

Due Diligence for Sample Subprojects under the AEPC component

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Prepared by:
Alternative Energy Promotion Centre, Ministry of Science, Technology and
Environment Government of Nepal

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CURRENCY EQUIVALENTS

(as of 08 May 2013)

Currency unit	–	Nepali rupees (NRs)
NRs1.00	=	\$0.01161
\$1.00	=	NRs86.1500

ABBREVIATIONS

AEPC	–	Alternative Energy Promotion Centre
CDO	–	Chief District Officer
CM	–	Community Mobilizer
CUGs	–	Community User Groups
DDC	–	District Development Committee
EA	–	Executing Agency
ESSMU	–	Environment and Social Safeguard Management Unit
FGDs	–	Focused Group Discussions
GESI	–	Gender Equity and Social Inclusion
GoN	–	Government of Nepal
GRC	–	Grievance Redressal Committee
GRM	–	Grievance Redress Mechanism
IPPF	–	Indigenous People Planning Framework
KIIs	–	Key-informant Interviews
kW	–	kilowatt
LDs	–	Land Donors
LRA	–	Land Reform Act
LRO	–	Land Revenue Office
MMHP	–	Mini-micro hydropower project
MoSTE	–	Ministry of Science, Technology and Environment
NRREP	–	National Rural and Renewable Energy Program
PM	–	Project Manager
PHC	–	Public Hearing Committee
RF	–	Resettlement Framework
RSCs	–	Regional Service Centres
SAPs	–	Subproject Affected Persons
SIA	–	Social Impact Assessment
SPEP	–	South Asia Subregional Economic Cooperation (SASEC) Power System Expansion Project
SPFGs	–	Subproject Functional Groups
SPS	–	Safeguard Policy Statement
SWHS	–	Solar Wind Hybrid System
VDC	–	Village Development Committee
Wp	–	Watt Peak

(i) **NOTE** In this report, "\$" refers to US dollars

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DUE DILIGENCE OF SAMPLE SUBPROJECTS

A. OVERVIEW

1. The Due Diligence Report has been prepared for the five sample subprojects (two mini micro hydro projects and three solar wind hybrid systems) to be funded under the South Asia Subregional Economic Cooperation (SASEC) Power System Expansion Project (SPEP) under a sector approach. Alternative Energy Promotion Centre (AEPC) under the Ministry of Science, Technology and Environment (MoSTE) of the Government of Nepal (GoN) is the executing and implementing agency for these components. The proposed Project will focus to provide access to affordable and reliable renewable energy services in rural Nepal. It will (i) bring about transformational impacts through scaling up energy access using renewable energy technologies, poverty reduction, gender and social inclusiveness, and (ii) ensure sustainable operations through capacity building. Moreover, the project will provide access to energy and facilitate productive end uses of energy at the “bottom of the pyramid” in rural locations which are far away from the national grid.

2. The overall objective of the project is to improve and enhance the rural energy through existing rural energy¹ sources in Nepal which aims a holistic development for the poverty stricken communities in marginalized areas for their livelihoods. However, this project will focus only on Mini hydropower mini-grid development and Solar power and solar-wind power hybrid mini-grid development. The Project components and outputs will be: (i) installation of up to 4.3 MW of aggregated mini hydro-electric power plants (MHEP); (ii) up to 0.5 MW of aggregated mini-grid based solar or solar/wind hybrid systems (SWHS) development in selected rural communities, and (iii) Capacity development of AEPC and selected stakeholders, including support for project implementation. The mini grids component of each subproject will be financed by communities, and the power generation system including electrical/mechanical equipment and civil works will be financed by ADB.

3. The Project (SPEP) will focus on providing access to affordable and reliable renewable energy services in rural Nepal. It will (i) bring about transformational impacts through scaling up energy access using renewable energy technologies, poverty reduction, gender and social inclusiveness and (ii) ensure sustainable operations through capacity building. Moreover, the project will provide access to energy and facilitate productive end uses of energy at the “bottom of the pyramid” in rural locations which are far away from the national grid. The project will represent a part of the Government’s National Rural and Renewable Energy Program (NRREP), of which Alternative Energy Promotion Centre (AEPC) is the EA. It is a statutory establishment managed under the MoSTE, GoN. The existing NRREP Steering Committee will serve as the Steering Committee for the Project. A project management unit (PMU) will be set up in AEPC, and will be supported by a consultant team² funded by the Project. The Regional Service Centers (RSCs), which are being engaged as service providers covering all districts of the country that identified subprojects, will provide implementation support at the field level. The RSCs are funded by NRREP.

¹ As defined in Rural Energy Policy, 2006 (Ministry of Environment, Government of Nepal) “Rural Energy” means energy that is environmental friendly and, which use for rural households, economic and social purposes such as Micro and Mini Hydro, Solar Energy, Wind Energy, Biomass Energy, etc. Rural energy is also known as renewable energy.

² The consultants include full time and short term experts, to help PMU on project procurement, monitoring and evaluation. The consultants will have dual reporting function to both AEPC and ADB.

B. SAMPLE SUBPROJECTS

4. The SPEP has prepared five subprojects across different districts and development regions of Nepal. As illustrated in Table 01, two subprojects come under MMHP and three subprojects come under SWHS. It reveals that the number of Land Donors³ (LDs) is relatively higher in MMHP subprojects. As mentioned above, there is no involuntary land acquisition and resettlement issues in any of the sample subproject; but only voluntary land donations, as indicated in Table 01.

Table 01: Subproject Locations by Project Components

Project Component	Subprojects	District	Region	Land Donors
MMHP	Taksera (Saniveri)	Rukum	Mid-western	55
	Rugha (Simrutu)	Rukum	Mid-western	5
SWHS	Kyangsing	Sindhupalchowk	Central	1
	Bhorleni	Makwanpur	Central	1
	Chisapani	Sindhuli	Eastern	1
Total	5	4	3	63

Source: Asset Verification Survey, 2012

5. Based on the feasibility reports, the exact subproject locations and LDs have been identified through assets verification surveys (and socioeconomic survey) conducted in each subproject location. Table 02 provides basic information of each subproject.

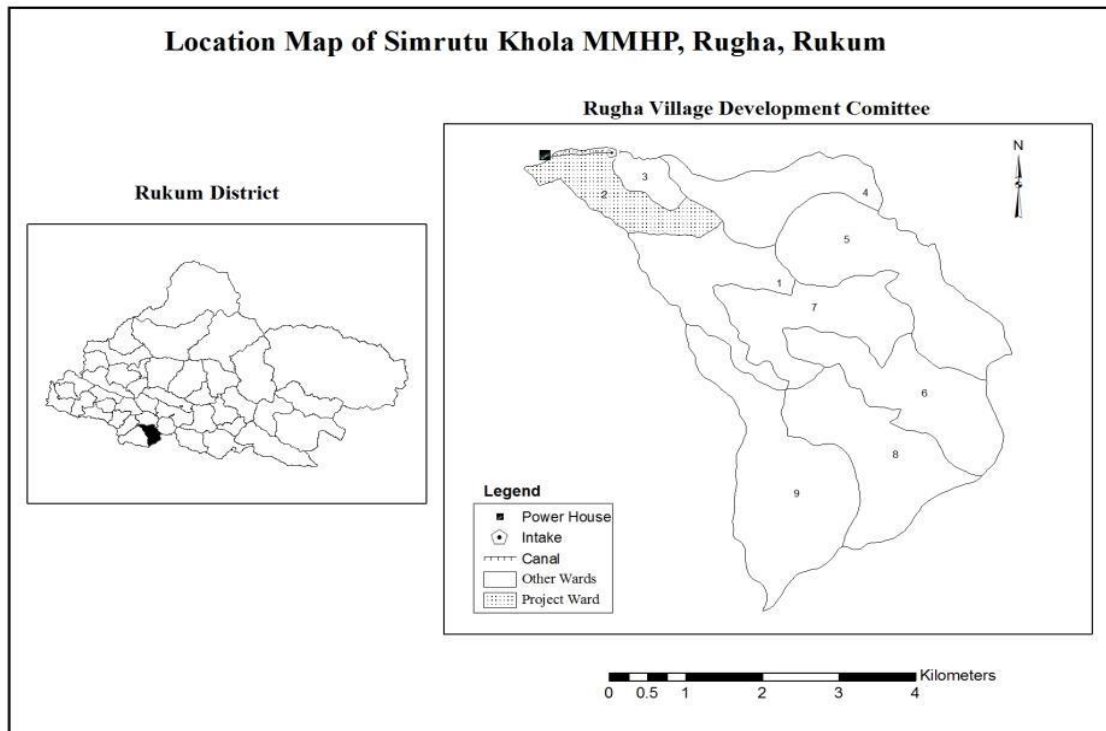
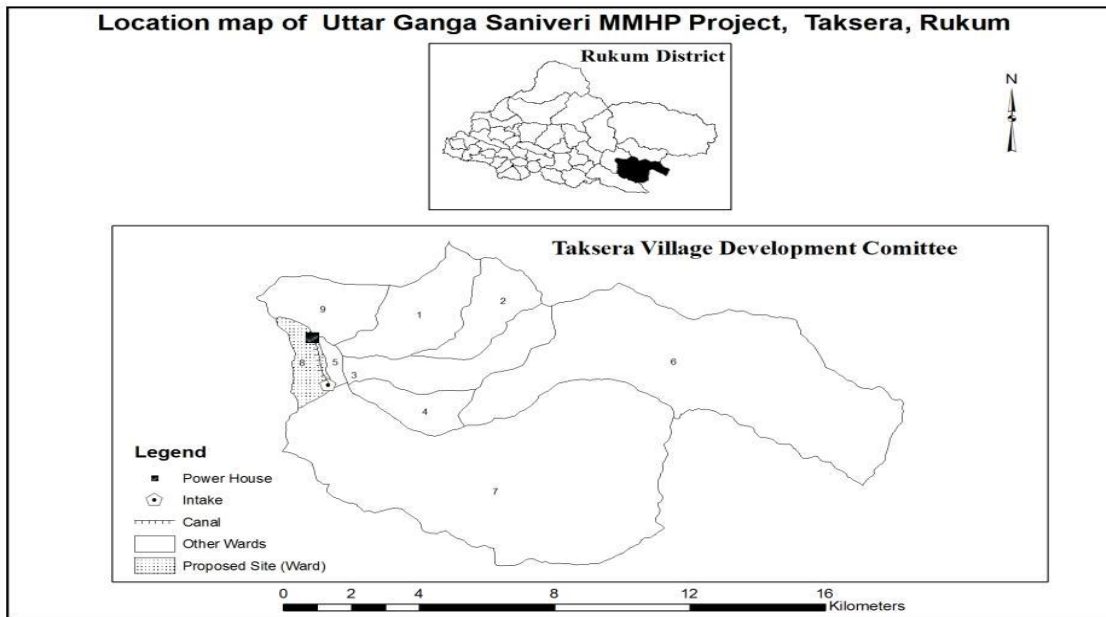
Table 02: Subproject Specific Details

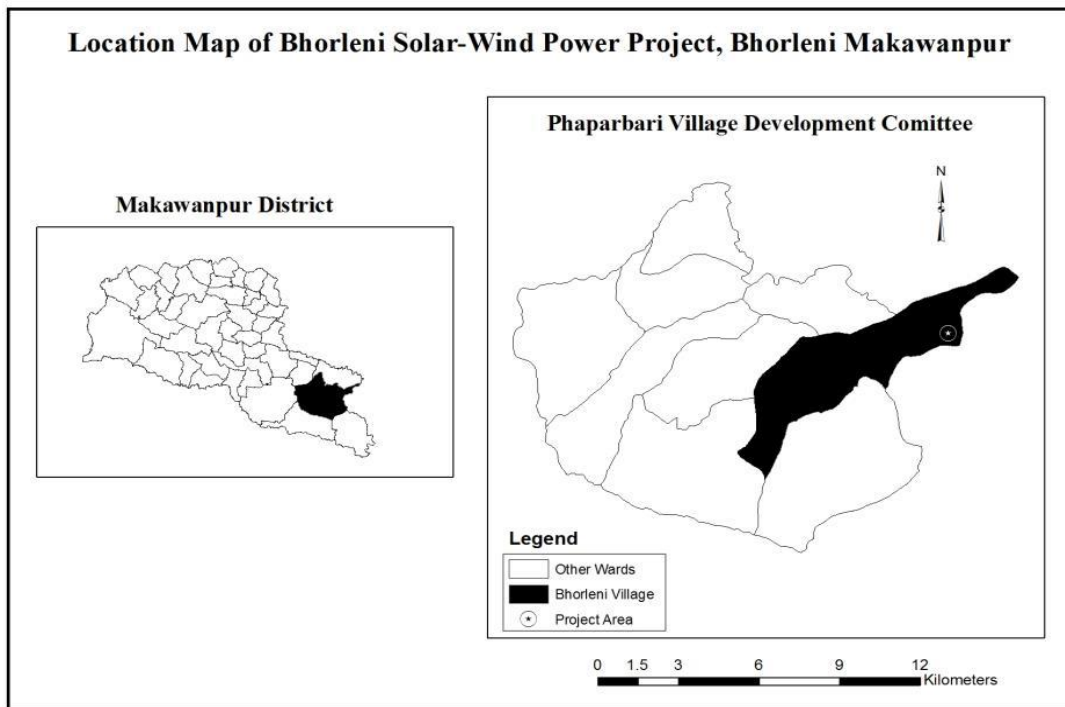
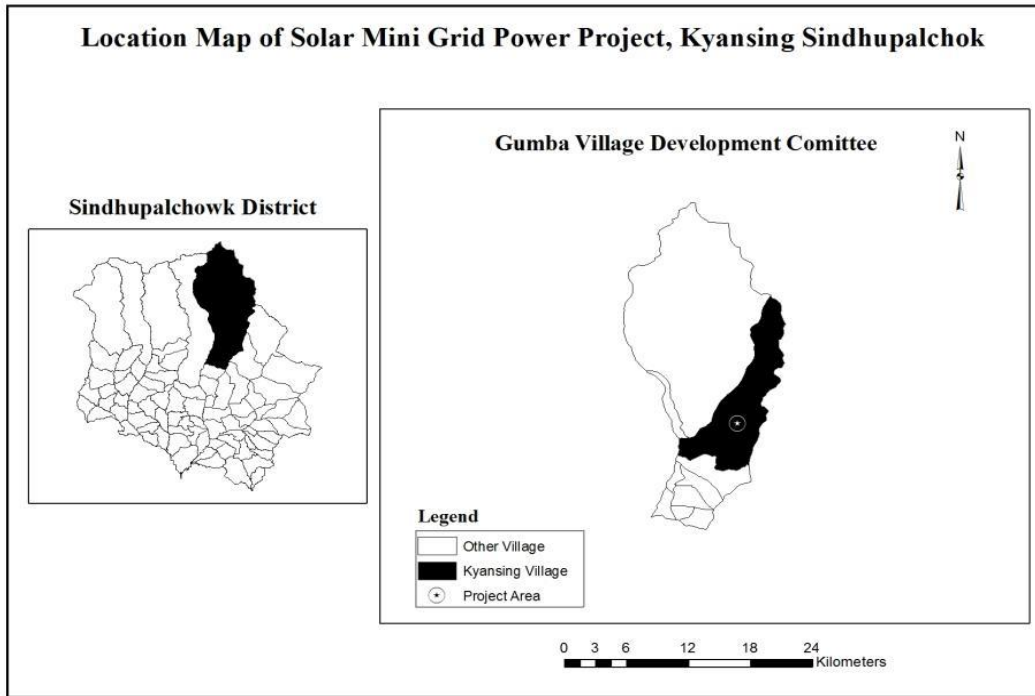
Subprojects	Land for powerhouse	Required land for headway Cannel	Power Generation (kW)	Households Targeted	Estimated Project Cost \$
Taksera	170 m ² (0.33 Ropani)	Headrace Canal:765 X 1 m Forebay:17 X4 m (Total 1.63 Ropani)	300	1,500	1,259,496
Rugha	102.4 m ² (0.2 Ropani)	Headrace Canal:1135 X 1 m Forebay:8 X2.5 m (Total 2.27 Ropani)	200	1,386	870,094
Kyangsing	60 m ² (0.12 Ropani)	Not applicable	12.6	53	154,862
Bhorleni	600 m ² (1.18 Ropani)	Not applicable	35	120	313,881
Chisapani	60 (0.12 Ropani)	Not applicable	20	66	186,050

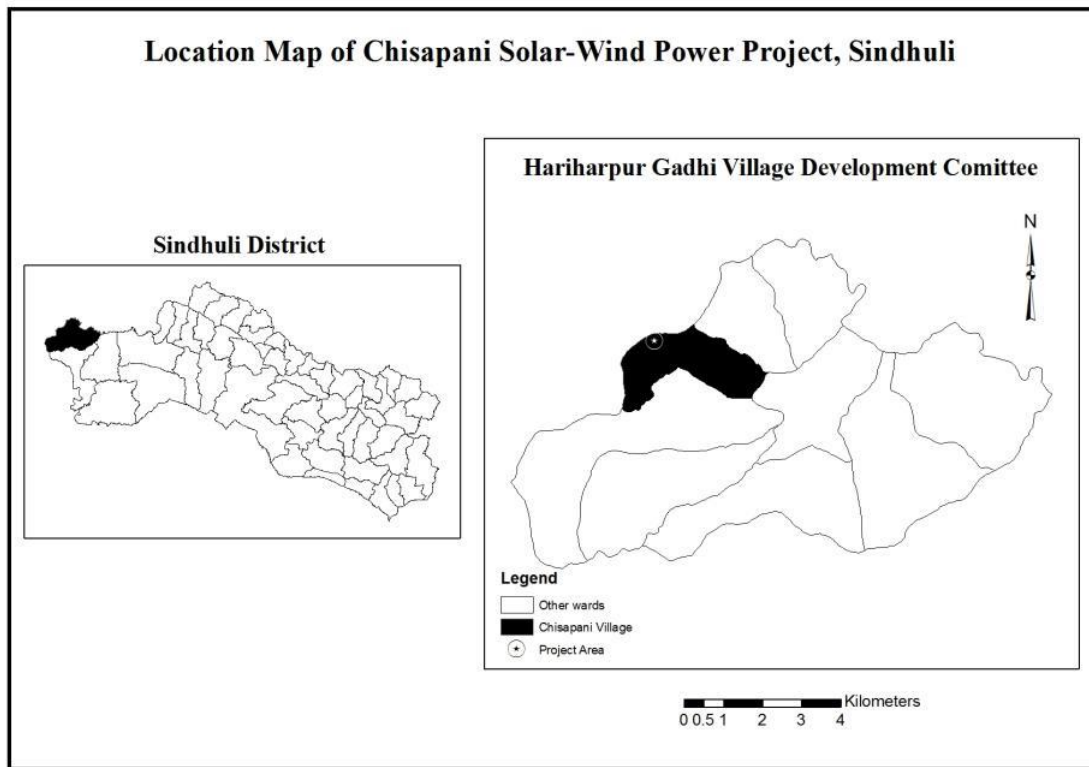
Source: Asset Verification Survey, 2012 and Feasibility Studies

6. All sample subprojects locations can be shown through a map for each subproject. Maps show the district including all VDCs in the district, and subproject locations.

³ Any person who donates his/her economically productive land under permanent or temporary basis to the CUG for the purpose of subproject requirements. The ownership of these lands will belong to LDs based on legally or customary inheritance method.







C. SCOPE OF VOLUNTARY LAND DONATION

7. All sample subprojects are required to have at least a small plot of land for the installation equipment. The lands required for these sample subprojects (1.9 ha) will be voluntarily donated (negotiated land arrangements) by 63 owners who are living in the subproject location/VDC area and such lands will be donated to Community User Group (CUG) of the respective subproject. The EA will not include any subproject for funding under the project if it has unresolved issues pertaining to voluntarily land donation. Each sample subproject will require a small plot of land for the installation equipment. When compared with hydro power subprojects, solar/wind power subprojects do not need several plots of land (only a plot), but in hydro power subprojects, the requirement for land varies. However, it is pivotal in this project that all required lands for these sample subprojects will be voluntarily donated (negotiated land arrangements) by the owners who are living in the subproject location/VDC area and such lands will be donated to Community User Group (CUG) of the respective subproject. Fundamentally, if there is an issue in voluntarily land donation it will not be considered for subproject appraisal under this component by the EA.

8. The sample projects are not expected to have involuntary land acquisition and resettlement. Both MMHP and SWHS components may involve several cases of voluntary land donation for construction of the power houses and transmission lines respectively. Among these components MMHP is relatively having higher number of land donation cases than SWHS as highlighted in table 01. Moreover, field observations and discussions proved that a small strip of land will be affected for the headway canal up to mini-micro hydropower house. It doesn't make a significant impact on their livelihood and the land ownership. Almost all land owners are spontaneously willing to donate a small portion of land for the subproject through CUGs, VDCs

and DDCs. When there is a requirement for land, the community will agree to donate the land. As indicated above, EA will not consider any subproject if it has any involuntary land acquisition issues and involuntary resettlement. Donated portions of a donor's land is always less than 10% of the total area of productive agricultural land of the LD. Table 03 depicts more details on land donation and **Appendix I** provides the list of Land Donors.

Table 03: Size of Land Required and Number of LDs

Project Component	Subprojects	Land Donors	Size (ha)
MMHP	Taksera	55	0.99
	Rugha	5	0.08
SWHS	Kyangsing	1	0.03
	Bhorleni	1	0.03
	Chisapani	1	0.05
Total	5	63	1.9

Source: Asset Verification Survey, 2012

9. When focusing on land donation under these project components (MMHP and SWHS), Community User Groups⁴ (CUGs) and/or Subproject Functional Groups⁵ (SPFGs) are responsible for identifying, handing over access (negotiated land donations/settlements), and/or making available the required land to the EA with the endorsement of the Village Development Committee (VDC) or relevant government institution. AEPC, the EA, is responsible for coordinating all aspects of the transactions. All land donors will be given a free waiver from the community share/equity of subproject cost. The amount of waive will be decided by the CUG/SPFG on the basis of size and value of the land donated. Therefore, the communities will organize themselves to establish CUGs to implement and manage each subproject in coordination and with support from the EA and RSCs.

10. Voluntary donation of land usually involves the contribution by individuals of land for a project that has community benefits. In the case of voluntary land donation, eminent domain or other powers of the state should not be involved in the acquisition. Therefore, voluntary land donation is not within the scope of the Safeguard Policy Statement (SPS) and does not trigger SR 2 and 3 requirements under the SPS. However, the project team should exercise judgment in such cases and conduct due diligence to avoid adverse impacts on affected persons and possible reputational risks to ADB. The team should (i) verify that the donation is in fact voluntary, using verbal and written records and confirmation through an independent third party such as a designated nongovernmental organization or legal authority; and (ii) ensure that voluntary donations do not severely affect the living standards of affected persons and benefit them directly. As a good practice, an ADB project team will consider including appropriate loan or grant conditions. Voluntary land donation is only possible if a sub project is not location-specific that can be built somewhere else if the landowners object or are not willing for land donation.

⁴ The Community User Group is an organization of people with a social and legal recognition confined to the concern VDC who live in the same proximity and share common interests for continuing their socio-economic development.

⁵ Subproject Functional group is a management team established from few CUGs in the same district and the same area having specific common needs, priorities and willingness to fulfil those needs through collective group actions to achieve their energy requirements.

E. SOCIOECONOMIC PROFILE

1. General

11. A Social impact assessment (SIA) was conducted in these subproject locations to determine the magnitude of potential impacts and losses and to identify vulnerable groups, ascertain costs of compensation, livelihood restoration, improvement and relocation. The purpose of the baseline socioeconomic sample survey of affected persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socioeconomic status of affected persons (APs) throughout project implementation and after project completion. As a whole, the survey has covered about 17% of APs (for details see table 03) in all subprojects. The survey also collected gender-disaggregated data to identify gender role of the target communities, potential opportunities and risks levels and issues in resettlement and indigenous people plan.

Table 03: APs representation in Baseline Socioeconomic Survey

Description	Kyangsing Taksera Rugha Bhorleni Chisapani					Total
Total No. of household (HH)	53	1849	912	174	66	3054
Total population	235	9633	4566	398	464	15296
No. of household covered by the survey	11	227	100	18	12	368
% of HH covered by the survey	20.8	12.3	11.0	10.3	18.2	12.0
Total No. of population covered by the survey	62	1336	653	117	85	2253

Source: Baseline Socioeconomic Survey

12. The SIA covered 368 households under the baseline socioeconomic survey conducted (refer table 03 for details) and it found that majority of them represent indigenous category (as classified in NAFDIN act). Table 04 illustrates details below.

Table 04: Caste Categorization of SAP

Social Strata/Category	MMHP					SWHS					Total	
	Taksera		Rugha		Kyangsing		Bhorleni		Chisapani		#	%
	#	%	#	%	#	%	#	%	#	%		
Brahmin/Chettri/Thakuri (Socially Advanced groups)	3	1.3	75	75.0			1	5.6			79	21.5
Indigenous	201	88.5	22	22.0	11	100	17	94.4	12	100	263	71.5
Dalit	23	10.1	3	3.0							26	7.1
Total	227	100	100	100	11	100	18	100	12	100	368	100

Source: Baseline Socioeconomic Survey

13. Apart from indigenous category the rest represents socially advanced groups (21.5%) and Dalit (7.1%). However, Dalit also considered as a disadvantaged group (socially and economically vulnerable). This situation can be further analyzed by ethnic representation among APs. As highlighted in Table 05, Magar represents as the dominant indigenous community in two sample subprojects; namely Taksera and Rugha where that MMHP subprojects identified. Sherpa, Gurung and Chantyal considered as disadvantaged groups.

Table 05: Ethnic Representation of AP

Ethnicity	MMHP				SWHS						Total	
	Taksera		Rugha		Kyangsing		Bhorleni		Chisapani		#	%
	#	%	#	%	#	%	#	%	#	%		
Chantyal	7	3.1									7	1.9
Gurung	5	2.2									5	1.4
Magar	189	83.3	22	22.0							211	57.3
Sherpa					11	100					11	3.0
Tamang							17	94.4	12	100	29	7.9
Others	26	11.5	78	78.0			1	5.6			105	28.5
Total	227	100	100	100	11	100	18	100	12	100	368	100

Source: Baseline Socioeconomic Survey

14. The family type of these SAPs is dominated by joint (54.6%) and extended (10.3%) family systems which are concerned to be a traditional way of organizing their family life. However, 35.1% of them are having nuclear family system and the proportion is fairly large than the extended family system. Table 06 gives more details in sample subprojects basis.

Table 06: Type of Family among SIP

Type of Family	MMHP				SWHS						Total	
	Taksera		Rugha		Kyangsing		Bhorleni		Chisapani		#	%
	#	%	#	%	#	%	#	%	#	%		
Joint*	123	54.2	57	57.0	8	72.7	7	38.9	6	50.0	201	54.6
Nuclear	91	40.1	27	27.0	1	9.1	6	33.3	4	33.3	129	35.1
Extended	13	5.7	16	16.0	2	18.2	5	27.8	2	16.7	38	10.3
Total	227	100	100	100	11	100	18	100	12	100	368	100

Source: Baseline Socioeconomic Survey

* A consanguineal family unit that includes two or more generations of kindred related through either the paternal or maternal line who maintain a common residence and are subject to common social, economic, and religious regulations.

15. Most affected families are vulnerable families⁶. However, majority of them (72.8%) are having single vulnerability, while 13% are having multiple vulnerabilities. Others are non-vulnerable families. Overall, the vulnerability can be further described as indicates in table 07.

Table 07: Vulnerability Condition of SIP

Vulnerability	MMHP				SWHS						Total	
	Taksera		Rugha		Kyangsing		Bhorleni		Chisapani		#	%
	#	%	#	%	#	%	#	%	#	%		
Female headed	23	10.1	8	8.0	1	9.1	2	11.1			34	9.2
Disabled	9	4.0	7	7.0							16	4.3
Elderly	4	1.8	18	18.0	5	45.5	1	5.6			28	7.6
Indigenous group	171	75.3	16	16.0	5	45.5	15	83.3	12	100	219	59.5
Dalit	17	7.5	2	2.0							19	5.2
No Vulnerability	3	1.3	49	49.0							52	14.1
Total	227	100	100	100	11	100	18	100	12	100	368	100

Source: Baseline Socioeconomic Survey, 2012

⁶ Social vulnerability is a status about the human ecology of endangerment and is embedded in the social geography of settlements and lands uses, socially excluded, and the space of distribution of influence in communities and political organization.

16. The disadvantaged status among indigenous people made very high vulnerability condition among focused SAPs. It is a fact that many communities in rural Nepal are indigenous. Among indigenous, most of them are underprivileged and socially excluded. The second highest condition is female headed households (FHH).

Table 08: Main Source of Fuel for Lighting

Source of Fuel	MMHP				SWHS						Total	
	Taksera		Rugha		Kyangsing		Bhorleni		Chisapani		#	%
	#	%	#	%	#	%	#	%	#	%		
Firewood	60	26.4									60	16.3
Kerosene	14	6.2	17	17.0	3	27.3	2	11.1	2	16.7	38	10.3
Solar	150	66.1	57	57.0	7	63.6	15	83.3	10	83.3	215	58.4
Battery Light (Tukimara)	3	1.3	26	26.0	1	9.1	1	5.6			55	14.9
Total	227	100	100	100	11	100	18	100	12	100	368	100

Source: Baseline Socioeconomic Survey, 2012

17. Majority of indigenous peoples use solar power as a source of lighting while others are depending on other sources. However, APs in Taksera highly depend on solar and firewood. They are living in a very remote area where the market centre is far away (about 75 kilometer). They do not have market accessibility for battery based Tukimara or Kerosene. All these facts revealed in this section prove that APs do not face negative impact due to the subproject. Irrespective to the source of energy, all APs are not having a reliable and continuous supply of energy for their houses. Therefore, their livelihood patterns show very static condition. If they get a reliable energy source through these subprojects, they will move gradually towards to very forward socioeconomic condition. At present, energy is a scare resource for them and it will help them to improve their livelihood as a result of the subproject.

2. Socioeconomic Information of Land Donors

18. The number of subproject LDs vary from MMHP (60 APs) to SWHS (03 APs). The length of headway to powerhouse is a deciding factor to change the number of APs. There are two MMHP subprojects (Taksera and Rugha) in the sample concerned here and both subprojects should construct new headway canals up to powerhouses. Therefore, EA asked CUGs or SPFGs to work on land owners and get their consent on negotiated land donations/settlements for each subproject. SWHS (Kyangsing, Bhorleni, and Chisapani) need a small plots of land for solar panels, control room, wind mill, etc. and same method of acquiring lands will be adopted.

Table 09: Land Owners and Their Ethnic Background

Subproject	Damai	Magar	Tamang	Sherpa	Others	Total
Taksera	4 (7.3%)	51 (92.7%)	-	-	-	55 (100%)
Rugha	-	1 (20%)	-	-	4 (80%)	5 (100%)
Kyangsing	-	-	-	1(100%)	-	1(100%)
Bhorleni	-	-	1(100%)	-	-	1(100%)
Chisapani	-	-	1(100%)	-	-	1(100%)
Total	4 (6.3%)	52 (82.5%)	2 (3.2%)	1 (1.6%)	4 (6.3%)	63(100%)

Source: Asset Verification Survey

19. Majority of land owners are indigenous people (see table 09 for details) and agricultural lands belong to them will be donated to respective subproject through CUGs or SPFGs. As

discussed above they are losing very small strip of land that does not affect severely (less than 10% of total land holding) for their livelihood. Almost all LDs are having titles for their lands.

Table 10: Land Ownership by Sex

Subproject	Male	Female	Total
Taksera	46 (83.6%)	9 (16.4%)	55 (100%)
Rugha	5 (100%)	0	5 (100%)
Kyangsing	1(100%)	0	1(100%)
Bhorleni	1(100%)	0	1(100%)
Chisapani	1(100%)	0	1(100%)
Total	54 (85.7%)	9 (14.3%)	63 (100%)

Source: Asset Verification Survey, 2012

20. Land ownership among LDs dominated by males and female representation is very low (14.3%). However, it is natural phenomena in rural Nepal. For details see table 10. There is no impact on residential and commercial land and structures. However, there is one temporary shed (170 Sq. M) affected. Table 11 describes that there are few trees affected (5 timber trees and 4 other trees). Apart from these trees affected, it is identified that LDs are losing 1500 kg paddy and 2000 kg maize quantities in each season as a result of subproject implementation. As explained above, MMHP subprojects need fairly high quantity of land than SWHS subprojects. All these required lands are arable lands and after the voluntary donation of required land they are losing these production quantities.

Table 11: Affected Crops and Trees

Type	Affected quantity	Lost Value (NRs)
Timber	5	50,000
Other trees	4	6,000
Paddy	1500 Kg	37,500
Cereal 1 (Maize)	2000 Kg	40,000

Source: Asset Verification Survey

21. The economic condition of LDs shows that majority of them are having very low monthly income pattern. According to table 12, majority of them are having very poor monthly income (less than NRs 10,000). The Nepal Living Standards Survey (NLSS-III, 2010-11) shows that an individual in Nepal is considered poor if his/her per-capita total annual consumption is below NRs 19,261. The baseline socioeconomic survey of sample subprojects identified that there are 6 persons an average in a family and they need a minimum NRs 9,630 per month to satisfy their monthly basic needs. Therefore, poverty line among LDs is 69.9%. This economic vulnerability is a critical factor to be considered in this due diligence report as well as in share/equity of the community.

Table 12: Monthly Income of LDs

Income Category	No. of Household	%
500 – 1000	19	30.0
1001 – 5000	14	22.4
5001 – 10000	11	17.5
10001 - 15000	7	11.0
15001 - 25000	8	12.7
25001 and above	4	6.4
Total	63	100

Source: Asset Verification Survey, 2012

22. When concerned on main occupation of household heads (HHHs) of LDs, majority of them (84.1%) are doing agricultural activities. About 9.5% have migrated to a foreign country for employment. Table 13 shows that only 6.3% of LDs are in non-vulnerable condition and other all are having such vulnerable condition. As argued above majority of them are disadvantaged indigenous groups.

Table 13: Vulnerability Condition of LDs

Vulnerability of Family	No. of Husehold	%
Female Headed	4	6.3
Disable	13	20.6
Elderly	14	22.2
Indigenous	27	42.9
Dalit	1	1.6
No vulnerability	4	6.3
Total	63	100.0

Source: Asset Verification Survey, 2012

23. About 73% of HHHs are illiterate and they do not have an ability to put their signature too. It reveals that adults are having poor educational background. However, baseline socioeconomic survey reveals that younger generation is having fairly good education and there is at least primary school in every VDC of these sample subprojects. Therefore, energy supply to these communities will improve the education level of new generations.

3. Subproject Negative Impacts and Risks

24. The subprojects will bring a planned changed among the communities identified under the project. It is a presumed status that there will be some negative impacts and risks conditions in each subproject. However, it can be varied from subproject to subproject; especially it may varied by the project components. According to the SIA and assessments conducted in all selected subprojects, there are few negative impacts and risks as depicted in table 14.

Table 14: Potential Negative Impacts and Risks

S.N.	Negative Impact	Subprojects
1.	Losing a small portion of land for powerhouse, canals and mini-grid connections	All subprojects
2.	Reduction of downstream water availability	MMHP subprojects
3.	Low community strength, commitment and lack of social integrity	Taksera
4.	Lack of road access	Taksera, Kyangsing
S.N.	Risk	Subprojects
1.	Get community share for the subproject	All subprojects
2.	Political interference	All subprojects
3.	Damages to crops during the construction period	All subprojects
4.	Low level of commitment among several AEPC district officers	Taksera, Kyangsing
5.	Possibility of discriminate out-casted groups and communities	Taksera, Rugha
6.	Possibility to reject existing solar units at household level	All subprojects

4. Mitigation and Management of Potential Negative Impacts and Risks

25. Though there are certain negative impacts and risks related to all subprojects, such conditions can be avoided or minimized through a proper process of subproject management effort by the PMU establish at EA and RSCs.

Table 15: Mitigation Plan of Potential Negative Impacts and Risks

S.N.	Negative Impact	Proposed Remedial Actions	Stage
1.	Losing a small portion of land for powerhouse, canals and mini-grid connections	No avoidance, but minimize the impact through proper management.	Preparation
2.	Reduction of downstream water availability	Minimize the impact through CUGs involvement and release necessary quantity during the day time for operation agricultural purposes.	Implementation/Construction
3.	Low community strength, commitment and lack of social integrity	Mobilize each community through the assigned tasks to CMs and RSCs.	Preparation
4.	Lack of road access	Use available domestic labourers and find air access to import equipment for the subprojects.	Preparation
5.	Unfavorable climate conditions during the rainy season	Avoid rainy season for construction activities.	Preparation
S.N.	Risk		
1.	Get community share for the subproject	Mobilize each community through the assigned tasks to CMs and RSCs.	Preparation
2.	Political interference	Stick to CUGs and Mobilize each community through the assigned tasks to CMs and RSCs.	Preparation
3.	Damages to crops during the construction period	Conditions application for the contractor and regular monitoring process.	Implementation/Construction
4.	Low level of commitment among several AEPC district officers	Capacity development for regional officers including other relevance government officers and proper monitoring and evaluation process by the PMU.	Preparation and implementation
5.	Possibility of discriminate out-casted groups and communities	Proper implementation of GESI, Community mobilization, Capacity development for regional officers including other relevance government officers and proper monitoring and evaluation process by the PMU.	Preparation and implementation
6.	Possibility to reject existing solar units at household level	Awareness and promotion	Operation

5. Opportunities for Enhance Positive Impacts

26. These subprojects will provide several opportunities to communities focused under each subproject. Those positive impacts can be further improved through well administered and controlled intervention. Therefore, table 16 provides more details on key positive impacts.

Table 16: Potential Positive Impacts and Plan for Enhancement

S. N.	Potential Positive Impacts	Suggestion
1.	Electricity supply to houses	Need to identify needy people through CMs and CUGs
2.	Improve child education	Improve parents and teachers awareness and commitment
3.	Improve the knowledge, practice, and acculturation of using household amenities	Awareness on essential amenities with the capacity of electricity

S. N.	Potential Positive Impacts	Suggestion
4.	Opportunity to link with outer world through using mass media	supply Awareness
5.	Improve health and sanitation through enhancement of common sense and good practices through linking outer world	Awareness
6.	Strength community consciousness and integrity	Proper community mobilization through the guidelines
7.	Improve women and vulnerable groups' capacity	Proper implementation of GESI
8.	Improvement in economic condition	Awareness
9.	Improvement in technological transfer and cottage industries	Awareness through proper implementation of GESI and other capacity development programs
10.	Self-esteem on project ownership	Improve community participation
11.	Re-organization of grass-roots organization through CUGs	Proper community mobilization
12.	Improve village common properties	Proper community mobilization

F. CONSULTATION AND DISCLOSURE

1. Consultation and Participation

27. Consultations with stakeholders were conducted in the project areas. Almost all members who appeared during the consultation process in each subproject location agreed upon the nature and outcome of the subprojects. Furthermore, they formed the CUGs and agreed to provide the equity of subproject as monetary and in kind. The EA will support them to perform as a well-organized rural social entity through the community user group guideline. RSCs will engage Community Mobilizers to guide them during the design and implementation stages of subprojects. The same mechanism will be utilized for information dissemination. Five levels mechanism have been introduced for the grievances redress purposes, but the issues will be less and solved at the primary levels through the intervention of Community Mobilizers. List of consultations are given in Table 18.

Table 18: The List of Consulted Individuals and Groups

Sub Project locations	Key Informants Interview	Focus Group Discussion and No. of Participants
Kyangsing	Dhurba Thapa (VDC secretary)	Youth Group at VDC office (6)
	Dinesh Shrestha (AEPC District Officer)	Household Heads Male group (4)
	Pasang Sherpa (Secretary CUG)	Female group (4) CUG members (4)
Taksera	Rajendra G.C. (VDC Secretary)	Group of Villagers (10)
	Bharatkumar Sharma (Local Development Officer)	Male group (6)
	Nabin Khadka (Assistant Land Revenue Officer)	Female group (6)
	Gobindaraj Pokhrel (AEPC District Coordinator)	Youth Group (6)
	Khim Bahadur Budhathoki (Teacher)	Land Donors (4)
Rugha	Tika Ram Bista (Teacher)	Senior Student group (8)
	Tilak Ram Bohara (VDC secretary)	Group of Villagers (10)
	Bharatkumar Sharma (Local Development Officer)	Male group (4)
	Nabin Khadka (Assistant Land Revenue Officer)	Female group (4)
	Gobindaraj Pokhrel (AEPC District Coordinator)	CUG members (4)
Bhorleni	Kirpa Ram Pun (Principal at Triveni Higher Secondary School)	Senior Student group (6)
	Rajendra Shrestha (VDC secretary)	FGD of Villagers Group (8)
	Ramhari K. C. (Teacher)	Male group (6)
	Padam Ghalan (Teacher)	Female group (6) CUG members (4)

Sub Project locations	Key Informants Interview	Focus Group Discussion and No. of Participants
Chisapani	Bhim Bahadur Pakhrin (VDC secretary) Abhinash Ghalan (Teacher) Dev Kumari Ghalan (Teacher)	Group of Villagers (8) Male group (4) Female group (4) CUG members (4)

(i) Key Issues Discussed and Identified in MMHP

28. The consultants have given a detailed description about the project, subprojects, impact on the community, subproject implementation and future benefits. The support extended by District Development Officer, VDC Secretary, and members of CUGs helped to get full participation of SAPs in every subproject. More details provided in Table 19 and 20.

Table 19: Key Issues Discussed and Identified in MMHP

Subproject locations	Key Issues Discussed and Identified in KIIs	Key Issues Discussed and Identified in FGDs
Taksera	VDC's support for the project as public contribution. VDC's support and policy for transfer land from Private to CUG. Main development issues of Taksera, economic activities, subprojects and its potential implication to local people Process to transfer land donors land to CUG Running mini micro hydropower subproject in Taksera and its implications. Education quality, subproject and its potential implication on education, opportunities for vocational education.	Economic activities of local people. Local gender division of work and Involvement of household activities and time spent. Health and sanitation, student's expectation with proposed subproject and potential implication. Women's role and their participation on local level organization. Women's involvement in decision making at local level CUG and its initiations for the subproject. Way to collect community contribution to implement proposed subproject. Positive and negative impacts of proposed subproject.
Rugha	VDC's support for the subproject as public contribution. VDC's support and policy for transfer land from private to CUG. Education quality, subproject and its potential implication on education, opportunities for vocational education.	Negative and positive impact on land donors. Economic activities of local people. Local gender division of work, Involvement of household activities and time spent. Women's role and their participation on local level organization. Women's involvement in decision making at local level. CUG and its initiations for the subproject. Way to collect community contribution to implement proposed subproject. Positive and negative impacts of proposed subproject Student's expectation with proposed subproject and potential implication. Negative and positive impact on land donors.

Source: Qualitative Data Collection 2012

(ii) Key Issues Discussed and Identified in MMHP

29. It is evident that key issues are very similar in both subproject locations that come under MMHP. But, Taksera is having more issues than Rugha, Especially, these subprojects are located in Rukum district which is one of most remote district in Nepal.

Table 20: Key Issues Discussed and Identified in SWHS

Subproject locations	Key Issues Discussed and Identified in KIIs	Key Issues Discussed and Identified in FGDs
Kyangsing	VDC's support for the project as public contribution. VDC's support and policy for transfer land from private to CUG. Running mini micro hydropower project in Sindhupalchok and its implications. Land donor and negative as well as positive impact on them	Economic activities of local people. Local gender division of work and involvement of household activities and time spent. Women's role and their participation on local level organization. Women's involvement in decision making at local level. CUG and its initiations for the project. Way to collect community contribution to implement proposed project. Positive and negative impacts of proposed project.
Bhorleni	Education quality, subproject and its potential implication on education opportunities for vocational training. Negative and positive impact on land donors livelihood.	Women's role and their participation on local level organization. Women's involvement in decision making at local level. CUG and its initiations for the project. Way to collect community contribution to implement proposed subproject. Positive and negative impacts of proposed project Student's expectation with proposed project and potential implication
Chisapani	VDC's support for the subproject as public contribution. VDC's support and policy for transfer land from private to CUG. Education quality, subproject and its potential implication on education opportunities for vocational training.	Economic activities of local people. Local gender division of work and involvement of household activities and time spent. Women's role and their participation on local level organization. Women's involvement in decision making at local level. CUG and its initiations for the project. Way to collect community contribution to implement proposed project. Positive and negative impacts of proposed subproject Student's expectation with proposed subproject and potential implication.

Source: Qualitative Data Collection 2012

30. It seems that key issues in SWHS too have very close similarity though these subprojects are located in different districts and regions in Nepal. Thus, it is assumed that these are the key issues remaining in rural Nepal related to energy sector development. The information (quantitative and qualitative) collected in the whole effort has been documented and kept at the EA project unit/office and such information can be used as the baseline level of each subproject. It is a prime responsibility of EA to collect such information and keep them at a secured place as hard copies and soft copies.

2. Information Disclosure

31. Dissemination of information will be done by the RSCs through Community Mobilizers (CMs) deploy in each subproject. The RSCs are Non-governmental organizations identify and select by EA on regional basis. EA is planned to establish 10 RSCs to cover on regional basis. At the initial stage, the RSCs and CMs will be responsible for informing potential affected persons and the general public about the project and voluntary land donation and resettlement-related requirements through leaflets or other reliable communication means. In the meantime, CM of the subproject will conduct consultations, and will disseminate information to all APs in order to create awareness of the project among them. Basic information such as location, entitlement, and project and RP implementation schedules will be provided to all APs. Such information will enable stakeholders to contribute to the resettlement decision-making process prior to the award of civil work contracts. All the comments made by the APs will be documented in the project records by the CM and will be summarized in the project monitoring reports.

G. GRIEVANCE REDRESS MECHANISM

32. This section describes mechanisms to receive and facilitate the resolution of APs' concerns and grievances. It explains how the procedures are accessible to APs and gender sensitive issues. A grievance redress mechanism (GRM) will be accessible to all APs and will operate in a timely and fair manner to ensure the resolution of APs concerns and complaints. RSC will inform about the GRM to the APs during the first step of community mobilization through CM. The GRM will operate at five levels with time frames.

1. First level of GRM:

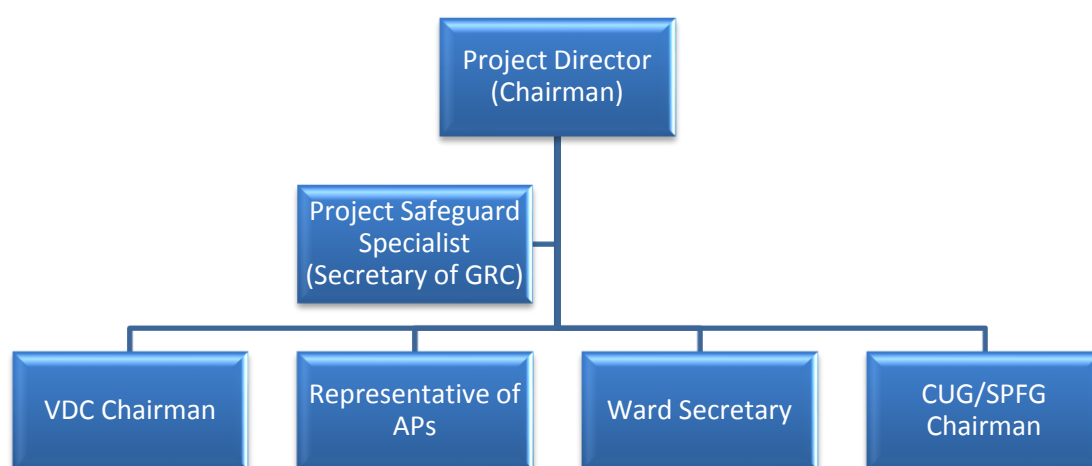
33. The VDC level will be the first level of intervention to address grievances and complaints. Many grievances can be resolved by providing correct and complete information early in the subproject development process. The RSC representing the EA/PM or Project Management Unit (PMU) will deploy CM to listen and provide information to APs and resolve their issues. The CM may seek the assistance of the project safeguards specialists to help resolve the issue. The CM will keep records of the: (i) the name of person (s), (ii) date of the received complaint, (iii) nature of the complaint, (iv) location and (v) how the complaint was resolved (if resolved). These reports will be submitted to the EA and to the project safeguard specialist on a monthly basis.

2. Second level of GRM:

34. If the grievance remains unresolved the CM will forward the complaint to the EA/PM and project safeguard specialist. The person (filing the grievance) will be notified by the CM that his/her grievance was forwarded to the EA/PM and project safeguard unit. Grievances will be resolved through consultation and interaction with APs with support of CUGs/SPFG. The EA will answer queries and find resolution for grievances regarding various issues including social, or livelihood impacts and environmental impacts. The project safeguard specialist will undertake the corrective measure/s in the field within seven days of the decision. The project safeguard specialist will fully document the following information: (i) the name of person/s, (ii) date of the received complaint, (iii) nature of the complaint, (iv) location, and (v) how the complaint was resolved (if resolved).

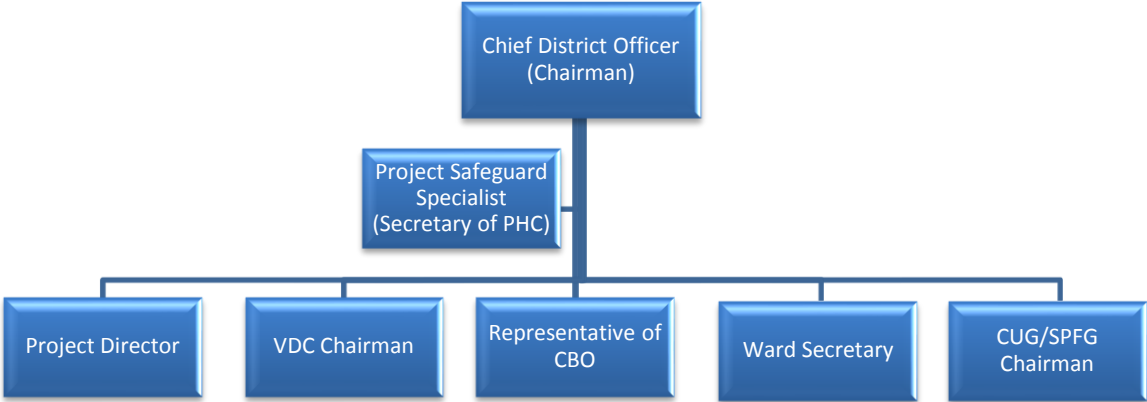
3. Third level of GRM:

35. If the grievance remains unresolved, it will be referred to Grievance Redressal Committee (GRC). The GRC will be headed by the PM, with other members made up of the chairman of the subproject VDC, Ward Secretary, representative of APs and Chairman of CUGs/SPFGs. The affected person will be given the opportunity to present his/her concerns/issues at the GRC. The GRC will meet when necessary, with all costs of each hearing borne by the project. The GRC will suggest corrective measures at the field level and issues directions that these measures are implemented within 15 days. The project safeguard specialist will work as secretary of the GRC and will be responsible for processing and placing all papers before the GRC, recording decisions, issuing minutes of the meetings, and taking follow-up action to see that formal orders are issued and the decisions are carried out. The structure of VDC level GRC is illustrated below:



4. Fourth level of GRM:

36. If the above process fails to adequately resolve the concern/grievance to satisfactory of the AP, the APs can seek DDC intervention to resolve the issue requesting the GRC Secretary to forward the matter to the DDC level PHC. The PHC will be represented by the CDO (Chairman of PHC), PM of EA, Project Social Safeguard Specialist (Secretary of PHC), concerned VDC Chairman, concerned Ward Secretary, concerned CUG Chairman, and a member of the CBO. The affected person can present his or her concerns/issues at the PHC. All cost of the hearing will be borne by the project. The PHC will meet when necessary. The PHC will suggest corrective measures at the field level and issues directions that should implement the directions within 30 days of the decision taken. The project safeguard specialist will work as the secretary of the PHC and will be responsible for processing and placing all papers before the PHC, recording decisions, issuing minutes of the meetings, and taking follow-up action to see that formal orders are issued and the decisions are carried out. The structure of the district level PHC illustrated below.



5. Fifth level of GRM:

37. If all of the above resolution methods have failed, the AP can seek legal redress through Nepali’s judicial or appropriate administrative system.

H. ENTITLEMENTS, ASSISTANCE AND BENEFITS

38. As indicated above, there are no involuntary resettlement and land acquisition cases in any of sample subprojects. However, there are few voluntary land donations that will arrange through the negotiated land transfer consent form (Appendix-II) registration under the LRO of the district. There will be Fee waiver for the CUG equity fund on the basis of land value for donated portion of land and land value will be decided by CUG and/or SPFG with the support of EA representative (RSC). All fees, taxes and other charges as applicable under relevant laws and regulations will be borne by the EA. An agreement will be made between AP and CUGs as indicated in Appendix II. Temporary impacts during construction such as damage to adjacent parcel of land due to movement of machinery and plant sites for contractors will be compensated through contractor where contractor will negotiate a contract agreement on a rental rate with the owner or user of the land that will be temporarily acquired. Project and the contractor to ensure that persons other than the owner affected as a result of temporary acquisition are also compensated for the temporary period. 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. Vulnerable APs will be given preference in temporary employment in the project construction work with special attention to APs living below poverty line, by the project constructor as far as possible or other facilities such as opportunity for training and capacity development programs of the project and priority for employment opportunities of the subproject will be given. Furthermore, CUGs and/or SPFGs are the owners of these subprojects and they are getting tariff that collected from each households. Therefore, they can develop their own fund using their equity and it can be used for further development in their respective VDCs.

39. The project will not have any physical displacement of people in each subproject. Therefore, income restoration and rehabilitation activities are not relevant. Nevertheless, a capacity development program is planned for all vulnerable groups identified in each sample subproject. It is integrated with the Gender Empowerment and Social Inclusion Framework of the project. The utmost attention in the capacity development program is given to the community based leadership. It will help to keep and maintain the subproject sustainability. It is recommended to select at least two members from each CUG and/or SPFG. Apart from these

selected groups VDC chairman and/or secretary of concerned subproject area/s should be invited. These members are only in MMHP and SWHS subprojects. In addition, RSCs and CM are responsible in arranging these capacity development programs in each subproject location.

I. INSTITUTIONAL ARRANGEMENTS AND FINANCING

40. The AEPC will be the EA and IA, which will establish a special arrangement for the project and will be headed by a Project Manager (PM). The AEPC will have a dedicated Environment and Social Safeguard Management Unit (ESSMU) to handle social and environment safeguard issues related to SPEP. The project social safeguard specialist will be responsible for coordination and implementation of tasks related to land donation and other activities related to grievance redress, consultations and monitoring etc.. The PM will manage the activities of the ESSMU and undertake evaluation of the progress. The EA will recruit RSCs for each sample subproject to deal with all safeguard issues related to environment and social aspects. The subproject CM who works under RSC will manage all social mobilization activities with CUGs at the subproject location. In addition, CMs will disseminate necessary information for the needy people at each subproject location. Therefore, ESSMU will also work closely with RSCs and CMs at subproject level. AEPC will keep budgetary provision to meet the cost related to social safeguard activities. Though, the land will be donated, however, cost may be required for other activities such as Legal charges of voluntary land donation including documentation, Transfer/registration cost, Grievances Redress and Administrative Cost etc.

J. MONITORING AND REPORTING

41. The social safeguard implementation will be monitored internally. The safeguards staff within the ESSMU will monitor implementation of social issues related to each subprojects with support of CMs and RSCs. The project social safeguard specialist of ESSMU will prepare quarterly progress reports and submit them to the PM. The PM/EA will prepare six monthly monitoring reports and submit to ADB. These reports will describe the progress of the implementation of land donation issues and compliance issues, if any and corrective actions taken to address them.

H. SUMMARY FINDINGS

42. All the sample subprojects and future subprojects will be selected on voluntary land donation by the people, thereby, no involuntary resettlement is envisaged. ADB's safeguard requirement -2 related to involuntary resettlement will not be triggered. Vulnerable households will be given preference in project employment and other capacity building training. Similarly, AEPC will attempt to exclude IPs land where feasible. AEPC will ensure that the poor and vulnerable will not face major impacts such as physical displacement or loss of 10% or more of their land without adequate compensation. It is also essential that AEPC is responsible for ensuring re-issued titles are provided in a timely manner and at no cost.

Appendix I: List of Land Donors

S.N	Name of Land Owner	Size of total land(In Ropani) *	Size of the plot required for subproject(in Ropani-ana)*	Type of land	Subproject
1	Jaya Bahadur Budha Magar	8	NA	Agricultural	Taksera
2	Balram buddhamagar	6	NA	Agricultural	Taksera
3	Maya gharti	1	NA	Agricultural	Taksera
4	Tok Bahadur Budha	8	NA	Agricultural	Taksera
5	Teej Bahadur Budha Magar	4	NA	Agricultural	Taksera
6	Dev Karna Budha	10	NA	Agricultural	Taksera
7	Dulo Bahadur Buda	8	NA	Agricultural	Taksera
8	Togo Devi Buda	4	NA	Agricultural	Taksera
9	Bahadur Sing Buda	5	NA	Agricultural	Taksera
10	Narbir Buda	8	NA	Agricultural	Taksera
11	Til Prasad Buda	2	NA	Agricultural	Taksera
12	Masta Buda Magar	8	NA	Agricultural	Taksera
13	Amrit Bahadur Magar	1	NA	Agricultural	Taksera
14	Krishna Buda	10	NA	Agricultural	Taksera
15	Lalsibuda Buda	15	NA	Agricultural	Taksera
16	Tilled Buda Magar	2	NA	Agricultural	Taksera
17	Dil Kumar Buda Magar	3	NA	Agricultural	Taksera
18	Tark Bahadur Buda Magar	3	NA	Agricultural	Taksera
19	Amare Buda magar	5	NA	Agricultural	Taksera
20	Rasa Buda magar	2	NA	Agricultural	Taksera
21	Balkrishna Buda Magar	4	NA	Agricultural	Taksera
22	Sete Kami	3	NA	Agricultural	Taksera
23	Hasta Bahadur Damai	2	NA	Agricultural	Taksera
24	Bishnu Buda Magar	4	NA	Agricultural	Taksera
25	Kale Buda Magar	11	NA	Agricultural	Taksera
26	Tejendra Buda Magar	10	NA	Agricultural	Taksera
26	Dharm Kumari Buda Magar	1	NA	Agricultural	Taksera
28	Lalparshad Buda magar	2	NA	Agricultural	Taksera
29	Dayadhan Buda Magar	3	NA	Agricultural	Taksera
30	Chandramaya Budha Magar	4	NA	Agricultural	Taksera
31	Sataman Buda Magar	3	NA	Agricultural	Taksera
32	Jokuidevi Buda	12	NA	Agricultural	Taksera
33	Devrag Buda Magar	10	NA	Agricultural	Taksera
34	Devilal Buda	8	NA	Agricultural	Taksera
35	Sunder Budha Magar	1	NA	Agricultural	Taksera
36	Jaya Bahadur Bika	1	NA	Agricultural	Taksera
37	Chayan Budha Magar	2	NA	Agricultural	Taksera
38	Janak Buda Magar	8	2-0	Agricultural	Taksera
39	Bhalu Budha Magar	2	NA	Agricultural	Taksera
40	Aijan Budha Magar	6	NA	Agricultural	Taksera
41	Lok Bahadur Budha Magar	2	NA	Agricultural	Taksera
42	Teej Beer Budha Magar	5	NA	Agricultural	Taksera
43	K. Bahadur Budha Magar	5	NA	Agricultural	Taksera
44	Tejendra Budha Magar	3	NA	Agricultural	Taksera
45	Jeten Budha Magar	4	NA	Agricultural	Taksera
46	Dhanparsad Buda Magar	6	NA	Agricultural	Taksera
47	Aujer B.K	2	NA	Agricultural	Taksera
48	Layan Budha Magar	8	NA	Agricultural	Taksera
49	Marme Budha Magar	1	NA	Agricultural	Taksera

S.N	Name of Land Owner	Size of total land(In Ropani) *	Size of the plot required for subproject(in Ropani-ana)*	Type of land	Subproject
50	Tejmala Budha Magar	3	NA	Agricultural	Taksera
51	Tap Budha Magar	6	NA	Agricultural	Taksera
52	Jan Bahadur Budha Magar	2	NA	Agricultural	Taksera
53	Krishna Budha Magar	5	NA	Agricultural	Taksera
54	Karma Budha Magar	3	NA	Agricultural	Taksera
55	Tog Bahadur Budha Magar	7	NA	Agricultural	Taksera
	Sub Total (55 Families)	272	15-0		
56	Kshatra Bahadur Bohara	11	1-9	Agricultural	Rugha
57	Bhupendra Bohara	10	1-4	Agricultural	Rugha
58	Mukunda Chand	8	1-11	Agricultural	Rugha
59	Ganga Bahadur Khadka	8	2-0	Agricultural	Rugha
60	Tikaram Pun Magar	8	1-4	Agricultural	Rugha
	Sub Total (5 Families)	45	7-13		
61	Chhewang Sherpa	8	0-9 ana	Agricultural	Kyangsing
	Sub Total (one family)	8	0-9 ana		
62	Prasuram Gholan	18	0-9 ana	Agricultural	Bhorleni
	Sub Total (one family)	18	0-9 ana		
63	Chamber Singh Gholan	37	0-15 ana	Agricultural	Chisapani
	Sub Total (one family)	37	0-15 ana		
	Grand Total (63 Families)	380	24-14		

*Measurement of area-

1 Ropani = 16 aana (about 508.72 m² or 5476 sq. ft.)

1 aana = 4 paisa (about 31.80 m² or 342.25 sq.ft.)

1 paisa = 4 daam (7.95 m²)

1 Hectare = 19.965 Ropani

1 Ropani = 508.83771 m²

**Appendix II: A sample agreement:
SAMPLE NEGOTIATED LAND TRANSFER CONSENT FORM**

Government of Nepal,
Land Revenue Office,
[INSERT NAME] District
[INSERT NAME] Village

CERTIFICATE OF LAND TRANSFER

I, [INSERT NAME, AGE, OCCUPATION], with residence located in [INSERT NAME] village, [INSERT NAME] district

Certify that I have been previously informed by local authority of my right to entitle compensation for any loss of property (house, land and trees) that might be caused by the construction of ([INSERT NAME]) financed under the Scaling-up Rural Energy Project in [INSERT NAME] district. I confirm that I voluntarily donate the land of [INSERT AMOUNT LOSS] square meters located in [INSERT NAME] village ([INSERT NAME] district) to the Project construction. I also confirm that I do not request any compensation of loss of [INSERT OTHER LOSSES SUCH AS TREES] and would request the local authority/AEPC/CUG/SPFG/PPD to consider this as my contribution to the project.

Type of Loss	Area (sqm)	Number of Trees	Number of Structures	Unit Rates	Total	Comment
Land 1						
Land 2						
Total						

Therefore, I prepare and sign this certificate for the proof of my decision. Further, I certify that I have given my consent without any force/coercion from anybody, including project authorities.

[INSERT NAME] district
[INSERT DATE]
The owner of the land
[INSERT NAME AND SIGN]

Witnesses

1. [INSERT NAME] :
2. [INSERT NAME]
3. [INSERT NAME]

Certified by the [INSERT NAME OF INDEPENDENT THIRD PARTY], [NAME AND SIGN]

* This form will be translated in Nepalese Language for implementation purpose