed for Beteni & Banchare village		Scheduled Completion date: Dec. 2018	2,505	55	10	394	36	8	134	123	257
Total Private Land				72,248 Private land	547	100	3919	475	100	1786	1617	3403
Soil Excavation/ Disposal site	Verification on land ownership completed	Not required		20	Expected are no AHs		Will be subject of review after decisions about use of these areas during construction phase.					
Construction Material Site	Dependent on geological surveys and design during construction phase			n.a.			After decisions and approvals of these land requirement, the impact on households will be verified.					
Other Access Roads				n.a.								
Total Governmental or Communal Land				20 Gov. land	0		0					
Rounded Grand Total				92,248	547	100	3919	475	100	1786	1617	3403
Note 1:	The total land acquired is based on the IoL (related to the DMS). The total of AHs is based on the SESAH.											
Note 2:	In the official valuation reports the camp area includes the adjacent site installation area											
Note 3:	Details about land requirements and status of acquisition is presented in Annex 3.1											

## 1. Affected Land

32. The Project will result in the acquisition of rounded 72.3 hectares private land excluding those project components, where the construction design by the contractor has to be prepared during the construction phase and agreed upon with THL, before any official land acquisition combined with compensation procedures and consultation will take place. In case there would be a need for temporary land occupation THL would arrange lease agreements with the land owners. The affected land is composed of 69.084 ha productive land and 3.164 ha residential land for which all owners and THL agreed in cash for land compensation. The type of land use varies as

the highlands are dominated by forest, whereas the gentle slope and river basin areas are mainly used for cultivation.

## **2. Affected Structures**

33. There are 81 primary and 64 secondary structures affected, which leads to 81 displaced AHs. Details are provided in Chapter IX “Relocation of Housing and Settlements”.

## **3. Affected Trees**

34. For the components camp, access roads, reservoir and site installation areas there are counted 5155 fruit trees and 6360 other trees. The compensation for these affected trees is in cash. The numbers of further affected trees will be known during the construction phase, when construction-design based locations are finally chosen and related land requirements become clear, in order to carry out the DMS for the preparation and payment of compensation.

## **4. Affected Crops**

35. There are no cases of loss of crops to report, as harvesting is not affected. Actually, the Ahs are free to continue cultivating this land until impoundment, although they receive compensation for the land, if they wish to do so

## **D. Common Property Resources and Facilities**

36. Apart from private assets, the project construction will lead to impacts on common property assets and resources, which is detailed further below.

### **1. Common Assets**

37. The overview below (Table III.4) lists the different types of community assets that will be affected.

**Table III-4: Common Property Resources Affected by the Project**

Type of community asset	Location	Main user community
A. Temple		
A.1: Barahi	Byas Municipality, 7 Betini	Local residents (Magar) of Betini
A.2: Nag	Byas Municipality 7, Beni Patan	Individual/ Hem Paudel
B. Sources of drinking water		
B.1: Spring water source with storage tank	Byas Municipality 7, Beni Patan	Local residents (a mixed community)
B.2: Small well	Kahushivapur 1, Beltar	Local residents (Magar and Dalits)
C. Ghats (cremation site)		
1. Bhimad VDC		
C.1: Ghat (Bhimad 1)	Near confluence of Seti and Jyadi khola	Muslim Community
C.2: Ghat(Bhimad 1)		Gurung Community
C.3: Ghat (Bhimad 1)		Mixed Community
2. Majhkot VDC		
C.4: Bhutaha Ghat (Majhkot 9)	Near confluence of Seti and Buduwa khola	Mixed Community
3. Rising Ranipokhari VDC		
C.5: Shera Ghat (RR 9)	Near the confluence of Seti and Wangtang khola	Mixed Community
C.6: Dublang Ghat (RR 9)	Right bank of Seti River at Dublang	
4. Chhang		
C.7: Jhakas Fulbari (Chhang 7)	Left bank of Seti River	Gurung and other Community
C.8: Korlang (Kotdarbar 7)	Near Seti-Korlang confluence	Magar Community
C.9: Lima Khola (Kotdarbar 2)	Near Seti-Lima khola confluence	
D. Thati (Resting places with/without structures)		
1. Bhimad VDC		
D. 1: Bhimad 1	Near the ghat (mixed community)	Magar
2. Rising Ranipokhari VDC		
D.2: Kundule (RR9)	Near the bridge on the right bank of Seti	Local community
D.3: Tutuwa (RR 9)	Near the bridge on the right bank of Seti	
D.4: Bhainsikile (RR 7)	Near Kamale khola	
3. Kotdarbar VDC		
D.5: Tunibote (Kotdarbar 7)	Near Tunibote bridge, right bank of Seti	Local community
4. Kahun Shivpur VDC		
D.6: Lima khola (Kahun Shivpur 1)	Near Seti-Lima khola confluence	Local community

38. A total of 9 ghats (cremation sites) used by local community (some exclusively by a particular community group) will be affected as a result of the Project. Six thanti (places in the hilly areas, which are used for sitting and relaxing by travelers) are also likely to be affected in the reservoir area. Additionally, a total of seven bridges - one temporary wooden bridge and six

suspension bridges will be adversely affected. The designs of the bridges at feasibility study level shall be reviewed and detailed design will be prepared for replacement before construction.

**Table III-5: Suspension Bridges Affected by the Project**

Ser. No.	Bridge	Links
1.	Dablang bridge	Rising Ranipokhari 9 with Chhang 7
2.	Kundule bridge	Rising Ranipokhari 9 with Chhang 2 Badarkuna
3.	Tutuwa bridge	Rising Ranipokhari 9 with Jamune Bhanjyang 6)
4.	Tunibote bridge	Kotdarbar 7 with Jamune Bhanjyang 5
5.	Chulesi bridge	Kotdarbar 2 with Jamune Bhanjyang 3
6.	Lima bridge	Jamune Bhanjyang 1 with Kahun Shivpur 1)
7.	Phedi khola bridge (temporary wooden)	Kharkhare with Bandarkuna, Rising Ranipokhari)

39. The reservoir will also affect some sections of the fair-weather roads in the area. These affected road sections are about 4 km section (gravel) of Kilchok to Seti bagar road (Jamune Bhanjyang 4, 5, 6) and another 250-meter section of Bhimad - Rising Ranipokhari Road at Wantang khola (Majhkot 9 with Rising Ranipokhari 9). The reservoir is also likely to inundate as many as eleven-foot trails thereby affecting local people. The access to communities will be restored in consultation with the affected communities either through finding alternative paths or through providing motorable roads.

**Table III-6: Foot Trails Affected by the Project**

Ser. No.	Location	Nature and linkage
1.	Dam site (Byas municipality 7) to Jamune Bhanjyang 1	Narrow foot trails on the left bank of Seti River.
2.	Lima khola (Kahushivapur 1) to Kotdarbar 1	Narrow foot trail.
3.	Chelma Khola to Banjhgara (Kotdarbar - 2)	Narrow foot trail from Chulesi bridge to Banjhgara/Daghiban.
4.	Tunebote bridge to Korlang village (Kotdarbar 7)	Foot trail from Korlang Khola to Korlang village which is used by the local residents.
5.	Kamle khola to Bhaisekile (Rising Ranipokhari 7)	Narrow foot trail used by the local residents.
6.	Kundule to Kharkhare (Rising Ranipokhari 9)	Narrow foot trails on the right bank of Seti River mainly used by the local residents.
7.	Tutuwa to Tunibote Bridge	Narrow foot trail on the right bank of Seti.
8.	Jhakas/Dablyang to Kundule bridge (Chhang 7)	Occasionally used narrow foot trail on left bank of Seti river.
9.	Damsite to Lokma (Kahushivapur 1)	Narrow foot trail on the right bank of Seti river.
10.	Beni Patan to Damsite (Byas 7)	Widely used narrow foot trail uphill from Betini to Beni Patan.
11.	Jhaputar to PH site (Kahushivpur 1)	Narrow foot trail along right bank of Seti river.

## **2. Affected Access to Common Resources Used as Income Sources**

40. There are two thematic areas, which will have to be included in an interdisciplinary compensation and mitigation approach and to be coordinated between UpRIPP and ESMP. Complementary it requires active participation of the APs in the community development planning including in these two requirements for communal forest and fishing areas.



## a. Fisheries

41. THL conducted a rapid fishermen appraisal interview during 2nd half of 2017 covering about 35% of 140 fishermen. There are no full-time fishermen, but 56 fishermen were identified as part time and another 82 as occasional fishermen, completed by 2 men doing sport-fishing / recreational-fishing. About 40 fishermen fish mostly in the upper part of the proposed reservoir area and upstream of the reservoir and 100 are fishing in the lower part of the reservoir, tailrace and downstream.

42. The total annual fish yield of the THP area has been estimated with 11 metric ton, of which about 30% is consumed by the fishermen households. The data indicate that the part time fishermen devote about 75 days/year and their average annual catch is 112.5kg/man/yr. While the occasional fishermen spend about 35 days/year in fishing with an annual fish catch of 52.5 kg/man/yr.

**Table III-7: Preliminary Assessment about Fishermen Affected by the Project**

Ser. No.	Fishermen		Catch	
	Type	Number	Average catch of total sample size	Total catch
		[No]	[kg]	
1	Full-time	0	---	---
2	Part time	56	112.5	6,3
3	Occasional	82	52.5	4,305
4	Sport fishing	2	18.0	36
<b>Totals</b>		<b>140</b>		<b>10,641</b>

43. The EMP has proposed the following mitigation measures and enhancement programs to minimize the adverse impact on fish and fishermen that may arise during the construction and operation phases of the Project:

- 1 For the construction phase:  
Muck disposal plan for spoil disposal at proposed sites.
- 2 For the construction phase:  
A set of measures including: (i) establishment of a fish hatchery, (ii) fish habitat management, (iii) enforcement of aquatic animal act, (iv) fish trapping and hauling, (v) open water stocking, and (vi) fisheries enhancement measures.

## b. Community Forest

44. The impact on forest will be very significant. At current pre-construction phase, the latest steps undertaken include a forest area clearance given by Ministry of Forest and Soil Conservation (MoFSC) on 11 September 2017. For the further process, THL has made an agreement with Department of Forest on 01 November 2017 (2074-07-15 B.S). The total loss of forest area from community/government forest is 417.23 ha and 22,453 nos. trees, 67,735 nos. pole size tree and 91,383 nos. sapling to be felled down from 25 community forests for reservoir and project facilities (total is 181,571 nos.). This will be affected about 2,800 households in the communities.

45. One tree to be felled down will be replaced by approximately 25 new trees. The replacement of forest land and trees will have to be prepared in consideration of communities' activities as well as environmental mitigation.



**Table III-8: Community Forest User Groups Affected by the Project**

Ser. No.	Name of Community Forest	Trees	Pole size tree	Sapling	Project Component	Beneficial Households	Beneficial Population
	[Name]					[no]	
1	Posh-Barahi	1657	5334	7112	Reservoir area	70	379
2	Posheli	1081	2616	3924	Reservoir area	93	489
3	Barchyang	4259	6978	9304	Reservoir area	93	596
4	Jangtuyang	2142	1422	1896	Reservoir area	134	815
5	Umachowk	731	1116	1488	Reservoir area	181	996
6	Siddhabatasan	1573	9438	12584	Reservoir area	90	495
7	Bhirpani	1980	2718	3624	Reservoir area	156	930
8	Jinkot	1277	6264	8352	Reservoir area	45	131
9	Choketar	577	1998	2664	Reservoir area	29	172
10	Shree Dada	77	462	616	Reservoir area	39	305
11	Bhotchuli	22	132	176	Reservoir area	63	311
12	Phulbari	1910	11460	15280	Reservoir area	72	466
13	Sangu Pakhera	133	798	1064	Reservoir area	30	165
14	Banchere Dada	12	72	96	Reservoir area	68	374
15	Aahale	251	960	1280	Reservoir area	172	1040
16	Chandi Bhayer	1539	3798	5064	Reservoir area	107	945
17	Jure Pahad	25	108	144	Reservoir area	25	259
18	Chulidada	507	1698	2264	Reservoir area	116	889
19	BajarThumki	312	1278	1704	Reservoir area	98	859
20	Chanakhredada	436	2454	3272	Reservoir area	16	138
21	Ghumaune	678	3654	4872	Reservoir area	205	1128
22	Chandi Devi	343	819	1088	Reservoir area	67	352
23	Manahu	470	1659	2636	Project facilities sites	471	2460
24	Beltar Bachyanggauda	99	107	129	Project facilities sites	112	616
25	Salbas	362	392	750	Project facilities sites	248	1710
<b>Totals</b>		<b>22.453</b>	<b>67.735</b>	<b>81.447</b>		<b>2.800</b>	<b>17.020</b>

#### IV. SOCIO-ECONOMIC INFORMATION AND PROFILE

46. During the PPTA stage a census survey was conducted in the project area from August 2011 to June 2012. The objective of the census survey was to identify the affected persons and generate an inventory of social and economic impacts on the project affected persons, socio-economic profile of the project affected people, their perceptions about the project and rehabilitation and resettlement options. Information about the affected structures were also collected through this survey as part of a Preliminary Measurement Survey undertaken by THL and the PPTA consultant.

47. A survey questionnaire was prepared to collect detailed information on the socio-economic status of the displaced persons and households and their ensuing losses. The census survey identified that a total of 753 households would be affected by the Project excluding the RE and TL components. The census survey covered a total of 608 households comprising of 4,257 affected persons, which represents coverage of 80%. The remaining 150 HHs consists of absentee HHs who were not available in the area during the census survey. Therefore, the socio-economic data provided in the Draft RIPP December 2012 only applies for the 608 HHs surveyed and consulted. Following the ADB comments from September 2017 on the Draft RIPP 2012, the UpRIPP September 2018 should include in a separate Annex (see **Annex 5**) with the complete chapter III "Findings of the Census Survey" Census of the Draft RIPP.

48. An updating socio-economic survey of affected households (SESAH) was conducted with the objective (a) to confirm the identity of the affected households and persons, (b) to provide a description of their socio-demographic and socio-economic features, (c) find out their expectations and perceptions of the Project, (d) to obtain their opinion and preferences about livelihood support and income restoration measures, and (e) others. A final household questionnaire was jointly prepared by THL and ADB Nepal Resident Mission with their specialists to collect primary information about the AHs. This considers the fact that IPs are the vast dominant group of APs.

1 Camp and Access Road / Reservoir and Dam:

The Detailed Measurement Surveys for the camp and access road was carried out by official authorities between December 2011 and February 2013, and for the reservoir and dam area between September and December 2016, before conducting the SESAH from May 2017 to January 2018. The DMS were carried out by official authorities before conducting the SESAH from May 2017 to January 2018.

2 Beteni and Banchare Areas:

The SESAH has been carried out between December 2017 and January 2018 in parallel with technical field investigations about the area, but also partly parallel with DMS, which was conducted between April to August 2018.

3 Other areas:

For such areas (additional site installation areas, soil / excavation material disposal areas, and construction material sites) DMS and SESAH will be conducted after completion and approval of the construction design, which can only occur during the construction phase.

49. During the pre-construction phase a total of 547 AHs has been confirmed with a calculated total of 3,919 APs excluding potential impact areas of the reservoir upstream and downstream of the tailrace outlet. As the SESAH conducted 475 household surveys comprising 3,403 APs, it has

achieved a survey completion coverage of 87%. The remaining 72 AHs consist of absentee households or families where the members are difficult to find and contact. Aiming for the completion of the SESA THL will continue to contact absentee AHs, who already received their compensation, but will also use the opportunities to conduct surveys of those AHs who will receive compensation payments in 2018.

**Table IV-1: Distribution of AHs and APs by Caste / Ethnicity**

Affected Households										
Socio-Ethnic Status	Total	Surveyed								
		Total				APs				
[Group]	[No.]			[%]		[Sex]		[No.]		
High-Middle Cast (HMC)	126	547	115	91	87	Female	365	713	Female	1786
						Male	348			
Dalit	17		14	82		Female	48	89	Female	(52%)
						Male	41			
Indigenous People	395		346	88		Female	1373	2601	Male	1617
						Male	1228			
Unknown	9		0	0		Female	0	0	Male	(48%)
						Male	0			
Calculated Average Size of Surveyed AH				7,1642						
Estimated APs of total AHs				3919		Estimated Female APs		2038		3919
						Estimated Male APs		1881		

50. The reporting in this chapter has been based on data and information collected through the SESA only. In this context it should be noted that DMS based reporting takes place in chapters III and IX and not under socio-economic reporting. Furthermore, the SESA refers to households affected by the Project's corridors of impacts, and not to the complete project area or other project components CD and GESI. In addition, this chapter does not provide an update of the Project socio-economic baseline, which was included in the CDS at PPTA stage. In general, it has been noticed through resettlement related fieldwork (DMS, SESA, consultation, others) during the current pre-construction phase, that both the socio-economic situation of villagers and the features of the project area did not change remarkably since the preparation of the feasibility study at PPTA stage. Nevertheless, to prepare an update through primary and/or secondary data could be considered for the construction phase.

#### A. Social Stratification of Affected Households

51. The local population in the project area can be categorized into three main cultural groups, namely, Castes, Janajati (indigenous population), and Dalits. Other groups are related to religion (Hinduism, Muslims, Sikhism) or ethno-linguistic / boarder groups (Marwaris and Panjabis). According to the census survey, 73% of the affected households in the Project area are Janajatis, followed by 24% high/middle caste groups, and 3% Dalit (low caste).

**Table IV-2: Distribution of AHs and APs by Caste / Ethnicity**

Caste/ Ethnicity Groups	Affected Households AHs		Affected People APs	
	No.	%	No.	%
Dalit	14	3	89	3
High/Middle Caste	115	24	713	21
Indigenous People	346	73	2601	76
Totals	475	100	3403	104

#### B. Indigenous People

##### 1. Janajati

52. In Nepal, indigenous/tribal communities are popularly known as Janajati. Out of 100-ethnic/caste groups listed by the Central Bureau of Statistics, Nepal (2001 Census), 59 are

Janajatis. In terms of ecological zones, 18 of them are in mountainous areas, 23 in hill areas, 07 in inner Terai region and 11 in Terai region. A Technical Committee (2010) established by the Government of Nepal updated the number of Janajati groups to 81. Among the key characteristics of these tribal communities are: distinct collective identity, own language (other than Nepali), distinct traditions and cultures, traditional egalitarian social structure (which is distinct from mainstream varna or caste system), and their written or oral histories.

53. Acknowledging the diversity in livelihood patterns, income sources and socioeconomic development status among Janajati groups, National Foundation for Development of Indigenous Nationalities (NFDIN) (2005) has classified them into five broad categories based on the level of their socioeconomic development status or the degree of marginalization.

**Table IV-3: Indigenous Groups/ Nationalities by Ecological Zones and Levels of Vulnerability**

Ecological zones	Categories of Indigenous Groups/Nationalities				
	Endangered	Highly Marginalized	Marginalized	Disadvantaged	Advantaged
Mountain		Siya, Shingsawa (Lhomi), Thudam	Bhote, Dolpo, Larke, Lhopa, Mugali, Topkegola, Walung	Bara Gaunle, Byanshi, Sherpa, Chhaintan, Tangbe, Marpahali-Thakali, Tingaule,	Thakali
Hill	Bankariya, Sural, Hayu, Lepcha, Kushbadiya	Baramu, Thami, Chepang	Bhujel, Phree, Dura, Pahari, Sunuwar, Tamang	Chantyal, Gurung, Jharel, Limbu, Hyolmo Magar, Rai, Yakha,	Newar
Inner Terai	Raji, Raute, Kusunda	Bote, Majhi Danuwar,	Darai, Kumhal		
Terai	Kisan, Meche	Dhanuk, Satar, Jhangad,	Dhimai, Tharu, Gangai, Rajbanshi, Tajpuriya,		
Totals	10	12	20	15	2

Source: The National Foundation for Development of Indigenous Nationalities (NFDIN) 2005

## 2. Project Affected Janajati Population

54. The 346 Janajati AHs belong to three groups as stated in **Table IV-3**. Amongst these Magar represent with 79% the biggest group, whereas Gurung 11% and Newar with 10% have nearly the same portions.

**Table IV-4: Distribution of AHs/APs and AIHs/AIPs**

Ethnicity / Cast		Affected Households and People				Affected Indigenous Households and People							
		AH		APs		IAH		AIPs					
		No.	%	No	%	No.	%	No.	%	No.	%	No.	%
High/ Middle Cast		115	24	713	21								
IPs	Magar	274	58	2103	62	274	79	2103	81				
	Gurung	37	8	256	8	37	11	256	10				
	Newar	35	7	242	7	35	10	242	9				
Dalit		14	3	89	3								
Totals		475	100	3403	100	346	100	2601	100				

55. The SESAH confirmed, that the APs are predominantly Janajatis who share similar socioeconomic status with non-Janajatis. They are not distinctly different from other hill population groups living in the project area in terms of livelihood patterns, social, economic, health and educational statuses, and are predominantly engaged in farming.

56. The distribution of Affected Households (AHs) and Affected People (APs) compared with Affected Indigenous Households (AIHs) and Affected Indigenous People (AIPs) by different project components is given in **Table IV-5**.

**Table IV-5: Distribution of AHs/APs and AIHs/AIPs by Project Component**

Project Component	Surveyed AHs		APs				AIHs		AIPs			
	No.	Rnd'd %	Female	Male	No	Rnd'd %	No.	%	Female	Male	No.	Rnd'd %
Camp	105	22	325	328	653	19	86	25	262	272	534	21
Access Road	34	7	121	99	220	6	19	5	78	58	136	5
Beteni Village	36	8	107	106	213	6	30	9	91	90	181	7
Reservoir	300	63	1233	1084	2317	68	211	61	942	808	1750	67
Soil Excavation/ Disposal site	After the construction design of contractor during construction phase, the land requirement and affected households will be verified.											
Construction Material Site												
Other Access Road												
<b>Totals</b>	<b>475</b>	<b>100</b>	<b>1786</b>	<b>1617</b>	<b>3403</b>	<b>100</b>	<b>346</b>	<b>100</b>	<b>1373</b>	<b>1228</b>	<b>2601</b>	<b>100</b>
<b>Percentages</b>	<b>100</b>		<b>52</b>	<b>48</b>	<b>100</b>		<b>100</b>		<b>53</b>	<b>47</b>	<b>100</b>	

57. The distribution by the three Janajati Groups by different project components has been detailed in **Table IV-6**.

**Table IV-6: Distribution of Janajatis by Project Component**

Project Component	IP Groups	AIHs		AIPs			
		No.	Rnd'd %	Female	Male	No.	Rnd'd %
Camp	Magar	79	23	234	252	486	19
	Gurung	4	1	15	10	25	1
	Newar	3	1	13	10	23	1
Right Bank Access Road	Magar	17	5	72	53	125	5
	Gurung	1	0	2	2	4	0
	Newar	1	0	4	3	7	0
Installation and access at Beteni and Banchare	Magar	29	8	88	88	176	7
	Gurung	0	0	0	0	0	0
	Newar	1	0	3	2	5	0
Reservoir	Magar	149	43	720	596	1316	51
	Gurung	32	9	116	111	227	9
	Newar	30	9	106	101	207	8
Soil Excavation / Disposal Site	After the construction design of contractor during construction phase, the land requirement and affected households will be verified.						
Construction Material Site							
Other Access Road							
<b>Totals</b>	Magar	274	79	1114	989	2103	81
	Gurung	37	11	133	123	256	10
	Newar	35	10	126	116	242	9
	<b>Overall</b>	<b>346</b>	<b>100</b>	<b>1373</b>	<b>1228</b>	<b>2601</b>	<b>100</b>

### 3. Socio-economic Status of Indigenous People

58. The Magars are the dominant Janajati community in the Project area, which belongs to the “disadvantaged” category in the five-fold (level) categories of indigenous groups. This means that they are in the disadvantaged category (i.e. Newar and Gurung). Some key features describing their characteristics other ethnic groups and castes are provided in **Table IV-7**.

59. The SESA confirmed that the cultivated lands that will be affected as a result of the Project do not comprise of traditional land or ancestral domains of any Janajati community. The SESA also confirmed that in the Project's corridors of impacts, no shrines, temples or other religious structures or locations, regarded as traditionally sacred by the Janajatis will be affected as a result of the Project. In addition, no specific forestland or water body is linked with Magars' rituals, ancestries or their spiritual realms.

**Table IV-7: Key Features of Ethnic Groups and Castes**

Caste and Ethnic Groups	Health		Education				Income		HDI	
	Life Expectancy		Adult Literacy		Mean years of schooling		Per capita (PPP)		Arithmetic mean	Geometric mean
	Value [years]	Index	Value [%]	Index	Value [years]	Index	Value [USD]	Index		
Nepal	68,8	0,73	59,57	0,596	3,9	0,26	1160	0,409	0,541	0,49
All Hill Brahmin/Chettri (HMC*)	73,26	0,804	81,89	0,819	4,79	0,319	1247	0,421	0,626	0,557
All Hill Janajati (IP**)	70,51	0,759	71,2	0,712	4,15	0,277	1051	0,393	0,573	0,509
All Tarai Madesi Groups	70,95	0,766	53,27	0,533	3,76	0,251	744	0,335	0,513	0,454
Hill Dalit	66,57	0,676	61,93	0,619	3,46	0,231	805	0,348	0,505	0,446
Tarai/Madesis Dalit	70,45	0,758	34,58	0,346	3,34	0,223	616	0,304	0,454	0,4
Abbreviations & Definitions: HDI = Human Development Index, Life Expectancy = Average age of Nepalese, PPP = Purchasing Power of Parity										
Source: Nepal Human Development Report, 2014										

60. In case of temporary land lease, THL would execute a legal agreement with each landowner/user and pay the first year of rent before using the land for project purposes. All of them are additionally entitled to benefits of the Project's community development component, which will improve health and educational facilities and sources of livelihood and income. The strategy specifically focuses on vulnerable groups including Janajatis.

### **C. Vulnerability Status of Affected Households**

61. The SESA indicates that with 396 AHs about 84% of all surveyed 475 AHs are vulnerable AHs. About 73% of the vulnerable AHs have this status because of one applied criteria with regard to their social status and ethnicity (see **Annex 5.2-4**), whereas 27% of the vulnerable AHs meet several of the applied criteria.

62. From the vulnerable AHs, 88% are Janajati AHs, which show a similar distribution of 70% and 30% in terms of one or several vulnerability criteria respectively. The reason for this not dissimilar picture is that the AIHs represent about 73% of the all AHs.

**Table IV-8: Distribution of AHs/APs by Vulnerability**

Detailed Vulnerability Status	AHs		AIHs	
	No.	Rnd'd %	No.	Rnd'd %
Elderly + Below Poverty	1	0,3	0	0,0
Below Poverty	1	0,3	0	0,0
Below Poverty + Indigenous	4	1,0	4	1,2
Disable + Indigenous	19	4,8	19	5,5
Elderly	1	0,3	0	0,0
Elderly +Disable + Indigenous	23	5,8	0	0,0
Elderly + Indigenous	2	0,5	2	0,6
Elderly+ Dalit	51	12,9	51	14,7
Dalit+Disable	2	0,5	0	0,0
Female Headed	9	2,3	0	0,0
Female Headed + Disable + Indigenous	3	0,8	3	0,9
Female Headed + Indigenous	17	4,3	17	4,9
Indigenous	240	60,6	240	69,4
Dalit	10	2,5	0	0,0
Elderly + Female Headed + Indigenous	7	1,8	7	2,0
Below Poverty + Dalit	1	0,3	0	0,0
Female Headed + Disable	0	0,0	0	0,0
Elderly + Disable	1	0,3	0	0,0
Female headed + Below poverty + Dalit	1	0,3	0	0,0
Elderly + Female headed + Disabled + Indigenous	2	0,5	2	0,6
Female headed + Blow poverty + Indigenous	1	0,3	1	0,3
<b>Totals</b>	<b>396</b>	<b>100</b>	<b>346</b>	<b>100</b>
Summarized Vulnerability Status	AHs		AIHs	
	No.	%	No.	%
Below poverty line	1	0,3	0	0,0
Below poverty line and others	5	1,3	5	1,4
Female headed household	8	2,0	0	0,0
Female headed household and others	31	7,8	30	8,7
Elderly head of household	27	6,8	2	0,6
Elderly head of household and others	8	2,0	8	2,3
Disabled head of household and others	1	0,3		0,0
Disabled head of household and others	28	7,1	28	8,1
Dalit household	10	2,5	0	0,0
Dalit household and others	4	1,0	0	0,0
Indigenous household	240	60,6	240	69,4
Indigenous household and others	33	8,3	33	9,5
<b>Totals</b>	<b>396</b>	<b>100,0</b>	<b>346</b>	<b>100</b>

## **D. Socio-demographic and Socio-economic Features of Affected Households**

### **1. Family Size and Type**

63. The average family size of AHs is 7.2 persons per household. From the AHs about 64% (291AHs) are nuclear families, whereas the remaining 36% are joint families.

### **2. Literacy and Educational Attainment of Affected Households**

64. There is a fairly high level of literacy amongst the AHs with almost 82% of APs being literate. This literacy status is even better in comparison to the national literacy standard. According to Human Development Report 2009, adult literacy in Nepal was noted to be 60%. The educational attainment levels among AIHs are with 80% very similar compared with all APs.



**Table IV-9: Educational Attainment**

Educational Attainment	Affected Households and People							Affected Indigenous Households and People						
	AHS	APs						AIHS	AIPs					
		Female		Male		Total			Female		Male		Total	
		No.	No.	Rnd'd %	No.	Rnd'd %	No.		Rnd'd %	No.	No.	Rnd'd %	No.	Rnd'd %
Illiterate	475	432	13	169	5	601	18	346	357	14	156	6	513	20
Primary Class I - V		506	15	281	8	787	23		408	16	204	8	612	24
Middle Class VI - VIII		301	9	277	8	578	17		250	10	238	9	488	19
Secondary Class IX - X		286	8	333	10	619	18		230	9	261	10	491	19
Higher Secondary Class XI - XII		151	4	250	7	401	12		83	3	180	7	263	10
Graduate		80	2	156	5	236	7		28	1	69	3	97	4
Post Graduate		1	0	20	1	21	1		0	0	9	0	9	0
Functional		29	1	131	4	160	5		17	1	111	4	128	5
Totals		1786	52,5	1617	47,5	3403	100		1373	52,8	1228	47,2	2601	100

65. Amongst APs there are 18% illiterate family members. Another 4% comprise of functionally literate with basic skills of reading, writing and doing simple mathematical calculations. Additionally, 40% APs have studied up till primary and middle class, followed by another 30% with secondary and higher secondary class. Higher educational attainment is 7% of APs for a graduate level. Economic and social realities such as poor income levels, long distance to schools and colleges, poor transportation facilities etc. are considered as some key factors responsible for dropouts and discontinuation of schooling and higher education in the area.

### 3. Occupational Pattern of Affected Households

66. No difference of occupational patterns between Janajati and non-Janajati AHs were found.

**Table IV-10: Distribution of Primary Income Sources**

Ser. No.	Income Sources	AHS				AIHS			
		[No.]		Rnd'd %		[No.]		Rnd'd %	
1	1.1 Agriculture	46	301	10	63	34	219	10	63
	1.2 Agriculture + Others	255		54		185		53	
2	2.1 Business	24	30	5	6	14	18	4	5
	2.2 Business + Others	6		1		4		1	
3	Foreign Employment	26		5,7		22		6,5	
4	4.1 Job	43	71	9,1	14,9	31	50	9,0	14,5
	4.2 Job + Others	28		5,9		19		5,5	
5	Livestock	1		0,2		0		0,0	
6	6.1 Pension	11	18	2,3	3,8	10	16	2,9	4,6
	6.2 Pension + Others	7		1,5		6		1,7	
7	7.1 Wage	20	28	4,4	6,1	15	21	4,3	6,1
	7.2 Wage + Others	8		1,7		6		1,7	
Totals		475		100		346		100	

67. In general, no difference of occupational patterns between Janajatis and non-Janajatis were identified. Agriculture alone or combined with other income source was with almost two-thirds of AHs the primary source of income for an overwhelming majority of the AHs. A second important income source for about 15% of APs were jobs or jobs combined with other income sources. The income sources business, foreign employment, pension and wage either as the only sources in combination with others, range between 6.5% and 3.8%. Livestock has extremely little importance. In summary, 36% of the AHs have one source of income, whereas 64% AHs have a range of income sources for their livelihood.



#### 4. Annual Income Levels

68. The income wise distribution of AHs and AIHs shows a range of income between 50,000 NRs and 1,100,000 NRs, while there is no case having less than 50,000 NRs and only 7 cases with more than 1,100,000 NRs. Nearly half of the AHs (44%) have an annual income between 50,000 NRs and 350,000 NRs, and about one third (34%) between 350,001 and 650,000 NRs. Only 15% of AHs can manage an annual income ranging between 650,001 and 1,100,000 NRs.

**Table IV-11: Distribution of Annual Income**

Income Category	AHs		AIHs	
	No.	Rnd'd %	No.	Rnd'd %
< 50,000	0	0,0	0	0
50,000 - 200,000	86	18	61	18
200,001 - 350,000	125	26	102	31
350,001 - 500,000	111	23	62	19
500,001 - 650,000	53	11	38	11
650,001 - 800,000	40	8	29	9
800,001 - 950,000	20	4	14	4
950,001 - 1,100,000	9	2	4	1
More than 1,100,000	31	7	24	7
<b>Totals</b>	<b>475</b>	<b>100</b>	<b>334</b>	<b>100</b>

#### E. Project Attitude of Affected Households

##### 1. Level of Awareness of AHs regarding the Project

69. The findings of the SESA shows that nearly all (except 3 surveyed AHs) know about the Project. The three most frequently mentioned major channels for 78% of the AHs to obtain information are friend/neighbours, the Project staff or the PIC. The media radio plays only for 13% of the AHs a rather normal role, whereas newspaper and technical surveyors are for only 9% of the AHs an information source.

**Table IV-12: Source of Project Information**

Sources of Project Information	AHs	
	Number	Rnd'd %
Friends / Neighbours	132	28
Project staff	127	27
Project Information Center	109	23
Media FM (Radio)	61	13
Newspapers	26	5
Technical surveyors	17	4
Did not know about the Project	3	1
<b>Total</b>	<b>475</b>	<b>100</b>

##### 2. Perception of AHs towards Project Benefits and Impacts

70. During the SESA, the APs indicated Project benefits and impacts, and that their households have and will have positive and negative impacts. The major positive impact the

Project will offer to the communities including themselves are increased employment and income opportunities, followed by an expectation for support in the agricultural development. For the region in general, some AHs see the possibility for reservoir related tourism development. A price increase for assets they regard as a positive impact for them, however this depend on the AHs interest and situation. The attitude of the AIHs does not significantly differ from the AHs perceptions.

**Table IV-13: Expected Positive Impacts**

Positive Items	AHs		AIHs	
	No.	<i>Rnd'd %</i>	No	<i>Rnd'd %</i>
Access to resources	3	1	3	1
Better education	6	1	4	1
Better mobility (use of access roads)	25	5	14	4
Tourist development	62	13	43	12
Employment and income	121	25	114	33
Increase in agricultural production and sales (through LIRR)	5	1	2	1
Increase in farm production (more commercialization)	4	1	1	0
Price increase in assets value	32	7	27	8
More than one of the above responses	209	44	132	38
No response	8	2	6	2
<b>Totals</b>	<b>475</b>	<b>100</b>	<b>346</b>	<b>100</b>

71. The AHs also expressed some Project related negative impacts and concerns. As one of the key negative impacts of the Project AHs mentioned the loss of assets and income. As other adverse impacts they mentioned disruption of social/cultural ties due to displacement, and loss of access to resources/facilities as well as to agricultural production and sale. The attitude of the AIHs does also here not significantly differ from the AHs perceptions.

**Table IV-14: Expected Negative Impacts**

Negative Items	AHs		AIHs	
	Number	<i>Rnd'd %</i>	No.	<i>Rnd'd %</i>
Break in cultural & social ties	68	14	62	18
Loss of access to resources/facilities	56	12	49	14
Loss of agricultural production and sale	37	8	28	8
Loss of assets and income	145	31	101	29
Relocation	4	1	1	0
Shifting of assets and belongings	8	2	1	0
More than one of the above responses	152	32	104	30
No Response	5	1	0	0
<b>Totals</b>	<b>475</b>	<b>100</b>	<b>346</b>	<b>100</b>

## **V. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION**

### **A. Meaningful Consultation and Participation of Key Stakeholders**

72. All relevant aspects of project planning and development were discussed with both primary and secondary stakeholders of the Project. Different techniques of consultation with stakeholders during project preparation, viz., in-depth interviews and focus group discussions etc. were used. Consultations were held with directly displaced population to understand their concerns and elicit their suggestions on the types of mitigation measures that need to be considered in the Project. Particular attention was paid to the need of the disadvantaged or vulnerable groups, especially those who are below the poverty line, the landless, the elderly, female-headed households, women, and those without legal title to land.

### **B. Key Stakeholders**

73. The Project stakeholders can be divided into the primary and secondary stakeholders. The primary stakeholders of the Project comprise of those directly affected by the various components of the Project either as affected by the loss of land, house or other livelihood assets or those who are beneficiaries of the Project. The primary stakeholders in this project include:

- 1 Residents and property owners of project components such as camp sites, the access road, the power house site, the reservoir area, other temporary facilities, and related facilities.
- 2 Project concerned committees comprised of the project affected people.
- 3 The users of community facilities and forest affected by the project.
- 4 Project affected villages, VDCs, and the Municipality. Also, Elected VDC representatives, community leaders, and representatives of community - based organizations.
- 5 Government agencies and departments.
- 6 Organizations for indigenous peoples.

74. Secondary stakeholders are those people and institutions that are not directly affected by the Project but show their concern in one-way or the other in the Project. The Secondary stakeholders include:

- 1 Ministry of Energy and other Ministries and Departments of Government of Nepal (the government).
- 2 District Development Committees of Tanahu.
- 3 District offices of various ministries at Damauli.
- 4 Local voluntary organizations, NGOs, CBOs.
- 5 Local social and cultural institutions in the Project VDCs and in the district.
- 6 Donors such as ADB, JICA, and EIB.

### **C. LARC Consultation and Participation**

75. The consultations and discussions with the affected people and communities is a continuous activity throughout the project cycle. This started during the PPTA, is applied in the ongoing pre-construction phase, will be followed during the construction phase, and can continue in the operation phase. THL has and will keep the APs and non-APs informed about the impacts, compensation and assistances, as well as the mitigation measures through CDPs and GESIAPs

to be proposed, discussed, agreed, and implemented with them, and facilitate addressing of any grievances. **Table V-1** provides an overview about conducted meetings and participants.

**Table V-1: Selective Overview about Consultation Meetings**

Year		Type of Consultation	Project Component	Participants			Number of Meetings	Remarks	UpRIPP
				Female	Male	Total			
2011	Stakeholder Exchange		Project	229 (n.a.)	229 (n.a.)	458	4	PPTA reports	Annex 6.1
2012	Public Consultation		Reservoir Area (incl. dam site)	20	191	211	12	THL meeting documentation	
			Camp Site / Access Road	16	365	381	19		
Subtotal resulting from data of social safeguard reports				36	556	1050	35		
2013	Cooperation and Public Consultation		Reservoir Area (incl dam site) and/or Camp Site / Access Roads	91	629	720	24	Average: 2 meetings/month with 30 persons/meeting	Extrapolated estimates
2014				68	472	540	18	Average: 1,5 meetings/month with 30 persons/meeting	
2015				45	315	360	12	Average: 1 meeting/month with 30 persons/meeting	
2016	Coordination and Public Consultation			5	212	217	12	THL meeting documentation	Annex 6.2
2017				121	659	780	19		
2013	DMS		All components	1190	3010	4200	1050	Committee meets all 525 AHs at least two times Assumed 2 APs + 2 other at AH meeting	Field work based estimates
to	SESAH			389	985	1374	458	Committee meets surveyed 458 AHs one time Assumed 2 APs + 1 others at AH meeting	
2017	Other formal meetings			303	2097	2400	240	Average: 4 meetings/month with 10 persons/meeting	
	Adhoc gatherings / talks			510	1290	1800	360	Average: 6 meetings/month with 5 persons/meeting	
2018	1st half	CDC, DMS, SESA,, LCF, ESMU, GESI	135	464	599	25	THL meeting documentation including additional number of AHs in Betini area	SSMR 1st half 2018	
	2nd half	Any meeting			Will be documented			SSMR 2nd half 2018	
Status August 2018		Subtotal	2857	10133	12990	2218			
		Total	2893	10689	14040	2253			
Note 1: The shown numbers of participants and meetings for the years 2013 to 2017 are probably the minimum.									
Note 2: Numbers about participants and meetings for the years 2013 to 2015 have been prepared retrospectively and derived from calculated average of the shown public consultation meetings for the years 2011/12 and 2016/17 and for informal meetings related to the IoL based percentage of women acting as possessor of assets.									
Note 3: Concerning PPTA, only formal meetings as known or documentation about meetings as available have been used.									

## 1. PPTA Phase related to Draft RIPP 2012

76. Consultations were held with both primary and secondary stakeholders during the Project and its RIPP/RP preparation to understand their concerns and elicit their suggestions on the Project. A total of 12 consultations in form of informal discussions, meetings and group discussions were conducted in the affected VDCs, the municipality and at district headquarters of Tanahu District with affected households, institutions and representatives of the affected VDCs. A total of 211 people participated in consultations at this time, with an estimated 9% female participants. On average, in each consultation meeting, about 60% attendees were IPs. **Annex 6.1-2** provides a summarizing extract from the Draft RIPP 2012 (Annex III) proving typical examples for photographs of consultation meetings and attendees signature.

77. Through consultations, the local people and AHs identified increases in local employment and income opportunities, increase in the value of land and assets in the area, higher mobility, and better education facilities as positive project impacts. One of the key concerns raised by the community was with regard to the procedure and rates of compensation for their losses. The community stressed on the need for fair and timely compensation irrespective of their title for their affected assets.

78. The APs also stressed that the Project should give preference to APs while selecting workers at the project sites. The community leaders emphasized on providing skill trainings to the community members especially to women and youth, so that they can start their own income generating enterprises (these interactions have been incorporated in Community Development Strategy prepared for the Project).

79. The EA is encouraged to give priority to affected persons in selecting workers at project construction sites. Special clauses will be put in the construction contractor's document to consider giving priority to affected people during hiring. The vulnerable groups will be further assisted with skill trainings, income generation activities and financial literacy.

80. Further, in order to ensure participation of the community in the decision-making process of resettlement implementation, Local Consultative Forum (LCFs) will be constituted. This group shall comprise of representatives of affected families (one male and one female head from the ward), the VDC and Ward Chair, representatives of local offices, social workers and knowledgeable persons. The group shall ensure prior information and transparency in all resettlement related activities of the project including compensation, relocation, and rehabilitation measures. The staff at PIC will have a key role in ensuring their participation in the decision-making process of RIPP implementation. The Project will further pay particular attention to vulnerable groups including the female-headed households, Dalit, indigenous people, elderly and disabled during the compensation and rehabilitation process.

81. In addition, the engagement of representatives of Project Affected Households and VDC in Compensation Fixation Committee would be another important mechanism to ensure participation of primary stakeholders in the project activities. This Committee is an improvement over the customary practice as laid down in the Land Acquisition Act (LAA) 2034 (1977). The customary practice as per LAA 1977 does not have provision of participation of representatives from the concerned VDCs or municipality nor that of representatives of project affected families in the Compensation Determination (Fixation) Committee.

## **2. Pre-Construction Phase related to UpRIPP 2018**

82. The applied consultation (i) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to APs, (ii) is undertaken in an atmosphere free of intimidation or coercion, (iii) is gender inclusive, (iv) enables the incorporation of all relevant views of APs and other stakeholders into project design and implementation, and (v) ensures the participation of AHs in planning, implementation, and monitoring and evaluation. The feedback of people consulted through different type of meetings have been considered by the preparation and implementation of LARC activities.

83. This communication approach is in line with the CDS defined overall participatory approach to be used to engender community involvement, ownership and empowerment. A participatory approach will be used in implementing all Project interventions, from planning to execution and monitoring. The CDS will place special emphasis on ensuring women, girls and socially excluded groups and to encourage their participation in program interventions. Participation of both genders is expected and encouraged to ensure that women and men work towards common goals and objectives within their own communities and that women's new roles, knowledge and status is equally respected and tolerated. During implementation, synergy will be built with existing government and non-government initiatives and programs implemented across the project area.

84. A total of 2,218 formal and informal LARC related meetings took place between 2013 and mid 2018 in form of official meetings, site visits, surveys, and others, as well as through spontaneous individual clarifications or group discussions during general field work and specific transect walks. There have been an estimated 12,990 contacted persons of which 22% have been female participants. The overview shown in **Table V-1** is also based on details of **Annex 6.2**.

85. As the Project is at nearing completion of the pre-construction phase, the villagers, both affected and not affected, have a good understanding about the most frequently discussed and explained items of such meetings, which are DMS, SESA, LARC procedures, asset valuations, timing of payments all related to their entitlements, but also know about special provisions, grievance procedures, involvement of authorities an administration offices, vocational training, and other topics.

86. The contacted AHs have repeatedly shown an open attitude and willingness to cooperate with the THP also during their efforts to raise items concerning their eligibility. There have been two major organizational channels for exchange of information and complaint established, namely (i) two reservoir related APs representing committees – “Hydropower Direct Affected Area Concerned Committee” and “Direct Concerned Reservoir Area Conservation Committee”, and (ii) 4 Local Consultative Forums (LCFs). Each LCF is comprised of 8 – 12 members and among them 2 persons are from affected households. They are participating during consultation meetings but are actively involved in the GRM relate complaints (see **Chapter VI**).

87. Information was disseminated to AHs at the PPTA phase and has continued during the current pre-construction phase. Public notices to acquire particular land/property for any of the project components were issued. In addition to the public notification, the Project is facilitating with local administration and authorities the meetings with APs to ensure that the information has reached to them and their villages, and the entitlement information with inventory of losses has agreed with/provided to the APs in a written format.

88. All THP related resettlement documents and consultation records will continue to be made available at the Public Information Centres (PICs). On approval of the UpRIPP, disclosure workshops will be held in the project areas to disclose the same to the affected communities. The summary of the Up RIPP and the entitlement matrix need to be translated into the local language. The EA has already established two PICs with full-time staff to provide Project related information to AHs and other key stakeholders. The PICs will be responsible for informing APs and the general public about the Project and both the land acquisition and resettlement-related requirements through local communication means. This will be done through public consultations and made available as brochures, leaflets, or booklets, using local languages. Various modes of consultations (e.g. public meetings, face-to face interaction, and printed material distributions) have been and will be conducted and documented. The EA conducts consultations and disseminates information to all APs in order to create awareness regarding the Project. This has and will enable stakeholders to contribute to the resettlement decision-making process.

89. Hard copies of the UpRIPP will be made available at accessible locations, as soon as available. Accessible locations could include public places. In all such places, the information would be displayed in local language (Nepali). Also, information would be made available not only through the PICs, but could also be offered to CBOs and LCFs, who can be easily contacted by illiterate persons who request being informed about items they ask for. For non-literate people, other communication methods such as verbal communication about their entitlements at public gatherings at places such as village committees and schools can also be used.

90. THL will continue the implementation of LARC requirements in close consultation with the key stakeholders. Women's and other vulnerable group's participation will continue to be ensured by involving them in public consultation throughout the Project implementation also through arrangements, which would enhance their ability to attend consultation meetings and getting them involved in active participation. THL does ensure that views of APs, particularly those vulnerable, women and IP related to the resettlement process, are looked into and addressed. This will be ensured through group discussion and multi stakeholders' meetings to be continued in the project area. All such meetings and consultation will be documented for future references.

91. The updated RIPP will be re-disclosed to the APs using a similar process as already applied during the previous years of the ongoing pre-construction phase and the PPTA as described above and on the ADB and EAs websites.

## **VI. GRIEVANCE REDRESS MECHANISMS**

### **A. Requirements**

92. The established grievance redress mechanism allows project APs to appeal against any decisions regarding compensation for land and other assets. The APs will continue to be made aware of their rights and the procedures by the PICs and the NGOs that would be hired for implementing the UpRIPP. There is a possibility of two types of grievances: grievances related to land acquisition and resettlement requirements, and grievances related to compensation or entitlement. The APs will have access to both locally constructed grievances redress committees (i.e. LCF, CDC, and the Ministry, and formal courts) of appeal system. Under the latter system, every AP can appeal to the court if they feel that they are not compensated, or entitlements are not provided for appropriately. They may appeal to appellate court within 35 days of the public notice given to them.

93. A grievance recording register is maintained at the ESMU. Project's APs as well as local people can lodge their complaints related to compensation, entitlement and construction related activities. Special project grievance mechanisms such as on-site provision of complaint hearings allows APs and their communities to interface and get fair treatment on time. The EA will ensure that funds are delivered on time to the CDC and the implementing partners for timely preparation and implementation of social activities, as applicable. The compensation issues and rehabilitation measures will be completed before commencement of civil work. Civil works will not be started unless required compensation payment has been completed.

94. APs and community will be exempted from all administrative fees incurred, pursuant to the grievance redressal procedures except for cases filed in court.

### **B. Stakeholder Involvement and Procedural Steps**

#### **1. Amicable Agreement at Local Level**

95. Two public information centers (PIC) were established in Bhimad and Byas (THL field office) municipalities and four local consultative forums (LCF) were established in Bhimand, Byas, Myagde and Rising municipalities. The staff arrangement is: Bhimad, 2 staff assigned for both LCF and PIC; Rising, 2 staff for LCF; Myagde, 2 staff for LCF; and Byas, THL field office covering for LCF and PIC. The LCF have been facilitated by the PIC, which is the first level of intervention to address grievances and complaints. Many grievances can be resolved by providing correct and complete information. Complaints of APs and community on any aspect of compensation, relocation, or unaddressed losses of private and community property shall in first instance be settled verbally or in written form in the field at PIC level. The complaint can be discussed in an informal meeting.

96. The LCF handles initial grievances of the project affected people and community and PICs will continue to work closely with them. The LCF will be led by VDC Chair or a locally respected person with other members being the VDC representatives and AP representative and will be inclusive in nature i.e., with adequate representatives of female, Dalits, Janajatis etc. The PICs will coordinate meetings with LCF and come up with amicable solutions acceptable to all parties. The LCF will play key roles in public consultations, grievance handling/ managing at local level, participate proactively in planning and implementation process and key decision-making matters that contribute to better outcomes and performances, especially in RIPP implementation.



97. The PICs have full-time staff representing the EA to listen and provide information to APs and resolve their issues. The officers at PICs may seek the assistance of the supervision consultant (safeguards specialist) to help resolve the issue. The PICs will keep: (i) name of the person (s), (ii) date complaint was received, (iii) Nature of complaint, (iv) location, and (v) how the complaint was resolved. These reports will be submitted to the EA and to ESMU (for THL) and ESSD (for NEA) on a monthly basis. Any complaints at this level will be addressed within 7 days of formal lodging.

## **2. Mutual Agreement after Further Clarifications**

98. If the issue is not addressed within 7 days of written application to the satisfaction of APs. They can file formal type-written complain to ESMU/ESSD, who will be responsible to be in close contact with all APs and public and hear record and formally file their complaints in the registers on a regular basis. ESMU/ESSD will carry out necessary inquiry and verification regarding redressal of the issue within 7 days of complains registered.

99. While lodging the complaint, the APs and community must produce documents to support their claim. ESMU can seek assistance from the supervision consultant (safeguards specialist) to carry out field observation and consultation at the field level. If the issue is still not resolved to the satisfaction of both the parties, the issue will be discussed in LCFs. The person filing the grievance will be notified that his/her grievance has been forwarded to ESMU/ESSD. Grievances will be resolved through consultation and interaction with APs.

100. The issue thus brought to ESMU/ESSD will be resolved within 15 days from the date of the complaint received. ESMU/ESSD will have necessary consultation on redressing the complaints.

## **3. No Agreement Requiring Decisions at Higher Levels**

101. If no amicable solution is reached or no response received from the project office, the APs or community can appeal to the CDC which will also function as GRC, particularly if the issue is related with loss of private assets and compensation. As a formal body with legal standing, all other relevant complaints/ grievances not resolved at earlier stages, may also be registered with CDC for timely resolution. While lodging the complaint, the APs and their community must produce documents to support their claim. The CDC will come up with acceptable decision within 15 days of registering the appeal. For other unresolved social and environmental issues, APs or their community can appeal to the Ministry of Home Affairs.

## **C. Procedural Steps**

102. The applied mechanism for grievance resolution are shown in **Figure 6**.

Figure 6: GRM Steps

Step	Actions and Procedures		Time
1	Village related	<ul style="list-style-type: none"><li>▪ In the first instance, complainants will raise complaints or grievances at their village level.</li><li>▪ Village internal discussions with the complainants to resolve the issue using its traditional methods of conciliation.</li><li>▪ The involved parties aim at clarifications and amicable solution with the complainant.</li><li>▪ This mediation aims at a village internal immediate solution.</li></ul>	Open
	<ul style="list-style-type: none"><li>➤ In case of LARC issue, involvement of THL is optional.</li><li>➤ In case PIC has been addressed by complainant/s, the involvement of THL and/or NEA occurs automatically.</li></ul>		
▼	<b><i>If the complaint cannot be solved within the village, next step to apply</i></b>		
2	Ward related	<ul style="list-style-type: none"><li>▪ In the second instance, complainants will raise complaints or grievances at ward level.</li><li>▪ Meeting/s with the complainants to resolve the issue using its applied methods and channels of conflict solutions.</li><li>▪ The involved parties aim at negotiations and an agreed solution with the complainant.</li><li>▪ This mediation aims at a ward level at a solution agreed with the subproject.</li></ul>	Open
	<ul style="list-style-type: none"><li>➤ In case of LARC issue, involvement of THL, NEA is optional.</li><li>➤ In case PIC has been addressed by complainant/s, the involvement of THL and/or NEA occurs automatically.</li></ul>		
▼	<b><i>If the complaint cannot be solved within the ward, next step to apply</i></b>		
3	THL/NEA	<ul style="list-style-type: none"><li>▪ THL / NEA formalizes the obtained verbal complaints.</li><li>▪ Elaboration of the matter in cooperation with previous involved parties.</li><li>▪ The objective of this step is to find an amicable solution before entering into administratively formalized steps.</li></ul>	7 days
	<b><i>If not solved, then involvement of LCF</i></b>		
	LCF THL/NEA Municipality and Rural Municipality	<ul style="list-style-type: none"><li>▪ Register (i) already written submitted complaints or (ii) assist in preparing written complaints.</li><li>▪ Verification of issue, field investigations and review of options for solutions and agreements.</li><li>▪ Provide formal answer to LCF and complainant.</li></ul>	7 days
	<ul style="list-style-type: none"><li>➤ With In case of LARC issue, the CDC is the major district authority.</li><li>➤ With this step also the procedures of Land Acquisition Process (Land Acquisition Act 2034 from 1977) start.</li><li>➤ For other topics, the district Office is in charge.</li></ul>		
▼	<b><i>If the complaint cannot be solved, next step to apply</i></b>		
4	District	<ul style="list-style-type: none"><li>▪ Final level of local authority.</li><li>▪ Any additional facilitating steps as required or regarded necessary.</li><li>▪ Final mediation and facilitation between the parties.</li><li>▪ If necessary final technical, legal, in-situ or otherwise agreed review to perform.</li><li>▪ Aiming at mutually accepted final decision.</li></ul>	15 days
	<ul style="list-style-type: none"><li>➤ In case of LARC issue, the CDC is the major district authority.</li><li>➤ For other topics, the district Office is in charge.</li></ul>		
▼	<b><i>If the complaint cannot be solved at ministerial level</i></b>		
5	Ministry	<ul style="list-style-type: none"><li>▪ The complaint can be elevated at Ministry of Home Affairs.</li><li>▪ In most cases decisions at level are mostly accepted.</li></ul>	Open
▼	<b><i>If the complaint cannot be solved with the involvement of LCF, then the next step is to apply</i></b>		
6	Nation	<ul style="list-style-type: none"><li>▪ The complaint can be elevated at national level.</li><li>▪ Ultimate decision to be taken and executed.</li></ul>	Open
1-6	Asian Development Bank		
	Web page: <a href="https://www.adb.org/site/accountability-mechanism/how-file-complaint">https://www.adb.org/site/accountability-mechanism/how-file-complaint</a>		

## **D. Achievements through Applied GRM**

### **1. The 21-Points Agreement**

103. The “Hydropower Direct Affected Area Concerned Committee” and “Direct Concerned Reservoir Area Conservation Committee” submitted a 26 Point demand letter to THL on 20 November 2016. In response, THL wrote a letter to Chief District Officer (CDO), which included THL responses to each of the 26 Point, on 11 January 2017. The two committees issued a press release on 10 February 2017. Their major concerns are the lack of participation of the affected persons in Compensation Determination Committee (CDC) and non-satisfactory compensation rate for land. THL sent written responses on the 26 Points status directly to both concerned committees on 12 March 2017 to provide more details. THL continued close discussions with the two concerned committees, reached consensus and made agreement with concerned committees on 21 Points as of 28 October 2017. The 21-Points Agreement covers this item.

104. The agreement has proven as a satisfying way for efficient implementation of the LARC items. Close communication needs to continue to ensure that APs' concerns and suggestions are reflected in further compensation as well as mitigation measures. This concerns also issues ADB raised during its 3 review missions in 2017, including among others:

- 1 The Compensation Determination Committee (CDC) chaired by the Chief District Officer (CDO) published a notification to affected landowner with identified parcels providing 35 days to submit proof of ownership. The CDC formed a sub-committee under the leadership of Assistant Chief District Officer to recommend appropriate value of the affected plots. The sub-committee conducted field visits and consulted with concerned stakeholders to decide the rate. The compensation rate was determined based on (i) minimum registration rate decided by Land Revenue Office (LRO), (ii) market rates recommended by Village Development Committee (VDC) secretaries, (iii) transactions records of the LRO and (iv) consultation results with stakeholders.
- 2 The compensation rates for the Project were decided by the CDC and are higher than the government's annual rate for minimum registration for land transaction, but rate does not consider impact on livelihood and income resources of the APs. Agriculture is the main source of income for majority of the APs and they lose a part of the most productive land they own. In addition, duration of time required to find a land which has similar fertility of the lost land in surrounding area needs to be considered as if would take a quite long time to explore appropriate land and negotiate land rate. As agreed with APs major crops are paddy and maize, and cereals and 3-4 cropping is done in a year. To get full yield from less productive land, it requires additional input of manure, irrigation, fertilizer and labor for about 5 years. Hence, it has been recommended to provide cultivation disruption allowances for 5 years considering 3 crops in a year.
- 3 Concerning cases where affected land owners have no land ownership, THL has agreed to provide NRs 400,000/household to landless AHs who are located on public land and will help them getting official land certificates.

### **2. Collective Complaints through LCFs**

105. THL with its ESMU team held a consultation meeting on 25 May 2017 with the newly elected Mayor, Deputy Mayor of Vyas and Bhimad Municipality, Chairperson and Vice

Chairperson of Myagde and Rising Rural Municipality. THL informed about latest progress of the Project and emphasized on formation of Local Consultative Forum (LCF).

106. THL with its ESMU team held a meeting on 26 August 2017 again with the newly elected Mayor, Deputed Mayor of Vyas, Bhimad Municipality chairperson, but also with the vice Chairperson of Myagde and Rising Rural Municipality. THL addressed the grievance related complainants raised and appreciated the supportive and active involvement of LCF to find solutions in particular concerning compensation issues. The THL Project site office registered 92 cases as shown in **Table VI-1** as an updated summarizing overview, which also includes the topics and status of complaints. The ESMU is regularly addressing them as far as possible. In relation to private complaints, THL and/or ESMU staff regularly consulted the district line agencies (District Administrative Office, District Forest Office, District Education Office, District Land Revenue Office, District Land Measurement Office, Office of Vyas Municipality etc.) regarding these issues.

**Table VI-1: Issues and Status of Registered Complaints**

Table VI-1: Issues and Status of Registered Complaints					
Ser. No. SSMR		Topic of Complaint	Cases	Under clarification	Solved in agreement with Complainants
2 <sup>nd</sup> Half 2017	1 <sup>st</sup> Half 2018				
				[no]	
1 & 5	1	Tree	29	27	2
2 & 4	2	Structure	13	4	9
3	3	Land	20	7	13
6	4	Identification of AHs	1	0	1
	5	Construction	12	3	9
	6	Electricity	6	2	4
	7	Compensation	4	1	3
	8	Assistance	3	0	3
	9	Buffer Zone	1	1	0
	10	Crops	1	0	1
	11	Other Livelihood Support	1	1	0
	12	Insurance	1	1	0
	Total		92	47	45
Note 1:	From the 92 complaints, 2 are from Dalit AHs (1 female; 1 male); 46 Janajati AHs (F 10, M 36); 35 High Middle Class AHs (F4, M31); and 9 were raised from organisations.				
Note 2:	Details about each complaints are provided in the Annex 5.				

107. In general, the raised grievances will be discussed during meetings of the Local Consultative Forums. After reviewing the grievances, LCFs forward them with recommendations for actions to be taken in order to address them. The 21-Points Agreement is for most complaints the basis to find mutual agreements. It can also require the need for involvements of the CDC, the THL board, and /or court in case the complainants are not satisfied with the provided answer or actions.

## VII. LEGAL FRAMEWORK

108. The resettlement principles adopted in this UpRIPP reflect the national Land Acquisition (LA) Act (1977), Land Reform Act, the entitlement benefits as listed in the Draft National Policy on Land Acquisition, Compensation and Resettlement in Development Projects in Nepal, ADB Safeguards Policy Statement (SPS, 2009), "JICA guidelines, and the EIB Principles and Standards. This Chapter outlines the GoN and the co-financiers' policies, legal requirements, and guiding principles under which this UpRIPP was prepared.

### A. Constitutional Guarantees

109. Article 25 of the Constitution of Nepal, Right relating to Property, states that "(1) Every citizen shall, subject to law, have the right to acquire, own, sell, dispose, acquire business profits from, and otherwise deal with, property. Provided that the State may levy tax on property of a person, and tax on income of a person in accordance with the concept of progressive taxation. Explanation: For the purposes of this Article, "property" means any form of property including movable and immovable property and includes an intellectual property right. (2) The State shall not, except for public interest, requisition, acquire, or otherwise create any encumbrance on, property of a person. Provided that this clause shall not apply to any property acquired by any person illicitly. (3) The basis of compensation to be provided and procedures to be followed in the requisition by the State of property of any person for public interest in accordance with clause (2) shall be as provided for in the Act. (4) The provisions of clauses (2) and (3) shall not prevent the State from making land reforms, management and regulation in accordance with law for the purposes of enhancement of product and productivity of lands, modernization and commercialization of agriculture, environment protection and planned housing and urban development. (5) Nothing shall prevent the State from using the property of any person, which it has requisitioned for public interest in accordance with clause (3), for any other public interest instead of such public interest."

### B. Nepal Relevant Acts

#### 1. Land Acquisition Act 2034 (1977)

110. It is the act to acquire land for the public purposes. Government can acquire land at any place in any quantity by giving the compensation pursuant to the act for the land required for any public purpose or for the operation of any development project initiated by government (Clause 3 and 4). To decide the amount of compensation, there shall be a CDC chaired by CDO. CDC includes Land Administrator or Chief of the Land Revenue Office, a representative of the District Development Committee and Project Chief. CDC is the main responsible body to determine the compensation of land. It has full authority to determine the amount of compensation payable to landowners. Any person who is not satisfied with the amount of compensation may file a complaint with the Ministry of Home Affairs, the Government of Nepal within fifteen days from the date of the issue of the notice of fixation of compensation, and, in such cases, the decision of the Ministry of Home Affairs, the Government of Nepal shall be final to determine the amount of compensation payable (Clause 25 sub-clause 7). CDO is the original jurisdiction in respect to offenses punishable under this act. CDO decision can be appealed in High Court.

111. Government of Nepal made decision to appoint Preliminary Officer to initiate the preliminary action to confirm the place and land for the reservoir area. Then, THL appointed a Consultant Firm for demarcation of land in the reservoir area and identification of land parcels within full supply level. According to the report from cadastral survey consultant and district survey office conducted demarcation of inundation area and identified potential plots to be inundated due

to the reservoir, THL started preliminary action relating to acquire Land. Coordinating with CDC, preliminary officer published a notice at place where people mostly move near by the concerned land, Concerned Village Development Committee and Municipality Office and House door or compound wall for the purpose of stakeholder.

112. The Land Acquisition Act, 2034 (1977) is the core legal document to guide the process related to land acquisition and relocation in Nepal. The clause 03 of the Act states that land could be acquired for a public purpose, subject to the award of compensation. According to clause 04 of the Act, institutions seeking land acquisition may also request the Government to acquire land subject to the payment of compensation by such institutions. Clause 27 of the Act provides for land acquisition through mutual agreement between a plot owner and a government department or agency, where the process of involuntary land acquisition outlined in the Act does not apply. The Act grants the project proponent the right to choose between a mutual agreement process and the formal process for land acquisition (as described below). Where clause 27 is applied and the plot owner is not satisfied with the compensation offered by the state, under the agreement, the owner could file a complaint with the Ministry of Home (clause 18 (sub clause 2) for a redress. As per the regulatory provision, before acquiring private land for a public purpose, the Government forms a Compensation Determination (Fixation) Committee (CDC) under the chairmanship of the Chief District Officer (CDO). The chief of the land revenue office (LRO) and a representative from the District Development Committee (DDC) and the Project Manager are the other members. A VDC representative and a representative of affected persons are also usually invited to participate in the Committee discussions. The project manager functions as the member secretary of the Committee. The CDC determines the amount of compensation considering the following factors: current price of land value, value of standing crops, houses, walls, sheds or other structures, loss incurred as a result of shifting residence or place of business. The CDC takes also into consideration the relevant Acts and Guidelines of the government in this exercise. According to clause 06, if the land has to be acquired for institutions other than the local government bodies and government institutions, the Committee considers the following in determining compensation: (i) price of land prevailing at the time of notification of land acquisition; (ii) price of standing crops and structures; and (iii) loss incurred by the AP by being compelled to shift his or her residence or place of business as a consequence of the acquisition of land.

113. As stated in clause 09, subsection 03 of the Act, the duration of compensation payment days will be determined by CDC. Clause 37 of the Act illustrates that the Committee may extend the period by additional 3 months, if compensation is not collected by those entitled. After the extended 3-month period, the amount will be deposited in a government's account. The compensation for acquired land is generally paid in cash as per current market value. However, there is also a provision under clause 14 to compensate land-for-land, provided Government land is available. The Act also provides for the possibility of paying two separate rates of compensation, distinguishing between households who lose all their land and those who lose only some part of their land. As stipulated in clause 10, affected households could take the crops, trees, and plants from acquired land, and salvageable materials. Clause 39 states that affected households could take all salvageable assets and the value of such assets will not be deducted from compensation.

114. Any grievance and objection regarding the above will be referred to the grievance redress committee (GRC) as per clause 11 of the Land Acquisition Act, 2034 (1977).

115. The Act assigns the CDO the sole responsibility of overseeing land acquisition process and activities and to deal with the grievances related to land acquisition and compensation.

116. Clause 20 of the Act entitles the legal tenant to 100% compensation for the structures built by him on the land with the permission of the landowner.

117. Clause 68 (1) of the Forest Act 2049 (1993) states that the Government may permit the use of forestland for a project of national priority. According to the clause 68 (2), if any loss to persons or community is involved while permitting use of such land, it is required to compensate the loss. The general process of land acquisition is outlined in **Figure 7**.

118. CDO chairs CDC, which consists of representatives from district administration, land revenue department, and the project office. The representatives from the VDC and affected HHs are normally invited to participate in the CDC meeting as invitees. At the request of the EA, the Government makes a decision to have the land acquired (for the specified purpose), and an officer from the EA is appointed by the government to undertake the preliminary actions which include, among others, undertaking the survey of land to be acquired, and preparing the documentation to be submitted to the CDC. EA issues the first notice of intent for land acquisition. The survey information (i.e., draft resettlement/indigenous peoples plan) is then submitted to CDC providing relevant details such as the number of land parcels to be acquired, land use pattern, affected land owners, uses/land types, quantity of land to be acquired. The CDC reviews this information and based on the same issues the final notice for acquisition with details of land parcels to be acquired. Simultaneously, CDC/EA starts contacting the affected landowners/users and initiates the process of negotiation on land value (for acquisition). Once the negotiation process is complete, the CDC finalizes the value for acquisition of various properties and discloses the same to the affected persons. The district administration office (DAO) then invites the affected households to collect forms, duly fill and submit the same to DAO for collection of their compensation. The EA deposits the requisite amounts of cash for compensation with DAO. All compensation, either in cash or check, is disbursed through DAO to the affected people.

## **2. Methodology for Valuation of Assets**

119. There are three methods/approaches for the valuation of assets: i) method adopted by the Government, ii) community consensus valuation, and iii) direct negotiation. For the purpose of this project, the community consensus valuation method for land and asset valuation has been adopted, which includes determining the valuation of assets in consultation with the community. As part of this method, meetings with the local community members and representatives of the project affected households on the valuation of land and assets are held. Based on the same, a consensus is arrived at for valuation of assets, making it a more transparent process. This process works through CDC for which the Project Manager or his/her designate (Senior Officer) or its environment and social development or management section in charge takes all the initiatives with consent from the CDC. In the final deliberations, CDC approves the proposal.

### **a. Land Reform Act, 2021 (1964)**

120. Another key legislation in Nepal related to land acquisition is the Land Reform Act (LRA) 2021 (1964). This act establishes the tiller's right to the land, which he/she is tilling. The LRA additionally specifies the compensation entitlements of registered tenants on land sold by the owner or acquired for development purposes. The most recent Act Amendment (2001) established a rule that in case the state acquires land under tenancy, the tenant and the landlord will each be entitled to 50% of the total compensation amount. Tenants are verified through a record of tenancy at the land revenue office.

**b. Land Revenue Act 2034 (1977)**

121. Acquisition of land for development projects (i.e., public interest) involves transfer of land titles for which directly or indirectly the Land Revenue Act 2034 (1977) comes into force. Article 8 of this Act states that registration, change of ownership, termination of ownership right and maintenance of land records are done by local Land Revenue (Malpot) Office. Likewise, according to article 16 if the concerned owner did not pay land revenue for long period of time the government can collect revenue through auction of the concerned parcel. Land registration, transfer of titles and record keeping in the kingdom are governed by this Act.

**C. Land Acquisition, Resettlement and Rehabilitation Policy for Infrastructure Development 2015**

122. The GoN approved a Policy on Land Acquisition, Resettlement and Rehabilitation for Infrastructure Development in March 2015, however its implementation is not mandatory.

123. The policy outlines the need to conduct an economic and social impact assessment (SIA) of the development project, which was not a requirement under the LAA 1977. Based on this assessment, projects are categorized as high, medium, and low-risk. The act also provisioned for the project affected families to be entitled to compensation if works like installation of transmission, telephone and underground drinking water pipe lines affect livelihood. And in case the projects affect yields of registered commercial crop, fruit or flower producers, compensation equivalent to five years of revenue must be given in cash.



Figure 7: Land Acquisition Process as per Land Acquisition Act 2034 (1977)

Steps & Detailed Action		Responsibility
<b>I The Beginning</b>		
<ul style="list-style-type: none"> <li>▪ Sectoral agency decides to execute a development project of public interest at a particular location</li> <li>▪ The Agency requests the Government to acquire land specifying objectives and committing payment of compensation and other expenses</li> <li>▪ The Government approves and orders to initiate acquisition process specifying the Officer in Charge to initiate the process</li> <li>▪ Compensation Fixation Committee activated as per LA 2034</li> </ul>		Sectoral agency
<b>II Initial Process</b>		
<ul style="list-style-type: none"> <li>▪ Public notification is issued at public places in the proposed project area, respective VDC Office, and to the affected households.</li> <li>▪ Necessary basic surveys Investigations including boundary demarcations are done after 3 days of the issuance of notification.</li> <li>▪ Any damage/losses of crop, structures, trees incurred during preliminary investigations, are compensated by the officer designated. APs can file complaint, if not satisfied with the compensation paid by officer designated, within 15 days of the fixation of compensation, to Chief District Officer (CDO).</li> <li>▪ CDO addresses the grievances and its decision is final.</li> <li>▪ The officer designated (Project Chief, in this case) submits report to CDO (Local government Officer) on total area required. This report contains the loss details and the compensation amount determined for payment. The task of preliminary investigation should be completed within 15 days of the initiation of surveys</li> </ul>		Chief District Officer (CDO)/ Compensation Fixation Committee.
<b>III Notice of Acquisition</b>		
<ul style="list-style-type: none"> <li>▪ CDO issues notice of land (and asset) acquisition including details like location, plots with area, owner, and boundary together with the purpose of acquisition. The timeframe to transport salvage material or other assets are also specified in the notification.</li> <li>▪ All land transactions within the notified area are banned.</li> <li>▪ Legally, this is the cutoff date.</li> </ul>		Chief District Officer (CDO)/ Compensation Fixation Committee.
<b>IV Compensation, Eligibility and Procedure</b>		
<ul style="list-style-type: none"> <li>▪ Land and asset valuation and negotiation process takes final shape.</li> <li>▪ Asset owners fill-up forms to claim entitlement with documents within 15 days of notification (as of 9 above).</li> <li>▪ Compensation payment takes place.</li> </ul>		Sectoral agency Chief District Officer (CDO)/ Compensation Fixation Committee.
<b>V Grievance Addressal</b>		
<ul style="list-style-type: none"> <li>▪ The APs can file complaint within 7 days of notification excluding travel days to Government of Nepal through CDO.</li> <li>▪ The government i.e., Ministry of Home Affairs, will address the grievances within 15 days of the receipt of complaint. The Home ministry is endowed with legal power as of District Court.</li> <li>▪ The appeals if any, are addressed by the government or after lapse of such time frame final compensation payment and acquisition takes place.</li> <li>▪ If APs are not satisfied with resolution from government of Nepal i.e., Ministry of Home Affairs they can go to the formal court of appeal</li> </ul>		Chief District Officer (CDO) Government of Nepal (Ministry of Home Affairs)

124. The policy adds that all expenses related to land acquisition, compensation and the implementation of resettlement and rehabilitation plans should be considered as project cost and interest should be paid on compensation amount depending on the days it took to release funds to those affected by the project. The interest calculation begins from the day a formal decision was taken to operate the project, says the policy.

125. The compensation amount for those affected by the project will be fixed by a five-member compensation committee formed under the chief district officer. The committee can form a technical team to determine the compensation amount. This team should derive the compensation amount as close as possible to the minimum market rate by working closely with members of families that are likely to be displaced.

126. Those not satisfied with land acquisition, resettlement and rehabilitation processes can lodge complaints at a body formed at the project office and complaint hearing offices at district and regional levels. If verdict issued by the regional level complaint hearing office is also deemed unsatisfactory, the person makes an appeal to the appellate court.

#### **D. ADB Safeguard Policy Statement (SPS), 2009**

127. The objectives of ADB SPS (2009) with regard to involuntary resettlement are:

- 1 To avoid involuntary resettlement wherever possible;
- 2 To minimize involuntary resettlement by exploring project and design alternatives;
- 3 To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and
- 4 To improve the standards of living of the displaced poor and other vulnerable groups.

128. The Safeguard Policy Statement of ADB (2009) covers both 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. It covers displaced persons whether such losses and involuntary restrictions are full or partial, permanent or temporary. The three important elements of ADB's SPS (2009) are: (i) compensation at replacement cost for lost assets, and livelihood and income restoration prior to displacement; (ii) assistance for relocation, including the provision of relocation sites with appropriate facilities and services; and (iii) rehabilitation assistance to achieve at least the same level of well-being with the project as without it. The SPS gives special attention to poor and vulnerable households to ensure their improved well-being as a result of project interventions

#### **E. JICA Guidelines**

129. For the Project, "JBIC Guidelines for Confirmation of Environmental and Social Considerations, (April 2002) "is applied. However, as JICA updated the Guidelines in 2010, "Guidelines for Environmental and Social Considerations (April 2010)" is also be referred. The key principles of JICA Guidelines (April 2010), on involuntary resettlement, are summarized below. Involuntary resettlement and loss of means of livelihood are to be avoided where feasible by exploring all viable alternatives:

- 1 When population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken.

- 2 People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.
- 3 Compensation must be based on the full replacement cost as much as possible.
- 4 Compensation and other kinds of assistance must be provided prior to displacement.
- 5 For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. It is desirable that the resettlement action plan include elements laid out in the World Bank Safeguard Policy, OP 4.12.
- 6 In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.
- 7 Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.
- 8 Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.
- 9 Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advance of such benefits.
- 10 Eligibility of benefits include, the project-affected people (PAPs) who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who do not have formal legal rights to land at the time of census, but have a claim to such land or assets, and the PAPs who have no recognizable legal right to the land they are occupying.
- 11 Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
- 12 Provide economic support for the transition period (between displacement and livelihood restoration).

## **F. EIB Standards and Principles**

130. The EIB's social standards are based on a human right approach. Social standards are intended to promote outcomes to the benefit of individual well-being, social inclusion and sustainable communities

131. The Bank's key principle require, that adverse impacts on livelihoods should be mitigated at an improved level, or at minimum restored at the pre-project level for any loss incurred. To address physical or economic displacements the preparation of an acceptable Resettlement Action Plan is required, which should apply a due process of meaningful and culturally appropriate consultation and participation, including that of host communities.

132. Active consultation and participation is regarded as crucial and requires significant local ownership and support through informed involvement. It also supports AHs in their rights particular concerning entitlement rights in combination with GRMs. Therefore, public consultation is a basic requirement of the Bank's social safeguards and applied to specific social issues, such as involuntary resettlement.

133. The objectives of this Standard are to:

- 1 Avoid or, at least minimize, project-induced resettlement whenever feasible by exploring alternative project designs.
- 2 Avoid and/or prevent forced evictions and provide effective remedy to minimize their negative impacts should prevention fail.
- 3 Ensure that any eviction which may be exceptionally required is carried out lawfully, respects the rights to life, dignity, liberty and security of those affected who must have access to an effective remedy against arbitrary evictions.
- 4 Respect individuals', groups' and communities' right to adequate housing and to an adequate standard of living, as well as other rights that may be impacted by resettlement.
- 5 Respect right to property of all affected people and communities and mitigate any adverse impacts arising from their loss of assets, or access to assets and/or restrictions of land use, whether temporary or permanent, direct or indirect, partial or in their totality. Assist all displaced persons to improve, or at least restore, their former livelihoods and living standards and adequately compensate for incurred losses, regardless of the character of existing land tenure arrangements (including title holders and those without the title) or income-earning and subsistence strategies.
- 6 Uphold the right to adequate housing, promoting security of tenure at resettlement sites.
- 7 Ensure that resettlement measures are designed and implemented through the informed and meaningful consultation and participation of the project-affected people throughout the resettlement process.
- 8 Give particular attention to vulnerable groups, including women and minorities, who may require special assistance and whose participation should be vigilantly promoted.

**G. Harmonization, Gap-filling between Co-financers Safeguard Policies and the Policy, Laws and Guidelines of the Government of Nepal.**

134. The Land Acquisition Act is the primary legal framework for all land acquisition, compensation determination and relocation of APs in Nepal. The Act has a limited scope in resettlement and rehabilitation of APs. Considering the differences between the government laws, regulations and guidelines and the safeguard policies of ADB, JICA and EIB, a detailed equivalence assessment has been completed and is attached as **Annex 7**.

**H. Government's Policies and Legal Framework for Janajatis in Nepal**

135. The Interim Constitution of 2007 recognizes the diversity of Nepal (art. 3) and defines the country as a secular, inclusive and democratic State (art. 4). It further recognizes the status of different mother languages of various groups as national languages enabling their use in the state activities (art. 5). Each such community has the right to preserve and promote its own language and cultural heritage as well as to receive basic education in its mother tongue (art. 17). In addition, the Constitution recognizes the rights of Adivasi and Janajati to "participate in State structures on the basis of principles of proportional inclusion" (art. 21) and authorizes the State to implement special measures "for the protection, empowerment and advancement of indigenous nationalities" (art. 13).

136. The specific policy initiatives for the advancement of Adivasi, Janajati and other communities started in 1997. The National Committee for Development of Indigenous Nationalities was set up to ensure the welfare of Adivasi/Janajati. In 2002, the Parliament passed

a bill enabling the establishment of NFDIN. The NFDIN Act 2002 established the first comprehensive policy and institutional framework pertaining to Adivasis and Janajatis. The NFDIN is a semi-autonomous body that acts as the State's focal point for indigenous policy, with a mandate to recommend measures to promote the welfare of indigenous groups paying attention to their social, economic, and cultural rights and requirements.

137. The National Federation of Indigenous Nationalities Act 2002, National Human Rights Action Plan 2005, Environmental Act 1997, and Forest Act 1993 have also provided for the protection and promotion of Janajatis' traditional knowledge and cultural heritage. The Local Self-Governance Act (1999) gave more power to local political bodies to promote, preserve and protect Janajatis' language, religion, culture and welfare.

138. The Three Years Interim Plan (2007-2010) included following policies for inclusive development of Adivasis/Janajatis and other disadvantaged groups: (i) creation of an environment for social inclusion; (ii) participation of disadvantaged groups in policy and decision making; (iii) development of special programs for disadvantaged groups; (iv) positive discrimination or reservation in education, employment; (v) protection of their culture, language and knowledge; and (vi) proportional representation in development.

#### **I. ADB Safeguard Policy Statement (2009)**

139. The objective of ADB's SPS on IPs is to help design and implement projects in a manner that would foster respect for IPs' identity, dignity, human rights, livelihood systems, and cultural uniqueness, as defined by IPs themselves, so that they: (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them. The SPS uses the term „IPs" in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- 1 Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others.
- 2 Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories.
- 3 Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture.
- 4 Distinct language, often different from the official language of the country or region.

140. The IPs' safeguards in SPS trigger when a project affects the dignity, human rights, livelihood systems, or culture of IPs or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as an „ancestral domain" or asset.

#### **J. JICA Guidelines on Indigenous Peoples Safeguards**

141. JICA respects the principles of internationally established human rights standards such as the International Convention on Human Rights and gives special attention to the human rights of vulnerable social groups including IPs, women, persons with disabilities, and minorities when implementing cooperation projects. JICA obtains country reports and information widely about human rights that are issued by related institutions and seeks to understand local human rights situations by disclosing information about cooperation projects. Thus, JICA integrates local human rights situations into decision-making processes that relate to environmental and social considerations.

142. As per the JICA guidelines, social impacts includes migration of population and involuntary resettlement, local economy such as employment and livelihood, utilization of land and local resources, social institutions such as social capital and local decision-making institutions, existing social infrastructures and services, vulnerable social groups such as poor and IPs, equality of benefits and losses and equality in the development process, gender, children's right, cultural heritage, local conflicts and diseases as HIV/AIDs.

143. Out of the seven, the two core principles focus on stakeholder that includes IPs, participation and disclosure of information. The two policy principles are as follows:

- 1 JICA asks stakeholders for their participation: JICA incorporates stakeholder opinions into decision-making processes regarding environmental and social considerations by ensuring the meaningful participation of stakeholders in order to have consideration for environmental and social factors and to reach a consensus accordingly. JICA replies to stakeholders' questions. Stakeholders who participate in meetings are responsible for what they say.
- 2 JICA discloses information: JICA itself discloses information on environmental and social considerations in collaboration with project proponents etc., in order to ensure accountability and to promote the participation of various stakeholders

144. In the case of Category A projects, JICA encourages project proponents etc. to consult with local stakeholders including IPs about their understanding of development needs, the likely adverse impacts on the environment and society, and the analysis of alternatives at an early stage of the project, and assists project proponents as needed. In the case of Category B projects, JICA encourages project proponents etc. to consult with local stakeholders when necessary.

## **K. EIB Requirements on Indigenous and Vulnerable People**

145. Special attention should be paid to the rights of vulnerable groups which can include indigenous people, ethnic minorities, women, migrants, the very young and the very old. In particular for vulnerable groups the livelihoods are especially sensitive to socio-economic changes and their dependency on access to essential services and participation in decision-making.

146. Rights and interest of vulnerable groups have the following objectives:

- 1 Affirm, respect, and protect the rights and interests of vulnerable individuals and groups within the designated operational scope, throughout the project lifecycle. Such rights include the right to non-discrimination, the right to equal treatment between women and men and the rights of indigenous peoples.
- 2 Adopt a gender-sensitive approach to the management of environmental and social impacts, that takes into account the rights and interests of women and girls, men and boys, including specific attention to the differentiated burden of impacts that women and girls might face.
- 3 Identify and avoid adverse impacts of EIB operations on the lives and livelihoods of vulnerable individuals and groups, including women and girls, minorities and indigenous peoples. Where avoidance is not feasible, to reduce, minimize, mitigate or effectively remedy impacts.
- 4 Ensure that vulnerable individuals and groups are duly and early on identified in EIB operations and that engagement is meaningful, taking into account individuals' and communities' specificities, and delivered in an appropriate form, manner and language.

- 5 Enable vulnerable groups, including women and girls, minorities and indigenous peoples to benefit from EIB-financed operation.

## **VIII. ENTITLEMENT, ASSISTANCE AND BENEFITS**

### **A. The Entitlement Policy**

147. The entitlement matrix below summarizes the main types of losses and corresponding entitlements, which reflect the Nepal laws and regulations, safeguard policies of ADB, JICA and the EIB Principles and Standards. The standard entitlements listed in the entitlement matrix have been maintained as already applied in the Draft RIPP 2012., Attempt has been made to enhance and further detail out the entitlements in this UpRIPP. The entitlements and policy guidelines to be adopted for the Project are discussed under three headings namely:

- 1 Units of Entitlement.
- 2 Categorization of APs according to the Severity of Impacts.
- 3 Types of Entitlements.

#### **1. Units of Entitlement**

148. Most development projects of public interest affect property owners and occupants, their dependents and community groups through acquisition of private and community assets. The Entitlement Policy specifies compensation and/or rehabilitation measures for two major units of entitlement: individuals (i.e. APs and their households) and community or groups.

##### **a. The Individual**

149. This category includes APs as individuals (men and women) who may suffer one or a combination of the following losses. The Aps include all affected populations including Janajatis:

- 1 All or part of residential land.
- 2 All or part of cultivated land, forestry land, and/or grazing land (titleholders and registered and non-registered tenants).
- 3 All or part of guthi (trust) land.
- 4 Loss of crops or trees on temporary or permanently affected land.
- 5 All or part of residential structures (titleholders, tenants, encroachers, and landless squatters).
- 6 All or part of commercial structures (titleholders, tenants, encroachers, and landless squatters).
- 7 Rented accommodation (renter).
- 8 All or part of other structures (titleholders, tenants, encroachers and landless squatter).
- 9 Income sources and income-earning capacity (e.g. farmers, commercial establishment owners).
- 10 Other losses e.g., reduced access to natural resources, water flow (mill owners, irrigation users, fishermen, firewood etc.).
- 11 Leaseholds - the leased-in land for the project (leased holders).

##### **b. APs and their Households**

150. APs include persons of the household suffering any of the above-mentioned losses. The unit of entitlement for compensation will be the titleholder or household head, or heir(s), in the case of the loss of privately-owned assets and resources. For displacement allowance, the unit of entitlement will be each person of the household. For the rehabilitation assistance, the unit of entitlement will be the family and/or household. For example, in some cases, household subsistence and survival strategies may be disrupted through the loss of land or business



enterprises. In such cases, the rehabilitation assistance will be provided to the household. Some rehabilitation measures such as the provision of employment can be extended to adult APs.

### **c. Community or Groups**

151. The Project may acquire community land (e.g. community forests) or publicly owned structures. In some cases, some parts of the community institutions such as schools may be affected. For measures to re-establish community structures such as burial sites (ghat), temples, irrigation canals, transport lines etc., as well as compensation for loss of community forests, user groups or the community will be the unit of entitlement.

152. The Project may also have indirect, less-quantifiable or unforeseen effects on people living within the affected area or in the vicinity of the project. Potential negative impacts may include reduced access to natural resources or social services, impacts on water supply and irrigation systems, or changes to local employment practices. For example, people living below the intake site may suffer from reduced water flow resulting in lowered agricultural production or fish harvests or reduced operation of water mills. All such impacts will be mitigated under the project which are further outlined in the Environmental Management Plan.

## **2. Categorization of APs**

153. The severity of project impacts due to acquisition of land and other assets is not equal for all the affected persons. While some households are only marginally affected by losing a fraction of land or income, others lose significant proportion of land or residential house or both. Thus, for convenience of determining entitlements, projects may distinguish households into those incurring significant impacts and those incurring marginal impacts. This will facilitate determination of rehabilitation assistance. All affected households will be entitled for compensation and assistance (as per entitlement matrix).

## **3. Types of Entitlements**

154. In accordance with the involuntary resettlement principles set forth in the RIPP, the identified APs will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets, and scope of the impacts including socio-economic vulnerability of the affected persons and measures to support livelihood restoration if livelihood impacts are envisaged. Broadly, the types of entitlements that APs are eligible to, are discussed below:

- 1 Compensation.
- 2 Displacement assistance or allowances.
- 3 Other rehabilitation assistances.
- 4 Additional support or assistance to the vulnerable.
- 5 General information dissemination and counselling.

155. A detailed description of compensation measure and assistance for losses incurring in this Project are provided in the entitlement matrix (**Table VIII-1**). The following section provides a brief summary of the same.

## **B. Description of Entitlements**

### **1. Compensation**

156. Compensation shall be provided to the APs for all types of losses incurred as a result of the Project. It should be noted that the entitlements and valuation procedures concerning acquisition of assets described in the following sections are based on the provisions of the Land Acquisition Act 2034 (1977). The Act also allows acquisition of assets to take place through direct negotiations and agreement between the Project and the owner. However, in cases where in a large number of plots must be acquired by the Project and/or if no agreements can be reached during direct negotiations, acquisition will take place following standard procedures of the Land Acquisition Act.

#### **a. Loss of Land (agricultural, residential, commercial and forestry)**

157. Land in Nepal is grouped into different types and classes, which in turn, form the basis for the calculation of land taxes. The main land types are khet, bari and ghaderi. Khet is irrigated land, generally situated in valleys and mainly used for paddy rice and wheat production. Bari is non-irrigated land mostly situated on hill slopes and is used mainly for rain-fed production of crops such as millet and maize. Ghaderi is homestead (including kitchen gardening) land. Khet, bari and ghaderi are in turn subdivided into the following land classes: Abal (class 1 land); Doyam (class 2 land); Sim (class 3 land); and Chahar (class 4 land).

158. Those who lose privately owned land due to project activities are entitled to compensation. Such entitled persons include titleholders (owner cum cultivator), absentee landlords, registered tenants and non-registered tenants (legalizable). The type of compensation entitlement for them are enumerated in the Entitlement Matric of **Table VIII-1**.

159. Non-registered tenant farmers will be assisted to become registered tenants wherever possible. This requires a formal agreement to be signed between the tenant and the titleholder. If the agreement is formalized, the tenant will be entitled to compensation as a registered tenant.

160. Those who remain non-registered tenants (i.e. those with non-legalizable claims to the land) and who have cultivated the affected land for at least 3 years prior to the cut-off date (to be validated by VDC) and do not have title to any other land, will be entitled to allocation of land if ailani or other government land is available, as determined by the concerned authority in the district. This group will also be entitled to rehabilitation assistance.

161. Wherever possible, the spouse of APs (households) should be present during the compensation payment.

162. In addition to compensation for their lost assets, the APs incurring significant impacts will also be entitled to rehabilitation measures and other assistance.

163. The Project will assist vulnerable HHs for reinvestment of their compensation in other productive assets, specifically with the identification and purchase of suitable privately-owned cultivation land in the vicinity. The Project will follow the objective to improve the standard of living of vulnerable peoples at least to the national minimal level. The Project has formed Local Consultative Forum in the VDC to facilitate this process.

164. In order to restore the loss of farmland, if any APs purchase farmland in another place within 1 year from the date of receiving compensation, the land registration fee for the purchased replacement land of equal amount or price, shall be paid by the Project. This option will be equally applicable in urban areas as well.

165. For temporarily acquired land for the construction works of the Project, the Project will consider a temporary occupation contract with APs, according to their capability and qualifications. The contract will specify the details of the occupancy period, conditions for use and returning of the land, and the amounts of compensation to be paid. Compensation and restoration of land, if already temporarily acquired for some works, will be made retroactively. The temporary occupation of any land will be compensated at the replacement cost for the losses incurred due to temporary occupation. On completion of occupation, the land will be restored at least to its initial condition or better prior to handing it over to the owner.

166. Owners of Guthi (trust) land will be compensated according to the Guthi Corporation Act 2033. Replacement land will be provided if ailani (unclaimed arable land) or other government land is available. Otherwise monetary compensation (cash or cheque) at full replacement cost will be provided. Marginal losses will be compensated by means of cash compensation.

#### **b. Entitlements for Leaseholders at Disposal Sites**

167. As the EA for construction of the hydropower plant, THL will sign a formal lease agreement with each titleholder whose land is being leased. An annual leasing arrangement for an annual fix payment will be negotiated with each of these landowners. A format of the lease agreement will be provided later.

168. In case, the titleholders do not agree to lease their land, the THL shall acquire the land on negotiated market replacement rate of the land. THL will fully restore the leased land to its original condition and return it to the leaseholder at the end of leasing period.

169. THL will ensure that persons (other than the landowners) affected as a result of leasing of land for the Project are also compensated for the loss of income incurred due to the leasing of land. Mutually agreed leasing rates will be paid by THL to the titleholder annually. The first payment will be done before the land is taken over by the THL. All costs related to land leasing and restoration will be borne by THL.

#### **c. Loss of Residential and Commercial Structures (houses) and Other Structures**

170. Owners of affected houses and other structures such as goth (sheds), separate kitchen, walls and other structures shall be compensated in cash, for full or partial losses, at replacement cost as determined by the CDC. This will include titleholders and tenants on private land, and encroachers and landless squatters occupying public land at the time of the eligibility cut-off date for each project component and sub-component. In case there are structures that could be re-installed at a new site, the transport and re-installation cost shall be provided by the project. Furthermore, structures that are only partially affected shall be entitled to the cost of structure repair along with compensation for affected materials at replacement cost.

171. Compensation for land and structures would be paid in one lump sum. It would be paid on the spot so that APs do not have to travel to the district office for the same. The affected asset owners will have the right to salvage materials from the affected buildings. The value of salvaged materials will not be deducted from the final compensation amount.

172. Displaced owners (i.e. titleholders, tenants in own accommodation, and encroachers & squatters on public land) of houses and commercial establishments to be relocated shall be provided displacement assistances or allowances as provided for in the entitlement matrix. Households that are displaced from their rented accommodation, will not be entitled to compensation for the (non-owned) structure, but will also be entitled to the displacement assistance

173. If there is a need for relocation of households to new settlements involving host communities, resettlement assistance shall be provided to ensure effective integration with host communities and adequate provision of services and infrastructure. A transfer allowance for shifting household assets, in case of self-relocation, will on actual cost basis or at the rate of NRs. 35,000 per household (to be paid to the household head).

#### **d. Loss of Crop and Other Natural Resources**

174. Construction works would as far as possible be planned to allow for the harvesting of non-perennial and perennial crops before land is acquired. Where crops cannot be harvested, or the destruction of crops is unavoidable, compensation will be paid, based on market value of crop at the time of compensation, as determined by the CDC. All other resources from privately owned trees (e.g. timber/fuel wood) would remain the property of the concerned owner. For land under registered tenancy, the amount of compensation for standing crops and permanent crops such as bamboo, timber and fruit trees shall be divided equally between the landowner and the tenant.

175. For land occupied by non-registered tenants, the amount of compensation for standing crops shall be divided according to lease or sharecropping agreement between tenant and landowner. However, compensation for loss of permanent crops such as bamboo, timber and fruit trees shall be provided only to the owner.

176. The Departments of Agriculture & Cooperatives and Forest & Soil Conservation shall be consulted for assisting affected owners with the restoration of new trees/perennial crops. Where necessary, the support to such programs will be funded by the Project.

#### **e. Loss of Community Facilities and Resources**

177. Affected community buildings and facilities shall be restored to their previous condition or replaced in areas identified in consultation with affected communities and the relevant authorities. The community facilities include schools, temples, health posts, waiting sheds (thanti), water points, irrigation canals, trails/footpaths and bridges, graves and/or ghats.

178. Where communal grazing lands are affected, under the current government regulations, the Department of Agriculture (Pasture Development Section) shall be requested to assist communities for adequately mitigating the impacts on grazing area. Likewise, where community-owned trees are acquired, the Department of Forestry will be consulted to advice forest user groups regarding future production losses and compensation modalities. User groups shall be assisted with the re-establishment of new trees/perennial crops and the establishment or improvement of community forestry programs. The aim of these support programmes shall be the improvement of remaining communal areas and resources to ensure that pre-project levels of supplied resources are maintained or improved upon. Where required, these support programs shall be funded by the Project. In addition, advance notice shall be given to harvest resources from the affected areas.

179. Any loss of trees in the area of influence shall be mitigated by means of afforestation exercises to be undertaken by the Project in consultation with local communities and the Department of Forestry.

**f. Other Individual and Group Losses**

180. Vulnerable social categories and others such as porters and other providers of non-vehicular transport along the direct project affected area who lose income indirectly as a result of the project shall be identified, based on monitoring results, in consultation with local government and representatives. The rehabilitation assistance based on the extent of loss shall be provided as determined by the CDC.

181. The loss of water for irrigation or for water mills due to diversion for electricity generation would be mitigated before it can affect farmers and concerned property owners. The mitigation measures shall be based on findings of baseline information in the Environmental Management Plan. The affected group shall be entitled to be paid for the cost of construction of any necessary mitigation measures. If such measures are also required in subsequent years, the affected owners would be entitled to funds from a revolving fund to restore access to water for the affected systems. Similar provisions shall be made if other indirect impacts (e.g. on fisheries) prove to cause severe impacts to certain groups of APs.

**g. Damages caused during Construction**

182. Extreme care would be taken by contractors to avoid damaging public and private property during construction. In case of damages to public or private property as a result of construction works, the contractor shall be required to pay compensation immediately to APs, vulnerable groups, communities, or government agencies for damages to crops and trees. Damaged land, structures and infrastructure shall be restored immediately to their former condition.

**h. Government Property**

183. Government infrastructure and facilities including utilities affected by the Project shall be repaired and/or replaced in consultation with the relevant departmental authorities. The Government forested areas, if required, shall be acquired in consultation with the Department of Forestry and any loss of trees therein shall be mitigated by means of afforestation exercises undertaken by the project as far as possible.

**2. Displacement Assurances/ Allowances**

184. In addition to compensation for lost assets, the AHs that are physically displaced from their housing shall be entitled to the below explained displacement allowances.

185. The affected HHs that require relocation shall receive a rental assistance or displacement allowance for 180 days at the rate of NRs. 500 per day per household. The wage rate (minimum wage) will be as established at the national or local level (whichever is higher). Such an allowance shall be paid to the head of the household. Titleholders, tenants in own accommodation, encroachers and squatters and those being displaced from rented accommodation will be entitled to this allowance. This allowance will be paid at the time of compensation payment (but in any case, prior to displacement).

186. Owners of commercial enterprises who are required to relocate shall receive a business displacement allowance equivalent to 3 months wages (minimum wage) as established at the national or local level (whichever is higher). This allowance will be paid at the time of compensation payment. Titleholders, tenants in own accommodation, encroachers and squatters will be entitled to this allowance, to be paid at the time of compensation payment (but in any case, prior to displacement).

187. Households whose landholdings are no longer economically viable as a result of land losses e.g., less than 0.5 ropani in rural areas, or 2.5 ana in urban area, as defined in this resettlement plan, shall receive a cultivation disruption allowance equal to one season's production on the area lost. The amount payable shall be based on published district production figures, land type (i.e. irrigated and non-irrigated) and market prices for crops for the year in which the land is acquired. The allowance will be paid at the time of compensation payment.

188. Displaced households who have to build new accommodation and have to make transitional accommodation arrangement shall receive a rental stipend as determined by the CDC for 6 months

189. Displaced households of rented accommodation also shall receive, in addition to the housing displacement allowance, a rental stipend (allowance) equal to 30 days wage amount as established at the national or local level, whichever amount is higher; to be paid before relocation.

190. All displaced households shall be entitled to a transportation allowance or transportation assistance provided by the project to move their belongings including salvage materials. The amount to be paid would depend upon the quantity of materials and distance to be moved.

### **3. Additional Support to Vulnerable Persons.**

191. Apart from the provision of displacement allowances, the rehabilitation of APs from vulnerable groups in the vicinity of the Project area shall also be supported through the following measure:

- 1 Assessment of current economic activities and potential for improvement of these activities.
- 2 Assessment of alternative income-earning opportunities.

192. APs from vulnerable groups will need special assistance in addition to compensation and resettlement assistance so as to at least restore but preferably improve their lives and livelihoods. Such special assistance will include the following:

- 1 Preferential access to project construction employment opportunities.
- 2 Skill training: Among APs who are not qualified for employment at project sites, the Project shall encourage construction contractors to provide on-the-job training to select APs in turn enabling them to earn a living from the Project. The need to train local people in required skills to work at project sites will be included in bidding documents and contracts.
- 3 Training/Counselling on financial literacy and/or cash management / saving schemes.
- 4 Counselling regarding project impacts, compensation alternatives and risks and resettlement options (where required).

193. The Project shall undertake consultations with contractors and local communities to establish mutually agreeable conditions for employment of the local population, especially the ones who belong to vulnerable groups. Person from vulnerable affected HH will be given preference to attend project sponsored vocation training program that would help them in obtaining employment and/or earning livelihood as far as possible. Efforts shall be made to link trainings with definite employment opportunities.

194. APs that undergo training as rehabilitation assistance shall be supported by the Project. The project will facilitate the assessment and, where feasible, establishment of small-scale income-generating schemes for APs from households incurring significant impact in the Project. Similarly, the Project would investigate the potential for co-ordination with existing to national poverty alleviation and credit programs in order to provide access to the same.

195. APs from vulnerable groups shall have access to agricultural extension services to increase production on their remaining agricultural and other land. The Department of Agriculture and Forest and Soil Conservation shall be requested to assist APs of the Project. Any costs incurred in the same shall be borne by the project.

#### **4. General Information Dissemination and Counselling**

196. General information and counselling will be provided to all APs within the project areas to inform them regarding project impacts, construction schedules and acquisition dates, valuation, compensation and grievance resolution mechanisms, construction employment procedures and local development initiatives.

#### **C. Other Unanticipated Impacts**

197. Unforeseen impacts will be documented and mitigated based on the principles agreed upon in the resettlement framework. The EA will deal with any unanticipated adverse impacts arising from Project intervention or associated activity during or after project implementation. The affected individual or households will be entitled for receiving compensation and/or assistance for such unforeseen adverse impacts.

#### **D. Cut-off Date**

198. The cut-off dates are related to the period of conducting the DMS, see Table below. Those who encroached into the subproject area after the cut-off date will not be entitled to compensation or any other assistance.

199. The Entitlement Matrix below summarizes the main types of losses and corresponding entitlements, which reflect the Nepal laws and regulations, safeguard policies of ADB and JICA. The standard entitlements listed in the entitlement matrix have been maintained as per Resettlement Framework approved earlier. However, entitlements for leased land were not included in the Resettlement Framework. As a result, attempt has been made to enhance and further detail out the entitlements in this UpRIPP.

## E. Implementation Aspects for Entitlement Matrix

### 1. DMS and Payments

200. An overview about the DMS and the payments of compensation for affected land and other assets as well as allowances is given in **Table VIII-1**. It shows for the different project components the long periods in which these surveys and payments take place.

**Table VIII-1: DMS and Allowances Overview**

Activity		Camp Site and Access Road	Dam Site and Reservoir Area	Beteni & Banchara Area	Other Areas
		Pre-Construction Phase			Construction Phase
Detailed Measurement Survey (DMS)		22 Dec. 2011 to 18 Feb. 2012	2 Sep. 2016 to 1 Dec. 2016	25 April 2018 ongoing 15 July 2018	
Fixation of Compensation by Compensation Determination Committee (CDC)		29 Feb. 2012	5 Feb. 2017	17 Sep. 2018	
Land Acquisition and Resettlement (LAR)	Payment of land, structures and trees	23 Dec. 2012 to 25 Aug. 2014	16 Feb. 2017 ongoing 31 Dec. 2018	Scheduled  Sept. 2018 to Dec. 2018	
	Transfer of materials allowance	23 Dec. 2012 to 12 June 2017			
	Housing displacement allowance	23 Dec. 2012 to 12 June 2017			
	Rental assistance	23 Dec. 2012 to 12 June 2017			
	Loss of business (allowance)	No cases			
	Vulnerable assistance (allowance)	24 Jan. 2018 to 30 Jan. 2018			
	Non-title holders allowance (encroachers)	No cases			
	Livelihood support and income generation assistance (allowance)		25 April 2018 ongoing 31. Dec. 2018		



## 2. Applied Principles and Unit Rates

201. The implemented LAR, prior to the update of the RIPP, was done in accordance with the RIPP. They were confirmed through Due Diligence Reports by independent verifications from an NGO on compensation payments and process facilitation, as specified in the PAM. The following principles, and unit rates are applied:

- 1 Compensation rates were estimated on replacement cost based on the local market price using indicators, such as type of land and other assets on the land, location of land, Government rate and consultation with local community including the affected households of each location.
- 2 The difference between determined governmental rate and market price is enough to meet the replacement cost and cover the annual price index rate during the compensation period. For example, the unit rates applied by the Compensation Determination Committee (CDC) for land in the reservoir is 8.33 to 45 times higher than the prevailing official unit rates. Thus, it applies replacement costs based on market values which are much higher than the actual values. Also, structures were valued the satisfaction of their owners.
- 3 The compensation payment and receipt process were carried out appropriately in accordance with the predetermined procedure set by the RIPP, PAM, and principles of SPS (2009).
- 4 The participation and consultation process was found to be effective and continuously improved. As a result, the 21-Points Agreement has been signed between THL and the concerned committees. The member of concerned committee supported the THP and agreed to transform "concern committee" into "coordination committees".
- 5 The grievance redress mechanism are functioning well.

202. Provisions specified in RIPP for compensation payments, entitlements and providing assistances/allowances have well assessed, valued and paid to affected persons to restore livelihood. The compensation and allowance rates are determined and used as follows:

- 1 Applied allowances and other payments match the required support requirements of the AHs and/or are in line with official unit rates.
- 2 Allowances unit rates were used as defined in the Draft RIPP and based on CDC decision about their applications, because of:
  - (i) still valid application concerning NR 35,000 transfer allowance for physically displaced AHs or NR 10,000 special assistance for vulnerable AHs, and
  - (ii) official fixation of average wage rates as shown in the below table. The NR/day 500 for an AH as defined in the Draft RIPP for example, have been much higher than the NR/day 375 applied district wage rate for the fiscal year 2012/13, when payment to AHs started.

**Table VIII-2: Housing Displacement and Rental Allowances**

Table VII-2: Housing Displacement and Rental Allowances						
Ser. No.	Location	Agriculture Wage Rates [NRs]				Remarks
		Male	Female	Total	Average	
Year 2016/17						Reservoir Area
1	Bhimad	600	400	1000	500	The allowance payments started in fiscal years 2016/2017. Therefore the NR 500 are applied for the concerned AHs, as it is not known at that moment, when individual AHs can be contacted, are available, and can receive the compensation. It avoids also the scenario, that AHs would wait as long as possible in order to get a higher wage rate.
2	Rising	500	400	900	450	
3	Myagde	600	400	1000	500	
4	Vyas	650	450	1100	550	
Rounded Average Rate		588	413	1000	500	Applying same rates does follow equal treatment of AHs and avoid possible social tensions. The average wage rate of 2016/17 and 2017/18 is NR 528 representing a difference of only 6% to the NR 500.
Year 2017/2018						
5	Bhimad	650	450	1100	550	
6	Rising	550	450	1000	500	
7	Myagde	600	500	1100	550	The average wage rate of 2016/17 and 2017/18 is NR 528 representing a difference of only 6% to the NR 500.
8	Vyas	750	500	1250	625	
Rounded Average Rate		638	475	1113	556	
Year 2018/2019						Beteni and Banchare Areas
9	Bhimad	To be collected				Start and completion of allowance payments are scheduled for the fiscal year 2018/19.
10	Rising					
11	Myagde					Therefore a higher wage rate will be applied.
12	Vyas					
Rounded Average Rate						
Ser. No	Year	District		Wage Rate		Remarks
						Campsite and Access Road
9	2012/13	Tanahu		375	The housing displacement and rental assistance were paid between Dec. 2012 and June 2017. Referring to the year 2012, the paid amount is higher than the required wage rate.	
10	2013/14			400		
11	2014/15			440		
12	2015/16			470	For this period the average district wage rate is NR 445, which are covered by the EM defined NR 500.	
13	2016/17			540		
Note 1	The shown wage rates are determined for fiscal years by the District Rate Determination Committee.					
Note 2	The local agriculture rate the displaced APs considered for their households.					
Note 3	The district wage rate has been included to serve as comparison and to provide the reference to the year of first payment of housing displacement and rental allowances.					

- 3 The CDC has decided to provide additional allowances as provisioned in the RIPP for restoration of income and livelihood. To restore the livelihood of affected non-title households, the CDC has decided to provide additional NRs 400,000 to each AH to purchase the land on top of other allowances. CDC also decided to provide additional NRs 250,000 onetime cash support to AHs losing their entire land of their ownership.

203. The compensation for affected land and other assets provided to APs is normally used either to buy land or constructing new house. Some of the amount has also been used for loan repayment and other income generating activities. Largely compensation payment is being used as intended and objective of RIPP has been achieved. The livelihood support related allowances are normally also used for the intended purpose. Similarly, the vulnerable assistance (NPR 55,000/AH) is used for several needs, e.g. paying school fees, repairing/maintaining houses, keeping money as saving, purchasing or maintaining households affects, and others. No complaints were reported by the independent DDRs about the principles and unit rates.

Table VIII-3: Entitlement Matrix

Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
<b>A. Loss of Land</b>					
<b>A.1. Loss of Agricultural Land</b>					
Loss of cultivated wetland by land owners	Land acquired for a project-related activity	Person(s) with land ownership records	Cash compensation based on replacement cost.  All fees, taxes and other charges as applicable under relevant laws and regulations	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made in full to the AP before taking possession of the land.
Loss of cultivated dry land by land owners	Land acquired for a project-related activity	Person(s) with land ownership records	Cash compensation based on replacement cost of the land.  All fees, taxes and other charges as applicable under the relevant laws and regulations.	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made in full to the AP before taking possession of the land
Loss of cultivated common land	Land taken over for a project-related activity	Community or Village where the common land is located	Cash compensation based on replacement cost  All fees, taxes and other charges as applicable under the relevant laws, incurred in the relocation and resource are to be borne by the project.	The EA and CDC to compensate VDC for the affected community common land.	Payment will be made in full to the AP before taking possession of the asset.
Loss of tenanted agricultural land (cultivated wetland, Dry land) by permanent tenants	Land for a project-related activity	Renter or Sharecropper of the affected land	50 percent cash compensation to the share cropper/ tenants of the affected plots as per the prevailing laws (LA Act Clause 20). Other 50 percent to the landowner	The EA and CDC will compensate the tenants for loss of tenancy.	Payment will be made in full to the AP before taking possession of the land.

Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
Leasing of land by the landowners for project purposes.	Land leased for a period of seven years	Person(s) with land ownership records.	<p>NEA will sign a formal lease agreement with each titleholder affected. An annual leasing arrangement for an annual fix payment will also be agreed with each titleholder.</p> <p>The EA will fully restore the leased land to its original condition and return it to the leaseholder at the end of the leasing period.</p> <p>The EA will ensure that persons (other than the landowners) affected as a result of leasing of land for the Project are also compensated for loss of income incurred due to the leasing of land.</p>	The EA will Compensate for leasing of land.	Mutually agreed leasing rates will be paid by the EA to the lease annually. The first payment will be done before the land is taken over by the EA. All cost related to land leasing and restoration will be borne by the EA.
<b>A.2. Loss of Residential Land</b>					
Loss of residential land by landowners	Land acquired for a project-related activity	Person(s) with land ownership records	<p>Cash compensation based on replacement cost.</p> <p>All fees, taxes and other charges as applicable under the relevant laws and regulations.</p>	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made in full to the AP before taking possession of the land.
<b>A.3. Loss of Commercial Land (which include shops and any business establishment)</b>					
Loss of commercial land by landowners	Land acquired for a project-related activity	Person(s) with land ownership records	<p>Cash compensation based on replacement cost.</p> <p>All fees, taxes and other charges as applicable under the relevant laws and regulations.</p>	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made in full to the AP before taking possession of the land.

Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
<b>A.4. Temporary Impacts on Land</b>					
Temporary impacts during construction such as damage to adjacent parcel of land due to movement of machinery and plant sites for contractors	Land acquired temporarily by the project contractors	<p>Person(s) with land ownership records or those with other user rights; subject to verification</p> <p>Tenants</p> <p>Community</p>	<p>Contractor to negotiate a contract agreement on a rental rate with the owner or user of the land that will be temporarily acquired.</p> <p>Project and the contractor to ensure that persons other than the owner affected as a result of temporary acquisition are also compensated for loss of at least 3 months income.</p> <p>Land should be returned to the owner at the end of temporary acquisition period after fully restoring it to its original condition or improved as agreed with the AP.</p>	Contractors to Compensate for temporary acquisition of land.	Payment will be made in full to the AP by the contractor/the EA, before temporarily taking possession of the land.
<b>B. Loss of Residential and Commercial Structures</b>					
Loss of residential and commercial structures	Structures affected on the land either permanently acquired or temporarily acquired	Owners of the structures irrespective of ownership of land on which the structure stands	<p>Cash compensation at replacement cost.</p> <p>AP shall be allowed to take salvaged material from the demolished structure at no costs.</p> <p>A transfer allowance for shifting household assets, in case self-relocation to cover cost of shifting at the rate of NR 35000 per household.</p> <p>In case of rebuilding/ rehabilitation of the structure, a disturbance allowance shall be provided to head of the affected HH at the rate of NRs. 500 per day for 180 days.</p> <p>Rental assistance for 180 days per house at the rate of NR 500 per day.</p>	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made, in full, to the AP before taking possession of the structure.

Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
		Tenants/Renters/ Leaseholders of	Rental assistance equivalent to 180 days @ NR 500 per day per HH.	Assistance to make alternative	The EA, CDC and supervision
		Squatters/informal dwellers (defined as a person who appears from nowhere and occupies vacant government land/structure for living space and/or livelihoods)	Cash compensation for non-land assets at replacement cost. AP shall be allowed to take salvaged material from the demolished structure at no costs. A transfer allowance for shifting household assets, in case self-relocation to cover cost of shifting at the rate of NR 35000 per household. In case of rebuilding/ rehabilitation of the structure, a disturbance allowance of shall be provided to one member of the affected HH at the rate of NR 500 per day for 180 days. Rental assistance for 180 days per house at the rate of NR 500 per day.	Restoration of Residence and/or shop	The EA and CDC will ensure payment prior to physical displacement.
		Encroachers (defined as a person who has legal title holding to land but illegally extends his occupation onto the contiguous, vacant government land)	Compensation for non-land assets at replacement cost only to the vulnerable households.  Encroachers will be notified and given advance notice to remove their assets.  Right to salvage material from demolished structure at no cost.	The EA, CDC and supervision consultant	Encroachers who are vulnerable/ below poverty line are to be assisted on a case-by- case basis considering their household income and assets.

Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
<b>C. Loss of Income Generating Sources and Assets</b>					
<b>C.1. Loss of Agricultural Crops and Trees</b>					
Loss of agricultural crops, fruits and timber trees	Land acquired for a project-related activity	Owner of crops or trees (including encroachers, squatters, Sharecroppers, and tenants	<p>Advance notice of 1 month to be provided to APs to harvest their crops.</p> <p>Cash compensation for loss of agricultural crops at current market value of mature crops (if destroyed) based on average production in last 2 years. The unit rates for the same will be determined based on wholesale market and in consultation with the Agriculture Department.</p> <p>Compensation for loss of fruit trees for average fruit production for 5 years to be computed at the current market value based on the whole sale market price. The final unit price will be determined based on wholesale price and in consultation with the Horticulture Department.</p> <p>Compensation for loss of timber trees at current market value of wood (timber or firewood, as the case may be). The unit price will be determined based on market wholesale price and in consultation with the forest department.</p>	Cash compensation for lost crops/trees as per rates from Agriculture Department	The EA and CDC will ensure that the payment of compensation is made prior to taking physical possession of the land.

Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
Impact on commercial fishing	Downstream impacts, if any.	Loss of income earned by commercial fishing any small business activity which are even seasonal in nature	Compensation for annual loss of income based on average income for last 3 years.	Assistance/ compensation for loss of income	The EA, CDC and Supervision Consultant will ensure payment is made.
<b>C.2. Special Assistance for livelihood restoration</b>					
Livelihood assistance and skill development training to the family having significant loss of property and income sources	Significantly Affected Families	Family significant losing land or source of income affected by the project.  Absentee landlords will not be eligible for this provision	At least one-person from each affected household will be considered for income generating vocational training and skill improvement options as per their choice.  As far as possible temporary employment will be provided to affected households in the project construction work by the project contractor. Preference will be given to affected people living below poverty line, vulnerable or lost their employment or income generation source due to project impacts.	Income restoration assistance.	The EA, CDC and Supervision consultant will ensure assistance is provided. This will be a long term but time bound activity.
Loss of businesses	Business adversely affected by the project	Owner of business	One-time lump sum grant: minimum three-month's income based on the nature of business and type of losses assessed on a case-to-case basis. One-time cash assistance equivalent to three months of average income based	Short-term compensation for loss of income	The EA, CDC and Supervision Consultant will ensure payment is made prior to physical displacement.



Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
			on the nature of businesses for re-establishing the business at an alternative premise.	Removal or relocation assistance.	The EA, CDC and Supervision Consultant will ensure payment is made prior to physical displacement.
Loss of income of small vendors	Business affected temporarily during project construction	Non-mobile business operators on footpaths to project sites	One-time cash assistance: Minimum six months income based on the nature of business and type of losses determined on a case-to-case basis, by the CDC.  Shifting allowance will be paid to the affected (if applicable), on actual cost basis.	Short-term compensation for loss of income.	The EA, CDC and Supervision Consultant will ensure payment is made prior to physical displacement.
Loss of income by agricultural labourers /wage earners identified during verification census survey	Work opportunities reduced	Agriculture labourers indirectly affected by land acquisition or displacement of employer	One-time financial assistance equivalent to 90 days of wage to be computed on the basis of local wage rates in the district for each category of labourers.	Short-term assistance/ compensation for loss of income.	The EA, CDC and Supervision Consultant will ensure payments are made immediately after economic displacement.
Loss of wages by	Income	Wage earning	One-time financial assistance to	Short-term	The EA, CDC and

Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
employees	reduced due to dislocation	employees indirectly affected by displacement of commercial structures	<p>hired employees equivalent to 90 days wages to be computed on the basis of local wage rates as determined by CDC.</p> <p>APs who are semi-skilled and unskilled labourers will be considered for a priority in employment opportunities in the Project's implementation work.</p>	assistance/ compensation for loss of income.	Supervision Consultant will ensure payments are made prior to displacement.
<b>D. ADDITIONAL SUPPORT TO VULNERABLE</b>					
Additional assistance to vulnerable groups including <i>janajati</i> households	Household income affected as a result of project construction	Households categorized as vulnerable namely Women-headed households: disable or elderly person: ethnic/ occupational caste people: APs who live under official poverty line	<p>Cash assistance for 90 days at the local agriculture wage rate.</p> <p>Special assistance of NR 10,000 to an affected vulnerable household for restoring livelihood.</p> <p>At least one-person from each affected household will be considered for income generating Vocational training and skill improvement options as per their choice.</p> <p>As far as possible temporary employment will be provided to affected households in the project construction work by the project contractor. Preference will be given to affected people living below poverty line, vulnerable or lost their employment or income generation source due to project impacts.</p>	Income restoration assistance.	<p>The EA, CDC and Supervision Consultant will ensure timely payment</p> <p>The Supervision Consultant would organize this training.</p> <p>The Supervision Consultant shall be responsible for this facility.</p>

**E. LOSS OF COMMON PROPERTY RESOURCES**

Loss of cultural and community structures/ facilities	Common property resources such as Monasteries, temples, ghat (cremation site) and community land and/or graveyards affected by the Project.	Affected community/ Institution responsible for the administration of the property	Replacement or restoration of the affected community facilities (including temples, shrines, <i>ghat</i> , public water stand posts etc.) in consultation with the affected community.  Or cash compensation for restoring the affected cultural/community structures to the recognized institution/ patron/ custodian of the affected structure. Project Assistance to move the structure to a new location	Replacement/ restoration of structure/facility	The EA, CDC and supervision consultant
Loss of structures or any asset which belongs to VDC or village community	Land on which property stands purchased or reclaimed for Project purpose	VDC or Village groups	Cash compensation at replacement cost.  VDC or village group will be allowed to take salvaged material from the demolished structure at no costs.  Transfer allowance in case of self-relocation to cover cost of shifting on actual cost basis or at the rate of NR 35000 per village.	Restoration of the structure	The EA and CDC are responsible to pay prior to affecting the assets.

**F. OTHER UNANTICIPATED IMPACTS**

Unanticipated adverse impacts due to project intervention or associated activity.	The EA and project implementation authorities will deal with any unanticipated impact of the project, during and after project implementation, based on the spirit of the principles agreed upon in RF and this RIPP.				
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## IX. RELOCATION OF HOUSING AND SETTLEMENT

204. The settlements in the project area have all dispersed settlement pattern, except market centers and built up areas in municipality areas. Damauli, as part of Byas municipality, is the largest settlement, followed by Bhimad.

205. There are 145 cases where private structures will be affected by the Project. With about 64% more than half of those cases are located in the reservoir area, followed by about one third (rounded 30%) for camp and installation areas, and the remaining small portion of rounded 6% along the Right Bank access road and in the camp area.

**Table IX-1: Affected Households by Loss of Type of Structures**

Ser. No.	Project Components		AH Cases						Status	
			Cases by type of structures							
			Primary	Secondary	Total					
			[No]				[%] rounded			
1	Camp		22	2	24		16,6		DMS and compensation payments completed	
2	Access Road		6	2	8		5,5		Names of AHs and affected structures are in IoL	
3	Reservoir		34	59	93		64,1		DMS completed ; Compensation payments nearly completed Names of AHs and affected structures are in IoL	
4	Site Installation & Access	Betini	15	1	16		11,0	13,8	DMS field work completed, and official data through CDC expected.	
		Banchare	4	0	4	20	2,8		Payment expected with start in Sept. and completion in Dec 2018.	
Totals			81	64	145		100		Note 1	Some AHs have a loss of both prim. and sec. structures. Therefore number of cases and number of AHs differ.
			[no]							
			56	44	100				Note 2	Item 4 will be subject of review by the DMS during pre-construction phase, whereas for item 5 this will be the case during the construction phase.
			[%]							

206. In total there are 81 displaced AHs being affected through the loss of their residential houses, of which 4 AHs also experiencing the loss of their secondary structures which leads to 81 non-displaced AHs losing only secondary structures, as explained below:

- 1 For the camp and access road components, there are 28 primary structures, meaning 28 residential houses of therefore displaced 28 AHs. As one of them has also a loss of secondary structures, the remaining 3 secondary structures belong to 3 AHs experience only a loss of such structures.
- 2 For the reservoir component, there are 34 displaced AHs losing their residential houses, of which 31 AHs also experiencing affected secondary structures. Therefore, from the total of 59 AHs losing secondary structures there are 28 cases who will lose only such structures and no primary ones.
- 3 For the Beteni and Banchare site installation area with access, there are 19 displaced AHs because of loss of primary structures, and one AH losing secondary structure only.

207. Based on those official Valuation Reports available to THL, it can be assessed that about 50% of the 81 affected residential assets comprises kachhi (thatched houses) construction, and 40% are semi-pakki (walls are made of bricks while roof or flooring is of mud/tin etc.) construction, whereas the remaining 10% are pakki (made of concrete cement) or pakki-kachi constructions. While primary structures are residential houses, secondary structures include normal a range of various structures in the premises of AHs, such as walls, sheds, toilets, kitchen, water tanks others.

208. During the DMS and related formal LAC procedures relocation options were discussed with the displaced households. No physically displaced household wanted land-for-land and house-for-house compensation and prefer in-cash compensation for the affected assets. THL has ensured that all compensation for structures is directly paid in timely manner after finalization of formal procedures. In addition to compensation payments for loss of assets, allowances are part of the support to AHs as defined in the Resettlement Framework. As the AHs have and will self-relocate within or outside their villages and wards, there is a need of adequate and timely compensation so as to make a smooth relocation to their desired places in accordance to their relocation ideas and interest. This has led already to different cases, where (i) AHs have already (as soon as possible) completed their relocation, (ii) other AHs are currently “moving” or constructing their new house, and (iii) those AHs who prefer to wait as long as possible until they would self-relocate. For all the cases THL applies to compensate them as early as possible, so that these AHs can decide and implement their relocation ideas and are not forced under time pressure to leave their houses and premises immediately after receipt of compensation payments. In addition, all the AH are allowed to use any construction material of their affected structures although they have been compensated for.

209. For better illustration of affected structures and locations, **Annex 8** has been prepared as photo documentation showing affected and newly constructed houses as well as affected and self-relocation sites.

## **X. INCOME RESTORATION AND REHABILITATION**

### **A. Livelihood at Risk**

210. The census indicates that water from the Seti River has not been used for irrigation in the project area. The census also does not indicate the presence of any households whose livelihood is primarily dependent upon fishing. But few villagers engage in recreational fishing. Migrant (floating) fisher-folk too do occasional fishing in the Madi River and in downstream areas of the Seti River as reported in the EIA. They will be considered for appropriate compensation after further assessments of their income losses are measured during project implementation. Since the social impact assessment and census survey brought forth that the key impact of the project would be on farmers, the majority of project-affected HHs are considered as farmer households who reported that the project would have an impact on their agricultural land as well as household income.

211. The main sources of income and livelihood affected by the Project are largely confined to income and earnings from agriculture. Impact on other sources of income such as those from trade and business is limited to a few households mainly in Wantang khola settlement. Apart from agriculture, the other main sources of income in the project area are business/trade, remittance, government job, wage labor and pension.

### **B. Income Restoration Strategies**

212. Livelihood restoration programs aiming at preventing impoverishment, restoration of incomes and livelihoods and rebuilding of viable communities are of two types: land-based programs, and non-land based programs. The land-based programs provide land to regain and build farms and small agro-based businesses. The non-land based strategies include activities such as employment, occupational training, direct credit, small business and enterprise development for job creation.

213. The provision of replacement land for APs is not possible in case of this Project due to the non-availability of land for sale or government land in the area. As a result, land based resettlement programs will not be undertaken as part of this Project. However, support to farmers to improve land productivity on their remaining land will be one of the strategies that will be employed to assist those who lose small portion of their cultivated land to the Project.

214. Nonetheless, for the majority of the affected population the income restoration strategies will be non-land based including compensation and rehabilitation assistances in the form of skill training, preference for APs in project related employment (in the construction works), direct credit for small businesses and self-employment, assistances in finding openings in government and private enterprises, support to income generating activities and others.

215. This strategy does meet some key features of AHs and their conditions with regard to their livelihood, as the results from the SESA show:

- 1 Agriculture alone or in combination with other income sources is together for 63% of the AHs the most important income strategy. This means the loss of land and the non-in-kind compensation (cash-for-land) will require support for the other income sources which are mainly business, jobs, labour mostly in the project area.
- 2 The need for both agriculture and non-agriculture support is a necessity.

- 3 The adverse impacts for AHs will have negative effects on their nutrition situation, as the AHs average food sufficiency is about 8 months/year.
- 4 AHs do expect support or positive impacts through the Project as 25% of them have exception for employment in the Project, and 13% show interest in a training program.

216. This indicates that the Project will lead to a more cash-related income strategy of AHs and a reduction of the self-supply and self-consumption approach of their families.

217. Income restoration programs require support and services for three to six years before they become viable and sustainable. Thus, the Project will implement both the short and long-term strategies for restoring AP incomes. The short-term strategies shall focus on immediate assistance and will include the following (as provided in the Entitlement Matrix).

- 1 Compensation for land and structures paid in full before relocation.
- 2 Financial and life skills training.
- 3 Relocation subsistence allowances.
- 4 Subsidized inputs for agriculture for the first few years.
- 5 Improvement/Restoration of land under leaseholds and handing over the same to titleholders.
- 6 Temporary employment in construction activities.
- 7 Special assistance to the vulnerable APs.

218. The long-term income restoration strategies, on the other hand, will aim at providing sustained sources of income. The long-term income restoration program will be continued beyond RIPP implementation period as part of the CDS. The project-sponsored programs such as employment, micro credit facilitation, and establishing linkages to district level assistance (education, health, etc.) programs, will be the main long-term strategies of the Project.

219. Restoration of leased land for the Project should be handed back to owners after completely developing the land. The lease agreement will clearly state that land taken on lease will be restored to its original status. The EA will bear the entire cost for restoration of the land. The timeline and process will be discussed and agreed with affected households.

### **C. Livelihood Restoration Plan**

220. The Livelihood Restoration Plan will be carefully developed reflecting communities' opinion as well as an expertized planning on how (i) to link the training needs to actually training program, (ii) to bridge to trainees to the labor market, (iii) how to improve agricultural productivity through training. In the later stage once the CDS has been developed at implementing details during the construction phase, both are combined. At current completion stage of the pre-construction phase elaboration of the livelihood restoration plan and CDS remain unchanged as described below.

#### **1. Grant for Vulnerable Households**

221. The households losing their residential and/or business houses and farmers who lose significant proportion of their agricultural land and household income will be entitled to receive special attention and services to restore their pre-project livelihood and income levels. The Project will coordinate this through its Community Development Strategy (CDS) through THL in its affected project area. Income restoration assistance will be provided to 200 severely affected HHs. Of these households, 150 HH (75%) are IP households.

222. The vulnerable HHs will be entitled to the following assistance to restore their livelihood:

- 1 Cash assistance for 90 days at the local agriculture wage rate.
- 2 Special assistance of NR 10,000 to each affected vulnerable household to restore livelihood.
- 3 At least one-person from each affected household will be considered for income generation activities vocational training and skill improvement options as per their choice
- 4 As far as possible, temporary employment at project construction sites will be provided on priority basis by project contractors to the APs, with special attention to APs living below the poverty line.

223. The vulnerable HHs will also be considered for assistance to establish small-scale income generating activities and micro- credit funds. The support from development programs to mitigate loss of income of AHs will separately be undertaken as part of CDS attached to the Project

## **2. Employment Restoration**

224. APs and households losing their jobs due to the Project will be assisted in restoring their businesses and other income sources. As part of livelihood restoration, those losing their employment will preferably be considered for skill training, which would help them to get employment at project work sites. They may also be supported by micro-credit to be facilitated CDS. The cost of this assistance is included as “other costs” in the RIPP budget since CDS separately plans to be undertaken by THL.

225. One person from each significantly affected or income losing household will be considered for income generation activities such as vocational and skill improvement trainings as per their choice and as far as possible receive priority for temporary employment at project- related construction works, based on their capability, skills and qualifications. Specific skill training for them may be provided through CDS.

226. The Project shall undertake consultations with contractors and local communities to establish mutually agreeable conditions for employment. Bidding documents and contract specifications shall include preference for hiring vulnerable groups, and significantly APs in general, in order of priority according to agreements reached during the consultations. In case jobs are available, the local community will also be welcome to apply, according to their capability and qualifications.

227. For the restoration of business incomes of the affected business enterprises, the EA will support identification of alternative locations for businesses with similar locational advantages or assist vender to develop new income sources. In addition to the options, households losing their business will be assisted to restore their business enterprises through cash assistance equivalent to three months average income based on the nature of businesses for re-establishing the business at alternative premises.

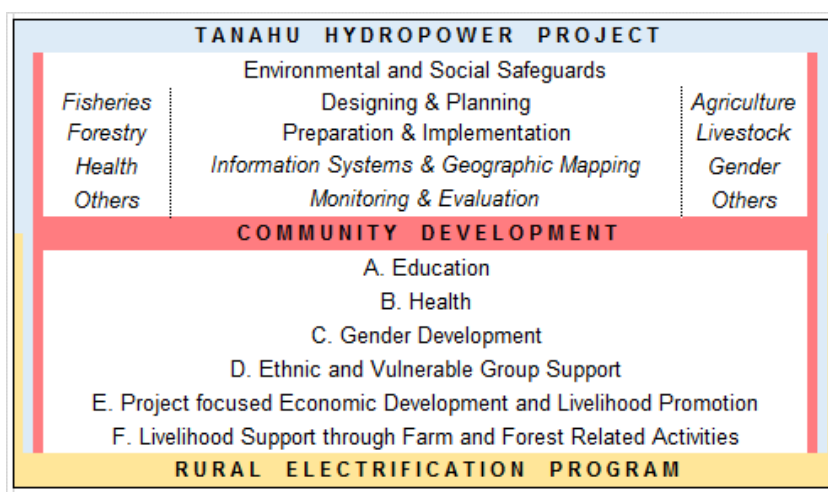
## **D. Livelihood Restoration Update**

228. A review of the Project’ main and other component shows that there is a need for an interactive and interdisciplinary approach for the rehabilitation and restoration of income and the related households’ livelihoods. In addition to those thematic areas as shown in **Figure 8**, there is a need to incorporate in this overall approach the output areas of the GESIAP, which are related



to (i) consultation and GRM, (ii) facilitation to access to jobs, (iii) livelihood restoration, and (iv) skill developments. In addition, construction related health risk includes the topic HIV/AIDS which requires high attention. A cooperation with the contractors is necessary, who will have contractual obligation in this matter as shown in **Annex 11.2**.

**Figure 8: Integrated Mitigation and Community Development Approach**



229. During the pre-construction phase the focus of the stakeholders has been on land acquisition and compensation as the most urgent issue for both THL to provide conditions for the start of construction as well as the affected households and communities who put their attention on their affected assets and the compensation. However, in mid-2017, the first implementing activity related to livelihood restoration started with the registration for vocational training which was completed in the 3rd quarter 2017, so that a 3 months training session for 60 AHs was conducted between 02 November 2017 and 17 May 2018. It is composed of two courses for building electrician and one for plumbing for 40 and 20 participants respectively with a total of 390 lesson hours. This is the first Project's support to AHs through training, which will also serve as lesson learnt for next training sessions.

230. The skill development training will support the APs for their livelihood restoration and enhancement. The area of training can be modified during the course of the training component also reacting on demands of participating APs. The priority for placement in training will be given to AHs in general, and considering in particular permanently displaced people, vulnerable and indigenous people during selection of participants.

231. In this context should be noted that this situation will remain the same for the current pre-construction, but also for most of the construction phase, that no AH had experienced a forced loss of income, access to income sources or other source of livelihood, as they were permitted to use their compensated assets as long as possible until the actual use of the acquired land along the access road and camp site by THL. This applies to a much bigger scale and extent to AHs of the reservoir area, where the APs can use the land, houses and trees, for which they received already or will receive their preferred in-cash compensation, over the coming years in agreement with THL, so that there is no immediate adverse impact on their livelihood. Thus, AHs have an individual flexibility how and when to react on the known changes. This offers a several year-long period for planning, preparing and implementing a livelihood and income restoration program.

232. The Gender Equality and Social Inclusion (GESI) is also related to a set of community development activities to enhance the livelihood of affected and non-affected households. The GESI orientation event conducted on 16 May 2018 was inaugurated by the Mayor of Bhimad Municipality. The event was attended by more than 40 community members with participation of about 80% of women. The participants received information on the project and its GESI action plan. Discussion was carried out about issues in gender equality and social inclusion, participation of women in training and selection of training category. Women participated in the event actively. They requested for conduction of training which are useful for women. THL will follow up GESI implementation and endeavor to disseminate information in a gender friendly way.

## **XI. RESETTLEMENT BUDGET AND FINANCING PLAN**

### **A. Basis for Preparing the Budgeting**

233. The preparation of this budget has been based on the information and data from previous chapters of the UpRIPP, viz.:

- 1 Chapter III providing details about land requirements and acquisition of assets.
- 2 Chapter IV describing socio-demographic and socio-economic features the AHs.
- 3 Chapter IX presenting the relocation impacts.

234. In addition, it has to be based on safeguard requirements as presented in:

- 1 Chapter VI explaining the legal framework.
- 2 Chapter VII addressing the entitlements to be applied including unit costs to be applied for loss of assets, allowances and other items.

235. The District Land Revenue Office annually updates land values in VDCs and municipalities of each district. A Committee is set-up for this purpose. Headed by Chief District Officer (CDO), the members of this committee include Land Revenue Officer and District Development Committee representatives. This committee decides the threshold cost for land transaction, and based on this valuation, the land transaction levy is collected by the Land Revenue Office. In practice, this valuation is considered to be very low because there is a tendency among landowners to undervalue their land to avoid higher taxes.

236. The officially calculated unit costs for affected assets and average or lumps sums for complementary support and mitigation measures have been related to the quantities of lost assets and the number of AHs experiencing the project impacts. To agree on this, consultation took place between THL, involved authorities and administration, and AHs representing NGOs leading to an agreement on type of compensation and their unit rates and amounts for different types of impacts.

### **B. Financial Planning**

237. As the implementation during the pre-construction phases has shown, the financial planning requires an adaptive management. This includes the following reasons:

- 1 Depending on completion of technical field investigations with possible new results and re-verification of compensation amounts.
- 2 Additional and new request from AHs leading to cost verifications.
- 3 Additional consultation among stakeholders.
- 4 Progress in the preparation of pre-construction work and other infrastructure improvements.
- 5 Dependence on SESA results for payment of some allowances.
- 6 Others.

238. Independent from this approach, THL confirmed the availability of funds for any payment of compensation and mitigation measures. Therefore, there was no delay or any effect on the payments to AHs.

239. All LARC related costs will be financed by GoN counterpart funds except for land acquisition, where ADB reimburses to THL the costs after review and acceptance by an external due diligence through an independent NGO.

240. The financial planning and budgeting refers to 6 resettlement items (instead of direct and indirect costs as applied by the Draft RIPP 2012 (see **Annex 9**)), in which different compensation and mitigation measures or other components of the Project are grouped, and concern pre-construction and/or construction phase:

- 1 Private Owners.
- 2 Commune and Public Owners.
- 3 Assistance.
- 4 Income Restoration and Rehabilitation.
- 5 Infrastructure Development.
- 6 UpRIPP and Safeguard Implementation.

### **C. Resettlement, Compensation and Mitigation Budget**

241. The costs of compensation and resettlement of the Project has been prepared though **Table XI-1** which includes:

- 1 Six thematic areas.
- 2 Overview through listed items.
- 3 Budgets for those items.
- 4 Some descriptive or explanatory comments.

242. The UpRIPP Resettlement, Compensation and Mitigation Budget (RCMB) has been calculated with NRs 2,189,158,961 or USD 19,289,444.

- 1 Of this budget, about 75% is allocated for affected assets of private owners (No.1) and 12% of affected public properties (No.2). This adds to a portion of 87% for compensation and rehabilitation/replacement of private and public assets respectively.
- 2 Another 8% is used for assistance to AHs (No.3).
- 3 Concerning item No. 4, the livelihood supports related measures have their own program budgets, such as community CDP, or fisheries and forestry programs (both integrated in the EMP). However, as vocational training for AHs started, the PAM related budget for “project specific local economic development and livelihood” has been included, but as a preliminary estimate only as the preparation of the CD is under preparation in connection with the tendering for the service provider for environmental and social management (ESMSP). No other specific costs are included in this UpRIPP budget as they will be subject of review.
- 4 The new introduced item No. 5 infrastructure development reacts on new and existing rural infrastructure. A potential new item could concern land fill related land reclamation of commune land, for which however, clarification will be required between construction requirements and potential areas offered from communes. One community driven water supply project in relation with the camp area is under implementation.
- 5 Concerning safeguard implementation costs (No. 6) details the same estimate approach has been taken as applied in the Draft RIPP, as otherwise details would have to be provided by THL and the co-financiers about their operational and administrative costs. However, this cost item is not crucial as they have and will be managed by THL and the co-financiers. This includes THL internal M&E for which costs are covered by the government budget. Concerning External M&E, a separate budget is available.

243. A comparison between the Draft RIPP Resettlement & Rehabilitation Costs (RRC) and the same cost of the UpRIPP Resettlement, Compensation and Mitigation Budget (RCMB) has been prepared in **Annex 9**. Comparing with the RRC of NRs 2,553,603,572 or USD 30,017,675 the updated budget shows a by 14% smaller amount. When applying the approach of TL and REP as own components with their own separate budget sources the difference is reduced to a 4% smaller budget only. The cost items of both budgets are detailed in **Annex 9** so that the differences are obvious. Major aspects to take into consideration by this comparison are (i) less costs for reduced land acquisition, (ii) significant higher allowances for cultivation disruption, and (iii) no costs for transmission line and rural electrification as they will be treated as separate project components.
244. The RCMB covers both pre-construction and construction phase. This means that some cost items will be reviewed and re-estimated, or might not be used, for example the final number of soil/excavation material disposal areas or construction material sites have not yet been finally decided. At the stage of preparing this UpRIPP, THL has used about 53% of its resettlement, compensation and mitigation budget.

Table XI-1: Resettlement, Compensation and Mitigation Budget

Items and Descriptions				Costs	Used budget by 31 August 2018		Implementing Comments
				Nepali Rupees [NR]	Nepali Rupees [NR]	Percentage [%]	
1 Private Owners	1.1	Land	RB Access Road (pre-construction phase)	70,100.342	70,100.342	100	Reviewed in DDR. Documented in IoL
			LB Access Road (pre-construction phase)	173,765.917			Shown amount from Draft RIPP
			Site installation/access Betini & Banchare	46,171.367	0	0	Review during construction required
			Temporary facilities Hoksetar	194,070.151			Preliminary DMS data of CDC sub-committee
			Camp and adjacent site installation area	307,753.568	307,753.548	100	Optional if required in construction phase
			Reservoir	630,522.762	553,805.636	88	Revised amount will then be calculated
			Soil / Excavation material disposal area	119,734.033	0	0	Reviewed in DDR. Documented in IoL
			Total Private Land	1,542,118,140	931,659,526	60	Documented by CDC and IoL
	1.2	Structures	RB Access Road (pre-construction phase)	3,895.026	3,895.026	100	Reviewed in DDR. Documented in IoL
			LB Access Road (pre-construction phase)	0		--	Shown amount from Draft RIPP
			Site installation/access Betini & Banchare	16,935.921	0		Review during construction required
			Temporary facilities Hoksetar	0			Preliminary DMS data of CDC sub-committee
			Camp and adjacent site installation area	10,557.731	10,557.731	100	Only if temp. required and then different costs
			Reservoir	53,857.554	53,857.554	100	Reviewed in DDR. Documented in IoL
			Soil/Excavation Material Disposal Area	0			Documented by CDC and IoL
			Total Private Structure	85,246,232	68,310,311	80	
	1.3	Trees	Access Road (pre-construction phase)	515.267	515.267	100	Reviewed in DDR. Documented in IoL
			LB Access Road (pre-construction phase)	543.183	0		Shown amount from Draft RIPP
			Site installation/access Betini & Banchare	2,613.678			Review during construction required
			Camp and adjacent site installation area	590.028	590.028	100	Preliminary DMS data of CDC sub-committee
			Reservoir	5,871.861	5,564.376	95	Reviewed in DDR. Documented in IoL
			Soil/Excavation Material Disposal Area	0			Documented by CDC and IoL
			Total Private Trees	10,134,017	6,669,671	66	
			Seasonal and Perennial	0			
1.4	Crops	Total Crops	0				
1. Total Private Assets				1,637,498,389	1,006,639,508	61	
2 Commune and Public Owners	2.1	Land	Shree Deepak Secondary School	6,000.000	6,000.000	100	Shown amount from Draft RIPP Subject of final design and costing Shown amount from Draft RIPP Subject of final design and costing
	2.2	Structure	Ghats and resting places	1,783.393	0		
	2.3	Structure	Suspension bridges	247,450.000			
	2.4	Structures	Sec. structures of social organizations	1,309.450	1,309.450	100	
	2.5	Services	No loss of public or communal services	-			LFL within 1 year. Otherwise process for CFL will start on 1 Nov. 2018 (construction phase) Cost estimate of NRs 394,572,500 by S-EIA. In case of non-compliance additional costs will be added to the compensation measures.
	2.6	Forest Land of Com. Trees	This gov. land of commune forest will be replaced by governmental owned land	Land-for-Land Gov. land			
	2.7	Com. Trees	One affected tree-by-25 replacing tree related to a 5 years planting-maintaining period. No compensation to individuals	Tree-for Tree See Item 4.3			
2 Total Public / Commune Assets				256,542,843	7,309,450	3	
Total Assets (1+2)				1,894,041,232	1,013,948,958	54	
3 Assistance	3.1	Relocation	Housing Displacement Allowance	7,290.000	5,580.000	77	All 63 displaced AHs in reservoir and camp&access road received these allowances.
			Rental Allowance	7,290.000	5,670.000	78	
			Transfer of Material Allowance	2,835.000	2,205.000	78	
	3.2	Land	Registration fees if AH buys new land	3,435.523	0	0	No AH has claimed this fee yet.
			Cultivation Disruption Allowance	110,000.000	80,986.719	74	In relation with THL-AP "21 Agreement" Item 2
	3.3	Vulnerability	Support to IP	19,030.000	17,105.000	90	Eligibility is based on results of the SESAH. This requires possible adjustments during ongoing implementation.
			Cash assistance to vulnerable AHs	12,760.000	8,250.000	65	
			Encroacher allowance	6,800.000	6,800.000	100	
	3.4	Potential loss of fish catch	Seasonal and occasional fishermen between reservoir and tailrace outlet	7,400.000		0	Rapid appraisal by THL/ADB
							Compensation possibly through RP budget
3.5	Add. Support	Loss of Business	382.000	382.000	100	Fish conservation program has own budget	
		AHs loosing whole land	500.000	500.000	100		
3. Total Assistance				177,722,523	127,478,719	72	
4 Income Restoration and Rehabilitation	4.1	Community Development (CD - Integrated Programs )	Project specific local economic development and livelihood	39,225.000	4,200.000		In PAM: CD budget USD 2.3 million, however this is subject of ongoing preparation of provision of env. and soc. service management service. Therefore, the shown budget item is preliminary only.
		Others					
	4.2	River related measures	Fish Conservation Program				EMP includes budget for these programs
4.3	Forest related measures	Afforestation Mitigation Program					
4. Total IRR Program				39,225.000	4,200.000	11	
Total Mitigation and IRR (3+4)				216,947,523	131,678,719	61	
5 Infrastructure Development	5.1	Water Supply	Jhaputar WSP along RB access road	4,285.600	3,700.000		THL financed participative communal WSP
	5.2	Land Reclamation	Possibly community areas could be considered as disposal sites so that this filled land can be used as reclaimed land for further development.				Authorities and villagers indicated this option to THL. This scenario can be subject during construction phase.
5. Total Infrastructure Projects				4,285,600	3,700,000	86	
6 UpRIPP and Safeguard Implementation	6.1	Admin. Matters	Total Administration	42,219,775	6,332,966		(As estimate 2% of total items 1 to 4 (similar to Draft RIPP) Indicative used 15% of estimated budget as used amount)
	6.2	Monitoring and Evaluation	THL - Env. & Social Management Unit				THL internal budget as part of its operational costs
			Env. & Social Management Service Provider	---			PAM: US\$ 2.9 million - for SM about 50%
			NGO/s	---			Status: Expression of Interest
			Panel of Expert ADB,EIB,JCA	---			THL contracts with a NGO for two DDRs
							PAM: US\$ 1.0 million - for IRSS bout 50%
			Total M&E	31,664,831	4,749,725		Own budgets
	6. Total UpRIPP and Safeguard Implementation				73,884,606	11,082,691	
GRAND TOTAL				2,189,158,961	1,160,410,368	53	
in USD [USD:113,49]				19,289,444	11,348,757		

## **XII. INSTITUTIONAL ARRANGEMENT**

### **A. Organizational Framework**

245. In accordance with the PAM, THL was in charge of the THP plant while NEA was responsible for the transmission line and rural electrification components. Although NEA remains responsible for the two mentioned components, there has been a transfer of the EA arrangement for the transmission line from NEA to THL, which is mainly due to the necessity for NEA and THL to agree on a personnel plan, where THL might need to request NEA to transfer some of their personnel to execute the program.

246. THL has a dedicated Environment and Social Safeguard Management Unit (ESMU) to handle social and environment safeguard issues, NEA has the Environmental and Social Study Department (ESSD). As defined in the PAM, THL and NEA have detailed responsibilities for (i) overall coordination, project management and monitoring, (ii) annual budget preparation and monitoring utilization of loan proceeds, (iii) progress reporting, including reports on cost management and project impact, and (iv) ensuring compliance with loan covenants.

247. The positions of the ESMU require full time, qualified and experienced staff to deal with environmental and social safeguard issues of the Project and to ensure that all safeguard plans are diligently implemented. The ESMU's four positions are (i) one head of the unit, (ii) two specialists on environment and resettlement, and (iii) one communication specialist.

248. Under the ESMU, an Environmental and Social Management Service Provider (ESMSP) will be recruited to cooperate with THL on planning, preparing, implementing and monitoring environmental and social safeguard activities and measures. The ESMSP will work directly with ESMU and the implementing agencies (IAs). The recruitment of the ESMSP is in progress through an EOI notice published on 8 November 2017, in the national newspaper (the Rising Nepal) and ADB's website in consulting services recruitment notice (CSRN). Based on an evaluation for shortlisting, submission of proposal, their evaluations, contract negotiations and award of contract are scheduled for 2018. In order to fill the gap until the ESMSP will be in place, THL appointed mid 2017 three bridging specialists with support of ADB for (i) social safeguard, (ii) environmental safeguard, and (iii) fishery.

249. As per the national legal provision, the Compensation Determination Committee is an integral part of the LARC implementation. The LCFs facilitate the LARC implementation at village level. Involvement of local NGOs and CBOs and civil societies has taken place leading with their support to a community consensus on valuations.

250. The ESMU/ESSD coordinates with government departments to ensure effective land acquisition, compensation and implementation of rehabilitation activities.

251. The ESMU in cooperation with ESMSP and with support from PSC has not only to deal with social and environmental safeguard issues of the Project, but also to and ensure that all safeguard plans are diligently implemented.

### **B. Institutions, Organizations and Committees**

252. Apart from the EA, relevant institutions and committees involved in the resettlement implementation process will have the following provision and responsibilities.

## 1. Compensation Determination Committee

253. The Land Acquisition Act 2034 (1977) has a provision of CDC to negotiate the price and facilitate land acquisition and rehabilitation process of the project. The composition of CDC as per LAA 2034 and the NEA Project policy will consist of:

- 1 Chief District Officer.
- 2 Chief/Land Revenue Officer.
- 3 Representatives from Municipalities and rural municipalities.
- 4 Project Representatives from the EA.

254. The Entitlement Matrix and the land acquisition process discussed in the earlier chapters have also noted the provision and responsibilities of the Committee. The ESMU works as Secretariat of the Compensation Determination Committee. However, if the land and other assets could be acquired through negotiation with the owners, this provision should get the priority for which the Project itself can negotiate the acquisition. In both the situations, ESMU/ESSD has to play important role in order to come up with acceptable conditions and costs for lost land and assets with APs.

## 2. Local Consultation Forums

255. Four Local Consultative Forums (LCFs) were formed at Vas Municipality on 21 July 2017, Bhimad Municipality on 23 July 2017, Myagde Rural Municipality on August 07, 2017 and Rising Rural Municipality on August 09, 2017. These LCFs comprise mayor/chairperson of the municipality/rural municipality, deputy mayor/vice chairperson of municipality/rural municipality, the chairperson of the affected ward, representatives (1 x male and 1 x female) of the affected local people, a representative of the local government (high school, health post, agriculture/forest), local knowledgeable persons (such as a social worker, a civil society member) and a representative from the ESMU who acts as Committee Secretary. The LCFs meet regularly about once every two months. These LCFs will provide support to resolve grievances raised by the local affected people. There are four full-time staff employed as support for the LCFs and two full-time staff as support for the PICs.

256. The mayor/chairperson of the municipality/rural municipality presides over the meetings of LCF. The EA representative attends the meeting and keeps minutes. This is largely an advisory body. LCF will function as a liaison between the Project and APs. Its establishment at the municipality/rural municipality level is to effectively address the social issues associated with the Project. The objectives of this participation program will be to (i) ensure ongoing dissemination of project information reaches to the affected households and/or population, and ii) to involve affected communities and local government structures in social impact management, grievance resolution and monitoring thereby promoting collective organization and decision-making.

257. LCF will also assist affected households with reinvestment of their compensation in other productive assets in the vicinity through identification of suitable privately-owned replacement land and help rebuild their livelihoods.

## 3. AP Committees

258. Regarding compensation, two committees – “Hydropower Direct Affected Area Concerned Committee” and “Direct Concerned Reservoir Area Conservation Committee” – have been established to represent APs in the inundation area of the Project.



#### **4. Coordination and Interaction with Government Agencies at Local Level**

259. ESMU/ESSD will develop a program of interaction with government departments to ensure effective land acquisition, compensation and implementation of rehabilitation activities. During implementation, ESMU/ESSD will work closely with local level institutions of the following Ministries and the local government and/or NGOs.

- 1 Ministry of Home Affairs (Office of Chief District Officer) to implement resettlement and rehabilitation activities of the project.
- 2 Ministry of Land Management, cooperative and poverty alleviation (District Land Revenue Office) to verify parcels, facilitate land acquisition, transfer land entitlement as well as for valuation of land parcels.
- 3 Local authority and administration.
- 4 Ministry of Environment and Forest to facilitate with community forest related issues.
- 5 District Cooperation Committee to facilitate land acquisition process and address the grievance of affected population and the community.
- 6 Municipality/rural municipality to facilitate rehabilitation process and resolve grievance redressal at the local level.
- 7 LCF to facilitate information dissemination and support the affected households in their relocation, compensation receipt and rehabilitation process.

260. Local community and villages will be apprised of the detailed resettlement activities and procedures through consultation.

261. The land acquisition process has already been discussed in detail in earlier chapters. ESMU/ESSD will continue to manage acquisition of land and houses, asset valuation and verification, implementation of compensation and rehabilitation grant (house rent, transportation and dislocation allowances) and coordination of the work with district and central level agencies. The EA will be responsible for the overall coordination, implementation and internal monitoring of project activities.

262. The staff of ESMU/ESSD will be trained on the resettlement policies, principles and entitlement issues.

### **XIII. IMPLEMENTATION SCHEDULE**

#### **A. Project Phases**

263. The status of the three project phases can be summarized as follows:

##### **1 Phase 1: Pre-Construction**

Activities in this phase include the finalization of engineering designs and bidding documents, the tendering and selection of Contractors. During Phase 1, the review and planning of environmental and social safeguard activities began. The implementation of acquisition and compensation of assets is ongoing and will be completed for the major access roads, camp site and reservoir/dam areas. Safeguard monitoring has been initiated with focus on pre-construction work. This phase has started in July 2015 and is expected to extend up to the 4<sup>th</sup> quarter 2018.

##### **2 Phase 2: Construction**

This includes mainly construction works of the major component on the THP construction site near Damauli. This includes also the implementation of the environmental and social safeguards activities and mitigation measures, which will be intensified during this phase. The current estimated construction time until start of operation is 62 months, but can be subject of change due to technical, design and engineering review of contractor's designs. The 4<sup>th</sup> quarter 2018 is the currently envisaged start of the construction works for Packages 1 and 2

##### **3 Phase 3: Operation**

It covers the operation of the Tanahu power plant and related project facilities including the training of THL operating engineers. This includes also environmental and social M&E and implementation of corrective measures as required. Phase 3 is scheduled for five (5) years and should have some overlapping with the Phase 2.

#### **B. Packages for Project Main Components**

264. The Conditions of Contract for these three contract packages are based on different standard contract models and each package will be executed separately. However, Interface Agreements will be concluded between Contractors in order to properly manage all key interfaces. The current status of these contract packages is as follows:

##### **1 Package 1: Head works**

Technical and Price Bids have been received from three prequalified Bidders. The bid evaluation processes for both Technical and Financial bids have been successfully concluded and a Contract has been negotiated and concluded with the Bidder, CMC of Italy, who submitted the lowest priced responsive bid. The Letter of Acceptance has been issued to that successful Bidder is expected to begin during construction end of Q4-2018.

##### **2 Package 2: Waterway, powerhouse and related equipment**

Technical and Price Bids have been received from two prequalified Bidders. The bid evaluation processes for both Technical and Financial bids have been successfully concluded and a Contract has been negotiated and concluded with the Bidder, SHC

of China, who submitted the lowest priced responsive bid. The Letter of Acceptance has been issued to that successful Bidder and construction is expected to begin during of Q4-2018.

3 Package 3: Transmission line

The Invitation to Bid has been published and 8 interested parties have purchased the Bidding Documents. The process of submission of Technical and Price Bids starts in 4Q-2018 so that evaluation and contracting should take place in 2019 leading to construction of the transmission line (possible start in 2019) in parallel with the THP construction work.

**C. Pre-Construction Works and other Project Components**

265. The pre-construction works show the following status of completion:

1 Access roads:

The new access road on the Right Bank between Seti bridge and tailrace outlet has been constructed between February 2015 and November 2017.

The rehabilitation of the Left Bank existing road between Prithivi and Seti Bridge started in April 2016 with scheduled completion after two years in April 2018.

The construction of the new access road from the Seti Bridge to the Beteni area on the Left Bank is part of the same contract, however construction is scheduled to start end of 2018.

2 Power substation:

Construction work started in February 2015 and was completed in January 2018.

3 Camp facilities:

This work started in May 2016 and will be finalized in October 218.

266. The other related components have the following status:

1 Community Development:

As the status of the CDP did not change since the PPTA, there is the necessity for a detailed review and updating of this plan. This will include first activities such as vocational training (see Chapter X: Income Restoration and Rehabilitation ; Section D) and LCFs.

2 Gender Development:

As the status of the GESIAP did not change since the PPTA, there is the need for a detailed review and updating of this plan. At preparation stage of this UpRIPP there is no specific action under implementation.

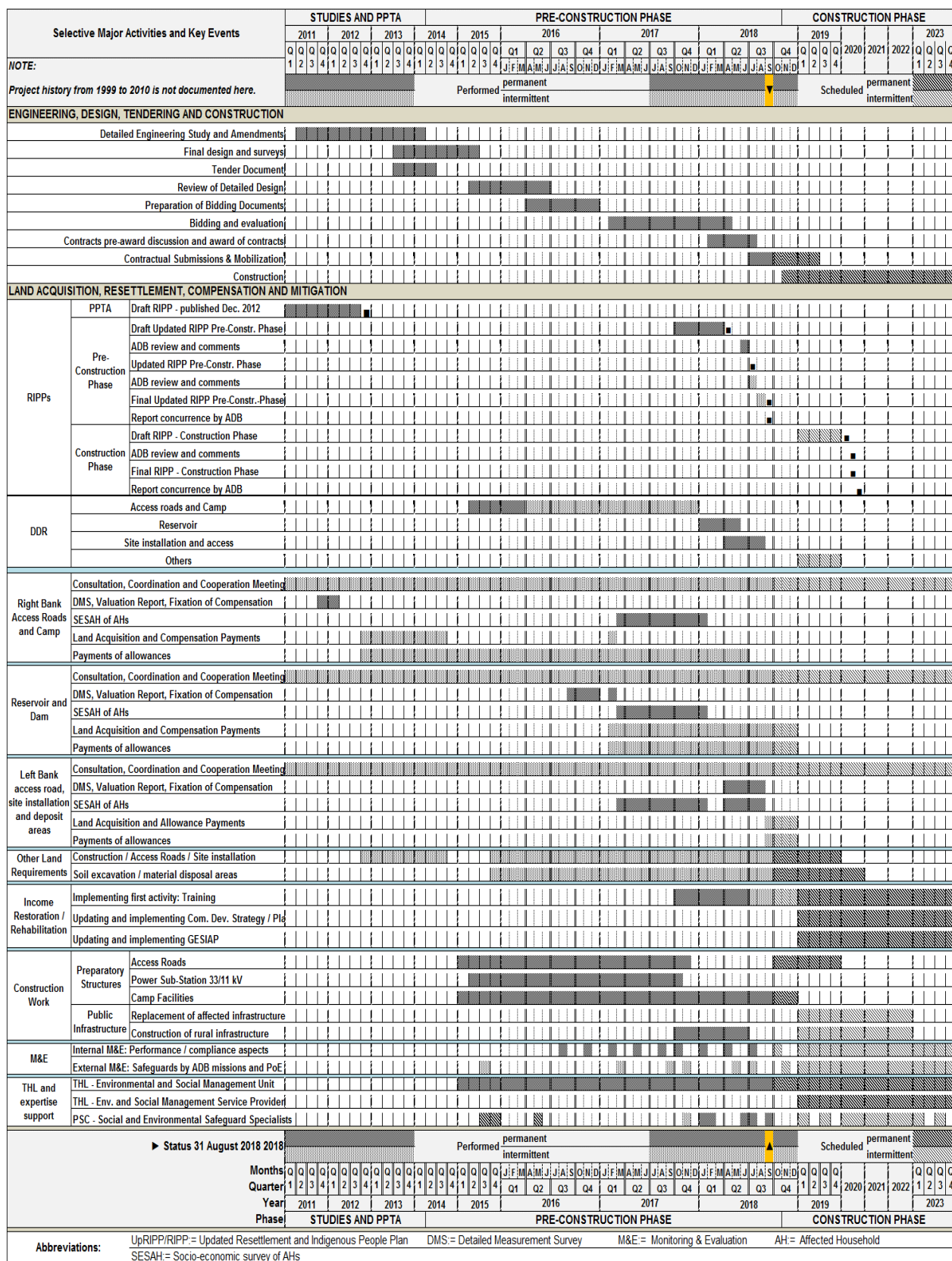
**D. Status of Selected LARC Activities**

267. The implementation schedule of the UpRIPP has been put into the context of the above described phases and packages. The detailed schedule of land acquisition, resettlement, compensation as well as mitigation activities has been prepared in **Figure 9**. In addition, some achievements or latest planning status should receive attention in order to have also an overall LARC picture of the Project:

- 1 Scheduled completion of compensation payments for affected private assets located in the reservoir areas before construction start.
- 2 Ongoing task for recruiting an ESMSP during 2018.
- 3 Updating of CDS, CDP and GESIAP by the ESMSP by 1<sup>st</sup> half of 2019.

268. Comparing the PPTA and post-PPTA stage starting with LAC activities already in 2011 and 2012, there has been an unexpected long period to reach the current achievements and status of the Project.

Figure 9: Up-RIPP Implementation Schedule



#### **XIV. MONITORING AND REPORTING**

269. Social safeguard monitoring refers to the collection, analysis, reporting and use of information about the progress of land acquisition, resettlement, compensation and mitigation based on the UpRIPP. Monitoring focuses on the physical and financial targets and the delivery of entitlements to APs. Monitoring is usually conducted internally by the EA, sometimes with assistance from external monitoring specialist/agency. Reports are usually passed on to the funding agencies including ADB, JICA and EIB. The EA is responsible for organizing and resourcing monitoring and reporting of project activities.

##### **A. Internal Monitoring**

270. Monitoring is a major part of the resettlement management system to ensure its goals are adequately met. Social safeguard aspects will be monitored internally. The safeguards staff within the ESMU will monitor the UpRIPP implementation. ESMU has started in 2017 to prepare semi-annual social safeguard monitoring reports (SSMRs) but will prepare them at quarterly basis and submit them to the EA management from 2019. These reports will describe the progress of the implementation of social safeguard activities and compliance issues, if any, and corrective actions taken to address them. These reports can use the involuntary resettlement monitoring indicators and/or apply sample formats for monitoring as prepared in the Draft RIPP but can also propose alternative reporting methodology and apply different progress reporting sheets. The EA/IA will prepare quarterly monitoring reports and submit to the funding agencies, these will be disclosed these on their websites.

##### **B. External Monitoring**

271. The EA will retain independent, qualified and experienced external monitor to verify its monitoring information. An external monitor will review internal monitoring reports and resettlement implementation.

272. The main objectives of an external monitor is to review implementation and assess the achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the affected people, the effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning.

273. To prepare due diligence report, THL engaged the NGO “Rural Empowerment Society Demauli Tanahu Nepal” (REMSDT) to verify the undertaken payment and receipt process for different project components:

- The Due Diligence Report for the camp site and access roads confirmed, that not only the formal procedures were correctly applied, but that besides transparent grievance redress procedures as defined in the Land Acquisition Act 2034 (1977), also the consultation took place in public meetings, and each AH actively participated with the Project certainly during Detailed Measurement Surveys and the determination of compensation rates and amounts. During the reporting period, final clarification were made by THL, so that ADB approved the Due Diligence Report on December 14, 2017, and issued the procurement contract summary sheet to reimburse THL the used compensation amount of NRs 398,912,367.36 equivalent to USD 3,885,005.52.
- For a Supplementary DDR covering vulnerable allowances in access road and camp sites, field work was carried out between 24 and 30 January 2018 followed by submission to THL

in April 2018. THL submitted a withdrawal application for reimbursement of land acquisition cost, which was approved by ADB and NRs 6,160,000 equivalent to USD 56,570.85 transferred to THL.

- Concerning the reservoir area, a DDR for compensation and allowances distribution was prepared including field work which was carried out between 16 February 2018 and 31 March 2018 followed by submission to THL in May 2018. THL submitted in a withdrawal application for reimbursement of land acquisition cost, which was approved by ADB and NRs 617,973,724.08 equivalent to USD 5,636,389.31 paid to THL.

## **1. Methodology and Indicators**

274. The methodology for external monitoring includes verification of internal reports, interviews with a sample of affected households, household survey of 10- 15% APs from specific target groups at various locations and participation in public consultations or meetings as part of ongoing consultative process.

275. The indicators for external monitoring can be grouped into various categories as follows:

- 1 Implementation of RIPP activities as planned.
- 2 Basic information on APs.
- 3 Restoration of livelihoods.
- 4 Levels of satisfaction.
- 5 Effectiveness of resettlement planning.
- 6 Other impacts.

### **a. Restoration of Living Standard**

276. Some of the indicators for this category include

- 1 Payment of compensation included depreciation or free of depreciation cost for housing and other structures.
- 2 Adjustment/adaption status after loss of assets.
- 3 Community perception restored as prior status.
- 4 Achievement of social and cultural elements by APs.

### **b. Restoration of Livelihood**

277. Some of the indicators for monitoring include as follows:

- 1 Adequacy and sufficiency of compensation to replace lost assets.
- 2 Availability and purchase of sufficient replacement land.
- 3 Transfer and relocation payment status.
- 4 Restoration/Improvement of leased land to its original state.
- 5 Reestablishment status of business and enterprises through provided allowances.
- 6 Provision of sufficient assistances to re-establish enterprises and businesses.
- 7 Provision of income earning opportunities to APs and vulnerable/disadvantaged communities and their effectiveness (desegregated by Gender and IP status).
- 8 Restoration of income and living standards at pre-project status through job provision of the project.

**c. Satisfaction of APs**

278. Some of the monitoring indicators include:
- 1 AP knowledge about resettlement procedure and entitlement of the Project.
  - 2 Knowledge of their own entitlement among APs.
  - 3 View about it their entitlements were met.
  - 4 Their own view on restoration of their livelihood and living standards.
  - 5 Knowledge about grievance procedure and its effectiveness.

**d. Effectiveness of Resettlement Planning**

279. Some of the indicators include:
- 1 Accuracy of enumeration and assessment of APs and their losses.
  - 2 Assistance on land speculations.
  - 3 Sufficiency of budget and time-frame to meet resettlement objectives.
  - 4 Generosity of entitlements.
  - 5 Proper identification and assistance to vulnerable/disadvantaged groups.
  - 6 Dealing with unforeseen and unavoidable problems.

**e. Other Impacts**

280. Some of the indicators can be summarized as:
- 1 Presence of unintended environmental and social impacts due resettlement.
  - 2 Unintended impacts on employment and income.
  - 3 Unintended impacts on social and economic life of the community.
  - 4 Any other impacts at project sites and to host community sites.

281. The external monitoring and evaluation will continue throughout the implementation of the project. The independent monitoring agency/monitoring agency will submit semi-annual report directly to ADB and JICA with a copy to EA to determine whether or not resettlement goals have been achieved. The external monitoring agency will also carry out a final ex-post evaluation to ensure that all resettlement activities have been completed.

**2. Independent Panel**

282. An independent expert panel will be appointed to review project performance on social and environment safeguards and dam safety aspects. The panel will also provide guidance to the ESMU. The panel will include Nepal specialists with expertise in resettlement and indigenous peoples' issues and development processes. The Panel will undertake annual evaluations of the resettlement and livelihood restoration program. The panel will be responsible to closely monitor the performance of the project, review internal and external monitoring reports, analyzing budgets and expenditure in relation to implementation plan, to undertake site visits and consultation with the affected population, with special attention to vulnerable groups, to verify the success of implementation; and advice on corrective measures.

283. THL finalized the Terms of References for a team of PoE comprising of a social development expert, an environmental safeguards expert, and a dam expert who will monitor safeguards activities and dam safety. The process of selecting potential candidates and recruiting PoE initiated very shortly with expected engagement by the end of 2018.



## ANNEX 1.1: PROJECT HISTORY – SELECTIVE OVERVIEW

- (1) From 1999 to 2000 was a study to develop storage type hydropower projects for domestic power supply executed by the Nepal Electricity Authorities (NEA), and identified the later named Tanahu Hydropower Project THP among others in the report "Identification and Feasibility Study of Storage Project" in 2000.
  - (2) From 2000 to 2004 NEA conducted a Feasibility Study to the THP.
  - (3) From 2005 to 2007 the Government of Nepal requested from the Government of Japan the upgrading of the previous Feasibility Study to the NEP, which was done under technical assistance and guidance of JICA.
  - (4) In 2009 the EIA report initiated by NEA was presented in August 2009.
  - (5) In 2009 the Asian Development Bank ADB expressed the interest to conduct the project with JICA on the basis of the Feasibility Study of 2007.
  - (6) Two studies were initiated in 2009 by ADB:
    - Detailed Engineering Study (DES), started 04-2011,
    - Preparing Hydropower Development for Energy Crisis (PPTA), started 12-2010.
  - (7) In 2012 was the first report of the DES presented by an engineering consultant team under guidance of Electric Power Development Co. Ltd. (J-Power, 18-06-2012).
  - (8) In 2012 an environmental addendum to the EIA was presented by NEA (07-2012). This addendum was rejected by Government of Nepal Ministries (still unsolved items).
  - (9) In 2012 was the PPTA study presented as well by PricewaterhouseCoopers Pvt. Ltd. (PWC) with the participation of J-Power (August 2012). The available design cost estimate was dated on 09-05-2012.
  - (10) In 2012 a recommendation was issued by J-Power for additional geological and geotechnical investigations for the headworks and the powerhouse. The last contract extension has been provided until End of September 2015 for J-Power.
  - (11) Until 30-01-2013 the DES was extended with design amendments. Another contract extension was provided until January 2014.
  - (12) The PPTA study was extended as well until finalization of the contract documents for tendering purpose in the final report by Price Waterhouse Coopers Pvt. Ltd. (PWC) on 25-07-2013.
  - (13) The actual tender documents for all three (3) packages revised by J-Power are dated until 10-03-2014.
  - (14) In 2014 the final design including the design for the power transmission line, the electromechanical equipment, and the substation in Bharatpur was presented by J-Power (03-03-2014).
  - (15) In 2012 a recommendation was issued by J-Power for additional geological and geotechnical investigations for the headworks and the powerhouse. The last contract extension has been provided until End of September 2015 for J-Power.
  - (16) In 2014 three (3) the additional tunnel adits and twelve (12) additional drill holes were conducted under difficult access conditions in order to receive more geological information as recommended previously by J-Power. However, these investigations are currently not finished, and require additional consulting activities in 2015 until 2016 after clarification and decision about the financing.
  - (17) Prequalification Documents for two (2) Packages no. 1 and no. 2 were dated by J-Power on the 16-01-2015
- Note: The current contract of Lahmeyer International GmbH of Germany as Project Supervision Consultant (PSC) was prepared and evaluated between 2013 and 2014, became effective with the notice to commence (the effective date) send by the Client THL at the 09-07-2015.

## ANNEX 2.1: PROJECT DESCRIPTION - SCREENING & CATEGORY

TECHNICAL DESCRIPTION			
FEATURES	YES	NO	DESCRIPTION
Upgrading or rehabilitation	<input type="checkbox"/>		Replacement of public infrastructure
Construction of new physical facilities	<input type="checkbox"/>		New hydropower scheme
Beneficiaries of work	<input type="checkbox"/>		Immediate and long-term benefits
HYDROPOWER SCHEME MAIN COMPONENTS	YES	NO	DESCRIPTION
Headworks	<input type="checkbox"/>		Main and auxiliary dams and water release devices Plunge pool (or stilling basin) between these dams River diversion (2 coffer dams and tunnels)
Waterways, Powerhouse and Outgoing Terminal Building	<input type="checkbox"/>		Power intake (adjacent to dam site) Headrace and tailrace tunnels, tailrace outlet Surge tank, penstock and powerhouse
IMPACTS ON LAND AND OTHER ASSETS AND RELATED FACILITIES/SERVICES			
GENERAL ASPECTS	YES	NO	EXPLANATIONS
Requirement of land acquisition	<input type="checkbox"/>		
Land acquisition: Sites / Right of Way (RoW)	<input type="checkbox"/>		Only partly for access roads, otherwise sites are required
Permanent and temporary land acquisition	<input type="checkbox"/>		
Change of ownership and usage of land	<input type="checkbox"/>		
LOSS OF ASSETS	YES	NO	DESCRIPTION
Loss of residential land	<input type="checkbox"/>		Both type of land are affected. There are mainly residential structures affected, only a few residential cum commercial or productive structures. There is a loss of trees but no loss of crops.
Loss of agricultural land	<input type="checkbox"/>		
Loss of residential structures	<input type="checkbox"/>		
Loss of productive structures	<input type="checkbox"/>		
Loss of trees /crops	<input type="checkbox"/>		
EFFECTS ON COMMUNAL/PUBLIC FACILITIES	YES	NO	DESCRIPTION
Loss of access to facilities	<input type="checkbox"/>		Bridges. Water supply infrastructure. Others.
Loss of access to services	<input type="checkbox"/>		
Loss of community assets/ties	<input type="checkbox"/>		
Loss of cultural / historical properties	<input type="checkbox"/>		
IMPACTS OF PEOPLE			
PHYSICAL DISPLACEMENT	YES	NO	EXPLANATIONS
Replacement of houses	<input type="checkbox"/>		AHs receive their preferred in-cash compensation
Relocation of households	<input type="checkbox"/>		
ECONOMIC DISPLACEMENT	YES	NO	EXPLANATIONS
Loss of incomes	<input type="checkbox"/>		Affected households will experience mainly impacts through loss of productive land. Livelihood income restoration is required (LIRP).
Loss of businesses/enterprises	<input type="checkbox"/>		
Loss of access to income sources	<input type="checkbox"/>		
Loss of access to natural resources	<input type="checkbox"/>		
AFFECTED HOUSEHOLDS / PEOPLE	YES	NO	EXPLANATIONS
AH/AP	<input type="checkbox"/>		Among the affected households are vulnerable, severely and non-owning households, which will require assistance through allowances and assistance payments, but also support through Livelihood Restoration Program LRP.
Vulnerable AH/AP	<input type="checkbox"/>		
Severely AH/AP	<input type="checkbox"/>		
Non-owning AHs (users of assets)	<input type="checkbox"/>		
FINDINGS			
<b>Category A</b>	The THP Project has significant involuntary resettlement impacts.		
<b>Note:</b>	The listed items are in accordance with checklists as defined by ADB guidelines.		

## ANNEX 2.2: PROJECT DESCRIPTION - PICTURED IMPRESSIONS

**Photos 1-8: Impressions from reservoir between km 12 and 18 (Dam axis is km 0)**



**Photos 9-15: Typical conditions of the valley**



**Photos 16-19: Impressions from road between highway and Seti bridge**



**Photos 20-31: Impressions along the Seti River**



**ANNEX 2.3-1: PROJECT DESCRIPTION - SALIENT TECHNICAL FEATURES**

<b>Item</b>		<b>Technical Description</b>
<b>Reservoir</b>	Surface Area at FSL	7.26 km <sup>2</sup>
	Length at FSL	circa 25 km
	Full Supply Level (FSL)	415.0 m asl
	Minimum Operation Level	378.0 m asl
	Drawdown	37.0 m
	Sedimentation Level	320.0 m asl
	Gross Storage Capacity	295.1 × 10 <sup>6</sup> m <sup>3</sup>
	Effective Storage Capacity	during first 10 years; 192.8 × 10 <sup>6</sup> m <sup>3</sup> after 11th year; 181.7 × 10 <sup>6</sup> m <sup>3</sup>
<b>Diversion Tunnel</b>	Design Capacity	2,305 m <sup>3</sup> /s (20 years return period)
	Number and Type of Tunnel	2 no, Concrete Lined
	Length	606 m and 666 m
	Inner Diameter	10 m
<b>Dam</b>	Type	Non-Straight Concrete Gravity Dam
	Elevation of Crest	420.0 m
	Height	140.0 m
	Length of Dam Crest	215 m
	Volume of Concrete	920,000 m <sup>3</sup>
<b>Auxiliary Dam</b>	Type	Bored Pile Walls (two walls infilled)
	Height (max. above lowest assumed foundation)	45.6 m
	Crest Elevation	307.60 m asl
	Length of Crest	88 m
<b>Sediment Flushing Facilities</b>	No. of Conduits	2
	Inlet Sill Elevation	320 m asl
	Gradient of Conduit	1: 15
	Upstream Maintenance Gate Type / No. Clear Opening Span x Height	Steel Slide Gate / 1 No. per Conduit Each Gate: 5 m x 5 m
	Intermediate Main Gate Type / No. Clear Opening Span x Height	HP Slide Gate / 1 No. per Conduit Each gate 5 m x 5 m
	Downstream Auxiliary Gate Type / No. Clear Opening Span x Height	HP Slide Gate / 1 No. per Conduit Each gate 5 m x 5.2 m
<b>Water Level Lowering Facilities</b>	No. of Conduits	2
	Inlet Sill Elevation	338 m asl
	Gradient of Conduit	Falling 0.00 m over 32.05 m, Falling 5.73 m over 39.98 m
	Guard Gate Type / No. Clear Opening Span x Height	HP Slide Gate / 1 No. per Conduit 3.8 m x 3.8 m
	Service Gate Type / No. Clear Opening Span x Height	HP Radial Gate / 1 No. per Conduit 3.8 m x 3.8 m
<b>Spillway</b>	Type	4-Bay, Gated Overflow, Chute and Flip / Roller Bucket
	Design Capacity	7,377 m <sup>3</sup> /s
	Overflow Crest Elevation	398.10 m asl
	Overflow Crest Total Width	4 x 12.83 m = 51.32 m
	Energy Dissipater	Flip / Roller Bucket and Plunge Pool
	No. and Type of Service Gate	4 No., Radial Gates (2 No. with Flaps)
	Service Gate (W x H)	12.83 m x 18.1 m
	Stoplog (No., Clear W x H)	8 x No., Clear W 12.83 m, H 2.275 m

**ANNEX 2.3-2: PROJECT DESCRIPTION - SALIENT TECHNICAL FEATURES**

<b>Item</b>		<b>Technical Description</b>	
<b>Power Intake</b>	Type	Bell Mouth with Gate Shaft & Transition	
	Length (including Transition)	75.20 m	
	Floor Elevation	362.00 m asl	
	Maintenance Gate No. & Type	Steel Vertical Lift Fixed Wheel	
	Gate Opening (W x H)	6 m x 9 m	
	Control Gate No. & Type	1 No. Steel Vertical Lift Fixed Wheel	
	Gate Opening (W x H)	6 m x 9 m	
<b>Headrace Tunnel</b>	Number, Type	1 No. Concrete Lined, Circular	
	Inner Diameter	7.4 m	
	Length	1,418.75 m	
<b>Surge Tank</b>	Type	Restricted Orifice	
	Tank Height/Diameter	28 m/ 61.5 m	
	Diameter/Height of Riser	7.4 m/22.8 m	
	Diameter of Orifice	5 m	
<b>Penstock</b>	Type	Steel Lined Tunnel/Shaft/Tunnel/Bifurcation Branch	
	Number	1 No. Tunnel/Shaft/Tunnel 2 No. Bifurcation Branches	
	Inner Diameter	7.40 m to 5.70 m to 4.00 m to 3.06 m	
	Length (along CL)	162.72 m (from end HRT to MIV)	
<b>Draft Tube Tunnel</b>	Type	Concrete Lined, Circular	
	Number	2 x Identical Convergence Branches	
	Branch Diameter	5.20 m	
	Branch Length (along CL)	47.93 m (including Transition)	
<b>Tailrace Tunnel</b>	Number, Type	1 No. Concrete Lined, Circular	
	Inner Diameter	7.4 m	
	Length (along CL)	242.43 m	
<b>Tailrace Outlet</b>	Number	1	
	Type	Buttress with Gate Tower & Transition	
	Length	27.80 m	
	Floor Elevation	285 m asl	
	Tailrace Gate No. & Type	1 No. Steel Vertical Lift Slide	
	Gate Opening (W x H)	7.4 m x 7.4 m	
<b>Power-house</b>	Type	Underground	
	Size	22 m wide x 45 m high x 89 m long	
	Rated Intake Water level	405.0 m	
	Rated Tail Water Level	289.2 m	
	Gross Rated Head	115.8 m	
	Maximum/Rated Net Head	121.55 m/111.7 m	
	Maximum/Rated Discharge	131.2 m <sup>3</sup> /s /127.4 m <sup>3</sup> /s	
	Number of Turbine-Generator Units	Two (2)	
	Total Installed Capacity	Rated capacity;	127 MW
		Maximum capacity:	140 MW
	Peak Time	6 hours	
	Primary Energy	during first 10 years;	266.2 GWh/a
		after 11th years;	241.4 GWh/a
	Secondary Energy	during first 10 years;	319.5 GWh/a
		after 11th years;	248.5 GWh/a
	Total Energy	during first 10 years;	585.7 GWh/a
		after 11th years;	489.9 GWh/a

**ANNEX 2.3-3: PROJECT DESCRIPTION - SALIENT TECHNICAL FEATURES**

<b>Item</b>		<b>Technical Description</b>
<b>Turbine</b>	Type	Vertical Shaft, Francis
	Number	Two (2)
	Maximum/Rated Unit Output	71,800 kW/64,700 kW
	Speed	300 min-1
<b>Generator</b>	Type	Three-phases, Synchronous
	Number	Two (2)
	Maximum/Rated Output	82,300 kVA/74,700 kVA per unit
	Speed	300 r/min
	Frequency	50 Hz
	Rated Voltage	13.2 kV
	Power Factor	0.85 lag
<b>Main Trans-former</b>	Type	Indoor, Special 3-Phase, Forced-Oil-Circulated and Forced-Water-Cooled
	Number	Two (2)
	Maximum/Rated Output	82,300 kVA/74,600 kVA
	Rated Voltage	Primary 13.2 kV Secondary 220 kV
<b>Switch-yard</b>	Type	Underground GIS (Gas Insulated Switchyard)
	Bus System	Double Buses
	Number of Bays	Five (5) bays
	Voltage	220 kV
<b>Generation Facility for Environmental Flow</b>	Rated/Maximum Effective Head	93 m/103.3 m
	Discharge	2.4 m³/s
	Turbine Type	Horizontal Type, Francis Turbine
	Number of Turbine/Generator	One (1)
	Turbine Rated Output	1,900 kW
	Turbine Maximum Output	2,100 kW
	Generator Type	Horizontal Type, Three-phase Synchronous Generator
	Rated Generator Capacity	2,300 kVA
	Distribution Transformer	3-Phase Dry Type, Rated Capacity 2,305 kVA
	Average Energy	during first 10 years; 14.0 GWh/a after 11th years; 13.0 GWh/a
<b>Buildings</b>	Dam Operation Building	To be designed by P-2 Contractor
	Powerhouse Operation Building	To be designed by P-2 Contractor



## ANNEX 3.1: PROJECT LAND REQUIREMENTS AND ACQUISITION - OVERVIEW

Resettle- ment Document	Ser. No.	Project Components with Land Requirements	Type of Land Use and Ownership									
			Forest Land		Agricultural Land		Fallow Land (Barren)		River and Flood Plain	Built up / Residential Land		Total Area
			Community	Private	Govt.	Private	Govt.	Private	Govt.	Public	Private	
			[hectares]									
Updated RIPP	I	Headworks, Waterways, Powerhouse and Outgoing Terminal Building										
	1	Reservoir Area (415masl FSL) and buffer zone (+10m)	348,61	5,29		69,36	268,39		208,50		0,85	901,00
	2	Main Dam with adjacent Power House Intake	15,70						2,30			18,00
	3	Water Conveyance, Tunnel, Penstock, Surge Shaft, Tailrace, Sub-station switchyard										
	II	Roads										
	4	Access Roads	15,00			15,00						30,00
	III	Sites										
	5	Quarry Sites	23,00			2,00						25,00
	6	Disposal Sites	0,30			19,00		7,51	13,79		0,41	41,01
	7	Camp and Project Sites	15,00			5,00		6,475				26,48
	8	Construction yard and others				13,28		18,00	2,00		0,25	33,53
	Subtotal HPP known area for construction and operation phases		417,61	5,29	0,00	123,64	268,39	31,99	226,59	0,00	1,51	1075,01
	Note: The shown distribution on land use and areas refer to the latest status as provided in the SEIA of the THP Project.											
	Remark: The Tanahu District Department of Forestry informed THL that the affected community forest area will be 417,23 ha.											
	IV	HPP related Mitigation Measures										
	9	Fisheries Component: Fish hatchery - Current EMP related assumption: 4 ha			1,00	1,00	1,00	1,00				4,00
	10	Forest Component: Afforestation	To be defined									
	11	Other components: (i) Buffer zone around reservoir, (ii) up/ds impact areas, (iii) others	To be defined									
	Subtotal HPP estimated mitigation measure area for operation phase		0,00	0,00	1,00	1,00	1,00	1,00	0,00	0,00	0,00	4,00
	Note: The shown distribution on land use has only be assumed as potential cases (scenario) and is subject or detailed review during construction phase.											
Summaries			Land Use and Ownership									
			Forest Land		Agricultural Land		Fallow Land (Barren)		River and Flood Plain	Built up / Residential Land		Area
			Community	Private	Govt.	Private	Govt.	Private	Govt.	Public	Private	Total
			[hectares]									
			417,61	5,29	1,00	124,64	269,39	32,99	226,59	0,00	1,51	1079,01
			422,90			125,64		302,38			1,51	
			423			126		303	227		2,0	1079
			[rounded percentages]									
39,0			11,85		28	21		0,15	100			

### ANNEX 3.2-1: PROJECT LAND REQUIREMENTS AND ACQUISITION - STATUS

Selected Project Major Salient Features		Land Requirements											Status of Land Acquisition							
		1					2		3		4		5					6	7	
		Status					Type		Duration		Ownership		Pre-Construction Phase					Construction Phase	Operation Phase	
		Known	Design Review by PSC	Field Survey by THL	New Design by THL	New Design by Contractor														
Ser. No	Component	Known	Design Review by PSC	Field Survey by THL	New Design by THL	New Design by Contractor	Linear	Site specific	Perma- nent	Tempo- rary	Private	Com- munity	Gov. / Public	To be planned	Under preparation	DMS	Payments	Completed	Construction Phase	Operation Phase
Package 1: Headworks																				
1.1	Reservoir																			
1.1.1	Impounded area at 415 m.a.s.l.	x						x	x		x	x	x				x			Verifi- cation
1.1.2	Buffer zone							x	x		x	x	x						x	
1.2	Dams																			
1.2.1	Main dam and water release devices																			
	- Dam site / excavation area																			
	- Crest spillway for flood evacuation	x						x	x				x				x			
	- Water lowering outlets in centre of the dam																			
	- Flushing outlets at bottom of dam																			
	- Environmental outlet at d/s dam side																			
1.2.2	Downstream auxiliary dam	x						x	x				x	Not applicable as in river management area						
1.3	Plunge pool (or stilling basin) between these dams	x						x	x				x							
1.4	River diversion																			
1.4.1	2 cofferdams	x						x		x			x	Not applicable as in river management area						
1.4.2	2 diversion tunnels	x						x	x				x	Underground structure						
Package 2: Waterways, Powerhouse and Outgoing Terminal Building																				
2.1	Power intake (adjacent to dam site)	x						x	x				x	Included under item 1.2		x				
2.2	Headrace tunnel	x												Underground structures						
2.3	Surge tank	x																		
2.4	Penstock	x						n.a.	n.a.			x								
2.5	Powerhouse	x																		
2.6	Tailrace tunnel	x																		
2.7	Tailrace outlet	x						x	x				x	Mainly covered by access road (item 4.1), and partly not applicable as in river management area						
2.8	Outgoing terminal building (OTB) at river embankment	x						x	x				x							
2.9	Powerhouse operation platform / access	x						x	x				x							
Access																				
3.1	Public roads to Project Construction Area																			
3.1.1	Prep. Works	From Highway No.1 through Patan to Seti bridge	x					x		x			x	Existing public road				✓		
3.1.2	Package 1 and/or 2	Other complementary options possible	open										x						x	
3.2	To headwork / main dam excavation area																			
3.2.1	Related to P1 + P2	LB road to d/s coffer dam and auxiliary dam				x	x		x		x		x	x	x				x	
3.2.2		LB road to main dam crest				x	x		x		x		x	x	x				x	
3.2.3		LB road to quarry site				x	x		x		x		x	x	x				x	
3.2.4		RB road to d/s coffer dam				x	x		x		x		x	x	x				x	
3.2.5		RB road to main dam crest				x	x		x		x		x	x	x				x	
3.2.6		RB road to access tunnel portal and aux. dam				x	x		x		x		x	x	x				x	
3.2.7		RB tunnel from portal (4.2.6) to u/s coffer dam crest				x	x		x		x		x	x	Underground structure					x
3.3	To service area / site installation area towards tailrace outlet																			
3.3.1	Preparatory Works	RB road Seti bridge d/s to camps / site installation areas / power house operation platform / access & tailrace outlet	x					x		x		x		x				✓		
3.3.2		RB road Seti bridge u/s for joint access to RB roads 4.2.4-6	x					x		x		x		x				✓		
3.3.3		Road to surge tank		x					n.a.		n.a.		n.a.		Underground structure					



## ANNEX 3.2-2: PROJECT LAND REQUIREMENTS AND ACQUISITION - STATUS

Selected Project Major Salient Features		Land Requirements											Status of Land Acquisition								
		1					2		3		4		5					6	7		
		Status					Type		Duration		Ownership		Pre-Construction Phase					Construction Phase	Operational Phase		
		Known	Design Review by PSC	Field Survey by THL	New Design by THL	New Design by Contractor															
Ser. No	Component	Known	Design Review by PSC	Field Survey by THL	New Design by THL	New Design by Contractor	Linear	Site specific	Perma- nent	Tempo- rary	Private	Com- munity	Gov. / Public	To be planned	Under preparation	DMS	Payments	Completed	Construction Phase	Operational Phase	
Site Installation Areas																					
5.1	At Camp/Office site																				
5.1.1	Preparatory Works	Site installation area Package 1				x					x	x		x					✓		
5.1.2		Site installation area Package 2 (2 spots)				x					x	x		x					✓		
5.1.3		Site installation area Package 3				x					x	x		x					✓		
5.1.4		33/11 kV substation				x					x	x		x					✓		
5.2	Between access road to tailrace out let and surge tank																				
5.2.1	Related to P2	Site installation area Package 2				x					x		x						✓		
5.3	At Seti River bridge - upstream area																				
5.3.1	Related to P1+P2	Site installation area Package 1				x					x		x		x					x	
5.3.2		Site installation area Package 2				x					x		x		x					x	
5.4	Along construction road towards main and cofferdam - Left Bank																				
5.4.1	Related to P1+P2	Site installation area Package 1 (3 spots)				x					x		x		x		x				
5.4.2		Site installation area Package 2				x					x		x		x		x				
Soil/Excavation Material Disposal Areas																					
6.1	Related to P1+P2	Branch Madi/Seti river - left bank				x					x		x		x					x	
6.2		Adjacent to camp area - right bank				x					x		x		x					x	
6.3		Opposite of camp area - left bank				x					x		x		x					x	
Construction Material Sites																					
7.1	Related to P1 + P2	Borrow areas				x					x		x		Not applicable as in river management area						
7.2		Quarry site				x					x		x		x					x	
Note 1:	Indicated status is based on pre-construction stage August 2018 and subject of regular review and updating.																				
Note 2:	All underground structures do not require land acquisition for their construction, but for their related storage and disposal of excavation/construction material.																				
Note 3:	Experience from completed and ongoing land acquisition and compensation (LAC) for preparatory work should be reviewed, to (i) indicate procedural modifications if required, (ii) to clarify surveys to be done retrospectively, and (iii) to adjust approach for next LAC surveys.																				


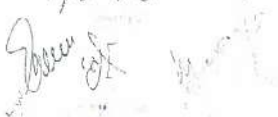

# ANNEX 4.1-1: DMS - INVENTORY OF LOSS – CAMP AND ACCESS ROAD: EXTRACT OF AH CASES AND SUMMARY

Ser. No.	Households (HHs)						Project Component		Land										Affected Structures					Trees					Total Compensation Costs					
	Address				Ownership				Residential Land					Productive Land					AHs		Types			AHs		Affected Trees								
	Municipality		Village - Ward		Owner	Encroacher	Possessor	Camp	Access Road	Without res. land	With res. land	Land	Portion	Unit Rate	Value	Without prod. land	With prod. land	Agr. Land	Unit Rate	Value	Without struc.	With struc.	Prim. Structure	Sec. Structure	Value	Without trees	With trees	Fruit Trees		Other Trees	Total Affected	Value		
	RM	M	Name		[tick "x"]	F	M	[tick "x"]				[Ropani]	Fully	Partly	[NRs/Ropani]	[NRs]			[NRs/Ropani]	[NRs]			[tick "x"]	[tick "x"]	[NRs]			[tick "x"]		[No]		[NRs]		
1	Man Bahadur Jhedi		x	Vyas	5-Beni Patan	x		x			x	0.2556	x		2,000,000.00	531,249.09		x	0.1094	2,000,000.00	216,747.26		x			1,458,460.00		x	83		83	39,000.00	257,747.26	
	Tika Maya Jhedi						x					0.3125		x	2,000,000.00	625,000.00								x				15	15	7,632.00	1,999,705.29			
2	Gopi Ram Thapa		x	Vyas	5-Beni Patan	x		x			x	0.1559	x		2,000,000.00	311,720.00	x					x					x					311,720.00		
3	Praja Pati Sharma		x	Vyas	5-Beni Patan	x		x		x							x	0.2422	4,000,000.00	1,162,492.33						x						1,162,492.33		
4	Chamel Shrestha		x	Vyas	5-Beni Patan	x		x		x							x	0.8829	2,000,000.00	1,765,629.00						x			8	8	15,948.00	15,948.00		
5	Birbal Thapa		x	Vyas	5-Beni Patan	x		x		x							x	0.1172	2,000,000.00	234,371.00	x					x		55		55	11,000.00	245,371.00		
145	Man Bahadur Rana		x	Rising	1-Jhaputar	x		x	x		x						x	0.3750	2,720,000.00	1,020,000.00	x					x				0			1,020,000.00	
146	Nirmala Thapa		x	Rising	1-Jhaputar	x		x		x							x					x	x			x				0			210,340.00	
147	Yam Bahadur Disawa Magar		x	Rising	1-Jhaputar	x		x		x							x					x	x			x				0			186,132.00	
148	Durga Kumari Panta		x	Rising	1-Jhaputar	x		x	x		x						x					x	x			x		x	10	10	20	9,705.00	315,436.09	
149	Bhaktisara Ale		x	Rising	1-Jhaputar	x		x		x							x	0.0508	4,000,000.00	203,119.07	x					x				0			203,119.07	
Totals		143	6		149	0	62	93	117	34	124	25	13,410	22	4		35,471,065	21	128	133,723		342,382,825	118	31	28	4	14,146,025.87	110	39				1,105,295	383,105,210.91
		149			149		155		151		149		0.682	26			312,548	149	6,802			3,016,855	149		32		124,546	149		508	548	1056	9,739	3,463,787
													[ha]				[USD]																[USD]	[USD]
Summaries		Criteria		AH		AH		Project Component		Land										Affected Structures					Trees					Total				
				Affected Residential Land						Productive Land					AHs		Prim. Structure	Sec. Structure	Total Value of Affected Structures	AHs		Affected Trees			Compensation Costs									
		F	M	F	M	Camp	Access Road	Without loss of struc.	With loss of struc.	Affected Land	Portion	Cases	Value (based on DMS and VER)	Without prod. land	With prod. land	Agr. Land	Cases	Value (based on DMS and VER)	Without loss of struc.	With loss of struc.	Quantity	Quantity	Without loss of trees	With loss of trees		Fruit Trees	Other Trees	Total Affected	Value					
		[No.]		[No.]		[No.]		[Ropani]	Fully	Partly	[Ahs]	[NPR]	[No.]	[Ropani]	[Ahs]	[NPR]	[No.]		[NPR]	[No.]		[NPR]	[No.]		[NPR]		[NPR]		[USD]	[USD]	[USD]			
		By component		Camp		Residential Land		7,887		15	3	18	17,660,607	Productive Land		119,41		98 Ahs	290,092,941	Structures		22		2	10,251,000	Trees		205		456	661	550,028	318,594,576	
6,401								156,614		6,074		2,536,110				90,325		2,807,243																
5,523								17,810,458		14,32		52,286,884				3,895,026		515,267				74,510,635												
Access Road						0,281		7	1	7 (as 1 of 10)	156,934			0,728		29 Ahs	460,744			6		2	34,320			303		92	395	4,540	656,539			
Notes																																		
1 Details about applied calculated unit costs are shown by attached representative examples.																																		
2 The shown compensation costs have the same amounts (i) as verified and (ii) confirmed as correct by the independent Due Diligence Report, and (iii) approved and accepted by ADB.																																		
3 Each amount shown under total cost are individual compensation payments to owners for the shown assets lost.																																		

✓ Each dividend should reflect total available information compensation payments to officers for any dividend event level.

<sup>3</sup> Each amount shown under total cost are individual compensation payments to owners for the shown assets lost.

# ANNEX 4.2-1: DMS - REPRESENTATIVE EXAMPLE FOR PRIMARY AND SECONDARY STRUCTURES

COVER PAGE	EXPLANATORY DESCRIPTION	LIST OF HOUSEHOLDS AFFECTED BY LOSS OF PRIMARY AND/OR SECONDARY STRUCTURES																																																																																																																																																																										
<p>माथिल्लो सेती जलविद्युत आयोजनाको पूर्वाधार (प्रवेशमार्ग, पुल तथा क्याम्प)</p> <p>सामग्री कार्यका लागि आवश्यक पर्नेभई प्राप्त गर्न लागिएका केही (साविक प्रतिवेदनमा छुट भएका)जग्गाको मुआब्जा तथा ती जग्गामा रहेका घर,गोठ,टहरा तथा फलफूलका बोट एवं रुख बिरुवाको क्षतिपूर्ति निर्धारणका लागि राख सुझाव</p> <p><u>प्रतिवेदन</u></p> <p>२०६९ वैशाख</p> <p>मुआब्जा तथा क्षतिपूर्ति –राख सुझाव उप समिति दमौली, तनहुँ</p> <p>Upper Seti Hydropower Project</p> <p>Infrastructure (Access Roads, Bridge and Campsite)</p> <p>Advice and suggestion for the compensation determination of (missing in the past report) land valuation including houses, goth/cattle sheds, fruit trees and trees to be acquired as required by the construction works.</p> <p>Report 2012 April</p> <p>Compensation Payment - Advice and Suggestion Sub - Committee Damauli, Tanahu</p>	<p><u>Assumption adopted for the valuating the proposed houses to be acquired</u></p> <p>The following are the assumptions applied to evaluating the houses, sheds and other installations in the premises of the acquiring houses:-</p> <ol style="list-style-type: none"><li>Unit rate applied are the rates approved by the District Rate Fixing Committee, Tanahun for the fiscal year 2068/69 except TDS, contractor's overhead and VAT.</li><li>Unseen dimensions of the structures are adopted according to the quarries made at the spot during data collection and with the technical suitability / requirement.</li><li>Wooden member's size has been considered as per the minimum technical requirement.</li><li>The cost for the Gobar gas plants (<i>Bio- gas plant</i>) have been applied according to the District Gobar gas company's rate as per their capacity.</li><li>Rate for the thatched roofing have been proposed as a specific case and the associated wood works are considered as per its technical requirement but not counted at site, since it is not possible to mention their individually dimensions.</li><li>For pig, goat, cow and chicken sheds sample calculations have been made and applied as a common rate to all having the similar specification.</li><li>Items which are not possible to work out the cost technically have been assumed by verifying with the locals and quarries, (i.e. vegetable rakes , thangkros)</li><li>Electrification cost for the houses have been applied as per their status at site. The team assumes that this amount could meet the cost of the electrification comfortably.</li></ol> <p>Proposed by: </p> <p>Approved by the Committee: </p>	<p>Government of Nepal District Development Committee DISTRICT TECHNICAL OFFICE TANAHU</p> <p><b>Summary Cost of Individual Houses &amp; other structures within the premises of the houses</b></p> <p>Following workout cost are the summaries of the individual houses &amp; their premises structure. The details of the same are attached with it. Name of Project :- Upper Seti hydroelectric project (Infrastructure development activities) Job :- Property valuation</p> <table><tr><th>S. No.</th><th>DESCRIPTION</th><th>Kitta Nos.</th><th>Summarised Grand Total Amount</th><th>Remarks</th></tr><tr><td>✓ 1</td><td>Jit bahadur Bache</td><td>1636</td><td>454901.71</td><td></td></tr><tr><td>✓ 2</td><td>Rim maya Garja magar</td><td>844</td><td>407902.43</td><td></td></tr><tr><td>✓ 3</td><td>Babuli Garja Majar (Shreemati)</td><td>844</td><td>341202.90</td><td></td></tr><tr><td>✓ 4</td><td>Shreemati Rim maya Garja Majar (Only G)</td><td>844</td><td>24,667.14</td><td></td></tr><tr><td>✓ 5</td><td>Dipali Sumer Nepoli</td><td>1081</td><td>178,092.48</td><td></td></tr><tr><td>✓ 6</td><td>Nimala Thapa Magar</td><td>322</td><td>219,340.04</td><td>राख</td></tr><tr><td>✓ 7</td><td>Kausila Pariyar</td><td>1025</td><td>123,667.43</td><td>+280 = 929,066.83</td></tr><tr><td>✓ 8</td><td>Dhan Bahadur Thapamagar</td><td>1024</td><td>285,817.36</td><td></td></tr><tr><td>✓ 9</td><td>Durgabhadur Ranabhat</td><td>1022</td><td>79,281.41</td><td></td></tr><tr><td>✓ 10</td><td>Ratnakumari Ranabhat</td><td>1021</td><td>278,545.75</td><td></td></tr><tr><td>✓ 11</td><td>Madhav Ranabhat</td><td>1020</td><td>261,031.29</td><td></td></tr><tr><td>✓ 12</td><td>Bishnumaya Thapa</td><td>1019</td><td>266,530.02</td><td></td></tr><tr><td>✓ 13</td><td>Gyanumaya Ranabhat</td><td>584</td><td>403,142.70</td><td></td></tr><tr><td>✓ 14</td><td>Prem bahadur Ranabhat</td><td>1161</td><td>370,023.25</td><td></td></tr><tr><td>✓ 15</td><td>Resham Lal Ranabhat</td><td>1044 &amp; 1045</td><td>252,581.44</td><td></td></tr><tr><td>✓ 16</td><td>Hiro Lal Asle</td><td>593</td><td>731,012.89</td><td></td></tr><tr><td>✓ 17</td><td>Lalunaya Gurung</td><td>1063</td><td>264,227.66</td><td></td></tr><tr><td>✓ 18</td><td>Yamkumari</td><td>1065</td><td>457,147.42</td><td></td></tr><tr><td>✓ 19</td><td>Ravali Asle</td><td>370</td><td>765,147.43</td><td></td></tr><tr><td>✓ 20</td><td>Kausila Asle/Rajya Thapa</td><td>530</td><td>88,422.88</td><td></td></tr><tr><td>✓ 21</td><td>Shreemaya Asle</td><td>495</td><td>362,124.57</td><td></td></tr><tr><td>✓ 22</td><td>Ravali Thapa/Khagimaya Thapa</td><td>34</td><td>63,747.50</td><td></td></tr><tr><td>✓ 23</td><td>Jek bahadur Garja</td><td>1222</td><td>1,157,794.77</td><td></td></tr><tr><td>✓ 24</td><td>Bir bahadur Thapa</td><td>126</td><td>223,951.62</td><td></td></tr><tr><td>✓ 25</td><td>Tej bahadur Thapa</td><td>1529</td><td>54,565.76</td><td></td></tr><tr><td>✓ 26</td><td>Bishnu bahadur Rana Shreejong Thapa</td><td>1008</td><td>334,052.51</td><td></td></tr><tr><td>✓ 27</td><td>Gangadhar Thapa</td><td>124</td><td>1,083,295.67</td><td></td></tr><tr><td>✓ 28</td><td>Gangadhar Thapa (B)</td><td>124</td><td>1,426,456.13</td><td></td></tr><tr><td>✓ 29</td><td>Hem bahadur Thapa</td><td>256</td><td>832,240.04</td><td></td></tr><tr><td>✓ 30</td><td>Yam bahadur Disawa Magar</td><td>119</td><td>186,132.99</td><td></td></tr><tr><td>✓ 31</td><td>Nabadev Disawa Magar</td><td>116</td><td>350,570.03</td><td></td></tr><tr><td>✓ 32</td><td>Tekumaya Jhendi</td><td>355</td><td>62,635.65</td><td></td></tr><tr><td colspan="3">Grand Total Rs.</td><td>12,370,842.88</td><td></td></tr></table> <p></p>	S. No.	DESCRIPTION	Kitta Nos.	Summarised Grand Total Amount	Remarks	✓ 1	Jit bahadur Bache	1636	454901.71		✓ 2	Rim maya Garja magar	844	407902.43		✓ 3	Babuli Garja Majar (Shreemati)	844	341202.90		✓ 4	Shreemati Rim maya Garja Majar (Only G)	844	24,667.14		✓ 5	Dipali Sumer Nepoli	1081	178,092.48		✓ 6	Nimala Thapa Magar	322	219,340.04	राख	✓ 7	Kausila Pariyar	1025	123,667.43	+280 = 929,066.83	✓ 8	Dhan Bahadur Thapamagar	1024	285,817.36		✓ 9	Durgabhadur Ranabhat	1022	79,281.41		✓ 10	Ratnakumari Ranabhat	1021	278,545.75		✓ 11	Madhav Ranabhat	1020	261,031.29		✓ 12	Bishnumaya Thapa	1019	266,530.02		✓ 13	Gyanumaya Ranabhat	584	403,142.70		✓ 14	Prem bahadur Ranabhat	1161	370,023.25		✓ 15	Resham Lal Ranabhat	1044 & 1045	252,581.44		✓ 16	Hiro Lal Asle	593	731,012.89		✓ 17	Lalunaya Gurung	1063	264,227.66		✓ 18	Yamkumari	1065	457,147.42		✓ 19	Ravali Asle	370	765,147.43		✓ 20	Kausila Asle/Rajya Thapa	530	88,422.88		✓ 21	Shreemaya Asle	495	362,124.57		✓ 22	Ravali Thapa/Khagimaya Thapa	34	63,747.50		✓ 23	Jek bahadur Garja	1222	1,157,794.77		✓ 24	Bir bahadur Thapa	126	223,951.62		✓ 25	Tej bahadur Thapa	1529	54,565.76		✓ 26	Bishnu bahadur Rana Shreejong Thapa	1008	334,052.51		✓ 27	Gangadhar Thapa	124	1,083,295.67		✓ 28	Gangadhar Thapa (B)	124	1,426,456.13		✓ 29	Hem bahadur Thapa	256	832,240.04		✓ 30	Yam bahadur Disawa Magar	119	186,132.99		✓ 31	Nabadev Disawa Magar	116	350,570.03		✓ 32	Tekumaya Jhendi	355	62,635.65		Grand Total Rs.			12,370,842.88	
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## ANNEX 4.2-2: DMS - REPRESENTATIVE EXAMPLE FOR PRIM. AND SEC. STRUCTURES

## AFFECTED HOUSEHOLD: JIT BAHADUR BACHE

## SHEET 1/9 (SUMMARY)

Government of Nepal  
District Development Committee  
**DISTRICT TECHNICAL OFFICE**  
Tanahun

*Summary of Cost**House No. 1*

Name of Project :- Upper Seti hydroelectric project

Job :- Property valuation

Property Holder:- Jit bahadur Bache

Type of Property :- House 1436

Location :- Kahushivapur VDC.1 Jhaputar Hoks

Date of Building construction :- 2059

F/Y:- 2058/59

S.N.	DESCRIPTION	Amount	Remarks
	Main House with stone masonry in mud mortar with	263073.69	
1	thatched roof	49377.87	
2	Chicken Shed	21302.14	
3	Goatshed	22427.69	
4	Pig Shed	28718.42	
5	Goth	28073.89	
6	Toilet	41928.00	
7	Gobargas plant 6m <sup>3</sup>		
	Grand Total Rs.	454,901.71	



Prepared by :-

Checked by :-

Approved by :-

## ANNEX 4.2-3: DMS - REPRESENTATIVE EXAMPLE FOR PRIM. AND SEC. STRUCTURES

## AFFECTED HOUSEHOLD: JIT BAHADUR BACHE

## SHEET 2-3/9: HOUSE (SHOWN IS SHEET 2)

1 of 2

Government of Nepal  
District Development Committee  
DISTRICT TECHNICAL OFFICE  
Tanahun

DETAILED QUANTITY & COST ESTIMATEHouse No. 1

Name of Project :- Upper Seti hydroelectric project  
Job :- Property valuation  
Property Holder:- Jit bahadur Bache  
Type of Property :- House  
Location :- Kahushivapur VDC.1 Jhupatar Hkse  
Date of Building construction :- 2059  
F/Y:- 2058/69

S. N.	DESCRIPTION	Nos.	Length (m)	Breadth (m)	Height (m)	Quantity	Rate	Amount	Remarks
	Site Clearance work	1.00	8.00	5.00		40.00	14.00	560.00	
1	<b>EARTHWORK IN EXCAVATION &amp; BACK FILLING:</b>								
	Earthwork in excavation in foundation trench in all kind of soil with dressing of sides, leveling & ramming the bottom including 1.5 m lift, 30 m lead, & back filling after construction work as per drawing, specification & instruction								
	Trench for wall	1	8.00	0.80	0.75	4.80			
	Long wall	1	6.65	0.80	0.75	3.99			
	Long wall	3	2.15	0.80	0.75	3.87			
	Short wall	1	3.80	0.80	0.75	2.28			
	Short wall	1	7.60	0.30	0.75	1.71			
	Trench for varandah wall	1	1.25	0.30	0.30	0.11			
						16.65			
	Front yard support wall	1	9.00	0.50	0.50	2.25			
						18.90 m <sup>3</sup>	216.30	4088.07	
2	<b>STONE MASONRY WORK</b>								
	Providing & laying random rubble stone masonry work with mud mortar in proper line, level & plumb all complete including curing of work, supplying of all materials, labour lead & lift as per drawing, specification & instruction.								
	Up to the Ground level	same as in item no. 1 of e/w				18.90			
	From gl to PL.								
	Long wall	1	7.60	0.40	0.50	1.52			
	Long wall	1	6.25	0.40	0.50	1.25			
	Long wall	3	2.55	0.40	0.50	1.53			
	Short wall	1	4.40	0.40	0.50	0.88			
	Short wall	1	7.60	0.30	0.30	0.68			
	varandah wall	1	9.00	0.50	0.50	2.25			
	Front yard support wall								
	Upto 1st floor super structure								
	All wll	1	25.70	0.40	1.90	19.532			
	Above 1st Floor All wall	1	14.90	0.40	1.50	8.94			
	Triangular part					1.34			
	Deduction for Door & Window								
	Door	-2	0.75	0.40	1.80	-1.08			
	Window	-3	0.50	0.40	0.60	-0.36			
						55.39 m <sup>3</sup>	2688.70	148916.338	
3	<b>Wood work for Chaukosh</b>								
	Door & Window		10.10	0.07	0.10	0.1337 m <sup>3</sup>	120622.60	16127.2416	
4	<b>Local wood shutter for Door &amp; window</b>								
	Door	2	0.68		1.76	2.39			
		3	0.38		0.48	0.55			

Prepared by :-

Checked by :-

Approved by :-





## ANNEX 4.2-5: DMS - REPRESENTATIVE EXAMPLE FOR PRIM. AND SEC. STRUCTURES

## AFFECTED HOUSEHOLD: JIT BAHADUR BACHE

## SHEET 8-9/9: TOILET (SHOWN IS SHEET 8)

Government of Nepal  
District Development Committee  
DISTRICT TECHNICAL OFFICE  
Tanahun

DETAILED QUANTITY & COST ESTIMATEHouse No. 1(Toilet)

Name of Project :- Upper Seti hydroelectric project  
Job :- Property valuation  
Property Holder:- Jit bahadur Bache  
Type of Property :- House  
Location :- Kahushivapur VDC.1 Jhupatar Hoksie  
Date of Building construction :- 2059  
H.Y:- 2058/59

S. N.	DESCRIPTION	Nos.	Length (m)	Breadth (m)	Height (m)	Quantity	Rate	Amount	Remarks
1	<b>EARTHWORK IN EXCAVATION &amp; BACK FILLING</b>								
	Earthwork in excavation in foundation trench in all kind of soil with dressing of sides, levelling & ramming the bottom including 1.5 m lift, 30 m lead, & back filling after construction work as per drawing, specification & instruction								
	Trench for wall								
	Long wall	2	1.90	0.50	0.40	0.76			
	Short wall	3	0.80	0.50	0.40	0.48			
						1.24 m <sup>3</sup>	216.30	268.21	
2	<b>STONE MASONRY WORK</b>								
	Providing & laying random rubble stone masonry work with mud mortar in proper line, level & plumb all complete including curing of work, supplying of all materials, labour, lead & lift as per drawing, specification & instruction								
	Up to the Ground level		same as in item no. 1 of e/w			1.24			
	From gl to PL								
	Long wall	2	1.80	0.35	0.25	0.32			
	Short wall	2	0.90	0.35	0.25	0.16			
	Above pl. super structure wall	1	5.40	0.35	1.48	2.7878			
	Deduction for Door & Window	-1	0.65	0.35	1.50	-0.341			
	Door					4.16 m <sup>2</sup>	2688.70	11182.30	
3	Wood work for Chalkoshi								
	Door & Window	1	4.50	0.07	0.10	0.0315 m <sup>3</sup>	120622.60	3799.61	
4	Local wood shutter for Door & window								
	Door	1	0.53		1.38	0.73			
						0.73 m <sup>3</sup>	3944.43	2884.95	
5	Wood work for Roofing & other part								
	Joist	2	2.00	0.07	0.04	0.28			
	Wallplate	2	1.80	0.07	0.04	0.01			
	Batten	3	1.80	0.07	0.04	0.01			
						0.30 m <sup>3</sup>	3944.43	1180.68	
6	CGI sheet roofing with required fitting & fixings	1	2.00	1.00		3.60 m <sup>2</sup>	630.88	2271.18	
7	Water tap with partial water system etc including fitting & labour all complete								
		1				1 set	2000.00	2000.00	
8	Electric wiring	1	0.00	1.00	0.15	0.15 m <sup>3</sup>	1946.20	293.01	

Prepared by

Checked by

Approved by



### ANNEX 4.3-1: DMS - REPRESENTATIVE EXAMPLE FOR LAND

The affected areas are indicated in the inventory of loss.

The compensation rate for land acquisition for both access roads and camp site was determined by the CDC on 13 June 2012 after consultation and negotiation with APs. The compensation rates used by CDC for the THP to determine the compensation costs for land have been much higher fixed than the comparable unit officially applied in 2012.

Ser. No.	Place		CDC Rate / Ropani NRs	Official Rate / Ropani NRs	Remarks
			[1 Ropani = 508.72 m <sup>2</sup> ]		
1	Jhaputar to Bhirkot Earthen road area section		4,800,000	400,000	Access Road
2	Jhaputar Area backside of church		4,000,000	400,000	
3	Jaruwa	Paddy land	2,800.000	16,000	Camp Area
		Non Paddy land	2,620,000	8,000	
4	Hokse Kholsi to Sukla Kholsi Section	Paddy land	1,800,000	16,000	Access Road
		Non Paddy land	1,600,000	8,000	
5	Beni Patan	Paddy land	2,000,000	1,200,000	
		Non Paddy land	1,900,000		
6	1 Gha Title No 20, 299, 300, 1073, 1081, 1153, 1171, 1177, 1179, 1183, 1189, 1229, 1227, 1259, 1260, 1264, 1288, 1305, 1524, 1525, and 1548	Paddy land	2,160,000	16,000	
		Non Paddy land	2,080,000	8,000	
7	1 Gha Title No 73, 265, 391, 809, 891, 892, 895, 896, 897, 1198, 1199, 1200, 1201, 1202, 1222, 1472, 1473, 1622, 1623, 1625, and 1666	Paddy land	2,240,000	16,000	
		Non Paddy land	2,160,000	8,000	

## ANNEX 4.3-2: DMS - REPRESENTATIVE EXAMPLE FOR TREES

नेपाल विद्युत प्राधिकरण माथिल्लो सेती जल विद्युत आयोजना दमाुली विभिन्न व्यक्तिहरूको आवादीमा परेका रुखहरूको छपान मूल्याङ्कन तालिका											
सि.नं.	रुखको जात	गोलाई से.मी	व्यास से.मी	उचाई मि.	रुखको क्लास	परिमाण			जग्गाधनीको नाम घर र कि.नं.	कैफियत	
						काठ क्यू.फि.	दाउरा भारी	घाँस भारी		काठ मूल्य रु	दाउरा मूल्य रु
१.	करम	८१	२५.८	१०	१	६.०८	९		रै माया शाक्य	१२१६	२१६०
२.	खयर	१००	३१.८५	६	१	८.४३	४		"	५०५८	९६०
३.	साज	३४	१०.८३	५	३	०.००	१	१	"		२४०
४.	दगदगे	७७	२४.५२	७	३	०.००	६	२	भिम माया सारु		१४४०
५.	"	६५	२०.७	५	३	०.००	३	१	"		७२०
६.	"	१२१	३८.५४	८	३	०.००	१६	५	"		३८४०
७.	"	१३१	४१.७२	७	३	०.००	१७	७	"		४०८०

Nepal Electricity Authority - Upper Seti Hydropower Project - Damauli Cost Estimation Form for Loss of Tress of Affected People											
S.N.	TYPE OF TREES	PERI-METER CM	DIA-METER CM	HEIGHT	CLASS OF TREES	QUANTITY			NAME OF LAND OWNER AND PLOT NO	REMARKS	
						WOOD CU.FT	FIREWOOD STACK	FODDER STACK		WOOD COST RS	FIREWOOD COST RS
1	NEOLAMARCKIA CADAMBA	81	25.8	10	1	6.08	9		RAI MAYA SAKYE	1216	2160
2	SENEGALIA CATECHU	100	31.85	6	1	8.43	4		"	5058	960
3	TERMINALIA ELLIPTICIA	34	10.83	5	3	0.00	1	1	"		240
4	GARUGA PINNATA	77	24.52	7	3	0.00	6	2	BHIM MAYA SARU		1440
5	"	65	20.7	5	3	0.00	3	1	"		720
6	"	121	38.54	8	3	0.00	16	5	"		3840
7	"	131	41.72	7	3	0.00	17	7	"		4080

## ANNEX 4.3-3: DMS - REPRESENTATIVE EXAMPLE FOR CROPS

जिल्ला कृषि विकास कार्यालय दमौली, तनहुँ फलफूल बालीको अनुमानित उत्पादन मूल्याङ्कन आ.व.: २०६८/०६९											
क्र.स.	कृषकको नाम र	ठेगाना	कित	फलफूल वार्ताको नाम	बोट संख्या	सदर प्रति बोट उत्पादन के.जी.	मूल्य रु. प्रति के.जी.	प्रति बोट उत्पादनको जम्मा मूल्य रु.	जम्मा एक सिजन आम्दानी रु.	औषत फल दिने वर्ष	जम्मा अनुमानित उत्पादन मूल्य रु.
१	जित बहादुर बाचे मगर		१६३६	कागती	१	२०	५०	१०००	१०००	५	५०००.०
				सुन्तला	१	५०	३०	१५००	१५००	५	७५००.०
२	सन्तोष श्रेष्ठ (सन्तोष)		३३४	विमिरे	१	४०	२०	८००	८००	५	४०००.०
३	रिममाया गजामगर		०	मेवा	२	२०	२०	४००	८००	२	१६००.०

District Agriculture Development Office - Damauli Tanahu Average Cost Estimation for Production of Fruit Trees											
S.N.	FARMERS NAME	ADDRESS	PLOT NO	NAME OF FRUIT TREES	NO. OF FRUIT TREES	AVERAGE PRODUCTION PER FRUIT TREES KG	COST PER KG RS	TOTAL AMOUNT PRODUCTION OF PER FRUIT TREES RS	TOTAL AMOUNT INCOME FOR ONE SEASON RS	AVERAGE PRODUCTION YEAR	TOTAL ESTIMATED PRODUCTION COST RS
1	JIT BAHADUR BACHE MAGAR		1636	CITRUS	1	20	50	1000	1000	5	5000.0
				ORANGE	1	50	30	1500	1500	5	7500.0
2	SANTOSH SHRESTHA (SANTOSH)		334	CITRON	1	40	20	800	800	5	4000.0
3	RIMMAYA GANJAMAGAR		0	PAPAYA	2	20	20	400	800	2	1600.0

# ANNEX 5.1-1: SOCIO-ECONOMIC SURVEY OF AFFECTED HOUSEHOLDS: DETAILS ABOUT DEMOGRAPHIC FEATURES

Selected Demographic Features			Surveyed Affected Households														Surveyed Affected Indigenous Households																
			Camp			Access Road			Beteni & Banchara			Reservoir			Soil excavation /disposal Site	Construction Material Site	Other Areas	Surveyed Total	Camp			Access Road			Beteni & Banchara			Reservoir			Surveyed Total		
			HMC	IP	D	HMC	IP	D	HMC	IP	D	HMC	IP	D					M	G	N	M	G	N	M	G	N	M	G	N			
AHs	Total	[no]	13	86	6	15	19	0	6	30	0	81	211	8	Depending on Construction Design by Civil Contractor during Construction Phase			475	79	4	3	17	1	1	29	0	1	149	32	30	346		
		[%]	2,7	18,1	1,3	3,2	4,0	0	1,3	6,3	0	17,1	44,4	1,7				100	22,8	1,2	0,86	4,9	0,29	0,29	8,36	0	0,29	42,9	9,22	8,65	100		
	Ethnicity / Caste	HMC	115																274									M	346				
		IP	346																37									G					
		D	14																35									N					
		HMC	24																79									M	100				
IP	73																	11									G						
D	3																	10									N						
APs	Total	[no]	78	534	41	84	136	0	32	181	0	519	1750	48				3403	486	25	23	125	4	7	176	0	5	1316	227	207	2601		
		[%]	2,3	15,7	1,2	2,5	4,0	0	0,9	5,3	0	15,3	51,4	1,4				100	18,7	1,0	0,9	4,8	0,2	0,3	6,8	0,0	0,2	50,6	8,7	8,0	100		
	Sex	Male	[no]	37	272	19	41	58	0	16	90	0	254	808				22	1617	252	10	10	53	2	3	88	0	2	596	111	101	1228	
			328																272									808					
			1617																1228														
		Female	1,1	8,0	0,6	1,2	1,7	0	0,5	2,6	0	7,5	23,7	0,6				48	9,6	0,4	0,38	2,04	0,08	0,12	3,38	0	0,08	22,9	4,27	3,88	47,2		
			9,6																2,2									3,5					
			1786																1373														
	Age	< 18	[no]	41	262	22	43	78	0	16	91	0	265	942				26	1786	234	15	13	72	2	4	88	0	3	720	116	106	1373	
			325																78									91					
			1786																1373														
		19 to 60	1,2	7,7	0,6	1,3	2,3	0	0,5	2,7	0	7,8	27,7	0,8				52	9,0	0,6	0,5	2,8	0,1	0,2	3,4	0,0	0,1	27,7	4,5	4,1	52,8		
			9,6																3,0									3,5					
			36,2																36,2														
	> 60	8	147	5	25	39	0	6	45	0	104	452	14	845				131	9	7	37	0	2	43	0	3	337	64	51	684	M	2601	
		51	262	31	45	78	0	17	121	0	291	907	25	1828				238	13	11	72	3	3	114	0	1	690	117	104	1366	G		
		19	125	5	14	19	0	4	20	0	124	391	9	730				117	3	5	16	1	2	19	0	1	289	46	52	551	N		
		0,2	4,32	0,1	0,7	1,1	0	0,2	1,3	0	3,06	13,3	0,4	25				5,04	0,3	0,27	1,42	0	0,08	1,65	0	0,12	13	2,46	1,96	26,3	M		
		1,5	7,7	0,9	1,3	2,3	0	0,5	3,6	0	8,55	26,7	0,7	54				9,15	0,5	0,42	2,77	0,12	0,12	4,38	0	0,04	26,5	4,5	3,99	52,52	G		
	Ethnicity / Caste	HMC	[no]	713	2601													3403	2103											2601			
IP			89																256														
D			21																242														
IP		[%]	76	21											100	80,9											100,0						
		D	3																9,8														
	3																9,3																
Abbreviations: HMC = High Middle Caste (None Indigenous People) ; IP= Indigenous People ; D = Dalit ; AH = Affected Household ; AP=Affected People M= Magar, G = Gurung, N = Newar																																	

Abbreviations: HMC = High Middle Caste (None Indigenous People) ; IP= Indigenous People ; D = Dalit ; AH = Affected Household ; AP=Affected People M= Magar, G = Gurung, N = Newar



### ANNEX 5.1-3: SOCIO-ECONOMIC SURVEY OF AFFECTED HOUSEHOLDS: DETAILS ABOUT INCOME SOURCES

Ser. No.	Income Source	Surveyed Affected Households														Surveyed Affected Indigenous Households												Total				
		Camp			Access Road			Beteni & Banchare			Reservoir			Soil excavation	Construction Material Site	Other Areas	Total	Camp			Access Road			Beteni & Banchare			Reservoir					
		HMC	IP	D	HMC	IP	D	HMC	IP	D	HMC	IP	D					M	G	N	M	G	N	M	G	N	M		G	N		
		13	86	6	15	19	0	6	30	0	81	211	8				0	0	0	475	79	4	3	17	1	1	29		0	1	149	32
1	Agriculture		7			2			1	5		11	20		Depending on Construction Design by Civil Contractor during Construction Phase	46	6			1	2				5				10	9	1	34
2	Agriculture + Business	3	3		1					1		2	3			13	3							1				1	1	1	7	
3	Agriculture + Business + Foreign Employment		1										2			3	1											1		1	3	
4	Agriculture + Pension + Foreign Employment		1									1				2	1														1	
5	Agriculture + Foreign Employment		4		1	1						5	53	3		67	3	1			1							42	2	9	58	
6	Agriculture + Job		2		2			1	2			12	12			31	2						2				11	1		16		
7	Agriculture + Job + Business		1									1	2			4	1												2	3		
8	Agriculture + Job + Business + Foreign Employment												2			2											2			2		
9	Agriculture + Job + Foreign Employment	3	5						1			4	5			18	5						1				5			11		
10	Agriculture + Pension + Job		2									2	3			7	2										3			5		
12	Agriculture + Job + Wages		2	1				1								4	2													2		
13	Agriculture + Pension	1	2		1							6	8			18	1	1									7		1	10		
14	Agriculture + Business + Pension		1		1	1						1				4	1			1										2		
15	Agriculture + Pension + Business+ Foreign Employment												2			2											1	1		2		
16	Agriculture + Pension + Foreign Employment		2									4	6			12	2										5		1	8		
17	Agriculture + Wages	1	7			1		1	16			7	30	4		67	7			1			16				20	2	8	54		
18	Agriculture + Wages + Pension + Business + Foreign Employment					1										1				1										1		
19	Business		6	1	2	2		1	1			6	5			24	5	1				1	1			1	4		1	14		
20	Business + Foreign Employment		2		1							1	2			6	2										1	1		4		
21	Foreign Employment	1	4	1		2						2	16			26	3			1	2						10	4	2	22		
22	Job	1	12		1	1						9	18	1		43	11			1	1						9	8	1	31		
23	Job + Business		3		3	1						1	2			10	3				1						2			6		
25	Job + Foreign Employment	1	1	1	1								5			9	1										4		1	6		
26	Job + Pension	1	3									1				5	3													3		
27	Job + Wages		3													3	3													3		
28	Job + Wages + Pension + Foreign Employment					1										1					1									1		
29	Livestock											1				1														0		
30	Pension		1		1	3			1				5			11		1		3			1				3	1	1	10		
31	Pension + Business							1					1			2											1			1		
32	Pension + Business + Foreign Employment												1			1											1			1		
33	Pension + Foreign Employment		2										2			4	2										2			4		
34	Wage		4	1		2			3			4	6			20	4			2			3				3	2	1	15		
35	Wage +Business		1			1										2	1			1										2		
36	Wage +Business + Foreign Employment		0	1												1														0		
37	Wage + Foreign Employment	1	3													4	3													3		
38	Wage + Foreign Employment + Pension		1													1	1													1		
Total AHs		13	86	6	15	19	0	6	30	0	81	211	8		475	79	4	3	17	1	1	29	0	1		148	32	31	346			
Abbreviations: HMC = High Middle Caste (None IP) ; IP= Indigenous People ; D = Dalit ; AH = Affected Household ; AP=Affected People ; M= Magar ; G= Gurung ; N= Newar																																

Abbreviations: HMC = High Middle Caste (None IP) ; IP= Indigenous People ; D = Dalit ; AH = Affected Household ; AP=Affected People ; M= Magar ; G= Gurung ; N= Newar





### ANNEX 5.2-1: SOCIO-ECONOMIC SURVEY OF AFFECTED HOUSEHOLDS: OVERVIEW VULNERABILITY

Vulnerability	Surveyed Affected Households													Surveyed Affected Indigenous Households													
	Camp			Access Road			Beteni & Banchara			Reservoir			Soil excavation /disposal Site Construction Material Site Other AR	Total	Camp			Access Road			Beteni & Banchara			Reservoir			Total
	HMC	IP	D	HMC	IP	D	HMC	IP	D	HMC	IP	D			M	G	N	M	G	N	M	G	N	M	G	N	
	13	86	6	15	19	0	6	30	0	81	211	8			79	4	3	17	1	1	29	0	1	149	32	30	
Elderly + Below Poverty		0		1	0			0			0		Depending on Construction Design by Civil Contractor during Construction Phase	475												0	
Below Poverty		0		1	0			0			0			1													
Below Poverty + Indigenous		1			0			0			3			4	1								2		1	4	
Disable + Indigenous		4			0			0			15			19	3	1							14	1		19	
Disable										1				1													
Elderly	2	0		2	0		1	0		18	0			23												0	
Elderly +Disable + Indigenous		2			0			0			0			2	2											2	
Elderly + Indigenous		12			4			0			35			51	11		1	4					28	3	4	51	
Elderly+ Dalit		0	2		0			0			0			2												0	
Female Headed	1	0		2	0		1	0		5	0			9												0	
Female Headed + Disable + Indigenous		1			0			0			2			3	1								1	1		3	
Female Headed + Indigenous		3			2			0			12			17	3			2					10	2		17	
Indigenous		63			13			30			134			240	58	3	2	11	1	1	29		1	88	24	22	240
Dalit		0	4		0			0			0	6		10												0	
Elderly + Female Headed + Indigenous		0			0			0			7			7									6	1		7	
Below Poverty + Dalit		0			0			0			0	1		1												0	
Elderly + Disable + Indigenous		0			0			0			0			0												0	
Elderly + Female Headed		0			0			0		1	0			1												0	
Elderly + Female headed + Below poverty + Dalit		0			0			0			0	1		1												0	
Elderly + Female headed + Disable + Indigenous		0			0			0			2			2										2		2	
Female headed + Blow poverty + Indigenous		0			0			0			1			1										1		1	
Total vulnerable AHs	3	86	6	6	19	0	2	30	0	25	211	8	396	79	4	3	17	1	1	29	0	1	149	32	30	346	

Abbreviations: HMC = High Middle Caste (None IP) ; IP= Indigenous People ; D= Dalit ; AH= Affected Household ; AP=Affected People ; M=Magar ; G=Gurung ; N= Newar.

Abbreviations: HMC = High Middle Caste (None IP) ; IP= Indigenous People ; D = Dalit ; AH = Affected Household ; AP=Affected People ; M=Magar ; G=Gurung ; N= Newar.



## ANNEX 5.2-2: SOCIO-ECONOMIC SURVEY OF AFFECTED HOUSEHOLDS: EXTRACT AND SUMMARY VULNERABILITY

Reservoir incl. Dam: Affected Households - Vulnerability and Indigenous People																						
Ser. No.	Households (HHs)	Project Component	Ownership of Affected Asset		Popu-lation	Social Status					Ethnicity											
						Project Applied Criteria																
			Names			Female	Male	Sex of Head of AH		Poverty	Age	Health	Indigenous People = Janajats								Dalit (Occ. Cast)	
								Female	Male	Below Pov. Line	Elderly	Disabled	Bhujel	Bote	Darai	Dura	Gurung	Magar	Newar	Tamang		
		[tick "x"]	[tick "x"]	[no]	[tick "x"]																	
1	Nar Bahadur Sijali Magar	x		x	8		x				X						x					
2	Bhuntimaya Thapa magar	x	x		2	x											x					
3	Babu Ram Gaire	x		x	8		x															
4	Samber Bahadur Ranabhat	x		x	6		x		X													
5	Ram Bahadur Ranabhat	x		x	5		x		X													
6	Rup Bahadur Ranabhat	x		x	22		x		X													
7	Yam Bahadur Thapa Samet	x		x	5		x	X									x					
8	Tol Bahadur Thapa	x		x	12		x										x					
9	Kale Ale Magar	x		x	4		x										x					
10	Rampyari & Krishna Bahadur Ranabhata	x	x		12		x		X													
11	Gan bahadur Thapa	x		x	5		x										x					
12	Mohan Bahadur Kijim Magar	x		x	10		x										x					
13	Pati Ram Damai	x		x	12	x			X	X									x			
14	Junu Maya Thapa	x	x		10	x											x					
15	Bishnu Hari Gairee	x		x	11		x															
16	Bishnu Hari Gairee	x		x	5																	
17	Kul Bahadur Rana	x		x	11		x		X								x					
18	Lal Bahadur Thapa	x		x	11		x										x					
19	La Bahadur & Chitra Bahadur Thapa	x		x	12		x										x					
20	Shiva Maya Gairee	x	x		5		x		X													
320	Basu Dev Thapa	x		x	7		x										x					
321	Chhatra Raj Bagale	x		x	9		x		X													
322	Shiva maya	x	x		6		x															
323	Ganga Datta Bagale	x		x	5		x															
324	Ghanashyam Bagale	x		x	3		x															
325	Man Bahadur Ranabhata	x		x																		
326	Dil, Suman, Tika	x		x	6		x										x					
327	Kebalesara Thapa	x	x		15	x			X								x					
328	Lekh Bahadur Gurung	x		x	4		x									x						
329	Rem Bahadur Thapa	x		x																		
330	Tek Bahadur Denga	x		x	15		x			X							x					
331	Yagya Thapa Magar	x		x	11		x			X							x					
332	Khadga Sing Garja Magar	x		x	10		x			X							x					
333	Human Sing Gurung	x																				
334	Bal bahadur Ale	x		x																		
335	Unknown Name	x																				
336	Unknown Name	x																				
337	Unknown Name	x																				
338	Unknown Name	x																				
339	Unknown Name	x																				
340	Unknown Name	x																				
341	Unknown Name	x																				
342	Unknown Name	x																				
343	Unknown Name	x																				
Totals		343	80	270	2311	30	267	6	68	19	0	0	0	0	32	147	30	0	6			
			350			297					209											
			17 AHs twice			123 cases 106 AHs					209 AIHs represent 61% of AHs									2%		
		AHs and Cases		Popu-lation		Number of surveyed AHs on Social Status					Affected Indigenous Households (Janajats AHs)								Dalit			
		Average AP/AH				232	n.a.	46	526	147	0	0	0	0	247	1136	232	0				
		Estimated number of APs				2651	951 case related APs					1615										
		Intrapolated number of APs				819 AH related APs					Number of AIPs on Ethnic Status											
		Number of surveyed APs on Social Status																				

Camp & Access Road: Affected Households - Vulnerability and Indigenous People																						
Ser. No.	Households (HHs)	Project Component		Ownership of Affected Asset	Popu-lation	Social Status					Ethnicity											
	Names	Camp	Access Road			Female	Male	Sex of Head of AH		Poverty	Age	Health	Indigenous People = Janajati								Dalit (Occ. Cast)	
				Female				Male	Below Pov. Line	Elderly	Disabled	Bhujel	Bote	Darai	Dura	Gurung	Magar	Newar	Tamang			
					[tick "x"]															[tick "x"]		[no]
1	Man Bahadur Jhedi		x	x	x	16		x									x					
2	Gopi Ram Thapa		x		x	6		x		x							x					
3	Praja Pati Sharma		x		x	5		x		x												
4	Chameli Shrestha		x	x														x				
5	Birbal Thapa		x		x	21		x		x							x					
6	Parshuram Ghiri		x		x																	
7	Mahadev Disuwa Magar		x		x	5		x									x					
8	Hem Bahadur Thapa		x		x	4		x									x					
9	Bir Bahadur Thapa		x		x	22		x		x							x					
10	Tek Bahadur Garja Magar	x	x		x	6		x									x					
11	Dhan Bahadur Thapa	x			x	6		x									x					
12	Buddhi Saru	x			x	6		x									x					
13	Dhan Maya Aale	x		x		6		x									x					
14	Rau Maya Aale	x		x		1	x										x					
15	Manu Maya Bache	x		x		4		x				x					x					
16	Chini Maya Thapa Magar	x		x		10	x					x					x					
17	Bhudi Bahadur Saru	x			x	10		x					x				x					
18	Hast Bahadur Bache	x			x	7		x		x							x					
19	Nara Bahadur Sarumagar	x			x	5		x									x					
20	Jit Bahadur Bache	x			x	4		x									x					
130	Devi Sarkine	x			x	7	x													x		
131	Kamala Maya Thapa	x		x		3		x									x					
132	Gayna Bahadur Ale	x			x	6		x									x					
133	Yubaraj Thapa	x			x	7		x									x					
134	Jamal Din Miya & Jamili Miya	x		x	x																	
135	Thalimaya Thapa	x		x		4		x									x					
136	Samjana Nepali	x		x		5	x													x		
137	Jit Bahadur Thapa	x			x	10		x									x					
138	Rewati Maya Thapa	x		x		9		x		x							x					
139	Mohanshi Thapa		x	x													x					
140	Prem Bahadur Thapa	x			x	6		x		x	x						x					
141	Manjur & Ahamad Miya		x	x	x	4		x														
142	Lalu Maya Gurung	x		x		4		x								x						
143	Kaushila Pariyar	x		x		4		x												x		
144	Yanka Bahaddur Ale	x			x	4		x									x					
145	Man Bahadur Rana	x			x												x					
146	Nirmamala Thapa	x		x													x					
147	Yam Bahadur Disuwa Magar	x			x	2		x									x					
148	Durga Kumari Panta	x		x		6		x	x													
149	Bhabisara Ale		x	x		5		x		x							x					
AHS	Totals	117	34	62	93	834	9	123	3	25	9	1	0	0	0	4	103	5	0	9		
		151		155			132					113										
		2 AHs twice		6 AHs twice		Popu-lation	46 Cases					113 AIHs represent 77% of the AHs										6%
		AHs and Cases					41 AHs					Affected Indigenous Households (Janajati AHs)										Dalit
		Number of surveyed AHs on Social Status						166														
149	132 surveyed AHs	733	209	Average API/AH		6,32	44	n.a.	17	218	71	6	0	0	0	25	651	32	0	57		
	16 absentee AHs																					
	1 not in survey agreeing AH																					
Survey Coverage: 89%		Intrapolated number of APs				259 AH-related APs					AIPs by Ethnic Group											

# **ANNEX 5.2-4: SOCIO-ECONOMIC SURVEY OF AFFECTED HOUSEHOLDS: SUMMARY OF VULNERABILITY**

Betini & Banchare Site Installation with Access : Affected Households - Vulnerability and Indigenous People																							
Ser. No.	Households (HHs)	Project Component		Ownership of Affected Asset		Popu-lation	Social Status					Ethnicity											
	Names	Site Installation		Female	Male		Sex of Head of AH		Poverty	Age	Health	Project Applied Criteria											
		Sites	Access				Female	Male	Below Pov. Line	Elderly	Disabled	Indigenous People = Janajats										Dalit (Occ Cast)	
												[tick "x"]	[tick "x"]	[no]	[tick "x"]								
1	Lok Kumar Gurung Samet		x		x	4		x							x								
2	Sun Maya Shrestha	x		x			x										x						
3	Shree Maya Puri		x	x		12	x			x													
4	Man Singh Thapa	x			x	12		x									x						
5	Padam bdr. Thapa	x			x	6		x									x						
6	Juna Thapa	x		x		4	x										x						
7	Bhim kumar shrestha		x		x	5		x										x					
8	Rajya Thapa	x		x		5	x										x						
9	Raju Ranabhat		x		x	4		x															
10	Chhama Giri	x		x		4	x																
11	Bal Kumari Thapa	x		x		6	x										x						
12	Baburam Puri samet	x			x	4		x															
13	Bhagawoti Shrestha		x	x			x											x					
14	Krishna Hari Dhital	x			x	9		x															
15	Naresh Kumar Shrestha	x			x	5		x										x					
16	Hima Devi Ranabhat		x	x		5	x																
17	Prem Lal Ale	x			x	6		x			x						x						
18	Ashok Thapa	x			x	4		x									x						
19	Yam bdr. Thapa	x			x	6		x									x						
20	Nar bdr. Ale	x			x	6		x									x						
21	Tikaram Ale	x			x	4		x									x						
22	Buddha bdr. Thapa	x			x	10		x		x							x						
23	Sabitri Shrestha		x	x		4	x											x					
24	Shree Jaam Ale	x			x	5		x									x						
25	Bishnu Maya Ale	x		x		7	x										x						
26	Shankar Raj Naharki	x			x	6		x		x								x					
27	Iman Singh Ale	x			x	6		x									x						
28	Suk Maya Thapa	x		x		7	x				x						x						
29	Tikanidhi Poudel Samet	x			x	5		x															
30	Kesh bdr. Thapa	x			x	4		x									x						
31	Tol bdr. Ale	x			x	8		x									x						
32	Man bdr. Thapa	x			x	4		x									x						
33	Shree Maya Ale	x		x		10	x										x						
34	Bhom bdr. Ale	x			x	4		x									x						
35	Suk bdr. Ale	x			x	4		x									x						
36	Jagat bdr. Magar	x			x	10		x									x						
37	Chhabilal Thapa	x			x	2		x		x							x						
38	Rim bdr. thapa	x			x	4		x									x						
39	Arjun giri	x			x	4		x															
40	Keshar Bdr Thapa	x			x	6		x									x						
41	Bal Bdr Thapa	x			x	4		x									x						
42	Sher Bdr Thapa	x			x	2		x									x						
43	Shree Prd Ale	x			x	4		x									x						
44	Prem Bdr. Ale	x			x	5		x									x						
45	Gopi Ram Thapa		x		x			x									x						
46	Suka Ram Tapa		x		x			x									x						
47	Bir Bal Thapa		x		x			x									x						
48	Nar bdr. Ranabhat		x		x			x															
49	Bimala Giri	x		x			x																
50	Pun Kumar Panta	x			x			x															
51	Prajapati Sharma		x		x			x															
52	Bishnu Maya Subedi		x		x			x															
53	Tej Raj Thapaliya	x			x			x															
54	Sharada Lohani	x		x				x															
55	Purna Bahadur Thapa	x			x			x									x						
AHS	Totals	42	13	14	41	236	13	42	0	4	2	0	0	0	0	1	33	6	0	0			
		55		55		236	55					40 (73%)											
	43 surveyed AHS	Average AP/AH				5,619	19 (35%)					Indigenous People = Janajats											
	12 absentee AHS	Intrapolated AP				309	Total: Social Status Head of AH (female, poor, elderly, disabled)					Ethnicity of AH										Dalit	
55	Survey Coverage: 80%							107					225										

## ANNEX 5.3-1: SESA - COPY OF DRAFT RIPP DECEMBER 2012 – CHAPTER III FINDINGS OF THE CENSUS SURVEY

Note: This Annex has been included in this UpRIPP on request of ADB

### III. FINDINGS OF THE CENSUS SURVEY

25. A detailed census survey was conducted in the project area from August 2011 to June 2012. The objective of the census survey was to identify the affected persons and generate an inventory of social and economic impacts on the project affected persons, the structures affected, socio-economic profile of the project affected people, their perceptions about the project and rehabilitation and resettlement options. A survey questionnaire was prepared to collect detailed information on the socio-economic status of the displaced persons and households and their ensuing losses.

26. The survey identified that a total of 753 households will be affected by the Project excluding the RE and TL components. The census survey covered a total of 608 households comprising of 4,257 affected persons. The remaining 150 HHs consists of absentee HHs who were not available in the area during the census survey. Therefore, the socio-economic data provided in the RIPP only applies for the 608 HHs surveyed and consulted.<sup>7</sup> Socioeconomic information of the 150 HH will be obtained once the detailed design of the project is completed, but before project implementation is commenced. If any HH is not available for consultation, the compensation calculated at replacement cost will be kept in a special account to pay when EA contacts the HH.

27. The following section presents the analysis of the key field data collected during the census survey.

<sup>7</sup> However, while calculating the resettlement budget, the affected assets of the 150 absentee HHs were also accounted for.

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### A. Socio-Economic Profile of the Affected Households

#### 1. Social Stratification of Affected Households

28. The local population in the project area can be categorized into three main cultural groups, namely, Castes, *Janajati* (indigenous population), and others including Muslims, Bengalis, Marwaris and Sikh/Panjabis. According to the census survey, 75% of the affected households in the Project area are *Janajatis*, followed by 21% high/middle caste groups. The remaining affected households comprises of *Dalit* and Muslim households.

Table 3.1: Distribution of Affected Households by Caste/ethnicity

Caste/ethnic groups	Distribution	
	Number	%
Dalits	21	3.45%
High/middle castes	127	20.89%
Indigenous Peoples	453	74.51%
Muslims	7	1.15%
<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census survey 2011-2012

29. The table 3.2 further elaborate the composition of each ethnic/caste/religious group in the project area with number of persons of each category. The project-affected households (PAHs) fall into four main categories: i) *Janajatis*; ii) high/middle caste group, iii) *Dalit* (low castes), and iv) Muslims (a religious minority). Table 2 presents their composition. Of the four categories, *Janajati* consists of 75 percent of the total affected households (79 percent of the total number of persons).

Table 3.2. Caste and Ethnic/Religious Minorities Affected by the Project

Ethnic/Caste/Religious Groups	Project-affected Households		Number of persons	
	Number	Percent	Number	Percent
<i>Janajatis</i>	453	75	3345	79
High/middle Caste Group	127	21	736	17
<i>Dalit</i>	21	3	130	3
Muslim	7	1	46	1
<b>Total</b>	<b>608</b>	<b>100</b>	<b>4257</b>	<b>100</b>

Source: Project Census Survey, 2012.

30. The socioeconomic surveys and the project census (2012) indicate that project-affected persons (APs) are predominantly *Janajatis* who share similar socioeconomic status with non-*janajatis* who are the minority (25%) of the total affected HHs. They are not different from other hill population groups living in the project area in terms of livelihood patterns, and social, economic, health and educational statuses. The affected *janajati* and non-*Janajati* households are engaged predominantly in farming.

### B. Indigenous People in Nepal

31. In Nepal, indigenous/tribal communities are popularly known as *Janajati*. Out of 100-ethnic/caste groups listed by the Central Bureau of Statistics, Nepal (2001 Census), 59 are

## ANNEX 5.3-2: SESA - COPY OF DRAFT RIPP DECEMBER 2012 – CHAPTER III FINDINGS OF THE CENSUS SURVEY

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*Janajatis*. In terms of ecological zones, 18 of them are in mountain areas, 23 in hill areas, 07 in inner Terai region and 11 in Terai region. A Technical Committee (2010) established by the Government of Nepal updated the number of *Janajati* groups to 81. Among the key characteristics of these tribal communities are: distinct collective identity, own language (other than Nepali), distinct traditions and cultures, traditional egalitarian social structure (which is distinct from mainstream *varna* or caste system), and their written or oral histories.

32. Acknowledging the diversity in livelihood patterns, income sources and socioeconomic development status among *Janajati* groups, National Foundation for Development of Indigenous Nationalities (NFDIN) (2005) has classified them into five broad categories based on the level of their socioeconomic development status or the degree of marginalization (see Table 3.4 below).

Table 3.4: Distribution of Indigenous Groups /Nationalities by Ecological Zones and Levels of Vulnerability

Ecological zones	Categories of Indigenous Groups/Nationalities				
	Endangered	Highly marginalized	Marginalized	Disadvantaged	Advantaged
Mountain	-	Siya, Shingsawa (Lhomi), Thudam	Bhote, Dolpo, Larke, Lhopa, Mugali, Topkegola, Walung	Bara Gaunle, Byanshi, Chhairotan, Marpahali-Thakali, Sherpa, Tangbe, Tingaule	Thakali
Hill	Bankariya, Hayu, Kushbadiya, Lepcha, Surel	Baramu, Thami, Chepang	Bhujel, Dura, Phree, Sunuwar, Tamang	Chantyal, Gurung, Jhired, Limbu, Magar, Rai, Yakha, Hyolmo	Newar
Inner Terai	Raji, Raute, Kusunda	Bote, Danuwar, Majhi	Darai, Kumhal	-	-
Terai	Kisan, Meche	Dhanuk, Jhangad, Satar	Dhimai, Gangai, Rajbanshi, Tajpuriya, Tharu	-	-
Total	10	12	20	15	2

Source: The National Foundation for Development of Indigenous Nationalities (NFDIN) 2005

### C. Affected *Janajati* Population in the Project Area

33. The 453 *Janajati* PAHs belong to seven *janajati* as stated in table 3.5. Amongst these, 75 percent of the PAH are Magars followed by Newars (11 percent) and Gurungs (7 percent).

Table 3.5: Description of the Affected *Janajati* population

Janajati Communities	Total Affected households		Total Affected Population	
	Number	Percent	Number	Percent
Magar	342	75	2833	78
Newar	49	11	324	10
Gurung	30	7	164	5

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Janajati Communities	Total Affected households		Total Affected Population	
	Number	Percent	Number	Percent
Dura	1	0.5	9	0.5
Bote	15	3	72	2
Darai	15	3	130	4
Tamang	1	0.5	13	0.5
Total	453	100	2823	100

Source: Population Census Survey, 2012.

34. The distribution of IP households by different project components is given below.

Table 3.6 : Project Component Wise Distribution of *Janajati* HHs

Project Component	No.	%
Access Road	97	21.41%
Camp Site	82	18.10%
Disposal Site	65	14.35%
Reservoir Area	192	42.38%
Temporary Facility	17	3.75%
Grand Total	453	100.00%

Source: Population Census Survey, 2012.

35. The distribution of IP persons affected by project component is given in table 3.7

Table 3.7: Project Component Wise Distribution of *Janajati* HHs and Number of Persons Affected

Project Component	HH	Number of Persons
Access Road	97	674
Camp Site	82	526
Disposal Site	65	471
Reservoir Area	192	1569
Temporary Facility	17	105
Grand Total	453	3345

Source: Population Census Survey, 2012.

36. The distribution of *janajati* groups and their households in different project components is given in Table 3.8.

Table 3.8 Project components and Distribution of Affected *Janajati* HHs

Project Component	IP Group	No	%
Access Road	Magar	96	21.19%
	Newar	1	0.22%
Access Road Total		97	21.41%
Camp Site	Magar	77	17.00%
	Dura	1	0.22%
	Gurung	2	0.44%
	Newar	2	0.44%

### ANNEX 5.3-3: SESA - COPY OF DRAFT RIPP DECEMBER 2012 – CHAPTER III FINDINGS OF THE CENSUS SURVEY

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Camp Site Total		82	18.10%
Disposal Site	Magar	4	0.88%
	Bote	15	3.31%
	Darai	15	3.31%
	Gurung	6	1.32%
	Newar	24	5.30%
	Tamang	1	0.22%
Disposal Site Total		65	14.35%
Reservoir Area	Magar	148	32.67%
	Gurung	22	4.86%
	Newar	22	4.86%
Reservoir Area Total		192	42.38%
Temporary Facility	Magar	17	3.75%
Temporary Facility Total		17	3.75%
Grand Total		453	100.00%

Source: Population Census Survey, 2012

#### D. Socio-economic Status of the Indigenous Peoples

37. The Magars are the dominant *Janajati* community in the project area, which belongs to the 'disadvantaged' category in the five-fold (level) categories of indigenous groups. This means that on a scale of "0"- "5", it scores "4", whereas the 'advantaged' group scores "5". As per this scale, 82 percent of the total number of Janajati PAH score "4" on the continuum and are in the disadvantaged category (i.e., *Magar* and *Gurung*). Their socioeconomic status is provided in Table 3.9 below.

Table 3.9: Comparison of Magar *Janajati* Socioeconomic Status with other Social Groups at the National Level

Indicators	Nepal	Hill/ Mountain Janajati	Terai/ Madheshi group	Madhesi dalit
Human development index (HDI)	0.509	0.507	0.448	0.383
Life expectancy at birth	63.69	63.61	61.59	61.26
Under five mortality	68	76	84	81
Adult literacy	52.42	53.81	42.34	27.32
Literacy rate (Male)	81.0	82.4	69.9	48.5
Literacy rate (Female)	54.5	60.0	35.9	17.2
Per capita income (PPP US\$)	1597	1490	1094	743

Source: Nepal Human Development Report, 2009.

38. The project census confirmed that the cultivated lands that will be affected as a result of the Project does not comprise of traditional land or ancestral domains of any *Janajati* community. The census also confirmed that in Project affected areas, no shrines, temples or

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other religious structures or locations, regarded as traditionally sacred by the *Janajatis* will be affected as a result of the Project. In addition, no specific forestland or water body is linked with Magars' rituals, ancestries or their spiritual realms. Each affected land plot is either individually owned or non-titled. In case of the agriculture land (owned by *janajatis*) getting affected as a result of the Project, the *Janajati* households are willing to handover the same to the Project if they can agree on an appropriate compensation with the EA. In line with this, the compensation rate will be mutually agreed between *janajati* landowners and the EA through a process of discussion and agreement. Once there is consensus between the two on the rate of compensation, then only land will be acquired.

39. The project surveys and census confirmed that the lands that will be affected as a result of the Project are not traditional lands or ancestral domains of any *Janajati* community. The surveys and census also confirmed that in project affected areas, that ancestral domain, shrines, temples or other religious structures or location, regarded as traditionally sacred by *Janajatis*, will be affected by the Project. In addition, no specific forestland or water body is linked with their rituals, ancestries or spiritual realms. Each affected land plot is either individually owned or non-titled and cultivated. The affected *janajati* households are willing to hand over the land required for the Project, if they could agree on an appropriate compensation with the EA. These compensation rates are already mutually agreed between *janajati* landowners and the EA through a process of discussion and agreement.

40. In case, if any land is leased in temporarily, the EA will execute a legal agreement with each landowner/user and pay the first year rent before taking the land for project purposes. All of them are additionally entitled to benefits of the Community Development Strategy which will improve health and educational facilities and sources of livelihood and income. The strategy specifically focuses on vulnerable groups including *janajatis*.

#### E. Vulnerability Status of Affected Households

41. The census survey indicated that 82% of the total affected households are disadvantaged/vulnerable groups. 73% of these vulnerable households are *Janajatis*. About 20% of the affected HHs also suffer from more than one source of vulnerability. (See Table 3.10) A detailed list of different types of disadvantages/vulnerabilities has been provided in Annex I.

Table 3.10: Vulnerability Status of Affected Households

Vulnerability Status	In Numbers	In %
Dalit	19	3.13%
Dalit + Below Poverty Line	1	0.16%
Dalit+ Marginal Farmer	1	0.16%
Disabled	1	0.16%
Disabled+ Elderly	1	0.16%
Elderly	14	2.30%
Female headed household+ Elderly	2	0.33%
Female Headed Household	8	1.32%
Female Headed Household + Dalit	1	0.16%
Female headed household + Indigenous People	48	7.89%
Female headed household +Disabled	1	0.16%



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Vulnerability Status	In Numbers	In %
Indigenous People	328	53.95%
Indigenous People + Disabled	9	1.48%
Indigenous People + Elderly	45	7.40%
Indigenous People + Marginal Farmer	9	1.48%
More Than Two	14	2.30%
None	106	17.43%
<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census Survey, 2011-2012

42. Vulnerability status of project-affected *janajatis* is not dissimilar to that of other affected population, as it represents 75% of the total affected population of the project (Table 3.11)

Table 3.11: Vulnerability Status of Janajatis Households

Type(s) of Vulnerability	In Numb	In %
Female headed household + Indigenous People	48	10.60%
Female headed household + Indigenous People + Elderly	9	1.99%
Female Headed Household + Indigenous People + Elderly + Below Poverty Line	1	0.22%
Indigenous People	328	72.41%
Indigenous People + Disabled	9	1.99%
Indigenous People + Elderly	45	9.93%
Indigenous People + Female headed household + Disabled	1	0.22%
Indigenous People + Marginal Farmer + Below Poverty Line	2	0.44%
Indigenous People + Marginal Farmer	9	1.99%
Indigenous People + Marginal Farmer + Below Poverty Line + Elderly	1	0.22%
<b>Grand Total</b>	<b>453</b>	<b>100.00%</b>

Source: Population Census Survey, 2012

## F. Affected Households by Family Size and Type

43. The average family size of affected households is 7 persons per household. The analysis of the displaced households data brought forth that of the 608 affected households, a little more than half (i.e. 335 households) comprise of nuclear households, followed by 188 joint family and 85 extended family households.

## G. Literacy and Educational Attainment of Affected Households

44. The census survey brought forth a fairly high level of literacy amongst the affected households with almost 80% of the head of the households in the affected HHs comprising of literates (Table 3.12). This literacy status is even better in comparison to the national literacy standard. According to Human Development Report 2009, adult literacy in Nepal was noted to be 52%.

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Table 3.12 Educational Attainment among Affected Households

Educational attainment	Number	%
Illiterate	126	20.72%
Primary: Class I-V	118	19.41%
Middle: Class VI-VIII	79	12.99%
Secondary: Class IX-X	98	16.12%
Higher Secondary: Class XI-XII	34	5.59%
Graduate	12	1.97%
Post Graduate	3	0.49%
Functional Literacy	138	22.70%
<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census Survey, 2011-2012

45. The educational attainment levels among affected IP households are similar to that of the total households affected by the project (Table 3.13).

Table 3.13: Education Status of Janajati HHs

Level	In Numb	In %
Primary: Class I-V	93	20.53%
Middle Class VI-VIII	61	13.47%
Secondary: Class IX-X	53	11.70%
Higher Secondary: Class XI-XII	15	3.31%
Graduate	6	1.32%
Post Graduate	2	0.44%
Functional Literacy	111	24.50%
Illiterate	112	24.72%
<b>Grand Total</b>	<b>453</b>	<b>100.00%</b>

Source: Census Survey, 2011-2012

46. Amongst the literate members, 23% comprise of functionally literate with basic skills of reading, writing and doing simple mathematical calculations. Additionally, 49% of heads of the affected households have studied up till primary and secondary levels. The level of higher educational attainment decreases amongst the affected HHs with only 8% of the households' heads comprising of 2.5% graduates and post graduates. Economic and social realities such as poor income levels, long distance to schools and colleges, poor transportation facilities etc are considered as some key factors responsible for dropouts and discontinuation of schooling and higher education in the area.

## H. Occupational Pattern of Affected Households

47. Agriculture is the primary source of income for an overwhelming majority of the households in the project area. During the surveys and census no difference between occupational patterns between *janajatis* and non-*janajatis* were found. Almost two-thirds of the total affected households reported agriculture as their primary source of income (See Table 3.14). Similarly, in case of around 11% of the households trade/business constituted the primary source of household income. Remittance also came forth as a vital source of income for around

# ANNEX 5.3-5: SESA - COPY OF DRAFT RIPP DECEMBER 2012 – CHAPTER III FINDINGS OF THE CENSUS SURVEY

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8% of the affected households whereas around 5% of the affected households reported government employment as their primary income source. The census findings brought forth that 58% of the 608 affected households have more than one source of income.

Table 3.14: Distribution of APs by Their Primary Source of Income

Primary source of income	Affected Households	
	Number	%
Agriculture	406	66.78%
Agriculture Labour	4	0.66%
Business/Trade	64	10.53%
Remittance	46	7.57%
Government Job	30	4.93%
Pension	18	2.96%
Non-Agricultural Labour	14	2.30%
Private Service	11	1.81%
Livestock	7	1.15%
Cottage Industries	4	0.66%
Skilled Labour	2	0.33%
No Response <sup>8</sup>	2	0.33%
<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census Survey, 2011-2012

## I. Annual Income Levels

48. Apart from the occupational pattern, data related to the income levels of the affected households was also collected and analyzed. Table 3.6 presents the income wise distribution of affected households as reported during census survey. Of all the income categories, those earning more than NRs. 200,000 per annum constituted 25% of the affected households followed by an equal proportion of households earning between NRs 150,000 to 200,000. In contrast, 4% of the affected households reported earning less than NRs. 25,000 a year putting them in an economically vulnerable category. The surveys conducted in the project area did not show any variation between the annual household income distribution among income categories listed below in table 3.15.

Table 3.15: Distribution of Households by Total Annual Income

Income Categories (in NRs)	Affected Households	
	Number	%
Less Than 25,000	25	4.11%
25,001-50,000	46	7.57%
50,001-75,000	44	7.24%
75,001-100,000	70	11.51%
100,001-125,000	72	11.84%
125,001-150,000	45	7.40%
150,001-175,000	86	14.14%

<sup>8</sup> Two of the total households interviewed were reluctant to specify their income source.

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Income Categories (in NRs)	Affected Households	
	Number	%
175,001-200,000	66	10.86%
More than 200,000	152	25.00%
No Response	2	0.33%
<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census survey 2011-2012

## J. Level of Awareness of the Affected Households regarding the Project

49. During the census survey, attempt was also made to understand the level of initial awareness amongst the community about the Project. Community perceptions on the Project benefits and impacts were also sought. The survey brought forth that all except 4 affected HHs in the area reported being aware of the Project. In majority of the cases, the households shared that they got to know about the Project from the technical surveyors who were undertaking engineering surveys in the area. Table 3.16 enumerates the other information sources from where the affected households got to know about the Project.

Table 3.16: Sources of Project Information

Sources of Project Information	Affected Households	
	Number	%
Friends/ Neighbour	55	9.05%
Government Department	9	1.48%
Government Department + Technical Surveyors	3	0.49%
Newspapers	43	7.07%
Technical Surveyors	494	81.25%
Did not know about the Project	4	0.66%
<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census Survey 2011-2012

## K. Perception of Affected Households towards Project Benefits and Impacts

50. Attempt was also made to understand the community perception on the Project benefits and impacts. Interactions with the affected HHs brought forth that households perceived the Project both positively and negatively. The main positive impacts of the Project voiced by the affected HHs included increase in employment and income opportunities, increase in the value of land and assets in the area, higher mobility, better education facilities and increase in farm income. (See tables 3.17 and 3.18)

Table 3.17: Positive Impacts of the Project as Perceived by Affected Households

Positive Impacts of the Project as Perceived by Affected HHs	Affected Households	
	Number	%
Access to resources	3	0.49%
Better Education	3	0.49%
Better mobility	10	1.64%
Don't Know	1	0.16%



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Positive Impacts of the Project as Perceived by Affected HHs	Affected Households	
	Number	%
Employment and income	171	28.13%
Increase in agricultural production and sales	1	0.16%
Increase in farm production	3	0.49%
More Than One	369	60.69%
No Response	7	1.15%
Price increase in assets value	40	6.58%
<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census Survey 2011-2012

Table 3.18: Positive Impacts of the Project as Perceived by Affected Janajati Households

Positive Impact-More Than One	No	%
Access to resources	2	0.44%
Better Education	2	0.44%
Better Mobility	9	1.99%
Don't Know	1	0.22%
Employment and income	142	31.35%
Increase in agricultural production and sales	4	0.88%
More Than One	254	56.07%
No Response	4	0.88%
Price increase in assets value	35	7.73%
<b>Grand Total</b>	<b>453</b>	<b>100.00%</b>

51. On the other hand, the affected households also voiced some negative impacts and concern regarding the Project. One of the key negative impacts of the Project, as voiced by 56% of the affected households, is the adverse impact on land, assets and income sources in the area. Disruption of social/cultural ties due to displacement also came forth as another negative impact of the Project. (See Table 3.19 and 3.20). As Janajati households are the majority of affected households both positive and negative impacts of the project as perceived by them are similar to that of others.

Table 3.19: Negative Impacts of the Project as Perceived by Affected Households

Negative Impacts of the Project as Perceived by Affected HHs	Affected Households	
	Number	%
Break in cultural & social ties	49	8.06%
Loss of access to resources/facilities	1	0.16%
Loss of agricultural production and sale	11	1.81%
Loss of assets and income	194	31.91%
More Than One	339	55.76%
No Response	7	1.15%
Relocation	2	0.33%
Shifting of assets and belongings	5	0.82%
<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census survey 2011-2012

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Table 3.20: Negative Impacts of the Project as Perceived by Affected Janajati Households

Negative Impact-More Than One	In Numb	In %
Break in cultural & social ties	38	8.39%
Don't Know	1	0.22%
Loss of agricultural production and sale	10	2.21%
Loss of assets and income	143	31.57%
More Than One	250	55.19%
No Response	5	1.10%
Relocation	2	0.44%
Shifting of assets and belongings	4	0.88%
<b>Grand Total</b>	<b>453</b>	<b>100.00%</b>

## L. Scope of Land and Asset Acquisition

### 1. Type of Project Impacts

52. All 608 affected households will experience impact on their agricultural land. Apart from agricultural land, residential assets residential assets (80 HHs), residential-cum-commercial assets (6 HHs), other assets<sup>9</sup> (111 HHs) and trees (181 HHs) would also be adversely affected in the Project area. The majority of the affected HHs will experience impacts on more than one asset. Table 3.21 below presents the type of losses. There is no significant difference of types of project impacts on *janajati* and non-*janajati* households.

Table 3.21: Component-wise Type of Losses Incurred by Affected Households

Project Component	Type Of Major Loss	Affected Households	
		Number	%
Access Road	Agricultural Land	64	10.53%
	Agricultural Land + Other Assets <sup>10</sup>	9	1.48%
	Agricultural Land + Other Assets+ Tree/s	4	0.66%
	Agricultural Land + Residential Assets	7	1.15%
	Agricultural Land + Residential Assets + Other Assets	13	2.14%
	Agricultural Land + Residential Assets + Other Assets+ Tree/s	7	1.15%
	Agricultural Land + Residential Assets + Tree/s	1	0.16%
	Agricultural Land + Tree/s	41	6.74%
Access Road Total		146	24.01%
Camp Site	Agricultural Land	57	9.38%
	Agricultural Land + Other Assets	2	0.33%
	Agricultural Land + Other Assets + Tree/s	2	0.33%
	Agricultural Land + Residential Assets + Other Assets	1	0.16%
	Agricultural Land + Residential Assets + Other Assets+ Tree/s	13	2.14%
	Agricultural Land + Residential Assets + Tree/s	2	0.33%

<sup>9</sup> The "Other assets" mainly comprise of boundary walls, livestock sheds, toilets, water tank etc.

<sup>10</sup> The "Other assets" mainly comprise of boundary walls, livestock sheds, toilets, water tank etc.

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Project Component	Type Of Major Loss	Affected Households	
		Number	%
	Agricultural Land + Tree/s	19	3.13%
	<b>Camp Site Total</b>	<b>96</b>	<b>15.79%</b>
<b>Disposal Site</b>	Agricultural Land	78	12.83%
	<b>Disposal Site Total</b>	<b>78</b>	<b>12.83%</b>
<b>Reservoir Area</b>	Agricultural Land	158	25.99%
	Agricultural Land + Other Assets	8	1.32%
	Agricultural Land + Other Assets	2	0.33%
	Agricultural Land + Other Assets + Tree/s	12	1.97%
	Agricultural Land + RC + Others	2	0.33%
	Agricultural Land + RC + Others + Tree/s	2	0.33%
	Agricultural Land + RC Assets	1	0.16%
	Agricultural Land + Residential Assets	3	0.49%
	Agricultural Land + Residential Assets + Other Assets	5	0.82%
	Agricultural Land + Residential Assets + Others	1	0.16%
	Agricultural Land + Residential Assets + Other Assets + Tree/s	21	3.45%
	Agricultural Land + Residential Assets + Tree/s	1	0.16%
	Agricultural Land + Tree/s	53	8.72%
	Agricultural Land + RC	1	0.16%
	<b>Reservoir Area Total</b>	<b>270</b>	<b>44.41%</b>
<b>Temporary Facility</b>	Agricultural Land	7	1.15%
	Agricultural Land + Other Assets	1	0.16%
	Agricultural Land + Other Assets + Tree/s	3	0.49%
	Agricultural Land + Residential Assets	2	0.33%
	Agricultural Land + Residential Assets + Other Assets	3	0.49%
	Agricultural Land + Tree/s	2	0.33%
	<b>Temporary Facility Total</b>	<b>18</b>	<b>2.96%</b>
	<b>Grand Total</b>	<b>608</b>	<b>100%</b>

Source: Census Survey, 2011-2012

## M. Asset Ownership Patterns

53. Out of the 608 affected households, about 90% of affected households hold titles to their property. 7% of affected households are non-titleholder households, namely, encroachers and squatters. (See Table 3.22)

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Table 3.22: Ownership Patterns of the Affected Assets

Type of Ownership	Affected Households	
	Numbers	%
Title Holder	552	90.79%
Encroacher	22	3.62%
Squatter	20	3.29%
Title Holder + Encroacher	14	2.30%
<b>Grand Total</b>	<b>608</b>	<b>100</b>

Source: Census Survey, 2011-2012

54. During the census it was found that there are HH who would lose land that they own (and hence are title owners) and also parcels of land that they have encroached. Such HHs have been termed as "titleholders + encroachers". Since they are losing both land that they own and encroached land, it will not be possible for them to be categorised as "encroachers". Their distribution in the project area is given in table 3.23.

Table 3.23: Ownership Patterns of the Affected Assets among Janajatis

Project Component	Category	In Numb	In %
Access Road	Encroacher	4	0.66%
	Squatter	1	0.16%
	Title Holder	136	22.37%
	Title Holder + Encroacher	5	0.82%

## N. Extent of Impact on Residential Assets

55. A total of 80 residential households will experience impacts on their residential structures as a result of the project construction.

56. Relocation options were discussed with the displaced households during the census survey. No physically displaced household wanted land-for-land compensation. All of them prefer cash compensation to land-for-land compensation. The type of assets for which cash payment will be made is given in table 3.24. See section P below.

Table 3.24: Part of Residential Asset getting affected

Project Component	Part Of Asset Getting Affected	Affected Households	
		Numbers	%
Access Road	Main Structure	28	35.00%
	<b>Access Road Total</b>	<b>28</b>	<b>35.00%</b>
Camp Site	Garden Area + Main structure + Backyard	1	1.25%
	Main Structure	10	12.50%
	Residential Land + Structure	3	3.75%
	Residential Land + Garden Area + Main structure+ Backyard	2	2.50%
	<b>Camp Site Total</b>	<b>16</b>	<b>20.00%</b>
Reservoir Area	Main Structure	29	36.25%
	Main Structure+ Backyard	2	2.50%

# ANNEX 5.3-8: SESA —COPY OF DRAFT RIPP DECEMBER 2012 – CHAPTER III FINDINGS OF THE CENSUS SURVEY

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Project Component	Part Of Asset Getting Affected	Affected Households	
		Numbers	%
Reservoir Area Total		31	38.75%
Temporary Facility	Main Structure	5	6.25%
Temporary Facility Total		5	6.25%
Grand Total		80	100.00%

Source: Census Survey, 2011-2012

## O. Type of Construction of Residential Assets

57. 50% of the 80 affected residential assets comprise of *kachhi* (thatched houses) construction. Of the remaining 40 affected residential assets, 33 assets are of semi-pakki (walls are made of bricks while roof or flooring is of mud/tin etc) construction, 6 of *pakki* (made of concrete cement) construction type and only 1 of *pakki cum kachhi* construction. (See Table 3.25.)

Table 3.25: Construction Type of Asset Getting Affected

Project Component	Construction Type	Affected Households	
		Numbers	%
Access Road	Pakki cum Kachhi	1	1.25%
	Kachhi	6	7.50%
	Pakki	2	2.50%
	Semi Pakki	19	23.75%
Access Road Total		28	35.00%
Camp Site	Kachhi	10	12.50%
	Pakki	3	3.75%
	Semi Pakki	3	3.75%
Camp Site Total		16	20.00%
Reservoir Area	Kachhi	20	25.00%
	Semi Pakki	11	13.75%
Reservoir Area Total		31	38.75%
Temporary Facility	Kachhi	4	5.00%
	Pakki	1	1.25%
Temporary Facility Total		5	6.25%
Grand Total		80	100.00%

Source: Census Survey, 2011-2012

## P. Relocation Options

58. In view of the severity of impact on residential structures, relocation options were discussed with the displaced households during the census survey. More than 50% of affected HHs would self-relocate within their VDC area while the remaining HHs would self-relocate to some place outside their current VDC. All HHs emphasised that they need adequate and timely compensation so as to make a smooth relocation to their desired places as soon as possible.

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59. The EA will ensure that all compensation for land and structures is paid in timely manner together with relocation assistance, so that the affected HHs could self-relocate and economically rehabilitate themselves using the compensation received.

## Q. Impact on Residential-cum-Commercial (RC) Assets

60. In addition to 80 residential households, 6 residential-cum-commercial (RC) assets belonging to 6 HHs would be affected in the reservoir area of the Project. Of these 6 structures, 5 structures would incur impact on the main structure whereas the remaining household will experience impact on both main structure as well as backyard. All these structures will be severely affected making them non-liveable and necessitating relocation.

## R. Type of Construction

61. The affected households are using all of the six affected RC structures as shops for small income generation. While 4 of affected RC asset are of the *pakki* construction type, the remaining two are of *kachhi* and semi-pakki construction type.

Table 3.26: Construction Type of Asset Getting Affected

Project Component	Construction Type	Affected Households	
		Numbers	%
Reservoir Area	Kachhi	1	16.67%
	Pakki	4	66.67%
	Semi Pakki	1	16.67%
Grand Total		6	100.00%

Source: Census Survey, 2011-2012

## S. Relocation Options

62. Due to impact on the main structure, all six-affected RC would become non-liveable necessitating relocation. During the census survey, an attempt was also made to understand the relocation preferences of the affected households. During these interactions, all the six affected HH preferred self-relocation to project-assisted relocation. While 3 of the affected HH shared that they would relocate to another place outside the VDC, 1 HH would shift to an alternate location within the VDC. The remaining 2 HHs were still to decide on their relocation area.

63. Appropriate provisions have been kept in the Resettlement Plan in form of livelihood assistance to ensure restoration of income of the affected commercial establishment. The EA will ensure that all compensation for land and structures is paid in timely manner together with relocation assistance, so that the affected HHs could self-relocate and economically rehabilitate themselves using the compensation received.

## T. Impact on Other Assets

64. In addition to agricultural land and structures, a total of 111 "other assets" would also be affected as a result of the different project components (except disposal sites). These "other assets" mainly comprise of boundary walls, livestock sheds, toilets, water tank etc. Table 3.27 below provides a detailed component wise list of such assets affected by the Project.

# ANNEX 5.3-9: SESA —COPY OF DRAFT RIPP DECEMBER 2012 – CHAPTER III FINDINGS OF THE CENSUS SURVEY

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Table 3.27: Usage of the Other Assets Getting Affected

Project Component	Type of Structure	Affected Households	
		Numbers	%
Access Road	Boundary wall	1	0.90%
	Livestock Shed/s	11	9.91%
	Livestock shed/s+ Toilet	11	9.91%
	Livestock shed/s+ Kitchen	1	0.90%
	Livestock shed/s+ Toilet	2	1.80%
	Sheds + Toilet+ Temple+ Tank	1	0.90%
	Sheds and Toilet	1	0.90%
	Toilet	4	3.60%
Access Road Total		32	28.83%
Camp Site	Livestock shed/s+ Toilet	2	1.80%
	Livestock shed/s+ fuel storage	9	8.11%
	Livestock shed/s+ Toilet	2	1.80%
	Shed	2	1.80%
	Sheds and Toilet	3	2.70%
	Temple+ Water Tank	1	0.90%
Camp Site Total		19	17.12%
Reservoir Area	Kitchen	1	0.90%
	Kitchen + Toilet	1	0.90%
	Livestock Shed/s	39	35.14%
	Livestock shed/s+ Kitchen + Toilet	1	0.90%
	Livestock shed/s+ Toilet	8	7.21%
	Toilet	3	2.70%
Reservoir Area Total		53	47.75%
Temporary Facility	Shed	3	2.70%
	Sheds and Toilet	1	0.90%
	Toilet	1	0.90%
	Toilet +Shed	2	1.80%
Temporary Facility Total		7	6.31%
Grand Total		111	100.00%

Source: Census Survey, 2011-2012

## U. Impact on Trees

65. In addition to land and structures, all the project components (except disposal site component) would also entail impact on privately owned fruit and furniture trees. A total of 4776 trees comprising of 2158 fruit trees and 2168 furniture trees would be affected. The maximum number of impact on trees would be in the reservoir area as noted in Table 3.28 below.

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Table 3.28: Impact on Trees

Project Component	Type of Affected Tree		Total
	Fruit Trees (In Nos)	Furniture Trees (In Nos)	
Access Road	908	1107	2015
Camp Site	268	577	845
Reservoir Area	966	901	1867
Temporary Facility	16	33	
Grand Total	2158 Trees	2618 Trees	4776 Trees

Source: Census Survey, 2011-2012



## ANNEX 6.1-1: LARC CONSULTATION —SELECTIVE OVERVIEW CONCERNING STAKEHOLDER INTERCHANGE DURING PPTA

### EXAMPLE FOR ATTENDANCE SHEETS AND PICTURED IMPRESSIONS

Stakeholder Interchange public meetings – June 2011 - Participants: Total 211 (female 20, Male 191)

1 out of 8 Attendance sheets

Note that for all formal meetings the attendance sheets are administered in filed form by THL at its project site office.

Photos

क्र.सं.	नाम	प्राप्तता	संकेत	वर्ग
१	श्रीमती अनामिका शर्मा			
२	श्रीमती अनामिका शर्मा			
३	श्रीमती अनामिका शर्मा			
४	श्रीमती अनामिका शर्मा			
५	श्रीमती अनामिका शर्मा			
६	श्रीमती अनामिका शर्मा			
७	श्रीमती अनामिका शर्मा			
८	श्रीमती अनामिका शर्मा			
९	श्रीमती अनामिका शर्मा			
१०	श्रीमती अनामिका शर्मा			
११	श्रीमती अनामिका शर्मा			
१२	श्रीमती अनामिका शर्मा			
१३	श्रीमती अनामिका शर्मा			
१४	श्रीमती अनामिका शर्मा			
१५	श्रीमती अनामिका शर्मा			
१६	श्रीमती अनामिका शर्मा			
१७	श्रीमती अनामिका शर्मा			
१८	श्रीमती अनामिका शर्मा			
१९	श्रीमती अनामिका शर्मा			
२०	श्रीमती अनामिका शर्मा			
२१	श्रीमती अनामिका शर्मा			
२२	श्रीमती अनामिका शर्मा			
२३	श्रीमती अनामिका शर्मा			
२४	श्रीमती अनामिका शर्मा			
२५	श्रीमती अनामिका शर्मा			
२६	श्रीमती अनामिका शर्मा			
२७	श्रीमती अनामिका शर्मा			
२८	श्रीमती अनामिका शर्मा			
२९	श्रीमती अनामिका शर्मा			
३०	श्रीमती अनामिका शर्मा			
३१	श्रीमती अनामिका शर्मा			



Stakeholder Interchange public meeting – April 2012 - Participants: 191

Stakeholder Interchange public meeting – September 2012 - Participants: 156

Total Participants: 458

**ANNEX 6.1-2A: LARC CONSULTATION —SELECTIVE OVERVIEW ON PUBLIC CONSULTATION DURING PPTA**

DATE	PROJECT COMPONENT	LOCATION AND DURATION OF MEETING		PARTICIPANTS			PRESENTATION AND DISCUSSION
				TOTAL	FEMALE	MALE	
20 Oct. 2011	Camp site	Municipality/VDC: Ward/Village: Type of meeting:	Kanhushivapur 1/Jaruwa Village meeting	38	n.a.	n.a.	<ul style="list-style-type: none"><li>• Fair compensation at market price;</li><li>• Employment to the local people;</li><li>• Support to local level school, health and drinking water;</li><li>• Skill training to the local people;</li><li>• Income generating activities;</li><li>• Non- title holder should be paid 50% of the compensation for their occupied land.</li></ul>
				AP, youth, former representatives of the VDC, school teachers, NGOs			
07 Nov. 2011	Camp site and access road	Municipality/VDC: Ward/Village: Type of meeting:	Kanhushivapur Jaruwa,Banchare, Beltar,Jhaputar,Hoksetar Village meeting	43	n.a.	n.a.	<ul style="list-style-type: none"><li>• Same as above;</li><li>• Retaining wall to be made along Seti river (nearby Jhaputar).</li></ul>
				AP, youth, former representatives of the VDC, school teachers, NGOs			
08 Nov. 2011	Access road	Municipality/VDC: Ward/Village: Type of meeting:	Byas 7/ Betini, Benipatan Village meeting	49	n.a.	n.a.	<ul style="list-style-type: none"><li>• Same as above.</li></ul>
				AP, youth, former representatives of the VDC, school teachers, NGOs			
06 Jan. 2012	Reservoir area	Municipality/VDC: Ward/Village: Type of meeting:	Chaang 4,7 and 8/Jhakas Phulbari Village meeting	42	n.a.	n.a.	<ul style="list-style-type: none"><li>• Same as above;</li><li>• Relocate cremation site in an appropriate location.</li></ul>
				AP, youth, former representatives of the VDC, school teachers, NGOs			
08 Jan. 2012	Reservoir area	Municipality/VDC: Ward/Village: Type of meeting:	Rising Ranipokhari 7,8 and 9/ Kharkhare Village meeting	40	n.a.	n.a.	<ul style="list-style-type: none"><li>• Same as above;</li><li>• Black topped to be from Bhimad to Rising Patan.</li></ul>
				AP, youth, former representatives of the VDC, school teachers, NGOs			
10 Jan. 2012	Reservoir area	Municipality/VDC: Ward/Village: Type of meeting:	Rising Ranipokhari, Majhkot, Sabung Bhagawatipur, Bhimad 9,9,2 and 1 respectively/ Wangtang Khola Village meeting	33	n.a.	n.a.	<ul style="list-style-type: none"><li>• Same as above;</li><li>• Construct bridge between Majkot and Rising Ranipokhari.</li></ul>
				AP, youth, former representatives of the VDC, school teachers, NGOs			
11 Jan. 2012	Reservoir area	Municipality/VDC: Ward/Village: Type of meeting:	Rising Ranipokhari 9 and 7/Tutuwa Village meeting	32	n.a.	n.a.	<ul style="list-style-type: none"><li>• Same as above;</li><li>• Construct bridge and all weather road.</li></ul>
				AP, youth, former representatives of the VDC, school teachers, NGOs			



**ANNEX 6.2-1A: LARC CONSULTATION —SELECTIVE OVERVIEW ON PUBLIC CONSULTATION DURING PPTA**

DATE	PROJECT COMPONENT	LOCATION AND DURATION OF MEETING	PARTICIPANTS			PRESENTATION AND DISCUSSION
			TOTAL	FEMALE	MALE	
30 Nov. 2011	Camp site and access road	Office Chief district officer	15	0	15	• Decision to start land acquisition process for camp site/ access road
			CDO, Assistance CDO, Representative of gov. offices-forest ,agriculture, land revenue management survey, VDC and Municipality			
16 Dec. 2011			14	0	14	• Decision to publish notice to acquire land for camp site/access road
			CDC Members, gov officials and Project staff			• Restriction to sell and buy of acquiring land
22 Dec. 2011			20	0	19	• Formation of CDC Sub-committee to recommend the compensation rate of land, structures, fruits, trees
			As above			
27 Dec. 2011			14	0	14	• Decision to site visit and to discuss with land owners representatives and all political parties.
			CDO, CDC Sub-committee members, project staff			• Elaborating on market rate of land with VDCs, Municipality.
2 Jan 2012			33	5	28	• Compensation rates for assets
			CDC Members, representatives of political parties, APs, THL staff, gov officials			• Compensation rate, categorization of land
3 Jan. 2012			19	0	19	• Others
			CDC members, gov officials, THL staffs			
10 Jan. 2012			25	2	23	
			As above			
12 Jan 2012			31	1	30	
			CDC and CDC-SC members, THL staff, APs			
3 Feb. 2012			14	0	14	• Preparation for discussion with land owners
			As above			
5 Feb 2012			26	2	24	• Value / compensation rates for land
			CDO, CDC Sub-committee members, project staff, gov officials, APs			• Categorization of land
7 Feb 2012			40	3	37	• Value / compensation rates for land
			CDC members, THL staffs, representatives of political parties			• Commitment to implement the project
8 Feb. 2012			15	0	15	• Value / compensation rates for land
			CDC members, gov officials, THL staff			



**ANNEX 6.2-1B: LARC CONSULTATION –SELECTIVE OVERVIEW ON PUBLIC CONSULTATION DURING PPTA**

DATE	PROJECT COMPONENT	LOCATION AND DURATION OF MEETING		PARTICIPANTS			PRESENTATION AND DISCUSSION
				TOTAL	FEMALE	MALE	
29 Feb 2012	Camp site and access road	Office Chief district officer		31	1	30	• Discussion on sub-committee report • Determination of compensation rates for acquiring land
13 Mar 2012				CDC members, gov officials, THL staff, APs			
13 May 2012				16	0	16	• Formation of CDC Sub-Committee to recommend the compensation for structures, fruits tress, trees
				CDC members, gov officials, THL staff			
13 May 2012				16	0	16	• Discussion on sub-committee report and finalization
				CDO, CDC Sub-committee members, project staff			
6 Apr 2012				13	0	13	• DMS
				CDC Sub-committee members, project staff			
13 Jun 2012				28	2	26	• Determination of compensation rate
				CDC Members, representatives of APs, gov officials			
9 Nov 2012				5	0	5	• Discussion with missing name list of land owners • Decision to acquire their land • Determination of compensation rate
				CDC Members			
24 Dec 2012	5	0	5				
	As above						
		SUMMARY	PARTICIPANTS	TOTAL	FEMALE	MALE	
				381	16	365	
			MEETINGS	19			

**ANNEX 6.2-2: LARC CONSULTATION—SELECTIVE OVERVIEW ON PUBLIC CONSULTATION DURING PRE-CONSTRUCTION**

ANNEX 02: PUBLIC CONSULTATION SELECTIVE OVERVIEW ON THE CONSTRUCTION OF THE LAND ACQUISITION AND COMPENSATION POLICY							
DATE	PROJECT COMPONENT	LOCATION AND DURATION OF MEETING		PARTICIPANTS			PRESENTATION AND DISCUSSION
				TOTAL	FEMALE	MALE	
4 Jan 2016	Reservoir area and/or camp /access road	Office Chief district officer	16	0	16	• Discussion on DMS report • Decision to consult about DMS report and compensation rate	
CDC Members, CDSC members, THL staff							
14 Jun 2016			11	0	11	• Decision to start land acquisition process	
CDC Members, THL Staffs, gov officials, others							
16 Aug 2016			11	0	11	• Decision to publish the notice for land acquisition in national level newspapers and all concerned offices.	
As above							
24 Aug 2016			15	0	15	• Formation of CD Sub-committee to evaluate and recommend compensation rate of private land, structures, trees	
As above							
2 Sept 2016			22	0	22	• Decision to go to filed for verification and evaluation of land, structures	
CD Sub-committee (CDSC) members, THL Staff							
12 Sept 2016			19	0	19	• Review of the field visit • Continuation of filed verification and evaluation of land, structures of the remaining places	
As above							
21 Sept 2016			17	0	17		
As above							
27 Sept 2016			18	0	18		
As above							
27 Oct 2016			18	0	18	• Preparation of report	
As above							
14 Nov 2016			17	0	17		
As above							
27 Nov. 2016	26	5	21	• Discussion on APs' Committee "26 points" • Compensation rate.			
1 Dec 2016	21	0	21				
As above							
		SUMMARY	PARTICIPANTS	TOTAL	FEMALE	MALE	
				212	5	217	
			MEETINGS	12			

### ANNEX 6.2-3A: LARC CONSULTATION—SELECTIVE OVERVIEW ON PUBLIC CONSULTATION DURING PRE-CONSTRUCTION

DATE	PROJECT COMPONENT	LOCATION AND DURATION OF MEETING	PARTICIPANTS			PRESENTATION AND DISCUSSION
			TOTAL	FEMALE	MALE	
31 Jan 2017	Reservoir area and/or camp /access road	Office Chief district officer	18	0	18	<ul style="list-style-type: none"> <li>• Compensation rate</li> <li>• Decision to take speed on compensation determination process</li> </ul>
1 Feb 2017			11	0	11	<ul style="list-style-type: none"> <li>• Decision to consult with two project concerned committees</li> </ul>
5 Feb 2017			40	5	35	<ul style="list-style-type: none"> <li>• Discussion on APs' Committee "26 points"</li> <li>• Compensation rate.</li> </ul>
5 Feb 2017			56	5	51	<ul style="list-style-type: none"> <li>• Details discussion on compensation rate</li> <li>• Discussion on AH related committees on "26 points"</li> </ul>
6 Mar 2017			18	3	15	<ul style="list-style-type: none"> <li>• Discussion on concerns committees 26 points demand</li> <li>• CDC's determining compensation rates</li> <li>• Establishing LCF</li> </ul>
7 Mar 2017		Wangtang Khola	20	8	12	<ul style="list-style-type: none"> <li>• Progress of project,</li> <li>• CDC's determining compensation rates</li> <li>• Payment process of compensation</li> </ul>
7Mar 2017			25	10	15	
7Mar 2017		Fulbari	15	5	10	
7 Mar 2017			30	10	20	
12 Apr 2017		THL office Kathmandu	11	1	10	
26 May 2017			25	2	23	
		THL site office Damauli	18	3	15	
			56	5	51	
		Rising Ranipokhari	25	10	15	
			30	10	20	
		Bandarkuna	30	10	20	
			11	1	10	
		THL site office Damauli	25	2	23	
			18	3	15	
		THL site office Damauli	25	2	23	<ul style="list-style-type: none"> <li>• Briefing into progress of the project and payment of the compensation</li> <li>• Schedule of Project construction</li> <li>• CDC's determining compensation rates</li> <li>• Discussion on APs' Committee "26 points"</li> </ul>
			18	3	15	

### ANNEX 6.2-3B: LARC CONSULTATION—SELECTIVE OVERVIEW ON PUBLIC CONSULTATION DURING PRE-CONSTRUCTION

Construction							
DATE	PROJECT COMPONENT	LOCATION AND DURATION OF MEETING	PARTICIPANTS			PRESENTATION AND DISCUSSION	
			TOTAL	FEMALE	MALE		
29 June 2017	Reservoir area and/or camp /access road	Office Chief district officer	19	5	14	<ul style="list-style-type: none"><li>• Briefing into progress of the project</li><li>• Schedule of Project construction</li><li>• Briefing about LCF</li><li>• Formation of LCF</li></ul>	
21 July 2017		Byas Municipality office, Damauli	18	3	15		
23 July 2017		Rising Ranipokharim, Bhimad municipality	96	14	92		
			Mayor, Deputy mayor, ward chairperson, APs, ESMU Team of THL				
7 Aug 2017		Rising rural municipality office	124	24	100		
			chairperson, Deputy chairperson, ward chairperson, APs, ESMU Team of THL				
9 Aug 2017		Myagde rural municipality office	63	10	53		
			chairperson, Deputy chairperson, ward chairperson, APs, ESMU Team of THL				
27 Aug 2017		THL site office Damauli	42	12	30	<ul style="list-style-type: none"><li>• Briefing into progress of the project ;</li><li>• Schedule of Project construction</li><li>• CDC's determining compensation rates</li><li>• Additional assistance to APs</li></ul>	
			Mayors, Deputy mayors, chairpersons, Deputy chairpersons, ward chairpersons, THL MD and ESMU team, Representative of project concerns committees, APs				
19			2	17			
28 Oct 2017			THL MD and ESMU team, Representative of project concerns committees, APs				
				17	2	15	
THL MD and ESMU team, ADB Social Safeguard Specialist, Representative of project concerns committees, APs							
28 Oct 2017				<ul style="list-style-type: none"><li>• Same as above</li><li>• 21-Points Agreement with project concerns committees, project concerns committees ready to receive the compensation determined on February 5, 2017.</li><li>• Additional detail: The compensation amount as the livelihood restoration and income generation to the affected people will provided based on the yearly productivity (three crops with maximum productivity) for total five years as cultivation restoration periods</li></ul>			
		SUMMARY	PARTICIPANTS	TOTAL	FEMALE	MALE	
				780	121	659	
			MEETINGS	19			

# ANNEX 6.3-1: LARC—GRM AGREEMENT OF UNDERSTANDING BETWEEN THL AND AP COMMITTEES

## An Agreement understood between THL and Direct Affected Areas Concerned Committee" & "Direct Concern Reservoir Area Conservation Committee" in 21 point on October 28, 2017.

एसियाली विकास बैंक, नेपालबासीयकार्यालयकाप्रतिनिधिको उपस्थितिमातनहुँजलविद्युतकम्पनी (तनहुँजलविद्युतबायोोजना) र प्रत्यक्ष सरोकार हुवान क्षेत्र संरक्षण समिति, तनहुँतथातनहुँजलविद्युतप्रत्यक्षप्रभावित क्षेत्र सरोकार समितिबीचबायोोजनाको साइट कार्यालय दमौली, तनहुँमामिति २०७४/०७/११ शनिबार भएका सहमतितथा निर्णयहरु In the presence of Representative of Asian Development Bank Nepal Resident Mission, Tanahu Hydropower Limited (Tanahu Hydropower Project), Direct Concerned Reservoir Area Conservation Committee, Tanahu and TanahuHydropower Direct Affected Area Concerned Committee have made an agreement on October 28, 2017, Saturday at site office, DamauliTanahu. Agreements and decisions are as follows:

S.N	Demand	Agreements and decisions
1	हुवानमा पर्ने ऐलानीमएपनिव्यक्तिले संरक्षण गरी हुर्काएकाबोटबिरुवाको क्षतिपूर्ति पाउनु पर्ने । Compensation should be paid for the treesthat have been planted and conserved by title holders even in the public land to be inundated.	हुवानमा पर्ने दता भएको जग्गाको साधिसंगजोडिएको जग्गामाव्यक्तिले लगाई संरक्षण गरी हुर्काएकाबोटबिरुवाको यकिन गरी आयोजनाले क्षतिपूर्ति उपलब्ध गराउने । तर, साधिसंगजोडिएको त्यस्तो जग्गाधनीले भने क्षतिपूर्ति पाउने छैनन् । Compensation would be provided after verifying for the trees that are planted and conserved by title holders only in those public land to be inundated, which are touched with the boundary of their land.
2.	खेत र पाखो जग्गाको हकमापाँचवर्ष सम्मको हुने आम्दानीप्रतिरोपनी खेतको रु १,००,०००/- र पाखोको हकमा रु ८०,०००/- नोक्सानीवापतउपलब्ध गराउनु पर्ने । Compensation amounting NRs. 100,000 per ropani per yearin case of irrigated cultivated land andNRs. 80,000 per ropani per year in case of non-irrigated cultivated land for total should be provided.	जिल्ला कृषिविकास कार्यालय तनहुँले उपलब्ध गराएको दर अनुसार, वार्षिक उत्पादकत्वलाई थोक अधिकतमबजार मूल्यले गुणा गरी हुनआउने मूल्यको आधारमावार्षिक तीनवालीलाई ( अधिकतमफसलदिने वाली) उत्पादनहुने वालीमानी सोहीआधारमाहिसाव गरी हुनआउने रकमप्रभावितलाई जीविकोपार्जन तथाआयआर्जन सुविधाउपलब्ध गराउने । यस अनुसार, पाखो वारी र खेतकालागिप्रति रोपनीपाँचवर्षको हुनआउने जम्मा रकमक्रमशः रु ६३,०८३/- (विसठी हजार बियासी रुपैयाँमात्र) र रु ९२,५९०/- (बयानव्वे हजार पाँच सयनव्वे रुपैयाँमात्र) का दरले उपलब्ध गराउने । यस्तो सुविधापुर्नस्थापनाहुनलान्ने पाँचवर्ष मानी एकमुष्टरुपमा एक पटक मात्रै उपलब्ध गराउने । The compensation amount as the livelihood restoration and income generation to the affected people will provided based on the yearly productivity (three crops with maximum productivity) and the rate as provided by the District Agriculture Office, Tanahu. Accordingly, the lump sumamount NRs 63,068 per ropaniand NRs 92,590 per ropanifor irrigated cultivated land

### ANNEX 6.3-2: LARC—GRM AGREEMENT OF UNDERSTANDING BETWEEN THL AND AP COMMITTEES

		and non-irrigated cultivated land per ropani for five years will be compensated with consideration of the total five years as cultivation restoration periods,
3	<p>पूजा नभएका तर कमाई गरी आएका जग्गाको पनिमाथि उल्लेखित २ नम्बर बुझानुसार उपलब्ध गराउनु पर्ने । Those affected people not having land ownership certificate but farming on the land should also be compensated as per decision no 2.</p>	<p>त्यस्ता जग्गाहरु दर्ता गरी प्रमाण पेश गरेमा हाल जलाशय क्षेत्रको जग्गा कालागि निर्धारण गरिएको मूलाब्दा दर बितरण गरिने । साथै उनीहरूलाई निर्णय नम्बर २ मा उल्लेख भएको थप सहायत समेत उपलब्ध गराइने छ । यस सम्बन्धमा प्रभावित परिवारले स्थानीय परामर्श मञ्चमा गुनासो दर्ता गर्ने र उक्त मञ्चले छानविन गरी आयोगमा समक्ष पेश गर्ने ।</p> <p>If those affected people submit the land owner certificate after registration their land, then they would be provided the compensation for the land at the rate fixed for the land of reservoir area. Moreover, they would be provided additional assistance as mentioned on decision no 2. For this issue, the affected household should register their grievances on the Local Consultative Forums (LCFs) and after studying, the LCFs would forward the same to the project for further action.</p>
4.	<p>सावजनिक सत्यालाई रकम बुझाई बसोबास गर्नेहरू कालागि जो जसको जति रकम बुझाएको प्रमाण हेरी परेको रकम फिर्ता गर्नु पर्ने । If affected people are living without no legal rights of land after paying certain amount to the public entities, such amount should be refunded based on the their proof.</p>	<p>आयोगमा जस अघि नै अन्यत्र कुही घर जग्गा नभएकोलाई घडेरी बापत एकमुष्ट रुपमा रु ४,००,०००/- (रु चार लाख) दिने निर्णय गरिसकेको र त्यस्ता जग्गामा बनेका संरचनाको क्षतिपूर्ति समेत दिने निर्णय गरिसकेकाले कुही गर्नु नपर्ने । तर, छुटफुट भएको अवस्थामा पुनः नापजाँच गरी क्षतिपूर्ति उपलब्ध गराउने ।</p> <p>As the project has already made the decision to pay the lump sum amount of NRs. 400,000 to each household, who have no legal rights of land but has been living with their houses and has no legal land ownership title (even the single family member) elsewhere in addition to the compensation for the structures, no further action will be required for such cases. But, in case such of any left over for those compensations, compensation amount could be provided after re-measurement.</p>
5.	<p>एउटै साँघिसिमानामा फरक मूल्याङ्कन भएकोमा जग्गा एकै गरी फरक परेमा बराबरी गर्ने । If lands in the same boundary lines have different valuations, same compensation amount should be made for such cases after scrutinizing.</p>	<p>एउटै साँघिसिमानामा फरक मूल्याङ्कन भएको लागेमा त्यस्ता जग्गाधनीले किताबुलाई स्थानीय परामर्श मञ्चको कार्यालयमा निवेदन दिने । उक्त मञ्चले आवश्यक कारवाही कालागि आयोगमा समक्ष पेश गर्ने ।</p> <p>If land owners find different valuations for lands in the same boundary lines, they can submit their grievances on the Local Consultative Forums (LCFs) with details of land parcels. The LCFs will forward such grievances to the project for the</p>

### ANNEX 6.3-3: LARC—GRM AGREEMENT OF UNDERSTANDING BETWEEN THL AND AP COMMITTEES

		further necessary action.
6.	हुवान क्षेत्रका प्रभावितलाई प्राथमिकताका आधारमा क्षमतादक्षता अनुसार रोजगारी दिनु पर्ने । Affected People from the inundation area should be provided employment opportunities on basis of their capacity and skill on priority basis.	हुवान क्षेत्रका प्रभावितलाई क्षमता र दक्षता आधारमा आयोजनाको प्रावधान र नीति अनुसार नै प्राथमिकताका आधारमा रोजगारी दिइने छ । According to the provision and policy of the project, affected people will be provided employment opportunities as per their capacity and skill on priority basis.
7.	निर्माण कार्यमा स्थानीय स्तरबाट गर्न सक्ने स्थानीयलाई दिइनु पर्ने । The construction works, which can be done by local levels, should be given to locals.	सार्वजनिक खरिद ऐन तथा नियमावलीमा भएको व्यवस्था र मुख्य ठेकेदारसंगको सम्झौताको परिधिमा रहेर आयोजनाले स्थानीय स्तरबाट गर्न सक्ने निर्माण कार्यलाई स्थानीयलाई उपलब्ध गराउन सिफारिस गर्ने । According to the provisions of Public Procurement Act and Regulations and within the provision of the contract agreement with the main contractor, the project will recommend to mobilize capable locals in construction works.
8.	८ जलाशयले ढाकिने क्षेत्रको मात्र मुआब्जा दिँदा आउँछो जग्गा मा खेती गर्न जोखिम हुने भएकाले ५ मिटर थप गरी मुआब्जा दिनु पर्ने । Compensation should be provided to additional five meters land beyond the boundary of reservoir level as there will be risks for farming on the lands close to the reservoir.	आयोजनाले प्राविधिक रूपमा अध्ययन गरी जलाशयले क्षति पुर्याउने ठाउँको आवश्यक संरक्षण गर्ने र संरक्षण गर्न असम्भव भई व्यक्तिको जग्गा मा क्षति तथा असर पुग्ने भएमा जग्गा अधिग्रहण गर्ने । जग्गा अधिग्रहण गर्दा हाल हुवान क्षेत्रको जग्गाको लागि निर्धारण गरिएको मुआब्जा दर दिइने छ । After technical study, the project will carry out necessary protection works for the potential risk areas and if the lands cannot be protected thereby causing harm to the people's land, the project will acquire such lands. In case, if the project acquires such lands in future, compensation will be provided on basis of the same rate fixed for the reservoir area.
9.	जलाशय नजिक जोखिममा रहेका संरचनाको मूल्याङ्कन गरी क्षतिपूर्ति दिइनु पर्ने । Compensation should be provided to the risky structures nearby the reservoir after valuation.	जोखिममा पर्ने संरचनाको पुनर्निर्माण गर्ने वा क्षतिपूर्ति दिइने छ । The project will reconstruct or provide compensation for the structures that are in risk zones.
10.	हाल मोटर मार्ग संचालन भैरहेका स्थानमा जलाशयको कारणले अवरोध पुर्याएमा मोटर ररेल पुल बनाइ दिनु पर्ने । If existing road access are disturbed because of the	म्याग्दे र रिसिङ गाउँपालिका जोड्ने गरी सेती नदीमा र बाइटाङ खोला तथा फेदी खोलामा प्राविधिक रूपले सम्भाव्य देखिएमा आयोजनाले मोटर ररेल पुल बनाइ दिने । Based on the technical viability, the project will construct bridges on Seti River to join Myagde



# ANNEX 6.3-4: LARC – GRM AGREEMENT OF UNDERSTANDING BETWEEN THL AND AP COMMITTEES

	reservoir, motorable bridges should be constructed.	and Rising Rural Municipality, on Wangtang Khola and Phedi Khola.
11.	हुवान क्षेत्रका समुदायकामानिसहरुलाई आयआर्जनमूलक व्यवसाय संचालन गर्न तालिम तथा विटपूजिको व्यवस्था मिलाउनु पर्ने । Entrepreneurship development Trainings as well as seed money should be provided for affected people of inundation area to operate income generation businesses.	आयोजना प्रभावित व्यक्तिहरुलाई व्यवसायीक तालिम सञ्चालन गर्ने तथा प्रभावित परिवारलाई आर्थिक आयआर्जनको व्यवसाय संचालनका सामुदायिक विकास कार्यक्रममा उल्लेख भए अनुसार गर्ने । Entrepreneurship development training will be conducted for the project affected people of inundation areas. The affected household would be provided further facilities as mentioned on Community Development Programme for operating income generation businesses.
12.	जलाशयको कारणबाट हुवानमा पर्ने भोलुङ्गे पुल सम्भाव्य स्थानमा स्तरीय (सस्पेण्डेड) पुल बनाउनु पर्ने । जलाशयको कारणबाट स्थानीयवासीलाई आवतजावतमा सहजता ल्याउन आवश्यक स्थानमा भोलुङ्गे पुल बनाउनु पर्ने । Suspension bridges, which will be inundated by the reservoir should be reconstructed at feasible locations. Suspension bridges should also be constructed at required places in case the movement of local people would be affected due to reservoir.	जलाशयको कारणबाट हुवानमा पर्ने भोलुङ्गे पुलको लागि स्थानीयवासीलाई आवतजावतमा सहज हुने गरी प्राविधिक रूपमा सम्भाव्य स्थानमा सामुदायिक विकास कार्यक्रममा उल्लेख भए अनुसार गर्ने । As per the provision of Community Development Programme, the project will construct suspension bridges on the technically feasible locations to facilitate movement of local people.
13.	प्रभावितलाई परिचयपत्र दिइनु पर्ने । Provide Identity Cards to affected people.	आयोजनाबाट प्रभावितलाई प्रभावित परिचयपत्र उपलब्ध गराउने । The project will provide the identity cards to affected people.
14.	खहरे खोसाले पुर्याउने क्षति व्यवस्थापन गर्नु पर्ने । Damages to be caused by by ravines shall be managed.	खहरे खोसाबाट हुन सक्ने क्षतिको प्राविधिक अध्ययन पश्चात एकिन गरी आयोजनाले व्यवस्थापन गर्ने । After the technical study, the project will manage the damages to be caused by ravines.
15.	एडीबीको सुरक्षण नीति अनुसार 'ख' वर्गको जग्गाधनीलाई मुआब्जा दिनु पर्ने । Compensation should be provided to 'B' category landowners as per the ADB Safeguard Policy.	जग्गाधनीले लालपुजा पेश गरेमा आयोजनाले मुआब्जा उपलब्ध गराउने छ । The project will provide compensation if the landowners present their land ownership certificates.
16.	भौगर्भिक अध्ययन गर्ने । Geological study shall be conducted.	जलाशयका कारण जोखिममा पर्ने स्थानको आयोजनाले भौगर्भिक अध्ययन गर्ने छ । The project will conduct geological study of risk



# ANNEX 6.3-5: LARC – GRM AGREEMENT OF UNDERSTANDING BETWEEN THL AND AP COMMITTEES

		prone areas within the reservoir.
17.	स्वास्थ्यजाँच गर्नु पर्ने । Health check-up should be carried out.	आयोजनाको प्रावधानभित्रभएको र पूर्णरूपमा कार्यान्वयन गरिने छ । It is included within the project health and safety policy and the project will implement entire provisions.
18.	कार्यालय उपलब्ध गराउनु पर्ने । Office should be provided.	आयोजनाकार्यान्वयन समन्वय समिति गठन गर्ने र उक्त समितिको लागि आयोजनाले कार्यालय कक्ष उपलब्ध गराउने । Project Implementation Co-ordination Committee shall be formed and the project will provide office to that committee.
19.		आयोजनाप्रभावित परिवारलाई आयोजना सञ्चालनमा आएपछि प्राप्त हुने रॉयल्टी बाँडेर प्राप्त हुने रकमबाट प्रभावितलाई पेन्सन व्यवस्था हुन उच्चतहमा तैजान सरोकार समितिहरूबाट अनुरोध भएको । The concerned committees further requested to raise the issues for the provision of pension to the project affected households from the royalty of the project after its operation to the higher levels.
20.		स्थानीय जन गुनासोहरू स्थानीय परामर्श मञ्चमा पेश गर्ने र उक्त मञ्चले आवश्यक कार्यका लागि आयोजना समक्ष सिफारिस गर्ने । Local grievances would be submitted to the Local Consultative Forums (LCFs) and the LCFs will recommend the project for the necessary redress.
21.		आयोजना र प्रत्यक्ष सरोकार हुवान क्षेत्र संरक्षण समिति, तनहुँ तथा तनहुँ जलविद्युत प्रत्यक्ष प्रभावित क्षेत्र सरोकार समिति बीच भएको माथि उल्लेखित सहमतितथा निर्णयहरू कार्यान्वयन गर्ने निर्णय गरियो । साथै आयोजनाको हुवान क्षेत्रको जग्गा कालागि मूजाब्जानिर्धारण समितिले मिति २०७३/१०/२३ गते निर्धारण गरेको दर अनुसार मूजाब्जावृद्धि र बुझ्न बाँकीलाई मूजाब्जालिनका लागि जाग्रह गर्ने समेत निर्णय भयो । The project, Direct Concerned Reservoir Area Conservation Committee, Tanahu and Tanahu Hydropower Direct Affected Area Concerned Committee are agreed to implement above mentioned decisions and agreement. Likewise, the three parties jointly appeal the affected people to receive the compensation fixed by the Compensation Determination Committee on February 5, 2017.

# **ANNEX 6.3-6: LARC – GRM AGREEMENT OF UNDERSTANDING BETWEEN THL AND AP COMMITTEES**

Krishna Kumar Thapa  
 Chairperson  
 Direct Concerned Reservoir Area Conservation  
 Committee  
 Tanahu.

Gobardha Thapa  
 Chairperson  
 Tanahu Hydropower Direct Affected Area  
 Concerned Committee

Laxmi Prasad Subedi  
 Senior Social Safeguard Specialist  
 Asian Development Bank, Nepal Resident Mission

Other presentees:  
 Durga Bahadur Thapa  
 Gaumaya Thapa  
 Ganjasingh Gurung  
 Baburam Bagale  
 Narayan Ghimire

Pradip Kumar Thike  
 Managing Director  
 Tanahu Hydropower Limited.  
 Bachuraj Pandey  
 Tulasi Prasad Sapkota  
 Bidur Adhikari  
 Sachin Gautam  
 Bhola Nath Sharma  
 Ram Nath Subedi,  
 Puspa Raj Wagle

# ANNEX 6.4: LARC: CONSULTATION AND PARTICIPATION - PICTURED IMPRESSIONS



**PHOTO 1**

DURING ELECTION OF LCF MEMBER IN  
BHIMAD MUNICIPALITY



**PHOTO 2**

THL/ESMU WITH MAYOR AND MEMBERS OF  
VYAS MUNICIPALITY



**PHOTO 3**

THL/ESMU AND AFFECTED PEOPLE (APS)  
OF ACCESS ROAD AREA



**PHOTO 4**

21-POINTS AGREEMENTS WITH PROJECT  
CONCERNED AP COMMITTEE OF RESERVOIR  
AREA ON COMPENSATION PAYMENT



**PHOTO 5**

MEETING WITH APS AT MYAGDE RURAL  
MUNICIPALITY TO FORM LCF



**PHOTO 6**

APS OF RESERVOIR AREA AND CHIEF,  
DEPUTY CHIEF OF MUNICIPALITY AND  
RURAL MUNICIPALITY



**PHOTO 7**

CONVERSATION WITH LOCAL PEOPLE BY ADB  
AND ESMU TEAM DURING



**PHOTO 8**

CONSULTATION WITH AP IN BADARKUNA,  
BHIMAD MUNICIPALITY



**PHOTO 9**

THL/ESMU/PSC MEET WITH AFFECTED  
PEOPLE DURING TRANSECT WALK

# ANNEX 7: EQUIVALENCE ASSESSMENT OF NEPAL LAND ACQUISITION ACT AND CO-FINANCIERS SAFEGUARDS

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
Avoidance or minimization of involuntary resettlement impacts of projects	No clause in the Act.	Explore viable alternative project designs to avoid and/or minimize involuntary resettlement impacts.	Multiple alternative proposals must be examined to prevent or minimize adverse impacts and to choose a best project option in terms of environmental and social considerations.	Where such a project has significant negative environmental and/or social impacts, by virtue of its size, nature or location, alternatives should be considered and appropriate mitigation and/or compensation measures identified. Projects should be designed so as to avoid and if this is not possible reduce any significant adverse impact, and further design changes may be justified if the socio-economic benefits of the change exceed the costs; any significant residual negative impact should be, in order of preference, mitigated, compensated or offset. (Statements 16 and 17)	Local laws are silent on this key international best practice	Multiple technical options must be examined to avoid or minimize involuntary resettlement and physical, or economic displacement and to choose a better project option while balancing environmental social and financial costs and benefits. This practice applies to the project
Social Impact Assessment (SIA) to identify the impacts, risks and views of potential project- affected persons and communities	The Act has no provision to conduct a social impact assessment in the proposed project areas	The borrower/client will conduct socioeconomic surveys and a census, with appropriate socioeconomic baseline data to identify all persons who will be displaced by the project and to	Appropriate consideration must be given to vulnerable social groups, such as women, children, the elderly, the poor, and ethnic minorities, all of whom are susceptible to environmental and social impact and who may have little access to the decision making process		No legal requirement to undertake SIA in the Nepal LAA, 2034.	Social impact assessment will be conducted as early as possible during project processing, and will specifically consider any impacts upon particularly poor and vulnerable Affected Persons and their needs.

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
		<p>assess the projects socioeconomic impacts on them. As part of the social impact assessment, the borrower will identify individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status.</p>	<p>within society.</p>			
<p>Census survey to identify all affected persons</p>	<p>Land Acquisition Officer (LAO) shall be responsible to identify, survey and notify the concerned parties and other works related to acquisition</p>	<p>Census survey to cover all affected persons, and it will be updated, based on the final detailed design data of the project.</p>	<p>Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socio economic survey).</p>	<p>For categories A and B projects, the Bank requires a formal EIA. The EIA should integrate an assessment of project alternatives and include timely public disclosure of relevant information, together with meaningful consultations, in accordance with the Directive and in pursuit of the objectives of the EIB Public Disclosure Policy (PDP). (Statement 18)</p>	<p>Under LAA 2034, inventory of all losses by entitlement status is required but no census survey is required. APs are identified using land records from District Land Revenue and Land Survey Office.</p>	<p>Undertake a census survey of all affected persons and update the same based on changes, if any, found in the project final design or components. The Census survey will be based on land ownership (as on date of census) and accordingly all land records will be updated.</p>

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
Categorization of the project according to the significance of IR impacts	No legal requirement in the Act to categorize projects according to the significance of IR impacts except the Project has to be of “public interest” ( <i>sarvaja nik hit</i> )	Categories A, B, and C are awarded to projects based on the level of the significance of potential IR impacts of a project.	Category A: project likely to have significant adverse impact on the environment. A project with complicated impacts or unprecedented impacts which are difficult to assess is also classified as Category A	The EIB or its authority screens and classifies projects into four categories for this purpose. Categories “A” and “B” refer to a project where the environmental impacts are likely to be significant). (Statement 18)	Under the law, no categorization is done of project impacts including IR impacts	Categorize impacts by “significance” and define the volume of IR impacts—both direct and indirect— with particular attention to impacts on economic conditions and livelihoods of affected persons.
Preparation of a resettlement plan to address adverse IR impacts	No provision to formulate a RIPP except inventory of all kinds of losses by ownership status.	Prepare a resettlement plan elaborating on displaced persons” entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework.	The borrower prepares a resettlement plan, and it will be reviewed and approved by JICA before loan approval.	People whose livelihoods are negatively affected by a project should have their livelihoods improved or at minimum restored and/or adequately compensated for any losses incurred. As such, where physical or economic displacement is unavoidable, the Bank requires the promoter to develop an acceptable Resettlement Action Plan. The plan should incorporate and follow the right to due process, and to meaningful and culturally appropriate consultation and participation, including that of host communities. (Statement 51)	The state laws do not require the preparation of a RIPP.	Prepare a resettlement plan to avoid or mitigate negative impacts of physical and economic displacement arising from the project. The resettlement plan will elaborate all APs” entitlements, including that of host communities, squatters, customary users and encroachers by paying special attention to the needs of the poor and the vulnerable households and communities. The RP/RIPP will be submitted to ADB and JICA for review and approval prior to project approval.
Consult with affected persons	The Chief District Officer (CDO) publishes a public notification providing details of the affected property after receiving	Meaningful consultations with all affected persons, host communities, if any, and concerned non-	Consultations must be held with the affected people and their communities based on sufficient information	The promoter should conduct a meaningful, transparent, and culturally appropriate public consultation of affected	Under national laws Information dissemination is limited to legal notification	Consult project- affected persons, host communities, if any, and local non- government al organizations, as



International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
	the report on the preliminary assessment on land requirements. However, the Act has no provisions for a process of formal consultation with APs.	government organizations. Inform all displaced persons of their entitlements and relocation options	made available to them in advance.  When consultations are held, explanation s must be given in a form, manner, and language that are understand able to the affected people.	communities and provide for a timely disclosure of appropriate information in a suitable form; there should be evidence that the views expressed have been considered. For all other projects, the Bank requires promoters to engage stakeholders in meaningful dialogue, as a citizens' right and to build support for efficient and timely project implementation. Outside the EU, national law sets the minimum disclosure, consultation and participation requirements of the Bank. (Statement 63)		appropriate. Provide them with opportunities to participate in planning of resettlement programs, especially in the process of developing procedures for determining eligibility for compensation benefits and development assistance and for establishing appropriate and accessible grievance mechanisms. Pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
Disclose involuntary resettlement information to project-affected persons	There is a provision for informing the stakeholder about the details of land (including houses, sheds, structures, trees etc.) to be acquired by government but explicit provision for the preparation or disclosure of involuntary resettlement planning information to project-affected persons is missing.	Disclose a draft resettlement plan before project appraisal.  Also disclose the final resettlement plan to the affected persons and other stakeholders.  Project monitoring reports are also disclosed.	Sufficient consultations with stakeholders, such as local residents, must be conducted and disclosure of information from an early stage. All safeguard documents to be disclosed to affected persons.	Consultation and participation is essential for investment sustainability through increased local ownership and support through informed involvement. Moreover, meaningful dialogue and participation is crucial to promoting and supporting the rights of people affected by a project. This includes the rights to due process via recourse to independent appeal and arbitration procedures in the case of disputes. As such, public consultation is a general requirement of the environmental and social safeguards of the Bank, as well as being applied to specific social issues, e.g. involuntary resettlement.	No requirements for formal disclosure.	Disclose the Resettlement Plans including documentation of the consultation processes in a form and language(s) accessible to key stakeholders, civil society, particularly affected groups and the general public in an accessible place. This applies to all documentation arising from negotiated settlement programs.
Land-based relocation strategies for displaced persons whose livelihoods are primarily land-based	Cash compensation is the norm for all acquired assets including landed property under LAA 2034. However, the Act also has a clause referring the possibility providing land for land compensation but only if, i) the affected person loses his/her total land, ii) there is non- titled ( <i>ailani</i> ) or government land available in the same	Land-based relocation strategies when affected livelihoods are land-based, where possible; or Cash compensation at replacement cost for land when the loss of land does not undermine livelihoods	Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land- based.	People whose livelihoods are negatively affected by a project should have their livelihoods improved or at minimum restored and/or adequately compensated for any losses incurred (Statement 51)	No such legal condition under the national law.	Land-based relocation is to be considered as the first option. Cash compensation will be the second option. In case first option cannot be implemented, the executing agency formally documents the reasons the same could not be implemented.



International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
	locality, and iii) the persons is interested in land for land compensation (clause 14).					
Compensation at replacement Cost for property acquired.	Compensation for the acquired land / property to be determined by a Compensation Determination /Fixation committee (CDC) comprising of Chief District Officer, Land Revenue Officer, Project Manager, and representatives of the District Development Committee. This is the market value of the property as per rules and regulations. The compensation to be paid in cash and separate compensation rates could be fixed for the partially affected land or completely affected land (Clause 13).	Compensation at full replacement cost for all affected property. Market value for trees and crops.	Compensation must be based on the full replacement cost <sup>21</sup> as much as possible.	same as above	Land Acquisition Officer (LAO) is the competent authority to decide the compensation. However, the prevalent practice is to pay compensation based on negotiation and mutual agreement (which is formally documented).	Value of land/property is to be agreed with the owner of the property through a process of consultation and negotiation. The process will be documented and verified. The compensation for structures such as houses are determined on the current market value, based on latest basic schedule rates.
All compensation is paid prior to actual displacement of affected households and the commencement of civil work	Acquisition of asset after notification and payment of compensation	Pay compensation and provide other resettlement entitlements before physical or economic displacement of affected households.	Compensation and other kind of assistance must be provided prior to displacement.		Executing agency may acquire land by depositing money with the competent authority for compensation determination. There is no provision that such compensation will be paid to the	No physical or economic displacement till full compensation is paid to all AP(except in case of legally disputed cases)

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
					project- affected persons prior to acquisition	
Provision of full compensation without any deduction	Government tax and loan will be deducted from compensation (LA Act 1977, Clause -21)	Full compensation is to be paid with no deductions unless land is provided in lieu of land acquired.	Full compensation to be paid with no deductions.		Some deductions can be done as per the LAA.	No deduction to be done from cash compensation and all legal cost for acquisition to be borne by the executing agency. The value of salvaged materials or harvested from the acquired land will not be deducted from the compensation package.
Compensation to squatters and other non-title holder (NTH) including tenants and land users	Legal ownership is the basis for land compensation. However, tenants registered with the Land Revenue Office are also recognized as eligible to receive a compensation package (Clause 20).	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non- land assets.	„Eligibility for Benefits“ includes project- affected persons (PAP) who have formal legal rights to land (including customary and traditional land rights recognized under the laws), the PAPs who do not have formal legal rights to land at the time of census, but have a claim to such land or assets, and the PAPs who have no recognizable legal right to the land they are occupying.	All policies, practices, programmes and activities developed and implemented by the promoter should pay special attention to the rights of vulnerable groups. Such groups may include indigenous people, ethnic minorities, women, migrants, the very young and the very old. The livelihoods of vulnerable groups are especially sensitive to changes in the socio-economic context and are dependent on access to essential services and participation in decision-making (Statement 52).	Legal ownership is mandatory for compensation and assistance.	All project- affected persons are to be compensated as per the agreed entitlement matrix and assisted regardless of their legal title status.

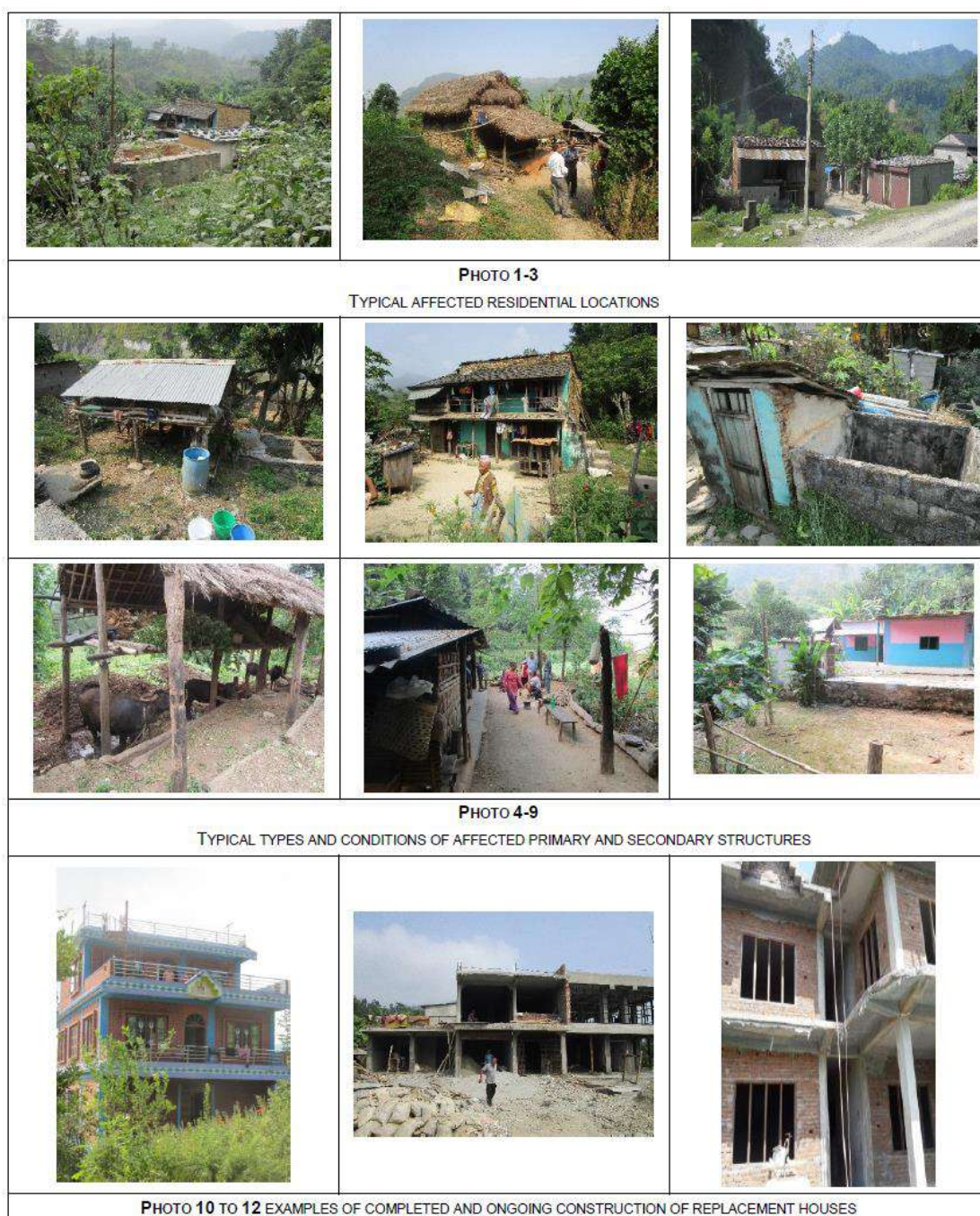
International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
Special assistance For vulnerable households	Vulnerable families will be compensated to meet at least the previous livelihood standards	Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.	Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.	Where the customary rights to land and resources of indigenous peoples are affected by a project, the Bank requires the promoter to prepare an acceptable Indigenous Peoples Development Plan. The plan must reflect the principles of the UN Declaration on the Rights of Indigenous Peoples, including free, prior and informed consent to any relocation (Statement 53)	Both local law and safeguard policies confirm special assistance to vulnerable groups	Not applicable
Transition Allowances	No legal provision in the LA Act	Transition allowance for physical displacement/ transfer and loss of income during transition.	Provide support during the transition period (between displacement and livelihood restoration)		No provision under the local the law.	Transition allowance to be paid to eligible APs as per the agreed entitlement matrix
Livelihood restoration	Principle of compensation for lost assets, but no undertaking to improve the living standards or livelihoods of project-affected persons.	Improve or at least restore the livelihoods of all displaced persons.	APs must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.		The national standards are silent on livelihood restoration	All APs having significant impact on livelihood will be entitled for special assistance for livelihood restoration.
Grievance Redressal Mechanism	Any grievances regarding land and property acquisition could be reported to Home Ministry within 7 days of	Establish a grievance redress mechanism to receive and facilitate resolution of the	Appropriate and accessible grievance mechanisms must be established for the affected people and their	Any natural or legal person affected, or perceived to be affected, by a decision of the EIB may lodge a complaint to	No gaps exist in this regard. Both national law and ADB and JICA policy provide for	N.A

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 Requirements	JICA Safeguards Requirements	EIB SESPS 2009 Requirements	Gaps between Nepal laws, and ADB/JICA/EIB Safeguard Requirements	Gap filling measures for Harmonization
	public notification to CDO. Home Ministry will decide on such grievances within 15 days. (Clause 11)	affected persons" concerns.	communities.	its Secretary General, either in writing or through the internet. The Complaints Office ensures the centralised handling and registration of complaints, a structured investigation, internal and external reporting and a pro-active approach (Statement No. 65).	adequate and accessible grievance redressal mechanism.	
Monitoring	No legal requirement in the Law for involuntary resettlement implementation monitoring.	In the projects with significant involuntary resettlement impacts, the borrower will retain qualified and experienced external experts. The borrower will prepare quarterly monitoring reports. All monitoring reports are to be disclosed.	Project proponents will monitor the implementation status and the effectiveness of the mitigation measures prepared in advance		The local law does not provide for any monitoring mechanism.	Project with significant impacts to have external monitor or else internal monitoring by executing agency. All monitoring reports are to be disclosed.
Land	Agricultural Land	The pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.				
	Land in Urban Areas	The pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.				
Structure	Houses and Other Structures	The market cost of the materials to build a replacement structure with an area and quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors" fees, plus the cost of any registration and transfer taxes.				

### ANNEX 8-1: SELECTIVE PICTURED IMPRESSIONS ON RELOCATION AND STRUCTURES













The answers of AHs in the SESA H about relocation made clear, that they will stay in the “their areas” meaning in the villages, wards, municipalities and/or rural municipalities. Only 1 AH mentioned the option to leave to Kathmandu, all other indicated for their self-relocation their following preferred.

To illustrate in this context the type of affected primary and secondary structures and also first self-constructed new houses this photo documentation has been attached, also to provide a “more real” impression on affected structures and relocation.





ANNEX 8-2: SELECTIVE PICTURED IMPRESSIONS ON PRE-CONSTRUCTION WORKS

		
PHOTO 1 BEFORE	PHOTO 2 BEFORE	PHOTO 3 BEFORE
		
PHOTO 1 AFTER ACCESS ROAD BETWEEN SETI BRIDGE AND CAMP AREA	PHOTO 2 AFTER CAMP AND ADJACENT AREA	PHOTO 3 AFTER ACCESS ROAD IN REACH OF TAILRACE OUTLET
		
PHOTO 4 - 6 ACCESS ROAD		
		
PHOTO 7 - 9 CAMP AND SUSTATION AREA ; RIVER EMBANKMENT		

## ANNEX 9: RIPP BUDGET COMPARISON BETWEEN DRAFT RIPP DEC. 2012 AND FINAL UPRIPP SEPT. 2018

(Note: This Annex has been prepared on request of ADB)

Ser. No.	Description as applied in the Draft RIPP 2012	Costs							
		Draft RIPP Dec 2012	Final UpRIPP Sept 2018			Difference compared with			
			[NRs]	Ser. No	[NRs]	[NRs]	[%]	[+/-]	
A. Direct costs									
1	Compensation for Private Land	1.717.761.966	1.759.420.012	1	1.422.384.087	1.521.199.859	238.220.153	13,5	less
2	Compensation for houses and other structures	27.572.523		2	85.246.232				
3	Privately owned trees and fodder trees	10.650.000		3	10.134.017				
4	Registration Fee (to be paid if affected HHs buy land of equivalent value)	3.435.523		4	3.435.523				
5	Community Structures	1.500.000	248.950.000	5 + others	9.092.863	260.828.463	- 11.878.463	-4,8	more
6	New suspension bridges	247.450.000		water supply	4.285.600				
7	Lease for spoil disposal site			6	247.450.000				
		119.734.033		7	review during construction	119.734.033	0	0,0	same
SUB TOTAL (A)		in [NRs]	2.128.104.045			1.901.762.355	226.341.690	10,6	less
		in [USD]	25.015.917			16.757.092	8.258.825	33,0	
B. Indirect Costs									
7	Assistance to Livelihood Restoration								
	Housing Displacement Allowance	7.740.000	8.1			7.290.000	450.000	5,8	same
	Rental Assistance	7.740.000				7.290.000	450.000	5,8	same
	Cultivation Disruption Allowance	10.853.452				110.000.000	- 99.146.548	-913,5	more
	Transfer of Materials Allowance	3.010.000				2.835.000	175.000	5,8	same
	Special Assistance for Janajati HH	22.650.000				19.030.000	3.620.000	16,0	less
				8.2	Fishermen support	7.400.000	- 7.400.000	100,0	new
	Total		in [NRs]	51.993.452			153.845.000	- 94.451.548	-181,7
		in [USD]	611.184			1.355.582	- 744.398	-121,8	
8	Special Assistance for vulnerable HHs and Livelihood Restoration support								
	Cash assistance for Vulnerable HHs only	9.000.000	9.1			12.760.000	- 3.760.000	-41,8	more
	Vocational training and eco. rehabilitation grant	3.600.000				39.225.000	- 35.625.000	-989,6	more
	Other costs for financial literacy, revolving fund etc. (0.1% of direct cost)	2.008.370					2.008.370	100,0	less
				9.2	Encroacher allowance	6.800.000	- 6.800.000	100,0	new
				9.3	Additional support	882.000	- 882.000	100,0	new
Total		in [NRs]	14.608.370			59.667.000	- 45.058.630	-308,4	more
		in [USD]	171.722			525.747	- 354.025	-206,2	
SUB TOTAL (B)		in [NRs]	66.601.822			213.512.000	- 139.510.178	-209,5	more
		in [USD]	782.906			1.881.329	- 1.098.423	-140,3	
TOTAL OF A+B		in [NRs]	2.194.705.867			2.115.274.355	86.831.512	4,0	less
		in [USD]	25.798.823			18.638.421	7.160.402	27,8	
C. Others									
9	Implementation and Administrative Cost (2% of A+B)	43.894.117	76.814.705	10	42.219.775 UpRIPP budget	73.884.606	2.930.099	3,8	less
10	Monitoring and Evaluation (external, internal) (1.5% of A+B)	32.920.588		11	31.664.831 UpRIPP budget				
TOTAL (1 to 10)		in [NRs]	2.271.520.572	TOTAL (1 to 11)		2.189.158.961	89.761.611	4,0	less
		in [USD]	26.701.782			19.289.444	790.921	3,0	
11	Direct and Indirect cost for Transmission line	185.533.000	282.083.000	Not in this RIPP, as there will be two separate RIPPs		0	282.083.000	100,0	less
12	Direct and Indirect cost for Rural Electrification	96.550.000							
GRAND TOTAL (1 to 12)		in [NRs]	2.553.603.572	GRAND TOTAL (1 to 13)		2.189.158.961	364.444.611	14,3	less
		in [USD]	30.017.675			19.289.444	10.728.231	35,7	
Applied USD/NRS rate			85,07	Applied USD/NRS rate (31 Aug 2018)		113,49			

## **ANNEX 10.1-1: DDR – EXAMPLE FROM CAMPSITE AND ACCESS ROAD - EXTRACT**

Extract of:

“Tanahu Hydropower Project. Final Report on Verification of Compensation Payment for the Campsite and Access Road of Tanahu Hydropower Project; by Rural Empowerment Society Damauli Tanahu in cooperation with Tanah Hydropower Limited; September 2017”:

### **Section F-8 Summary:**

23. Following are some of the key findings derived from site visit and discussion with different stakeholders;

- Compensation rate for the affected assets was fixed by the Compensation Determination Committee (CDC) chaired by the Chief District Officer (CDO) in accordance to the process as stipulated in Land Acquisition Act 1977.
- Compensation rate was fixed on replacement cost calculating the local market price, type of land and other assets, location of land, Government rate and consultation with local community including the affected households of each location.
- Each and every affected households were given opportunity to share their realistic opinion while fixing the land price.
- A final fixation rate for compensation was submitted to CDO for approval only after consensus of each affected households.
- Affected households were made aware about the total compensation they were entitled for.
- The displaced households were found satisfied with compensation they received from the project.
- Project or the Government did not deduct any tax or registration fees from the amount compensated to displaced households.
- Displaced households were given full opportunity to express their opinion on the compensation rate and submit their grievances with regard to acquisition and compensation.
- The compensation payment and receipt process were carried out appropriately as per the predetermined procedure set by the CDC.
- The households having impact on their structures have been found shifted to their new houses constructed after receiving compensation from the project.

### **Section H. Conclusion and Recommendations:**

41. The payment verification shows that compensation for land acquisition and relocation costs has been distributed to 150 HHs in access road and campsite area. In addition, all total 28 displaced families have received the relocation allowances in the form of housing displacement allowance, rental allowance and transfer of materials allowance as provisioned in RIPP.

42. It is verified that the compensation payment to all affected HHs was distributed in a transparent way. The key entitlement provisions for compensation were replacement rates while compensating for land and structures and for the loss of crops and trees etc. The compensation rate was determined as replacement cost based on negotiation with the affected households. As the due considerations were given to the government rate, the prevalent market rate and the expected rate of the APs along with the consensus from the local political parties while determining the compensation rate, the compensation rate of acquired land seems to be high in comparison to expected productive value and is suitable in accordance to local market conditions. The entire acquisition and compensation activities was processed through involvement of multi sector stakeholders (e.g. District Administration Office, District Land Survey Office, District Land Revenue Office and other district and local level representing institutions etc.) and closely observed by the civic society of project affected areas and local journalists.



## **ANNEX 10.1-2: DDR CAMPSITE AND ACCESS ROAD - EXTRACT**

43. The grievance redress mechanism was followed in accordance to the provision made in Land Acquisition Act 1977. Almost all displaced households have been resettled in the same area and those who have received relatively heavy compensation have also been found maintaining their settlement even beyond the project districts as additional assets. The entire acquisition process has followed the existing administrative arrangements and fund channeling mechanism. Any transaction related risks are not likely to arise as the entire acquisition and compensation was supported by sound monitoring and evaluation arrangements from the District Administration Office with the support of other relevant stakeholders.

44. The compensation payment to affected HHs for land acquisition and resettlement costs in access road camp site area made before the loan effectiveness date but not earlier than 12 months before the loan signing date was NRs. 392,892,367.36, which is found to be eligible for Retroactive Financing from the ADB as provisioned in the Amendment to loan agreement dated 08 September 2016. Further, the compensation payment as relocation allowances to displaced HHs after the date of loan effectiveness was NRs. 6,020,000, which is found to be eligible for Normal Financing from the ADB as provisioned in the loan agreement dated 22 April 2013. Hence, the total amount of compensation payment eligible to be reimbursement from ADB amounts to NRs. 398,912,367.36 (USD 3,871,432.14 as of Exchange Rate of 06 July 2017).

45. As all the key reimbursement related eligibility criteria as set forth in Project Administrative Manual (PAM) and the amendment to loan agreement for retroactive financing are fulfilled and other requirements of RIPP and ADB safeguard Policy Statement are compiled, it is recommended that ADB should make reimbursement of total amount of NRs. 398,912,367.36 to THL as compensation payment made to affected HHs for land acquisition and resettlement costs in the access road and camp site area.

**ANNEX 10.1-3: DDR CAMPSITE AND ACCESS ROAD – COMPENSATION PAYMENTS**

**EXAMPLES OF RECEIVED COMPENSATION PAYMENTS SIGNED BY AH**

[illegible]

दिनांक १२/०५/२०२०

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## DISTRICT ADMINISTRATION OFFICE, TANAHU

**WE THE LANDOWNER LISTED BELOW GIVE THE WRITTEN RECEIPT FROM THIS OFFICE IN UPPER SETI HYDROPOWER PROJECT FOR THE CONSTRUCTION OF ACCESS ROAD, CAMP SITE, OR BRIDGE WHICH NEED ACQUISITION OF LAND INSTEAD OF THAT WE RECEIVED TOTAL AMOUNT OF LISTED COMPENSATION PAYMENT FOR STRUCTURE, CATTLE SHEDS, TREES AND CROPS**

S.N	NAME OF THE OWNER	ADDRESS	PLOT NO	AREA	CHEQUE NO	COST RS	SIGNATURE	REMARKS
1	dilu maya thapa		1755	0-7-3-3	71695427	793747.00		
2	ram bahadur thapa		1155	0-5-0-0	71695428	875000.00		
3	gopini maya b.k		981	0-3-0-0	71695429	510000.00		
N	Others	as	listed	in	the	table		

PREPARED BY:

APPROVED BY:

### EXAMPLE OF A COMPENSATION BANK CHEQUE WITH SIGNED RECEIPT CONFIRMATION OF AH

[illegible]

## ANNEX 10.1-4: DDR CAMPSITE AND ACCESS ROAD – OWNERSHIP TRANSFER

[illegible]

GOVERNMENT OF NEPAL - MINISTRY OF LAND REFORM AND MANAGEMENT  
DEPARTMENT OF LAND REFORM AND MANAGEMENT - LAND REVENUE OFFICE  
LANDOWNER CERTIFICATE

LANDOWNER CERTIFICATE NO: 229372

LANDOWNER CERTIFICATE NO: 220072												
1367		Kahusi-vapur		1367	Productive land	Total		Irrigated land	1-2-0-3	2070		
					Private land			Medium productive land	578.29	83		
107		Kahusi-vapur		107	Productive land	Total		Non irrigated (cultivated land) High Productive land	0-15-1-1	2070		
					Private land				486.88	83		
1600		Kahusi-vapur		1600	Productive land	Total		Non irrigated (cultivated land) Medium productive land	0-2-2-0	2070		
					Private land				69.49	83		

Total amount (sqm): 12,036.85

PRINT DATE SIGNATURE:

PRINT DATE: 27-10-2013

Verify signature:-

## ANNEX 10.2-1: SUPPLEMENTARY DDR CAMPSITE AND ACCESS ROAD

THL: Supplementary Due Diligence Report, Access Road and Campsite

### I. Project Background

1. Tanahu Hydropower Ltd (THL) is implementing Resettlement and Indigenous Peoples Plan (RIPP) for Tanahu Hydropower Project (140 MW). Environmental and Social Management Unit (ESMU) under the THP has been supporting on land acquisition, resettlement and rehabilitation implementation activities under the project. As estimated in RIPP (Draft 2012) approximately 112 ha of land belonging to 758 households likely to be acquired for the construction of Project. Out of that about 7.5 ha of land has been acquired in access road area affecting about 148 households (Table-1).

Table 1: Estimated Land Acquisition Scope of the Campsite and Access Road Site

Project Components	Extent of Impacts and Units			Land use situation
	Ha	Affected HH	Physically displaced HH	
Camp site and Access Road	7.5	148	44	Mostly cultivated area Cultivated land and private land

Source: THL, Jan 2018: Census of Vulnerable households in the Access Road and Campsite Area

2. This supplementary Due Diligence Report (SDDR) has been prepared to fulfill the requirements and commitment of THL to pay vulnerable allowances as suggested by ADB while approving to reimburse compensation paid amount in access road and campsite during October 2017. Accordingly, the THL has also disbursed the vulnerable assistance to 112 eligible households out of the project affected 148 households in the project location who have already been compensated for their affected assets.
3. This supplementary due diligence report has been prepared after the disbursement of vulnerable assistance to the eligible vulnerable households of the total project affected already compensated households. Table 2 provides a comparative table of project already compensated project affected HHs and vulnerable assistance paid HHs.

Table 2: Project Affected HHs and Vulnerable HHs in Access Road and Campsite

S.N.	Household Categories	No of HHs	%
1.	Total Project Affected HHs Compensated	148	100
2.	HHs Eligible for Vulnerable Assistance		
2.1	Project Affected HHs Paid Vulnerable Assistance	112	86.82
2.2	Project Affected Vulnerable Absentee HHs yet to be Paid	17	13.18
2.3	Total Project Affected Vulnerable HHs	129	100

Source: THL, Jan 2018: Census of Vulnerable households in the Access Road and Campsite Area

4. The THL has already disbursed a sum of NPR 6,160,000 as payment to the 112 vulnerable households in the access roads and campsite area in accordance to the provision made in RIPP. As per the provision in PAM, THL mobilized a local NGO named Rural Empowerment Society to carry out Supplementary Due Diligence Assessment (SDDA) to assess the performance and status of vulnerable assistance distribution in the access road and camp site area and its verification followed by a report to request to ADB for the reimbursement of already paid vulnerable assistance.

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THL: Supplementary Due Diligence Report, Access Road and Campsite

### II. The Scope of Supplementary Due Diligence Assessment

5. This SDDA report has been prepared to supplement additional information regarding payment of vulnerable assistance in the access road and campsite area which was not included in the first Due Diligence Report submitted to the ADB in October 2017.

### III. Method and Process of Distributing Vulnerable Assistance

#### III-1 Identification of Vulnerable Households

6. The RIPP has defined vulnerable HHs as the "Households belongs to groups such as Indigenous people (Janajati/Adivasi), Dalits, Female (women) headed households, Disabled, Below poverty line and Elderly citizens. As per the SPS (2009) such HHs are entitled to special benefit and assistance packages in addition to compensation and resettlement in the resettlement planning and implementation.
7. Based on already compensated 148 project affected households in the access road and camp site area (148 HHs), THL with the support of NGO and ESMU evaluated and determined their vulnerability status of the project affected households. Out of the total households compensated (148 HHs) the assessment determined altogether 129 HHs as vulnerable households and eligible for financial assistance and the remaining 19 households were not eligible for that (Table 3).

Table 3: Classification of Identified Vulnerable and Non-vulnerable Households

S.N.	Type of Vulnerability Status Assessed HHs	No.	%
1.	Vulnerable (Janajati/Indigenous)	112	86.82
2.	Vulnerable (Dalit/Traditional Occupational Caste)	09	6.98
3.	Others Elders/Women headed/below poverty HHs Eligible for Vulnerable Assistance	08	6.20
Total		129	100

Source: THL, Jan 2018: Census of Vulnerable households in the Access Road and Campsite Area

8. Of the identified 129 eligible vulnerable households (HHs), 112 HH (86.82%) belong to Janajati (indigenous) groups, 9 (6.98%) HHs Dalits (traditional occupation castes) and other 8 (6.20%) HHs belongs to elder/women headed and below poverty families. A list of project affected households by vulnerability status in the access road and camp site area is attached in Appendix-1.

#### 9. III-2 Fixation of Vulnerable Assistance

10. The rate of vulnerable assistance was determined as provisioned in draft RIPP (2012) prepared during the feasibility phase. As calculated in the entitlement matrix of the RIPP, the amount for vulnerable assistance was calculated @ NPR 500 per day per person for 90 days plus 10,000 additional assistance making a total of NPR 55,000 per vulnerable household for all sort of vulnerability without any difference. Accordingly, vulnerable assistance was disbursed @ NPR 55,000 to each eligible family through bank transfer.

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## ANNEX 10.2-2: SUPPLEMENTARY DDR CAMPSITE AND ACCESS ROAD

THL: Supplementary Due Diligence Report, Access Road and Campsite

### III-3 Notification to the Eligible Households

11. The THL officially notified the eligible project affected vulnerable households for the collection of their assistance before starting the disbursement. The eligible households residing outside the project area, have also been informed through various sources (e.g. official notification, telephone/ mobile, local media etc.) to collect their vulnerable assistance to be distributed by the project.

### III-4 Process of Payment

12. Upon notification of THL, the vulnerable households submitted their application with their identity, and bank account details to the THL requesting for the payment of vulnerable assistance. Upon the completion of administrative and accounting process, THL distributed the vulnerable assistance to each eligible household through bank transfer.

### III-5 Verification Process and Findings Vulnerable Assistance Distribution

13. The NGO staff with the support of THL officials carried out field verification of vulnerable assistance distribution during the fourth week of January 2018 (from 24 January to 30 January, 2018). With the support of THL staff, NGO carried out walkover survey across the road as well as adjoining villages with the reference of financial assistance distributed vulnerable person's list. The other key activities carried out for verification include:
- (i) Consultation with the Project Officials of THL at Kathmandu and Damauli and project-affected vulnerable households in the camp site and access road area.
  - (ii) Verification of vulnerable assistance distribution status through home visits and there by collecting signatures of the relevant project affected persons or other responding family members. The list of project affected vulnerable households with their signature consulted in the field is included in **Appendix 2**.
  - (iii) With a view to confirm the transfer of amount into the beneficiaries account, bank verification was also made in the bank account of each compensated vulnerable person through the copy of bank voucher deposited by THL. For this, information regarding bank deposit of vulnerable assistance was also collected from the THL. Then, the amount deposition status in the beneficiaries' bank account was verified by checking the entry status of vulnerable assistance amount (NPR 55,000 per vulnerable HH) in the accounts of respective beneficiaries. Some of the field verification and other relevant photographs have been incorporated in **Appendix 3**.

### IV. Key Findings

14. As of current status, a total number of 112 vulnerable households had received vulnerable assistance. Among them, 43 persons could be contacted during the site verification in the access road and camp site area. A total of 18 contacted persons among the contacted were the HH head and the remaining were either spouse or other family members. The contacted project affected vulnerable households in the access road area for verification

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THL: Supplementary Due Diligence Report, Access Road and Campsite

was 43 persons which is about 38.39 % of the total vulnerable households disbursed vulnerable assistance. All of the contacted persons were project HH heads or their family members.

15. Collectively, based on the impression with the project affected contacted persons they were found to be vulnerable and eligible for the vulnerable assistance. However, as the vulnerable status of the project affected families were assessed after a long gap (about 5 years) because of time gap in distributing assistance. As shown in Table 4 the project could not disburse vulnerable assistance to 17 persons (Janajati -8, Dalit-3, and other vulnerable persons-6; like women headed, senior citizen etc) could not be distributed as they have not contacted the project office.
16. Based on discussion with THL officials, local as well as project affected people and other stakeholders (**Appendix 4**), NGO reported that it was found difficult to contact some of the project affected vulnerable people because (i) due to moving to another places and other districts (ii) just land in the project site but residing in other places and (iii) some HHs are mobile to adjoining cities like Pokhara, Chitwan, Kathmandu etc. for business and employment. The SDDR has recommend to keep the remaining amount of absentee vulnerable HHs in the project office itself to ease the payment in future.
17. Collectively, the remaining project affected vulnerable persons received their vulnerable assistance (@ NPR 55,000.000 per vulnerable HHs) and the payment was disbursed through bank transfer. As the NGO assessed, vulnerable assistance amount received from the project was reported to be useful to meet several need and demand related to household activities (e.g. paying the school fee of the children, maintaining their houses, keeping of money as saving, purchasing or maintaining households affects etc.
18. The overall payment status of vulnerable assistance to the project affected households in the access road and camp site area by the end of January 2018 is summarized in Table 4 below:
- Table - 4: Distribution of Vulnerable Households in Access Roads and Camp Site
- | S.N.              | Vulnerability Type                        | No. of HHs Eligible for Vulnerable Assistance | %     | No of Paid HHs | No. of HHs Yet to be Paid | Paid Amount Till Now (NPR) |
|-------------------|---|---|-------|----------------|---------------------------|----------------------------|
| 1.                | Janajatis                                 | 112   | 86.82 | 104            | 8                         | 5,720,000                  |
| 2.                | Dalits                                    | 09  | 6.98  | 06             | 3                         | 330,000                    |
| 3.                | Others Vulnerable Eligible for Assistance | 8   | 6.2   | 02             | 6                         | 110,000                    |
| Total             |   | 129   | 100   | 112            | 17                        | 6,160,000                  |
| Remaining Payment |   |   |       |                |                           | 935,000                    |
- Source: THL, November 2017
19. To sum up, the THL with the help of ESMU and NGO identified 129 project affected households as eligible for vulnerable assistance. Among them, 112 project affected households were disbursed vulnerable assistance. However, 17 vulnerable households could not be disbursed the assistance due to several reasons, like; some of the vulnerable HHs have only small parcel of homestead land in the project site but not residing the project site, and some of them also might have seasonally or temporarily migrated to other places for employment or business.

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### ANNEX 10.2-3: SUPPLEMENTARY DDR CAMPSITE AND ACCESS ROAD

THL: Supplementary Due Diligence Report, Access Road and Campsite

#### IV-1 Management of Unpaid Vulnerable Assistance

20. As the project is just in implementation phase and compensation distribution in reservoir and other sites is still ongoing, there seems to be less chances of escaping the payment of vulnerable assistance to the remaining eligible HHs. However, if there is any outstanding payment, the THL will keep remaining vulnerable assistance its account and disburse remaining project affected vulnerable person upon submission of relevant evidences.

#### IV-2 Conclusions & Recommendations

21. All the key reimbursement related eligibility criteria as set forth in Project Administrative Manual (PAM) are fulfilled and other requirements of RIPP and ADB safeguard Policy Statement are complied, while disbursing vulnerable assistance to the targeted HHs as suggested by ADB. The key conclusions of the supplementary due diligence report include;

- (i) The total numbers of project affected households compensated in access road and campsite area is 148 against 150 based on supplementary due diligence assessment carried out by the THL from 15 January to 07 February 2018<sup>1</sup>, and
- (ii) THL has distributed the vulnerable assistance to 112 eligible project affected households in the access road and campsite area amounting to NPR 6,160,000. The remaining vulnerable assistance to be provided to the absentee eligible HHs amounting NPR 935,000 will be in the account of the THL, which will be paid to the eligible vulnerable households upon submission of their application with the official evidence.

22. It is recommended that ADB shall make reimbursement of total amount of NRs. 6,160,000 to THL as compensation payment made to eligible HHs for vulnerable allowances in the access road and camp site area.

<sup>1</sup> Originally, the number of compensated displaced households in the access road and campsite area was stated as 150 in the Due Diligence Verification Report submitted to ADB in October 2017. Later THL noticed a mistake, while identifying the actual number of project affected HHs. In fact, there was a double counting of a project affected households namely, Mohan Bahadur Jhedi (listed in serial number 1 of project affected households in the camp site area). Likewise, Nara Bahadur /Saru Magar were classified as separate two project affected households, though they belong to the same household (listed in the serial number of 19 and 20 of the project affected households in the access road and camp site area). Thus, after merging of these households, the corrected numbers of project affected households decrease from 150 to 148. An updated list of project affected households in the access road and campsite included in Appendix 1 also provides a reference in this regard.

#### Appendix-1

Tanah Hydropower Limited Vulnerable Assistance Calculation @ NRs 500/day Agriculture wages of 90 days + special assistance NRs 10,000.00						
S.N. by HHs	Name of Land Owner	Address	Vulnerable Assistance			Paid Amount NPR
			Janajati	Occupational Cast/Dalit	Others Vulnerable Eligible for Assistance	
1	Man Bahadur Jhedi/Tika Maya Jhedi		Janajati			55,000
2	Gopi Ram Thapa		Janajati			55,000
3	Praja Pati Sharma				Elderly	55000
4	Chameli Shrestha		Janajati			55,000
5	Birbal Thapa		Janajati			55,000
6	Parshuram Giri				Ineligible	
7	Mahadev Disuwa Magar		Janajati			55,000
8	Hem Bahadur Thapa		Janajati			55,000
9	Bir Bahadur Thapa		Janajati			55,000
10	Tek Bahadur Garja Magar		Janajati			55,000
11	Dhan Bahadur Thapa		Janajati			55,000
12	Buddhi Saru		Janajati			55,000
13	Dhan Maya Aale		Janajati			55,000
14	Rau Maya Aale		Janajati			55,000
15	Manu Maya Bache		Janajati			55,000
16	Chini Maya Thapa Magar		Janajati			55,000
17	Bhudi Bahadur Saru and His Family		Janajati			55,000
18	Hast Bahadur Bache		Janajati			55,000
19	Nara Bahadur Saru magar		Janajati			55,000
20	Jit Bahadur Bache		Janajati			55,000
21	Rima Maya Magar		Janajati			55,000
22	Dhaman Shing Thapa		Janajati			55,000
23	Lila Ale		Janajati			55,000

## ANNEX 10.2-4: SUPPLEMENTARY DDR CAMPSITE AND ACCESS ROAD

THL: Supplementary Due Diligence Report, Access Road and Campsite

24	Madhav Ranabhat			Elderly		55,000
25	Buddhi Bahadur Thapa	Janajati				55,000
26	Dhwanka Shrestha	Janajati				55,000
27	Devi Maya Giri			Ineligible		
28	Hira Lal Ale	Janajati				55,000
29	Bahadur Thapa	Janajati				55,000
30	Bisna Thapa	Janajati				55,000
31	Dhan Bahadur Thapa	Janajati				55,000
32	Hira Saru	Janajati				55,000
33	Yam Bahadur Saru	Janajati				55,000
34	Hira Singh Thapa	Janajati				55,000
35	Ghanga Dhar Thapa	Janajati				55,000
36	Bom Bahadur Saru	Janajati				55,000
37	Ratna Kumari Ranabhat	Janajati		Ineligible		
38	Anita Thapa	Janajati				55,000
39	Shree Thapa Magar	Janajati				55,000
40	Krishna Bahadur Khatri			Elderly		55,000
41	Gaura Paudel	Janajati		Ineligible		
42	Dipak Kumar Sarki		Occupational Cast/Dalit			55,000
43	Durga Bahadur Ranabhat			Ineligible		
44	Padam Bahadur Damai		Occupational Cast/Dalit			55,000
45	Resham Lal Ranabhat			Ineligible		
46	Prem Bahadur Ranabhat			Ineligible		
47	Ghaynu Maya Ranabhat			Ineligible		
48	Damber Shing Thapa	Janajati				55,000
49	Rewati Aale	Janajati				55,000
50	Shree Jang Thapa	Janajati				55,000
51	Bishnu Bahadur Rana	Janajati				55,000
52	Buddhibal Rana	Janajati				55,000
53	Shreemaya Aale	Janajati				55,000

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THL: Supplementary Due Diligence Report, Access Road and Campsite

54	Kausila Aale	Janajati				55,000
55	Phulmaya Aale	Janajati				55,000
56	Yam Kumari Gurung	Janajati				55,000
57	Padam Bahadur Thapa	Janajati				55,000
58	Nara Bahadur Ranabhat			Ineligible		
59	Hari Maya Khatri			Women headed		55,000
60	Radha Devi Chhetri			Ineligible		
61	Chhali Thapa	Janajati				55,000
62	Kharam Kumari Bhugel		Occupational Cast/Dalit			55,000
63	Khinu Aale	Janajati				55,000
64	Thaman Singh Sarki		Occupational Cast/Dalit			55,000
65	Dhana Maya Rana	Janajati				55,000
66	Jhim Bahadur Ranabhat			Elderly		55,000
67	Hom Kumari Aale	Janajati				55,000
68	Dhan Bahadur Aale	Janajati				55,000
69	Mana Thapa	Janajati				55,000
70	Mehar Singh Pulami Magar	Janajati				55,000
71	Man Singh Garia Magar	Janajati				55,000
72	Sahida Khatun			Ineligible		
73	Raj Kumar Ranabhat			Ineligible		
74	Tham Maya Aale	Janajati				55,000
75	Keshar Thapa Magar	Janajati				55,000
76	Chet Bahadur Thapa	Janajati				55,000
77	Mohan Shing & Rima Garga Magar	Janajati				55,000
78	Tek Bahadur Thapa	Janajati				55,000
79	Dilu Maya Thapa	Janajati				55,000
80	Ram Bahadur Thapa	Janajati				55,000
81	Gopini Maya B.K.		Occupational Cast/Dalit			55,000
82	Dil Bahadur Thapa	Janajati				55,000
83	Dil Bahadur Saru	Janajati				55,000
84	Bibjan Miya			Ineligible		

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## ANNEX 10.2-5: SUPPLEMENTARY DDR CAMPSITE AND ACCESS ROAD

THL: Supplementary Due Diligence Report, Access Road and Campsite

85	Bhisara Devi	Janajati			55,000
86	Bhaban Singh Saru	Janajati			55,000
87	Dhan Maya Thapa	Janajati			55,000
88	Pamila Shrestha	Janajati			55,000
89	Min Bahadur Thapa	Janajati			55,000
90	Mitra Bahadur Thapa	Janajati			55,000
91	Gan Bahadur Garja	Janajati			55,000
92	Padam Bahadur Aale	Janajati			55,000
93	Sumitra Thapa	Janajati			55,000
94	Bal Bahadur Thapa	Janajati			55,000
95	Hast Bahadur Garja	Janajati			55,000
96	Ambi Thapa	Janajati			55,000
97	Dhana Bahadur Garja	Janajati			55,000
98	Krishna Kumari Panta		Women headed		55,000
99	Mohan Bahadur Aale	Janajati			55,000
100	Um Bahadur Disuwa	Janajati			55,000
101	Tej Bahadur Thapa	Janajati			55,000
102	Bhul Bahadur Ale	Janajati			55,000
103	Gori Gurung	Janajati			55,000
104	Dhan Bahadur Gurung	Janajati			55,000
105	Madhu Maya Banshi	Janajati	Elderly		55,000
106	Pradeep Kafle			Ineligible	
107	Jumma Din Miya			Ineligible	
108	Suka Maya Thapa	Janajati			55,000
109	Ishwar Aale & Sima Aale	Janajati			55,000
110	Hom Bahadur Sarki		Occupational Cast/Dalit		55,000
111	Basanti Aale	Janajati			55,000
112	Suka Ram Viswakarma		Occupational Cast/Dalit		55,000
113	Bishnu Maya Thapa	Janajati			55,000
114	Padma Shrestha	Janajati			55,000

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THL: Supplementary Due Diligence Report, Access Road and Campsite

115	Kamala Thapa	Janajati			55,000
116	Bir Bahadur Thapa	Janajati			55,000
117	Mana Bahadur Ranabhat	Janajati		Ineligible	
118	Kalpna Shrestha	Janajati			55,000
119	Topi Maya Thapa	Janajati			55,000
120	Prem Bahadur Ranamagar	Janajati			55,000
121	Ram Bahadur Thapa	Janajati			55,000
122	Sabitri Devi Thapa	Janajati			55,000
123	Bhim Bahadur Ranabhat	Janajati		Ineligible	
124	Bhawani Renuka Dahal & others			Ineligible	
125	Khaghi Maya Thapa	Janajati			55,000
126	Kesh Bahadur Aale	Janajati			55,000
127	Jagata Bahadur Garja	Janajati			55,000
128	Indra Bahadur Thapa	Janajati			55,000
129	Nirmala Maya Thapa	Janajati			55,000
130	Devi Sarkine		Occupational Cast/Dalit		55,000
131	Kamala Maya Thapa	Janajati			55,000
132	Gayna Bahadur Ale	Janajati			55,000
133	Yubraj Thapa	Janajati			55,000
134	Jamal Din Miya & Jamli Miya			Ineligible	
135	Thalimaya Thapa	Janajati			55,000
136	Samjana Nepali		Occupational Cast/Dalit		55,000
137	Jit Bahadur Thapa	Janajati			55,000
138	Rewati Maya Thapa	Janajati			55,000
139	Mohanshi Thapa	Janajati			55,000
140	Prem Bahadur Thapa	Janajati			55,000
141	Manjur, Ahmad Miya			Ineligible	
142	Lalu Maya Gurung	Janajati			55,000
143	Kaushila Pariyar		Occupational Cast/Dalit		55,000
144	Yanka Bahaddur Ale	Janajati			55,000

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## ANNEX 10.2-6: SUPPLEMENTARY DDR CAMPSITE AND ACCESS ROAD

THL: Supplementary Due Diligence Report, Access Road and Campsite

145	Man Bahadur Rana		Janajati				55,000
146	Nirmamala Thapa		Janajati				55,000
147	Yam Bahadur Disuwa Magar		Janajati				55,000
148	Durga Kumari Panta				Women Headed		55,000
Total Payable						129 HHs @ 55,000	7,095,000
Total Paid Households Paid ---						112 HHs @ 55,000	6,160,000
Classification of Total Households in Access Road and Campsite by Vulnerability							
		Type of HH	No. of HHs				
		Janajati	112				
		Dalit	9				
		Other vulnerable Eligible for Assistance	8				
		Other including Muslim	19				
		Total	148				

## ANNEX 10.3-1: DDR RESERVOIR AND DAM

Verification of Compensation Distribution in Reservoir Area:

### A. INTRODUCTION

1. Project Administration Manual (PAM) of Tanahu Hydropower Project (THP) provisions reimbursing the expenditures incurred for land acquisition and resettlement activities, if appropriate procedures are followed in executing them to the ADB satisfaction. This due diligence report (DDR) has been prepared in line with the PAM provisions to assess the progress made by THL in terms of disbursing compensation to project affect families in the reservoir area, and process compliance while distributing compensation, allowances, and other associated activities between the period, 16 February 2017 to 31 March 2018. The THL through this verification report aims to ensure its eligibility for ADB financing for reimbursement of compensation paid for reservoir area. Between 16 February 2017 to 31 March 2018 the THL paid NRS 617,973,724.08 (equivalent to USD 5,943,197.96 @ 1USD=NRs.103.98) affected persons in reservoir area. The DDR has been prepared following template and format used for DDR prepared for access road and campsite area<sup>1</sup>. The DDR summarizes key findings regarding the RIPP implementation progress and compliance of procedures followed by the THL in the disbursement process.
2. This DDR, in accordance to provision made in paragraph – 17 of the PAM, has been prepared by a local NGO<sup>2</sup>, Rural Empowerment Society Damauli, hired by THL for the verification of the compensation distribution progress and process compliance status while disbursing compensation under the THP land acquisition.
3. This assessment covers all expenditures made by THL for acquisition of land for reservoir. The cost covers compensated cost disbursed for land and structures, trees and other assets as well as allowances/allowances such as shifting and transitional allowances and other payments. The due diligence assessment examined the compliances followed by the District Administration Office (DAO) and THL while processing and paying compensation and other financial assistance to the affected families.

### B. BACKGROUND

4. The loan agreement for Tanahu Hydropower Project was signed on 22 April 2013 and the loan was declared effective from 29 August 2014. The project closing date is 30 June 2021. The project has three main components: (i) Head works (package -1) (ii) Waterway, Power house & related equipment (Package-2) (iii) 220 KV Transmission Line (Package-3) & Rural Electrification in the project area. The Project locates on Seti River, Damauli in the Tanahu district which is about 150 kilometers (km) West of Kathmandu. The Figure-1 provides locations of the major project components

<sup>1</sup> The DDR was approved by ADB in October 2017.

<sup>2</sup> The NGO hired by THL is an independent NGO for the purpose of compensation verification not involved in project activities.

Compensation Distribution Verification of Reservoir Area:

Figure 1: Project Affected Locations by Components



5. The project covers 3 rural municipalities<sup>3</sup> and one Municipality. As per the present change (i) Bhimad rural municipality has been formed by merging the then Majhkot, some part of Rising Ranipokhari, and some part Samung Bhagwatipur (ii) Myagde Rural Municipality has been formed by merging Jamune Bhanjyang, and Chhang, (iii) Rising Rural Municipality has been formed by merging Kotdarbar, some part Rising Ranipokhari, some part Sabhung Bhagwatipur, and Kahu Shivapur, and (iv) the major urban settlement under Vyas Municipality.
6. The major construction activities under the THP includes:
  - Dam: Construction of 140 m high concrete gravity dam wall with a crest length of 175m on the Seti River and a reservoir with a total surface area of 7.26 km<sup>2</sup> at FSL (EL 415m),
  - Tailrace Tunnel: Construction of a 190 m long tailrace tunnel to discharge the water flow used to generate power back into the Seti River,
  - Powerhouse: Building an underground powerhouse at 6 km downstream of the dam,
  - Construction Power Sub-Station: 33/11 kV sub-station for construction power (6/8 MVA), Testing and Commissioning of 6/8 MVA, 22/11 kV Sub Station, 33 kV, and Sub-Transmission Line and 11 kV Distribution Line for Project Construction Power,

<sup>3</sup> Gaunpalika or gaupalika (Rural municipality) is the newly formed local level in federal structure of Nepal. The Ministry of Federal Affairs and Local Development (Nepal) dissolved the existing village development committees and announced the establishment of this new local level. There are currently 481 rural municipalities in Nepal out of 744 local levels.

## ANNEX 10.3-2: DDR RESERVOIR AND DAM

### Verification of Compensation Distribution in Reservoir Area:

- Access Road: Road upgrading works, construction of cross drainage and retaining structure from Prithivi Highway (Chapaghat) to Beni Patan (toward the dam site area), track opening of access road to powerhouse area,
- Camp Facilities: Altogether, 33 buildings (2 office buildings each for Employer and Engineer, 2 residential building of type A, 12 residential building of type B, 10 residential building of type C, 2 dormitories, 1 guest house, 1 health post, 2 restaurants and 1 guard house) are to be constructed for camp facilities,

### C. APPROACH AND METHODOLOGY

7. The following methodological approach and strategies were followed to prepare this due diligence report:

- (i) **Collection of Documents, Review and Cross Verification of Information:** Relevant documents linked to land acquisition and compensation distribution were collected and reviewed. Review of compensation payment document prepared by THL and signed by project affected persons after receiving compensation. Verification from the bank accounts belonging to project affected persons used to transfer their compensation in respective bank and account number. Assessing the number of land parcels whose ownership has been transferred in the name of project Key documents collected for due diligence review are summarized in the Table 1.

Table 1: Key Documents Collected for Due Diligence Review

S.N.	Type of Document Collected
1	Resettlement and Indigenous People's Plan (RIPP)- Dec, 2012
2	Copy of ADB approved verification report submitted on Oct 2017
3	List of project affected families in the reservoir area and their affected assets
4	Copy of signed vouchers by project affected families with information on paid amount.
5	Aide Memoir of THL review mission
6	Copy of CDC decision on compensation rate

- (ii) **Consultations and Meetings with Project Officials and other Stakeholders:** Discussions with the project affected families and other stakeholders was carried out to verify the process followed while fixing/negotiating compensation rate, mechanism followed for determining replacement cost principle, participation of vulnerable people in consultation process, grievance redress mechanism and financial assistance to vulnerable groups. Meeting, consultation and discussion with different stakeholders (e.g. officers at District Land Revenue Office, THL officers at central as well as at field level, and members of project affected families and other local communities at the field level etc.). The list of officials and other personnel contacted during due diligence verification assessment is presented in the Appendix- 2.
- (iii) **Field Verification with Compensated Households:** Verification of compensation distribution was carried out by interviewing the compensated affected persons in different locations. The households were interviewed through a semi structure questionnaire. The survey questionnaire contained some basic entry questions like; family background and relationship of the respondent with the HHs, type of impacts, and compensation related

### Compensation Distribution Verification of Reservoir Area:

questions like; status of compensation received, mode of payment (e.g. check, cash, bank transfer etc), time required to get compensation, involvement of family member in skill trainings operated by the project, use of compensation amount on different key activities and etc. A sample of questionnaire rendered to the project affected person is enclosed in the Appendix 3.

8. As a part of compensation distribution due diligence assessment, Local NGO, Rural Empower Society (RES) carried out a brief field survey in different locations of the reservoir area from 26<sup>th</sup> Jan to 28<sup>th</sup> February 2018. The field survey was focused on identifying and contacting the compensated project affected persons for the verification of: (i) compensation payment status, (ii) use of compensation received, (iii) skill training status to the family members etc. and, (iv) identification of the issues and suggestion from the interviewed persons and local community present in the area etc.
9. The site verification was carried out also for; (i) physical observation of project site, and (ii) interface with communities including relevant district and local level Government Offices and other stakeholders as applicable. The discussions held with stakeholders also focused on assessing information regarding; (i) compensation rate determination method; (ii) compensation distribution process and involvement of project affected families; (iii) methods of verifying compensation amounts mentioned in the project's record with entitlement matrix; (iv) exemption from registration fee and taxes to the displaced persons while receiving compensation, and (iv) transferring the ownership of compensated assets; (v) process of submitting grievances and mechanism for addressing them, and status of existing grievances.

### D. RESETTLEMENT AND INDIGENOUS PEOPLES PLAN

10. In 2011-12, Nepal Electricity Authority (NEA) and Tanahu Hydropower Limited has prepared Resettlement and Indigenous Peoples Plan (RIPP) to mitigate the involuntary resettlement impacts due to land acquisition and other project activities to affected people. As estimated in RIPP, approximately 112 ha of land of 758 households are likely to be affected due to the project which also includes household affected by the reservoir. The THL has conducted resurvey of affected land in 2016 and undertake census survey in 2017 for the land affected due to reservoir. The resurvey reported that about 65 ha land will be inundated affecting a total number of 337<sup>4</sup> households. Similarly, 34 structures in title and non-title and six community structures/open rest place built in the Government land has also been affected.

<sup>4</sup> Out of 337 affected households, total 327 households' records were collected from different sources. The ownership status of 10 plots recorded in cadastral survey report couldn't be identified. The project has verified the ownership information from survey office, land revenue office and verified with affected community for 10 plots. There was no claim on the ownership of such plots to date. The project has counted them as likely potential household representing on plot by one household.



## ANNEX 10.3-3: DDR RESERVOIR AND DAM

Verification of Compensation Distribution in Reservoir Area:

Table 2: Summary of Project Affected Households in the Reservoir Area

S.N.	Description	Total Affected HHs	Compensated HHs	HHs Yet to be Compensated
1.	Economic displacement (Impact on private land, and Trees)	303	281	42
2.	Physical displacement (Impact on structures in title and non-titled land)	34	33	1
	Project Affected Households	337	294	43
Total	Project Affected Community Structures	8	8	0

Source: Census Survey, 2017 and verification survey 2018.

11. As per the draft Resettlement and Indigenous Peoples Plan (RIPP) of the project (2012), about 336 households in the reservoir area likely to have resettlement impacts due to land acquisition. However, the actual number of affected HHs in the reservoir area reached to 337 based on updated list of 2017. There are 8 house owners built in title land and 26 house owners built in non-title land. Compensation has been paid to the relevant users committee on recommendation of local government for the community structures.
  12. Tanahu Hydropower Limited (THL) has established the Environmental and Social Monitoring Unit (ESMU) for the implementation of RIPP. The THL has submitted draft updated RIPP to ADB for review and approval.
- E. SCOPE OF THIS DUE DILIGENCE REPORT**
13. Though the RIPP has identified 758 affected households covering project impacts of all components, this report covers information and analyses only on land acquisition, compensation and income restoration measures for reservoir area only. So, it will cover compensation payment related with 337 households to be affected due to inundation<sup>5</sup>. In addition, both the compensation payment and income restoration of livelihood source are continuous process and THL faces difficulties to complete all activities at one go. It may take longer time and reimbursement of expenditure made in land acquisition is required for fund management. The report assesses, analysed, and verified expenditure incurred in between 16<sup>th</sup> February 2017 to 31<sup>st</sup> March 2018. The total compensation amount stands at NRS 617,973,724.08 (equivalent US Dollar 5,943,197.96). Other report will be submitted in future for the payment made 31 March 2018 onward.

<sup>5</sup> One DDR has already been approved and reimbursement of compensation for access road and campsite has been completed. The report covers a total of 148 affected households. One supplementary DDR has also in final stage of approval for vulnerable allowances paid to vulnerable households in access road and campsite.

Compensation Distribution Verification of Reservoir Area:

Table 3: Scope of Due Diligence Report and Progress

S.N.	Description	Total Affected HHs	Total amount	Total amount paid (till 31 March 2018)	Balance to pay
1.	Total compensation amount for land and trees	303	634,259,172.92	551,325,286.20	82,933,886.72
2.	Total compensation amount for structure	34	52,867,954.78	51,836,577.35	1,031,377.43
3.	Livelihood support income generation	303	101,155,790.33	0	101,155,790.33
4.	Business loss allowances	9	382,000.00	0	382,000.00
5.	Vulnerable allowances	263	14,465,000.00	0	14,465,000.00
6.	Additional allowances for land purchase to non-title holder	17	6,800,000.00	6,400,000.00	400,000.00
7.	Other allowances for house owner material transfer	34	7,310,000.00	7,095,000.00	215,000.00
8.	Community Infrastructure	8	1,066,860.53	1,066,860.53	
9.	Additional Support to HHs Losing Entire Land	1	250,000.00	250,000.00	
10.	Total compensation		818,556,778.56	617,973,724.08	200,583,054.48

Source: Census Survey 2017 and verification survey 2018.

14. Payment of compensation for the livelihood support and income generation assistance, losses of business compensation and vulnerable assistance has been started from 25 April 2018 and expected to be completed by 15 July 2018. As reported till the report submission date about NRs. 8 million has already been paid in different headings.

**F. COMPLIANCE VERIFICATION OF SPS AND RIPP PROCESS REQUIREMENTS****F-1 Compensation Rate Determination Process**

15. The Compensation Determination Committee (CDC) published land acquisition notice on 5 Bhadra 2073. The CDC formed a sub committee headed by Assistant Chief District Officer and supported by other representatives from relevant line agencies on 2 September 2016 (Bhadra 17, 2073) to recommend land value with field visits and consultation with affected persons.
16. The subcommittee verified the land through ownership records from District Land Revenue Office (DLRO) and the cadastral maps in terms of land area, quality, type of use and ownership, type of crops grown, productivity, average annual production, and Government rate of land etc with the support of other CDC members. The subcommittee discussed several times with project affected families and local people including concern committee members. The subcommittee submitted its report on 1 December 2016 (Mangsir 16, 2073).
17. Upon the submission of subcommittees' recommendation, the CDC again consulted the project affected families and concerned committees (Direct Concern Reservoir Area Conservation Committee, Tanahu and Tanahu Hydropower Direct Affected Area Concern Committee) who had submitted 26 points demand/grievances to THL and copied to CDC.

## ANNEX 10.3-4: DDR RESERVOIR AND DAM

### Verification of Compensation Distribution in Reservoir Area:

Most of the demand in 26 points were related to compensation. The Compensation Determination Committee (CDC) determined compensation rate for the land to be acquired in the reservoir area on 5 February 2017 (Magh 23, 2073 V.S.),

18. The CDC decided compensation rate ranges from NRS. 200,000 to NRS. 800,000 per ropani<sup>6</sup> of land depending upon the land quality, productivity, locations, access to road and local market rate. The rate is 15 to 45 times higher than the prevailing Government rate. A summary on difference on compensation rate calculation between Government and CDC is in Appendix-1. The rate decided by the CDC reflects current market rate which is higher than the government registration rate. The CDC has decided to provide additional allowances as provisioned in the RIPP for restoration of income and livelihood. To restore the livelihood of affected non-title households, the CDC has decided to provide additional NRs 400,000 to each household to purchase the land on top of other allowances. Additionally, the CDC also decided to provide additional NRs 250,000 onetime cash support to household losing entire land of their ownership.

Table 4: Comparison of CDC and Government Minimum Registration Rate (in NRs)

S.N.	Place	CDC Rate/Per Ropani	Government Rate/Per Ropani (As per District Land Revenue Office)
1	Bhimad VDC	800,000.00	48,000.00
2	Rising Ranipokhan	350,000.00-600,000.00	15,000.00-30,000.00
3	Chhang	200,000.00-650,000.00	30,000.00-44,000.00
4	Samung Bhagwatipur	200,000.00-650,000.00	12,000.00-20,000.00
5	Jamune	400,000.00-550,000.00	12,000.00-60,000.00
6	Kotdurbar	450,000.00-500,000.00	10,000.00-16,000.00

Sources: District Land Revenue Office (DLRO) and CDC decision

19. Following CDC's decision, the concerned committees did not accept the offered rate and denied receiving compensation. THL and concerned committees and THL signed 21 points agreements (agreement is in Appendix 4) on 28 Oct 2017. The agreement addresses all 26 points grievance/demands put by the committees. The agreement has a provision to revise the livelihood restoration and income generation support of RIPP 2012 using annual crop productivity matrix to best reflect the cost into replacement cost principle. Based on the calculation an affected person will get NRs. 63,068 per ropani for non-irrigated land and NRS 92,500.00 per ropani for irrigated land on top of rate decided by the CDC. The implementation of such agreement has already been started.

### F-2 Progress on Compensation Distribution

20. The District Administration Office (DAO), in accordance with provision in Land Acquisition Act 2034 (1977) started to distribute compensation from 16 February 2017 using Government's budget.

<sup>6</sup> 1 ropani of land equals about 508.74 sqm

### Compensation Distribution Verification of Reservoir Area:

21. Based on verification findings, by the end of 31 March 2018 a total of 294 households have already received compensation. The list of project affected households compensated in the period is in Attachment-1. Three households have received compensation after 31 March 2018. Total of 40 households have yet to receive compensation of which 10 households are not identified, and remaining 30 households either absentee owner (overseas migration for employment), or court cases due to conflict regarding family members, or updating the ownership documents to submit their claim.
22. The area of already compensated land in the reservoir is 53.46 ha of total 65 ha. By price total of NRS 617,973,724.08 (USD 5,943,197.96 @ exchange rate 103.98). In addition to the compensation, other financial assistances to the project affected families were also distributed in line with the entitlement matrix. Breakdown of type of loss and compensation amount is in table 5.

Table 5: The Proportion of Compensation Paid to Affected Households

S.N.	Description	Paid Amount	%
1	Compensation for Land and Tree	550,258,425.67	89.04
2	Compensation for Structures	52,903,437.88	8.56
3	Community Structure	1,066,860.53	0.17
4	Other Allowance for House Owner*	7,095,000.00	1.15
5	Additional Allowances for Land Purchased to Non-titleholders**	6,400,000.00	1.03
6	Additional Cash support to HHs losing entire land	250,000.00	0.05
Total Compensation Paid in NRS		617,973,724.08	100%

Source: THL, April 2018

\* (i) House Displacement Allowances, (ii) Rental Assistance and (iii) Transfer of Material Allowances.

\*\* Restore the livelihood of the affected non-title households (encroachers), the CDC has decided to provide additional NRs. 400,000 to each HHs to purchase land.

23. The payment process is ongoing and THL is expected to complete payment by the end of this fiscal year (i.e. July 2018). The payable total amount of the 43 affected HHs is NRs 83,965,264.15 will be requested for reimbursement in next DDR.
24. The ownership of 461 plots of 294 HHs has been transferred to the name of THL. Similarly land ownership certificates of affected households has been returned to respective project affected families after officially deducting the acquired area from their ownership certificate. The deed transfer of remaining plots in the reservoir area will be completed by 15 July 2018 upon payment of compensation.
25. Most of the project affected persons consulted during site visit reported that they received total allocated compensation amount without any deduction for tax, and fees for registration and were exempted from registration charges for transaction and transferring process of affected land. However, the verification findings also reveal that some of the project affected households receiving more than 3,000,000.00 and above had to pay Capital gain tax as per the Government rule. As of March 31, 2018 such project affected households had paid about

## ANNEX 10.3-5: DDR RESERVOIR AND DAM

### Verification of Compensation Distribution in Reservoir Area:

NRS. 8,828,012.7 (USD 84,901.06)<sup>7</sup> as capital gain tax<sup>8</sup> @ 2.5% amount out of the received compensation supposed to be deposited in the Government revenue. It has been found that the THL is in process of reimbursing the deducted capital gain tax as per RIPP provision.

### F-3 Assistance to Project Affected Vulnerable People

#### F-3-1 Identification of Vulnerable Households

26. The RIPP has defined vulnerable HHs as the "Households belongs to groups such as Janajati/Adivasi, Dalits, landless, women, especially women-headed households, differently-abled, poverty groups and senior citizens. As per the SPS (2009) such HHs are entitled to special benefit and assistance packages in addition to compensation and resettlement in the resettlement planning and implementation.
27. THL with the support of NGO and ESMU evaluated and determined their vulnerability status of the project affected households. Out of the total households compensated the assessment determined altogether 266 HHs as vulnerable and eligible for financial assistance (Table 6).

Table 6: Classification of Identified Vulnerable

S.N.	Type of Vulnerability Status Assessed HHs	No.	%
1.	Janajati (Indigenous)	234	87.97
2.	Dalit (Traditional Occupational Caste Group)	8	3.01
3.	Highly Marginalized (women headed, widow, senior citizen, below poverty, HHs with disable persons)	24	9.02
Total		266	100

Source: THL, Jan 2018

28. The THL is distributing compensation to the vulnerable households affected by the project and expected to be completed by 15 July 2018.

#### F-3-2 Fixation of Vulnerable Assistance

29. Financial assistance for the vulnerable project affected families were provisioned in line with the arrangement in entitlement matrix. As calculated in the entitlement matrix of the RIPP, the amount for vulnerable assistance was calculated @ NPR 500 per day per person for 90 days plus 10,000 additional assistance making a total of NPR 55,000 per vulnerable household for all sort of vulnerability without any difference.
30. The final list of vulnerable households has been prepared based on findings of census survey 2017. The total number of vulnerable households for reservoir area is 266. Payment for vulnerable allowances has already started and it is expected that it will be completed by 15 July 2018.

<sup>7</sup> Exchange rate 103.98

<sup>8</sup> As per the prevalent government rules 2.5% of total payable value for those whose total compensation amount crosses threshold of NRS 3,000,000 need to pay capital gain tax.

### Compensation Distribution Verification of Reservoir Area:

31. The remaining amount expensed in the reservoir area for, (i) vulnerable assistance, (ii) livelihood support and income generation assistance, (iii) Loss of business, (iv) compensations for assets (land, structure and trees), if any and other associated allowances will be included in the next reimbursement request. The THL already started to distribute these assistance from April 25, 2018 and expected to complete by 15 July 2018.

### F-4 Documentation and Disclosure

32. The document related to land acquisition, acquisition processing, and determining and distributing compensation has been well recorded and maintained by THL. The project has been sharing such information with the project affected families, stakeholders concerned and other local community making them available in website, THL office at Damauli, and information centers at different locations, during the meeting and consultation with project affected families and other stakeholders, and through official publication in notice board and even national newspapers as necessary. The communication between THL, project affected families, and stakeholder concerned have been found gradually improved and became effective. The notice related to compensation fixation was made public by using print media as well as pasted in public places (e.g. Rural Municipality, District Revenue Office, and Office notice board). The RIPP and other relevant information have also been uploaded in the official website of THL and ADB.

### F-5 Grievance Redress Mechanism

33. The grievance redressal mechanism provisioned in the RIPP has been found effective on resolving the issues related to the project and its activities. In fact, it is due to successful implementation of Grievance Redressal Mechanism that brought THL, project affected families, Government stakeholders and other concerned groups in a common platform to move towards RIPP implementation. The THL in accordance with provision made in RIPP has also formed four local consultative forum (LCF) and established offices in Myagde, Rishing, Bhimad Rural municipality and one in Vyas municipality. It was also learnt that 40 grievances were filed in the LCF during the period and 18 resolved and 22 are in the process of resolution. Majority of the grievances are related missing number trees in compensation list. It was noted that the missing number of trees are due to grow of trees between survey and compensation period.

### F-6 Restoration of Displaced Households

34. Out of total affected 337 households, 34 households need to be relocated to new area by demolishing affected structures. The verification team assessed status of rehabilitation of displaced households. It has been found that 5 households have already constructed new house in near by area and four households migrated to neighbouring district where their close relatives used live using compensated amount. The persons interviewed confirmed that the compensation amount was sufficient to construct similar type of house using money provided by the project. 10 households have already bought land in Damauli, district headquarter and in the process of constructing new house. The remaining has bought land in nearby area of the reservoir site and planning to construct new house.



### ANNEX 10.3-6: DDR RESERVOIR AND DAM

ANNEX 10: OF EBR RESERVOIR AND DAM

Verification of Compensation Distribution In Reservoir Area:

35. A total of 303 households lose agriculture land only and requires no physical relocation. They have been living in nearby to reservoir area, Damauli, adjacent rural municipality, along the Prithivi Highway and in neighbouring districts. In terms of utilization of compensation amount, most of the contacted project affected families reported that they have utilized the amount for constructing house, purchasing land, investing on business, making a deposit at a bank, education etc. It has been noted that affected families who bought land in nearby area have purchased more or less equivalent area of land, however, those who shifted to city/market center purchased land with better quality and services, but quantity of land is less.

#### G. COMPLIANCE VERIFICATION OF REIMBURSEMENT REQUIREMENTS

36. The compliance verification of reimbursement request has been assessed conforming (i) verification of key entitlement indicators against the provisions stipulated in RIPP entitlement matrix, (ii) Verification through the Criteria Specified in the PAM, (iii) compliances with SPS requirements.

##### G-1 Verification through RIPP Provisions and Key Entitlement Indicators

37. The following table summarizes status of compliance on the basis on RIPP indicators:

Compensation Distribution Verification of Reservoir Area:

Table 7: Verification Matrix of Key Indicators

Type of Loss	Entitles	Entitlement	Compliance Status		Remarks
			Complied	Not Complied	
Loss of agricultural land by land owners	Person(s) with land ownership records	<ul style="list-style-type: none"> <li>Cash compensation based on replacement cost.</li> <li>All fees, taxes and other charges as applicable under relevant laws and regulations</li> </ul>	Complied		<p>The THL has paid 15-45 times higher than government registration rate and more than market price.</p> <p>No charges applied to affected person. All required charges borne by THL. Land transaction registration fees waived by the government. No charges to APs.</p> <p>Capital gain tax (2.5%) has been deducted from the households withdrawing more than NRs 3,000,000 compensations. THL has already initiated reimbursement process.</p>
Loss of Residential and commercial Land	Person(s) with land ownership records	<ul style="list-style-type: none"> <li>Cash compensation based on replacement cost.</li> <li>All fees, taxes and other charges as applicable under the relevant laws and regulations.</li> </ul>	Complied		As above

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## ANNEX 10.3-7: DDR RESERVOIR AND DAM

Compensation Distribution Verification of Reservoir Area:

Table 7: Verification Matrix of Key Indicators

Type of Loss	Entitles	Entitlement	Compliance Status		Remarks
			Complied	Not Complied	
Loss of agricultural land by land owners	Person(s) with land ownership records	<ul style="list-style-type: none"> <li>Cash compensation based on replacement cost.</li> <li>All fees, taxes and other charges as applicable under relevant laws and regulations</li> </ul>	Complied		<p>The THL has paid 15-45 times higher than government registration rate and more than market price.</p> <p>No charges applied to affected person. All required charges borne by THL. Land transaction registration fees waived by the government. No charges to APs.</p> <p>Capital gain tax (2.5%) has been deducted from the households withdrawing more than NRs 3,000,000 compensations. THL has already initiated reimbursement process.</p>
Loss of Residential and commercial Land	Person(s) with land ownership records	<ul style="list-style-type: none"> <li>Cash compensation based on replacement cost.</li> <li>All fees, taxes and other charges as applicable under the relevant laws and regulations.</li> </ul>	Complied		As above

Verification of Compensation Distribution in Reservoir Area:

Type of Loss	Entitles	Entitlement	Compliance Status		Remarks
			Complied	Not Complied	
Loss of residential and commercial structures	Owners of the structures irrespective of formal ownership over land on which the structure stands	<ul style="list-style-type: none"> <li>Cash compensation at replacement cost. AP shall be allowed to take salvaged material from the demolished structure at no costs.</li> </ul>	Complied		APs allowed to take salvaged material.
		<ul style="list-style-type: none"> <li>A transfer allowance for shifting household assets, in case self-relocation to cover cost of shifting at the rate of Lump sum amount of NR 35000 per household shall be paid for transfer of materials in new house.</li> </ul>	Complied		NRs 35,000.00 provided.
		<ul style="list-style-type: none"> <li>Housing Displacement allowances in case of rebuilding/ rehabilitation of the structure, a disturbance allowance shall be provided to head of the affected HH @ of NRs. 500 per day for 180 days.</li> </ul>	Complied		NRs. 90,000.00 per household provided.
		<ul style="list-style-type: none"> <li>Rental assistance for new houses are entitled for rental assistance shall be provided 180 days per house @ of NR 500 per day.</li> </ul>	Complied		NRs. 90,000.00 per household provided.

## ANNEX 10.3-8: DDR RESERVOIR AND DAM

ANNEX 10.3 C: DBR Reservoir and Dam

Compensation Distribution Verification of Reservoir Area:

Loss of agricultural crops, fruits and timber trees	Owner of crops or trees (including encroachers, squatters, Sharecroppers, and tenants)	<ul style="list-style-type: none"> <li>Advance notice of 1 month to be provided to APs to harvest their crops.</li> <li>Cash compensation for loss of agricultural crops at current market value of mature crops (if destroyed) based on average production in last 2 years. The unit rates for the same will be determined based on wholesale market and in consultation with the Agriculture Department.</li> <li>Compensation for loss of fruit trees for average fruit production for 5 years to be computed at the current market value based on the whole sale market price. The final unit price will be determined based on wholesale price and in consultation with the Horticulture Department.</li> <li>Compensation for loss of timber trees at current market value of wood (timber or firewood, as the case may be). The unit price will be determined based on market wholesale price and in consultation with the forest department.</li> </ul>	Complied		
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Verification of Compensation Distribution in Reservoir Area:

Additional Assistance to Vulnerable group including Janajati	House hold categorize as vulnerable Namely: Women - headed; Disable or Elderly; Marginal Farmer; Occupational caste people; APs who live under below poverty line	<ul style="list-style-type: none"> <li>Cash Assistance for 90 days local agriculture rate @ NRS 500/day</li> <li>Special Assistance of NRs 10,000.00 to an affected vulnerable for restoring livelihood.</li> <li>At least one person from each affected household will be considered for income generating vocational training and skill development</li> <li>As far as possible temporary employment opportunity will be provided to APs HH during the Project construction period.</li> </ul>	Being complied	Being complied	<p>Vulnerable households and eligibility assessment carried out in 2017 and THL has started payment.</p> <ul style="list-style-type: none"> <li>THL has already imparted first lot of skill training (Electrician, Mason and Junior Plumbing ) to the project affected families for the period of three months (From Nov 2017-January 2018) through Government owned Center of Technical Education and Vocational Training (CTEVT)</li> <li>THL is giving preference to project related opportunities to APs.</li> <li>The bidding document included condition to provide preferential employment to local and APs.</li> </ul>
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## G-2 Verification through the Criteria Specified in the PAM

38. The PAM has set eligibility criteria as key requirement for reimbursement of land acquisition cost. These criteria are: (i) expected productive value, (ii) suitability of land market conditions, (iii) adequacy of administrative arrangements and fund channeling, (iv) risk profile of the transaction and (v) soundness of monitoring and evaluation arrangements. The following paragraphs provide compliance assessment with these criteria.

### G-2.1 Expected Productive Value

39. The acquired land is going to be used for reservoir to construct a hydropower plant (140 MW) of the project. Most of the land acquired for THL in the reservoir area except some land parcel in Rising Pokhari and Kotdurbar, are either less productive sloping along the bank of river in inundation area. In this sense, no significant impacts are likely to occur immediately in the productive value of acquired land. Instead, the value of acquired land and even other land in the surrounding area is likely to be increased during the construction phase due to implementation of activities related to economic diversity ( e.g. proper water management and protections works to be ensured by the project, increase and expansion of settlement,

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## G-2 Verification through the Criteria Specified in the PAM

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## ANNEX 10.3-9: DDR RESERVOIR AND DAM

### Compensation Distribution Verification of Reservoir Area:

development of market area, in the surroundings etc) and several other benefits related to the projects like; (i) additional power generation, (ii) local employment creation, (iii) enhancement of community development activities and (iv) economic enhancement activities will have wider positive impacts on economic growth of the area. In this sense, the acquired land is expected to be productive and valuable even on other socioeconomic perspective.

#### G-2.2 Suitability of Land Market Conditions

40. In most cases, investment on land in the country is considered as most productive if the land is appropriate in accordance with purchasing purpose, for example; flat land and terraced land in the residential or commercially potential area linked with motor able road, drinking water facility, esthetically beautiful with desirable shape. The location of the reservoir area is linked to motor able road and basic infrastructure and economic facilities. Both agriculture land and residential land is there in the project location. Being near to the district headquarter and local market at Bhimad and Khairini there seems no likelihood of decreasing land price in the area due to lack of buyers, rather construction of the project likely to open a wider scope of investment bringing economic diversification and sustainable development in the area. Land value in the project area likely to bring positive impacts on local as well as national economy. It is anticipated that the land market in the area still will grow and may stable with growing trend of land price hike.

#### G-2.3 Adequacy of Administrative Arrangement and Fund Channeling

41. Fund required for compensating the affected households in the reservoir area being channelized through the Government's regular mechanism and process. The existing administrative arrangement and fund channeling mechanism is linked from center to district level. It is channeled and regulated by Land Acquisition Act 1977 and other relevant acts, rules, and guidelines. Initially, land acquisition need for the project use to be estimated by relevant sectoral agencies based on feasibility study and then a formal request is made for Government's approval through formal land acquisition process to be appointed under the relevant ministry. The same process was followed to get the fund required for acquiring land for Tanahu Hydropower Project.
42. As per the prevailing administrative arrangements, the Government approved fund is deposited in the relevant ministry's account and then to the account of implementing agency. Then the implementing agency transferred the compensation budget in the name of District Administrative Office then the compensation is distributed to the households having impacts on their assets through the Chief District Officer (CDO) with the support of concerned government agencies and project implementing team as provisioned in Land Acquisition Act 1977.
43. The administrative arrangement for fund channeling was governed and regulated by several acts, laws, rules etc. The Land Acquisition Act 1977 ensured to transfer the compensating amount to the District Administration Office, while the financial procedure of the Government ensured all the steps, rules, and transparency while initiating, disbursing and managing the

### Verification of Compensation Distribution in Reservoir Area:

compensation distribution activities. Similarly, Land Reform Act (1964) ensures 50% of the total compensation for official tenants. There are also other regulatory processes to be followed as the supporting elements to ensure effective administrative arrangement for channeling the compensation fund, for example; the rules and guidelines of the Government's Comptroller General on the matters related to preparing documentation and following protocols.

#### G-2.4 Risk Profile of Transaction

44. Some of the key indicators of risks on land transactions include; (i) risk due to possibilities of downing land market in the area due to declining transaction, (ii) risk due to likelihood of over costing of the land value than the real market value, (iii) physical risks due to natural disasters like; flood, land slide etc. (iv) construction risk due to elevation and soil type or ownership issues or community conflict on land etc. As most of the land acquired for the reservoir there has fewer potentialities of transacting as either they are in river deep bank area or sloppy land in the inundation area with very limited production. Therefore, the acquired land is not likely to have neither any legal dispute on ownership nor any physical risks due to flood, inundation, land-slides, soil erosion etc since adequate geological investigation and protection related activities are to be carried out in the area for construction and protection works.

#### G-2.5 Soundness of the Monitoring and Evaluating Arrangement

45. The District Administration Office (DAO) is the responsible Government unit for land acquisition and compensation distribution and its monitoring with the support of concerned district level line agencies (e.g. district land revenue office, district survey office, district agriculture office, district forest office etc). Among others, the monitoring of resettlement activities also included process monitoring of land acquisition and compensation distribution activities ensuring the inclusion of accurate and relevant records, validity and authenticity of acquisition and compensation distribution activities, monitoring of land area and boundary of all acquired land parcels. The monitoring also includes transparency and authenticity monitoring on financial transaction through district level relevant Government financial office and so on.
46. There is robust monitoring and evaluation process in fund channeling, valuations and payment transactions. The fund channeling and control mechanism is well defined and monitored by the central office of the project as well as audited both internally and externally (office of the auditor general). Similarly, each project establishes internal monitoring mechanism for compensation payment, receiving status.

#### G-3 Verification through Local NGO for Independent Validation

47. The THL has engaged the NGO, Rural Empowerment Society Nepal, (RESDTN), not involved in implementation and project activities for the monitoring and compensation payment verification. The NGO team assessed field level information and reviewed the payment process and monitor the compliances on compensation payments, following



## ANNEX 10.3-10: DDR RESERVOIR AND DAM

### Compensation Distribution Verification of Reservoir Area:

administrative procedures, compensation rate determination, fund channeling and proper execution of payment to APs. The NGO has facilitated the compensation process providing required support to affected persons during payment process. The verification of payment was done following steps and process discussed below.

#### G-3-1 Review of Official Records of Disbursement

48. The copies of applications submitted, and receipts signed by 294 project affected person, official process documents prepared by the project along with supporting detail summary list were also verified as a part of verification tasks.

#### G-3-2 Bank Transfer Verification

49. All payments have been transacted through bank. The compensation amount received by the affected persons has been deposited in their bank accounts. A total of 38 bank transfer letters issued to deposit the compensation amount has been reviewed with random selection of the letters. The 38-transfer letter includes amount transferred to 159 project affected persons. The objective of verification of bank transfer and deposit status is to review compatibility of amount quoted in the compensation processing documents and amount deposited in the bank account of eligible project affected families. As per verification the amount included in the compensation processing document and amount deposited in bank account is same. The copies of bank transfer order have been kept safely in the project office and available for review on request.

#### G-3-3 Field Survey and Verification with Affected Persons

50. As a part of verification interview of project affected family members was carried out visiting project affected households. Though all affected families were contacted in different time and place during compensation payment, a total of 159 affected households were interviewed by visiting their houses who were residing in the area at the time of verification survey. The list of project affected persons contacted during the field verification in different location is included in Appendix-6. The NGO staff carried out field survey in the period between the 4<sup>th</sup> week of January and end of March 2018 in the project affected locations of reservoir area; Myagde, Jamune, Bhimad, Rising Ranipokhari, Rising, Chhang Samung, and Kotdurbar.
51. Among the households interviewed more than 63% households replied that they got compensation within 2-4 weeks after submitting application with relevant documents (e.g. photocopies of citizenship, and land ownership certificate). All of them reported that they got their compensation in their account through bank transfer. Almost interviewed households (about 90%) reported that they invested the compensation amount on purchasing land and constructing new house. The compensated amount has also been used in vehicle purchase, children's education, investment on business, partly payment for loan interest etc. A few household has deposited in bank account and not yet utilized.

### Verification of Compensation Distribution in Reservoir Area:

## H. CONCLUSION

### H-1 Conclusion on Process Compliance

52. Following are the key conclusion of compliance process:

- Compensation rate for the affected assets was fixed by the Compensation Determination Committee (CDC) chaired by the Chief District Officer (CDO) in accordance with the process as stipulated in Land Acquisition Act 1977, SPS (2009), PAM, and entitlement matrix of RIPP.
- Compensation rate was fixed on replacement cost based on the local market price using indicators such as type of land and other assets on the land, location of land, Government rate and consultation with local community including the affected households of each location. As per government policy registration tax has been waived, however, capital gain tax has been deducted from the compensation of 62 households due to some procedural gaps at the time of payment. It is to be noted that Government had deducted profit gain tax from the project affected households receiving compensation more than NRs. 3,000,000. The THL has already initiated the process to reimburse deducted capital gain tax to the concerned affected persons. Total deducted amount as capital gain tax stands at NRs 8,828,012.70.
- Difference between determined rate and market price was enough to meet the replacement cost and cover the annual price index rate during the compensation period.
- The participation and consultation process found effective and continuously improving. As a result, the 21-point agreement has been signed between THL and the then concerned committees. The member of concerned committee supported the project and agreed to transform concern committee into coordination committees. The grievance redress mechanism also functioning well. During the verification it has been reported that there is no outstanding grievances to be resolved.
- The compensation payment and receipt process were carried out appropriately as per the predetermined procedure set by RIPP, PAM, and following principles of SPS (2009).
- The households having impact on their structures have been found shifted to their new houses constructed after receiving compensation from the project.

### H-2 Conclusion on Compliance of RIPP, PAM and SPS Requirements

53. Following are the conclusion made on the activities for fulfilling compliance requirement:

- All eligibility criteria set in PAM for reimbursement of land acquisition cost are well assessed and qualified for reimbursement of land acquisition and compensation payment.
- Provisions specified in RIPP for compensation payments, entitlements and providing assistances/allowances have well assessed, valued and paid to affected persons to restore livelihood.

## ANNEX 10.3-11: DDR RESERVOIR AND DAM

Compensation Distribution Verification of Reservoir Area:

- o The requirement of independent verification from local NGO for compensation payment and process facilitation has been carried out as specified in the PAM.
- o A transparent mechanism has been followed to transfer the compensation amount using banking system and sufficient vigilance has been maintained to ensure eligible affected person receives compensation.
- o The compensation provided to the affected person was used either to buy land or constructing new house. Some of the amount has also been used for loan repayment and other income generating activities. Largely compensation payment is being used as intended and objective of RIPP has been achieved.

### I. OUTSTANDING ACTIVITIES, RECOMMENDED ACTIONS AND LIKELY COMPLETION DATE

54. The following activities are recorded as outstanding activities for reservoir area. The activities have been discussed with THL. The THL committed to complete outstanding activities in following dates:

Table 8: Outstanding Activities and Agreed Date

S. No.	Outstanding activity	Current status after field verification	Agreed date
1	Livelihood support and income generation assistance	Started to pay	Expected to be completed by 15 July 2018
2	Vulnerable assistance	Started to pay	Expected to be completed by 15 July 2018
3	Losses of business	Started to pay	Expected to be completed by 15 July 2018
4	Compensation payment to remaining HHs	Being followed up	Expected to be completed by 15 July 2018
5	Refund of capital gain tax	Being followed up	Expected to be completed by 15 July 2018
6	Life skill training and income restoration measures	Completed for 60 persons	Preparation for next batch in process
7	Employment to APs in construction works		After signing the contract

### J. RECOMMENDATIONS

55. The amount paid as compensation to the project affected families, NRs. 617,973,724.08 equivalents to USD 5,943,197.96 (exchange rate 1 USD @103.98) is eligible for reimbursement from the ADB as provisioned in the loan agreement dated 22 April 2013 and its amendment. It is also confirmed that the project has also followed the process which has been provisioned in the RIPP and PAM in addition to the requirement of SPS. Hence, it is recommended to reimburse NRs. 617,973,724.08 to THL from ADB.

Appendix 9

### Difference on Compensation Rate Fixed by the Government and CDC

S.N.	Land Acquisition Sites	CDC Rate /Ropani NRs	Prevailing Official Rate /Ropani NRs	Compensation Rate Difference In Terms of Times
1	Sabik Bhimad -1 (Nga)	800,000	48,000	16.66
2	Chhang 8 (kha)	Paddy Land 650,000	20,000	32.5
3	Now Majhkot then Samung Bhagwatipur 5 (ana)	3,00,000	20,000	15
4	Now Majhkot 9, then Samung Bhagwatipur 1 (Dha) - Following Plot Nos: 5,217,219,228,229,230, 248, 249, 288, 290, 354, 355, 356, 357, 358, 359, 362, 363, 364, 365, 555, 556,  Plot No. 57  Plot No. 58, 292, 387, 388, 420, 421, 454, 455	450,000  600,000 650,000	20,000  20,000 20,000	22.5  30 32.5
5	Now Majhkot 9, then Samung Bhagwatipur 1 (Ana), 5 (cha), 1 (Ta), 1 (ka)	300,000	20,000	30
6	Then Samung, Bhagwatipur 1 (Chha) Doyam Paddy Land	400,000	20,000	20
7	Lands in Samung Bhagwatipur 1 (Ja) and Samung Bhagwatipur 1 (ja) and Samung Bhagwatipur 1 (Ta)	350,000	20,000	17.5
8	Following parcel numbers at Rising Ranipokhari, the then Samung Bhagwatipur 1 (Kha)  • Plot Nos: 8, 389, 412, 414, 490, 504, 505, 505, 506, 654, 655, 657, 658, 659, 660, 661, 662, 670, 671, 673, 674, 675, 697, 698	600,000	20,000	30

## ANNEX 10.3-12: DDR RESERVOIR AND DAM

S.N.	Land Acquisition Sites	CDC Rate /Ropani NRs	Prevailing Official Rate /Ropani NRs	Compensation Rate Difference In Terms of Times
	• Plot Nos: 6, 663, 664, 665, 666, 667, 668, 669, 700,	650,000	17,000	38.24
9	Valuation of following plots under now Rising ranipokhari, the then Samung Bhagwatipur 1 (Yna):			
	Plot No. 1:	200,000	12,000	16.67
	Plot No. 1:	450,000	15,000	30
	Plot No. 220,21, 22	500,000		
	Plot No. 3,4,5,6,7,8	550,000		
	Plot No. 12,13,14,15,16,18,19, 33,34,35,36,37,38,39,40,41	600,000		
	Average of Samung Bhagwatipur	484, 615	20, 400	
10.	All cultivating land falling under Chhang 2 (Chha)	500,000	40,000	12.5
11	Chhang 8 (kha)	650,000	44,000	14.77
12.	Chhang 4, Paddy Land	450,000	36,000	12.5
13	Chhang 4 Non-paddy land (Pakho Bari)	400,000	30,000	13.33
14.	Chhang 7 (Gha)	450,000	30,000	15
15.	The following paddy land parcels remained after cutting down from the river (In Chhang):			
	Plot No: 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 105, 106	200, 000	30,000	16.66
	Plot No: 50, 74	300, 000	30,000	22.5
	Plot No: 1, 2, 3, 4, 16, 17,44, 53, 112	350,000	30,000	11.67
	Plot No: 5,19,20,21,55			
	Plot No: 7,8,9,10, 13, 14, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91,	400,000	30,000	13.33

S.N.	Land Acquisition Sites	CDC Rate /Ropani NRs	Prevailing Official Rate /Ropani NRs	Compensation Rate Difference In Terms of Times
	92, 99, 100, 101, 102, 103, 104	450,000	30,000	15
	Plot No: 11, 43			
	Plot No: 24, 25, 31, 108,	550,000	30,000	18.33
	Plot No: 22, 26, 27, 28, 32, 33, 39, 40, 41, 57, 58, 59, 60, 93, 94, 95, 96, 97, 98, 107, 109, 110, 111, 113, 114	575,000	30,000	19.87
		600,000	30,000	20
	Average of Chhang	332142.857 1	30,000	
16.	Following Plots of Rising Ranipokhari 8 (Ga):			
	Plot No: 21, 24	350, 000	30,000	11.67
	Plot No: 16, 18, 19, 20, 34, 35	600, 000	25,000	25
			20,000	15
17.	Rising Ranipokhari		15,000	26.67
18.				
19	Jamune 5 Ka	500,000	60,000	8.33
20	Jamune 5 Kha	550,000	60,000	9.16
21.	Jamune 5 Ga	500,000	50,000	10
22.	Jamune 2Ga	500,000	42,000	11.90
23	Jamune 2 Ga	450,000	42,000	11.90
24.	Jamuna 2 Kha	400,000	38,000	10.53
25.	Doyam Category Land in Kotdurbar 1 Tha	500,000	16,000	31.25
26	Laraced land in Kotdurbar 1 Tha	450,000	10,000	45



## ANNEX 11.1-2: MONITORING & EVALUATION: IMPLEMENTATION FORMS

### Final upripp sept 2018: Proposed ripp monthly m&e sheet

Project Component:			TIME																								Progress Table No.															
			Year and Calendar Months																																							
Main Activity:		STATUS	Year												Year												Progress Achieved [in%]															
			Q1				Q2				Q3				Q4				Q1				Q2																			
J	F		M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D																		
Implementation Months (indicated by ▼)																								(indicate by x)																		
No	Item			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	0	1	10	20	30	40	50	60	70	80	90	100			
1		Planning																																								
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## **ANNEX 11-2-1: MONITORING & EVALUATION: HEALTH AND SAFETY**

### **Combined extracts from conditions of contracts of packages 1 and 2**

#### **Sub-Clause 6.7 Health and Safety**

##### **Overall Requirements:**

The Contractor shall at all times take all reasonable precautions to maintain the health and safety of the Contractor's Personnel. It is the intention that the contractor for Package 1 or 2 of the Project, in collaboration with local health authorities, will ensure that medical staff, first aid facilities and sick bay, ambulance service and medical evacuation service are available at all times at the Site and at any accommodation for the Contractor's Personnel and the personnel of others at the Site. The Contractor shall make suitable arrangements for all necessary welfare and hygiene requirements and for the prevention of epidemics.

##### **HIV-AIDS Prevention:**

The Contractor shall conduct an HIV-AIDS awareness programme via an approved service provider and shall undertake such other measures as are specified in this Contract to reduce the risk of the transfer of the HIV virus between and among the Contractor's Personnel and the local community, particularly to women, to promote early diagnosis and to assist affected individuals on medical and first aid services to all eligible persons.

The Contractor shall include in the programme to be submitted for the execution of the Works under Sub-Clause 8.3 an alleviation programme for Site staff and labour and their families in respect of Sexually Transmitted Infections (STI) and Sexually Transmitted Diseases (STD) including HIV/AIDS. The STI, STD and HIV/AIDS alleviation programme shall indicate when, how and at what cost the Contractor plans to satisfy the requirements of this Sub-Clause and the related specification. For each component, the programme shall detail the resources to be provided or utilised and any related sub-contracting proposed. The programme shall also include provision of a detailed cost estimate with supporting documentation. Payment to the Contractor for preparation and implementation this programme shall not exceed the Provisional Sum dedicated for this purpose.

##### **Outbreak of illness of an epidemic nature:**

In the event of any outbreak of illness of an epidemic nature, the Contractor shall comply with and carry out such regulations, orders and requirements as may be made by the Government, or the local medical or sanitary authorities, for the purpose of dealing with and overcoming the same. The Contractor shall report the outbreak of any epidemic to the local health authorities as soon as he becomes aware of such epidemic.

**ANNEX 11-2-2: MONITORING & EVALUATION: HEALTH AND SAFETY**  
**Combined extracts from conditions of contracts of packages 1 and 2**

The Contractor shall take adequate measures and maintain the safety and welfare of his employees at work including those of his Subcontractors. The responsibility of the Contractor shall include but not be limited to:

- (a) dissemination of safety instructions, information and measures to be undertaken at site to the extent that his employees become conversant with it;
- (b) provision of all stipulated facilities, equipment, procedures and training of personnel in compliance with the requirements of the Specification and the applicable laws;
- (c) maintenance of such records and making such reports concerning the safety, health and welfare of persons and damage to property as the Engineer may from time to time prescribe.

**Information, Education and Communication Campaigns:**

The Contractor shall throughout the contract (including the Defects Notification Period): (i) conduct Information, Education and Communication (IEC) campaigns, at least every other month, addressed to all the Site staff and labour (including all the Contractor's employees, all Subcontractors and any other Contractor's or Employer's personnel, and all truck drivers and crew making deliveries to Site for construction activities) and to the immediate local communities, concerning the risks, dangers and impact, and appropriate avoidance behaviour with respect to, of Sexually Transmitted Diseases (STD) - or Sexually Transmitted Infections (STI) in general and HIV/AIDS in particular; (ii) provide male or female condoms for all Site staff and labour as appropriate; and (iii) provide for STI and HIV/AIDS screening, diagnosis, counselling and referral to a dedicated national STI and HIV/AIDS programme, (unless otherwise agreed) of all Site staff and labour.