

# Resettlement Plan

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NEP: Urban Water Supply and Sanitation (Sector)  
Project – Siddhanath Baijanath Water Supply and  
Sanitation Subproject

Package No. W-03



## CURRENCY EQUIVALENTS

(as of 2 July 2018)

Currency unit	-	Nepalese rupee (NRe)
\$1.00	=	NRs109.821
NRe1.00	=	\$0.009

## ABBREVIATIONS

ADB	-	Asian Development Bank
DMA	-	district metered area
DWSS	-	Department of Water Supply and Sewerage
GRC	-	grievance redress committee
GRM	-	grievance redress mechanism
PMO	-	project management office
RDSMC	-	regional design supervision and management consultant
RPMO	-	regional project management office
SPS	-	Safeguard Policy Statement
UWSSP	-	Urban Water Supply and Sanitation (Sector) Project
WUA	-	water users' association
WUSC	-	water users' and sanitation committee

## WEIGHTS AND MEASURES

m <sup>3</sup>	-	cubic meter
kgf	-	kilogram-force
km	-	kilometer
kW	-	kilowatt
lps	-	liters per second
m	-	meter
mm	-	millimeter
%	-	percent
m <sup>2</sup>	-	square meter

## NOTE

In this report, "\$" refers to United States dollars.

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## EXECUTIVE SUMMARY

**Background.** The Urban Water Supply and Sanitation (Sector) Project (UWSSP) will support the Government of Nepal in expanding access to community managed water supply and sanitation (WSS) in 20 project municipalities by drawing on experiences and lessons from three earlier projects funded by the Asian Development Bank (ADB). The project will finance climate-resilient and inclusive WSS infrastructure in project municipalities and strengthen institutional and community capacity, sustainable service delivery, and project development. The project will be implemented over a five-year period (indicative implementation period is 2018 to 2023) and will be supported through ADB financing using a sector lending approach.

The project will have the following impact: quality of life for urban populations, including the poor and marginalized, improved through the provision of sustainable WSS services. The project will have the following outcome: inclusive and sustainable access to WSS services in project municipalities achieved. The project will have two outputs: (i) water supply and sanitation infrastructure in project municipalities improved; and (ii) institutional and community capacities strengthened.

Siddhanath Baijanath (Kanchanpur) subproject is proposed under UWSSP. There is no existing water supply scheme in the area. People are using tube wells, dug wells, shallow wells, and river for their daily water use.

**Subproject Description.** The proposed Siddhanath Baijanath water supply and sanitation improvement subproject covers Ward nos. 6, 8 and 10 of Bhimdutta municipality of Kanchanpur district. The proposed service area accommodates a total population of about 9,310 of which 9,178 is permanent population and 132 is rental population.

The water supply components proposed under Siddhanath Baijanath Water Supply and Sanitation Improvement Subproject include a piped water supply system considering ground water (deep tube wells) as sources. Considering the topography, land use and settlement patterns; single distribution subsystem is proposed. The project components (civil works) proposed in Siddhanath Baijanath include construction of (i) 3 deep tube wells (2 operating and 1 stand-by) with safe yield of 2 x 20.12 liters per second (lps) for 3 district metered area (DMA) subsystems respectively; (ii) total 4,865 meter (m) transmission mains; (iii) water storage tank (overhead tank) with capacity of 450 m<sup>3</sup>; (iv) nearly 52.904 kilometer (km) distribution network; (v) 2 water pumps; (vi) treatment unit with pressure filter, softener and disinfection; (vii) 21 fire hydrants; (viii) 35 kilowatt (kW) power generator; (ix) 3 generators/operator houses in each subsystem; (x) 1730 house connections; (xi) 1 office building; and (xi) 1 community hall to replace loss of common property resource, included as a project component.

**Resettlement Plan.** This draft resettlement plan is prepared for water supply subproject components proposed for Siddhanath Baijanath water supply and sanitation improvement subproject under UWSSP. This resettlement plan is prepared based on ADB's Safeguard Policy Statement (SPS), 2009, and Government of Nepal laws and based on the draft detailed project report. It will be updated based on final DPR or DMS prior to implementation. Regional design supervision and management consultant (RDSMC), project management and quality assurance consultant (PMQAC)/project management office (PMO) will update the resettlement plan after detailed design and seek ADB approval prior to commencement of works.

**Scope of Land Acquisition and Resettlement.** Approximately 2,460 square meter (m<sup>2</sup>) land is required for different components of the subproject. The subproject components are proposed in

municipal/government land and the transmission mains and distribution network are proposed on municipal/public road right-of-way. The land at three different locations is required for construction of project components such as deep bore tubewells, treatment plant, overhead tank (OHT), office building, community hall. WUSC has obtained a no objection from Bhimdutta Municipality for the use of its land for the site where majority of facilities are proposed. Permission is yet to be received for tubewell construction on government land and will be attached to the updated resettlement plan.

Land acquisition is not required for the project. No settlement will be adversely affected and there is no need of physical displacement. One community shed used for public meetings and religious functions at Siddhanath temple will be dismantled. The project has designed to build a community hall at the premise of the temple as replacement of the public shed. The hall will be used for the same purpose as the shed is used. Dismantling of the existing shed without restoration or without an interim solution, will not be allowed.

Transmission main of 4865 m length is proposed within existing public road right-of-way (ROW)/ vacant government and public land. Likewise, distribution network of 52.904 km is proposed along existing public road ROW and government vacant land. Hence, no permanent involuntary resettlement impacts are anticipated due to laying of transmission mains and distribution lines. No relocation/resettlement impacts or impacts on structures are anticipated along the alignment for linear components of the subproject. Temporary impacts of transmission and distribution network laying and house connections will be limited to temporary disturbance in access to shops and residences, which will be sufficiently addressed as provided in the EMP. No income loss is anticipated as a result of proposed subproject components.

Within the municipal/government lands for the subproject sites and alignments, there are a few trees and bushes planted. Thus, there may be trees affected by the construction of structures and laying of pipes. In case of any loss of trees, compensation will be paid based on the provisions in the Entitlement Matrix and new trees will be planted around the new community hall as replacement.

**Categorization.** The subproject is classified as Category B in accordance with ADB's SPS, 2009. The project has no significant impact and will be affecting a community shed located on municipal land and potentially some trees along the subproject sites and alignments.

**Consultation and Disclosure.** Consultations with key stakeholders were carried out in line with ADB's requirements related to environment and social considerations. During the consultation, key concerns of people related to the project were discussed and project related information disseminated. Goals and objectives of the project have been disclosed to stakeholders through two public consultations from November 2017 to January 2018. Further, a subproject-specific grievance redress mechanism (GRM) will be established to receive, record, evaluate, and facilitate the resolution of affected persons' project related concerns, complaints, and grievances.

A WUSC meeting held on 15 May 2018 assured that municipal land being used by a community temple may be used for the project. There is no temple user committee, thus, the ward has responsibility over the Shree Shiddhanath Baijanath temple in Bhanutol-8 of Bhimdutta Municipality. The land is owned by government of Nepal. Certain parts of the land within the temple compound has been sanctioned for the water supply project. Within the land sanctioned for the project, a shed exists which is used by locals for spiritual gathering and hymns. They have requested to replace the hut/ shed with a community hall within the temple compound and support to make a boundary wall for the protection of temple property.

**Resettlement Budget and Financing Plan.** The estimated resettlement cost for the Siddhanath Baijanath water supply subproject is estimated at NRs3.42 million which includes the construction cost of community hall proposed for replacement of lost common property resource. The cost of the community hall is budgeted under project cost and the remaining cost will be met from WUSC and counterpart (government) funds.

**Institutional Setup.** The Ministry of Water Supply (MOWS) is the executing agency and the Department of Water Supply and Sewerage (DWSS) the implementing agency. The PMO established under ongoing Third Small Towns Water Supply and Sanitation Sector Project (footnote 1) will be responsible for the overall management, implementation and monitoring of the project. There will be regional PMOs (RPMOs) to manage day-to-day project implementation at the subproject/municipality level. The PMO will be assisted by PMQAC. The participating municipalities and water users' associations will be supported by the Regional Design Supervision and Management Consultants (RDSMC) social safeguards specialist and RDSMC social mobilizer. At the local level, WUSCs as the executive body of the WUAs will work closely with the RDSMC during design/resettlement plan preparation or updating stage, in identifying affected persons/groups and alternative sites and alignments and verifying the ownership status of such sites. WUSCs and municipalities will be responsible for ensuring availability of suitable land for project-related works.



## I. PROJECT DESCRIPTION

### A. Introduction

1. The Urban Water Supply and Sanitation (Sector) Project (UWSSP) will support the Government of Nepal in expanding access to community-managed water supply and sanitation (WSS) in 20 project municipalities by drawing on experiences and lessons from three earlier projects funded by the Asian Development Bank (ADB).<sup>1</sup> The project will finance climate-resilient and inclusive WSS infrastructure in project municipalities and strengthen institutional and community capacity, sustainable service delivery, and project development. Subprojects will be demand driven by water users' associations (WUAs) and project municipalities and selected based on transparent criteria<sup>2</sup> including population growth, poverty index, existing WSS infrastructure, community willingness for cost sharing, and long-term operation and maintenance (O&M) contract.<sup>3</sup>

2. The project will build upon the on-going efforts of the Government of Nepal in providing WSS services in urban areas of Nepal. It will help the country to meet Sustainable Development Goal (SDG)-6 to ensure availability and sustainable management of water and sanitation for all by 2030 and it is aligned with sector objectives laid out by the government's Fourteenth Plan, National Urban Development Strategy, and updated 15-year Development Plan for WSS in Small Towns, which is to improve water supply and sanitation service delivery in urban areas across Nepal. The sector loan modality of ADB is proposed for UWSSP.

3. The project will have the following impact: quality of life for urban populations, including the poor and marginalized, improved through the provision of sustainable WSS services.<sup>4</sup> The project will have the following outcome: inclusive and sustainable access to WSS services in project municipalities achieved. The project will have two outputs: (i) water supply and sanitation infrastructure in project municipalities improved; and (ii) institutional and community capacities strengthened.

4. The Ministry of Water Supply (MOWS) is responsible for planning, implementation, regulation, and monitoring of WSS. The Department of Water Supply and Sewerage (DWSS) under the MOWS supports the provision of WSS facilities in municipalities where large utilities do not exist, and these are operated by water users' and sanitation committees (WUSCs)<sup>5</sup> or municipalities.<sup>6</sup> Shortage of investment funds, skilled personnel, and inadequate O&M budgets, hinders municipalities from providing adequate, cost-effective services. The Local Governance Operation Act, 2017, established municipalities as autonomous government institution with responsibility for WSS services. While municipalities' capacity is being built, the government and residents have been receptive to the decentralized, participatory, and cost-sharing service provision model by WUAs. Development support for municipal WSS has been channeled through a combination of (i) government grants through DWSS, (ii) loans by the Town Development Fund

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<sup>1</sup> ADB. [Nepal: Small Towns Water Supply and Sanitation Sector Project](#) [Nepal: Second Small Towns Water Supply and Sanitation Sector Project](#); and [Nepal: Third Small Towns Water Supply and Sanitation Sector Project](#).

<sup>2</sup> Subproject selection criteria are detailed in the project administration manual. Selection of future investments to be designed under the project will follow same criteria, with preference for investments located in Kathmandu Valley, provincial headquarters, and strategic border municipalities.

<sup>3</sup> Procurement can only commence after DWSS and municipality sign management agreement with WUSC for 20 years O&M service. The municipality will own the system and the WUSC will be the operator.

<sup>4</sup> Government of Nepal. 2009. *Urban Water Supply and Sanitation Policy*. Kathmandu.

<sup>5</sup> The WUSCs, formed under the Nepal Water Resource Act, 1992, are the elected executive bodies of the water users' association.

<sup>6</sup> The DWSS assists in preparation of investment plans, project design, and establishing sustainable service delivery.

(TDF),<sup>7</sup> and (iii) contributions from municipalities and beneficiaries.<sup>8</sup> The TDF also supports WUAs in institutional and financial management including the introduction of tariffs.

5. The project will be implemented over a five-year period (indicative implementation period is 2018 to 2023) and will be supported through ADB financing using a sector lending approach. The MOWS is the executing agency and DWSS the implementing agency. The project management office (PMO) established under ongoing Third Small Towns Water Supply and Sanitation Sector Project (footnote 1) will be responsible for the overall management, implementation and monitoring of the project. There will be regional PMOs (RPMOs) to manage day-to-day project implementation at the subproject/municipality level. After construction including a 1-year O&M period by the contractor, subprojects will be operated by the WUSC or municipality.

6. ADB requires the consideration of social safeguard issues in all aspects of its operations, and the requirements for assessment of involuntary resettlement impacts are described in ADB SPS, 2009. This resettlement plan is prepared in accordance with ADB SPS' requirements for Involuntary Resettlement category B projects.

## **B. Subproject Location**

7. The proposed project area lies in ward numbers 6, 8 and 10 of Bhimdutta Municipality. Bhimdutta is the headquarters of Kanchanpur district, which covers an area of 1,610 square kilometers (620 square miles). Geographically, the project area lies in latitude 28°55'0" N and longitude 80°20'0" E and altitude 197 meters from mean sea level (MSL). Bhimdutta falls in province no: 7, bordered with Kailali district in east, Dadeldhura district in north and India in south and west. Previously, Bhimdutta municipality was known as Mahendranagar in the honor of late King Mahendra of Nepal. After becoming a republic in 2008, the city name was changed to Bhimdutta. It is a gateway to India and also a gateway to Shuklaphanta Wildlife Reserve.

8. Siddhanath Baijanath area is one of the emerging settlements of Kanchanpur district, located northern side of East-West Highway, along the Gaddhachowki, the far western boarder to India. Mahendranagar (Bhimdutta Municipality) is the district headquarter and this urban settlement lies in the same municipality.

9. Although the town has semi-urban characteristics with largely rural setting peripheral settlements, it is an emerging town with growth potential. The history indicates that the area is newly developed particularly after development of East-West Highway which passes through this town. It was learned that the people from adjoining areas and other districts started to settle in this area and rapid population growth occurred along the East-West Highway development. Availability of fertile agricultural land, road access and other services are attracting the people to this area.

10. Siddhanath Baijanath area has strong potential for agricultural production and is located only at a distance of about 2-4 km west from Mahendranagar. Therefore, it has potential for developing as a satellite town of Mahendranagar and the economy of the town is gradually shifting from rural agricultural-based to business and commercial-based.

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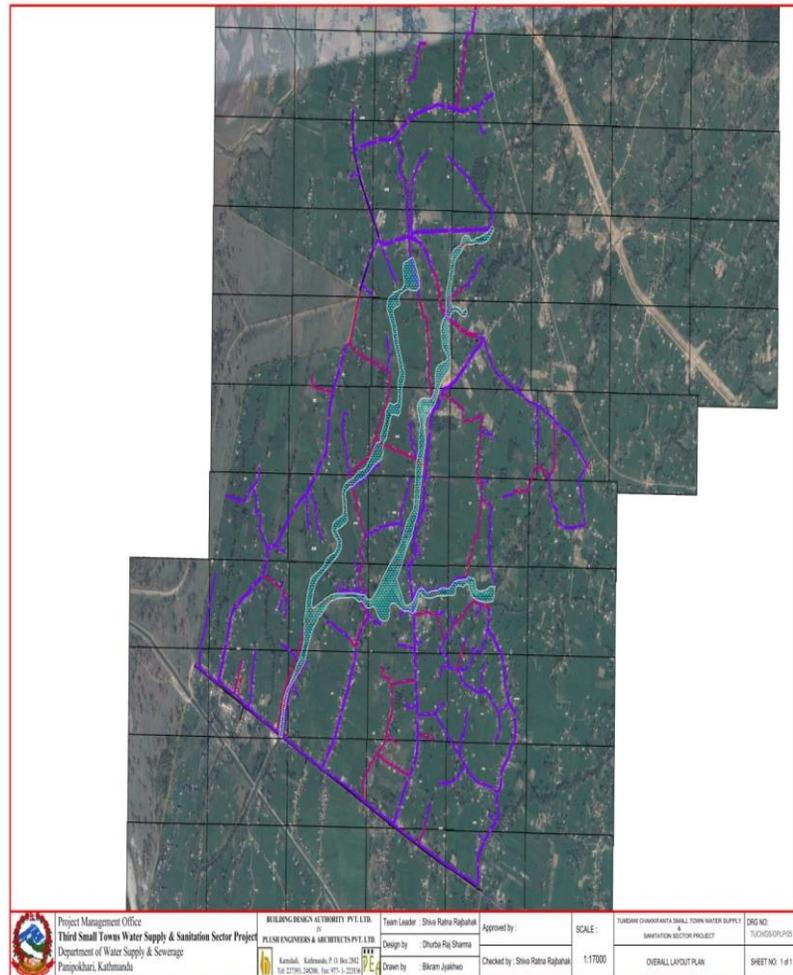
<sup>7</sup> The TDF is a government-owned entity established under the Town Development Fund Act, 1997. Loans from the government to WUAs or municipalities are generally on-lent by TDF under a subproject financing agreement.

<sup>8</sup> WUAs contribute 30% of project costs for water supply subprojects (25% from TDF loan and 5% from users' upfront cash contribution) and 15% for sanitation subprojects (subsidy from municipalities).

## C. Subproject Components

11. Water supply components under the Siddhanath Baijanath Water Supply and Sanitation subproject have been conceptualized as a piped water supply system that uses ground water (deep tube wells) as source. Considering the topography, land use and settlement patterns, three separate district metered areas (DMAs) are proposed. The sanitation components are not identified yet.

**Figure 1: Map Showing Service Area of Chakkiphanta Project**



12. The subproject has 11 major components described in Table 1 below.

**Table 1: Major Components of the Project**  
(Water Supply Component)

S.N.	Component	Sub-component	Capacity/ Length	Remarks
1	Tube well	Bore Hole, 3 nos.	2x20.12=40.24 lps	1 stand by
2	Treatment Facility	Pressure Filter	2 Nos.	
		Softener	2 Nos.	
		Disinfection Unit	1 No.	
3	Pumping	Pumping from Tube well 1	2 Nos. 30 kW	
		Pumping from Tube well 2 or 3	1 Nos. 35kW	1 pump stand by

S.N.	Component	Sub-component	Capacity/ Length	Remarks
4	Storage Reservoir	Proposed R.C.C Overhead tank	450 cum, 25 m ht.	
5	Transmission mains	Transmission mains from tube well to OHT by pumping	4.865 Km length	
			Ductile iron pipes are used	
6	Distribution network	Distribution from OHT to the branches of the system	Approx. 52.904 Km length	
			ductile iron pipes and HDPE pipes ranging from 40 mm to 200 mm	
7	Generator Operator House		1 No.	
8	Office building/ Laboratory room		1 No.	
9	Guard House		1 No.	
10	Valve Chambers		3 nos. of valve chamber of Type- I (1500x900x1000)	
			86 nos. of valve chamber of Type- II (900x900x1000)	
			10 nos. of pipe valve box (125 mm dia)	
11	Community Hall		1 no. with capacity of 100 users	

dia = diameter, HDPE = high-density polyethylene, Km = kilometer, kW = kilowatt, lps = liters per second, mm = millimeter, no. = number, OHT = overhead tank.

13. Ground water is proposed as source for the subproject. All the proposed sources are from tube wells will be pumped to the overhead reservoir tank after proper treatment. The proposed water sources and their locations are shown in Table 2.

**Table 2: Proposed Water Source and Location**

S. No.	Source Type	Well Number			Source Location
		Working	Standby	Total	
1	Tube Well	2	1	3	Siddhinath Tole, Thapachauraha, Ward 8, Gajjar Tole ward 10 Sukkakhal- Ward 6

14. The project area lies in a part of alluvial deposit flood plain of Mahakali River. Geologically, it is situated in the foothills of Siwalik Hills of far western Nepal. The underlying formation of the area is of cobbles, gravels and sand with pockets of clay. The area is rich in ground water potential; shallow as well as deep aquifers are being extracted for drinking, irrigation and industrial purposes. Systematic ground water investigation study took place during the year 2028/29 BS (1971) through USAID and Government of Nepal/Groundwater Development Board. The study was conducted by drilling test well with pumping test. The pump test of the test tube well showed that the area has good groundwater potential. Since 2031 BS (1974) deep tube wells were developed for the irrigation in the district. The tube wells for drinking water were developed thereafter particularly in Bhimdutta Municipality. The hydro-geological formation within the area of Bhimdutta and Suda shows that the design discharge of 20.12 liters per second (lps) can be obtained from 250/250 mm

size tube well within the depth of 150 m. Hence, three deep tube wells (2 operating and one standby) have been proposed.

15. The treatment process consists of various steps of treatments as mentioned below.
- (i) Pressure filters: Pressure filters made of mild steel is proposed to remove precipitated iron and manganese as well as aluminum.
  - (ii) Softener: Zeolite process is adopted to make the water soft. Table 3 provides the output water after regeneration and regeneration periods.
  - (iii) Disinfection: The disinfection is proposed by the addition of bleaching powder in the reservoir.

**Table 3: Yield of Proposed Water Source**

S. No.	Source Type	Safe Yield per well (lps)	Required Yield per well (lps)	Well Number			Tapped Discharge (lps)
				Working	Standby	Total	
1	Tube Well	23	20.12	2	1	3	2 x 20.12

16. The transmission main conveys the water from the tube well to the overhead service reservoirs. Since the water is conveyed by pumping, it is also known as pumping main. Pipe sizes are so selected that velocity of water within the pipes remain within the range of 0.5 meters per second (m/sec) to 1.5 m/sec. Ductile iron pipes are proposed to use in both the systems. The water is pumped from the tube well with sufficient head so that the water passes through the water treatment plant and delivers it into the ground reservoir/sump well. The water is then pumped again from ground reservoir/sump well to overhead reservoir. The total transmission main pipe length of the proposed systems is 4.865 km. Thrust blocks are also provided to restrain the pumping mains in both the systems.

**Table 4: Transmission/ Pumping Main**

S. No.	Systems	Length of Pipes (m)
1	Siddhanath Baijanath	4865
	Total	4865

17. The service reservoir is required to store the water to meet the hourly fluctuation of consumers' water demand. This allows the peak flow in the distribution network. The total storage requirement for the system at the end of design period i.e. 2039 is calculated as 450 cubic meter (m<sup>3</sup>). Table 5 summarizes the requirement of reservoir tank for the proposed system.

**Table 5: Requirement of Reservoir**

S. No.	Systems	Reservoir Size (Cum)	Type	Remarks
1	Siddhanath Baijanath	450	RCC – OHT	Proposed
	Total	450		

18. The distribution system comprises of pipe network, which consists of loops and branch. The water is supplied from the service reservoir to the consumers by the distribution pipe network. Distribution pipes are laid on both sides of the all metaled and major roads. Single line pipes are proposed in earthen and other roads. High-density polyethylene (HDPE) pipes are predominantly used. Pipe of class and size lesser than 6 kilogram-force (kgf) and 50 mm is not proposed. Existing pipes will not be used as these are leaking and found substandard (class of 4 kgf). The length of

the distribution network pipes proposed for various systems is shown in the Table 6. The total distribution pipe length of the proposed systems is 52.904 km.

**Table 6: Distribution Pipe Network**

<b>S. No.</b>	<b>Systems</b>	<b>Length of Pipes (m)</b>
1	Siddhanath Baijanath	52904
Total		52904

19. Type of pump selected is submersible motor pump which will be installed in a mild steel housing pipe of appropriate diameter. The pump housing pipe itself will be fixed in the tube well. Pump shall be operated semi-automatically. Provisions for the protection of pump motor against over loading, dry running and single phasing will be made by selecting appropriate motor and control panel.

20. One pump for normal use and one for standby with full capacity pumping rate to be installed in each station. Following power ratings are calculated in pumping stations.

21. House connections. The system has been designed, predominantly as house to house connections. The system has been analyzed for a design capacity of providing a total of 3749 house connections at the end of design period. However, initially during construction phase, only 1730 house connections are provided to satisfy the need for the base year population.

22. These will primarily comprise of valve chambers in flow control valves for controlling flow in the pipeline. Altogether 89 valve chambers and 10 pipe valve boxes are expected in the system. Other appurtenances as air valves, scour valves, fire hydrants will be provided at suitable locations. Some road crossing has been initially provided. This will also facilitate for less road cuttings during the operational phase.

23. One permanent generator operator house to accommodate the generators shall be constructed. In case of failure of power supply, the generator shall be used to supply power to the pumps to deliver water. A permanent area to accommodate the pump/ plant operator will be provided in this generator house. Accordingly, a guard room is proposed.

24. The existing office building in the project area is not sufficient to accommodate all required facilities. Thus, a new one is proposed to house the manager's room, cash counters, meeting hall and others. The laboratory room and store will be remained in the existing office building.

25. One guard house is proposed under the subproject. The guard house is to be located at the reservoir site. The guard house is a one-storey building with a guard room, toilet and bathroom.

26. Considering the topography, land use and settlement pattern, three DMAs are proposed.

#### **D. Resettlement Plan**

27. This Resettlement Plan is prepared for investments proposed in Siddhanath Baijanath as part of the UWSSP. It addresses the Involuntary Resettlement impacts of the proposed project and is consistent with the Resettlement Framework and ADB's SPS 2009.

28. This Resettlement Plan has been prepared in accordance with ADB SPS requirements for Involuntary Resettlement Category B projects and intends to meet the following objectives:

- (i) describe the identified scope and extent of land acquisition and involuntary resettlement impacts as a result of identified project components, and address them through appropriate recommendations and mitigation measures in the resettlement plan;
- (ii) present the socio-economic profile of the population in the project area, identify social impacts, including impacts on the poor and vulnerable, and the needs and priorities of different sections of the population, including women, poor and vulnerable;
- (iii) describe the likely economic impacts and identified livelihood risks of the proposed project components;
- (iv) describe the process undertaken during project design to engage stakeholders and the planned information disclosure measures and the process for carrying out consultation with affected people and facilitating their participation during project implementation;
- (v) establish a framework for grievance redressal for affected persons that is appropriate to the local context, in consultation with stakeholders;
- (vi) describe the applicable national and local legal framework for the project, and define the involuntary resettlement policy principles applicable to the project;
- (vii) define entitlements of affected persons, and assistance and benefits available under the project;
- (viii) present a budget for resettlement and define institutional arrangements, implementation responsibilities and implementation schedule for resettlement implementation; and
- (ix) describe the monitoring mechanism that will be used to monitor resettlement plan implementation.

29. This resettlement plan will be updated before contract award.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

30. Approximately 1790.06 m<sup>2</sup> land is required for Deep boring, pressure filter, softener, disinfection unit, 450 m<sup>3</sup> R.C.C. overhead tank (OHT), generator operator house, guard house, office building and laboratory room at Sidhanath Tole, ward no: 8 of Bhimdutta Municipality.

31. The different sites proposed for the subproject and land details are summarized in Table 7.

**Table 7: Land Requirement for Water Supply Components**

Land Requirement Site/ Location	Required Land Area	Proposed Structure	Land Ownership	Remarks
Sidhanath Tole, Ward-8	1790.06 m <sup>2</sup>	Deep Boring	Municipality land	The land is public and owned by Municipality. The consent from Municipality ward Office has been obtained by the WUSC through a 'no objection letter'. One public shed inside of the temple premise is to be dismantled and a community hall to be built as a compensation of the shed for the use of pilgrimage and
		Pressure Filter		
		Disinfection Unites		
		450 m <sup>3</sup> R.C.C overhead tank		
		Generator Operator House		
		Guard House		
Office Building/Laboratory Room				

Land Requirement Site/ Location	Required Land Area	Proposed Structure	Land Ownership	Remarks
		Community Hall		public gatherings, functions and meetings. Land ownership records will be included in the updated resettlement plan.
Gajjar Ward no: 10		Deep well boring	Municipality/ government	Consent letter from municipality obtained. Land ownership records will be included in the updated resettlement plan.
Sukkakhal, Ward no. 6		Deep well Boring	Municipality/ government	Consent letter from municipality obtained. Land ownership records will be included in the updated resettlement plan.

32. Municipal land is available at Sidhanath Tole, ward no: 8 of Bhimdutta Municipality. The Bhimdutta Municipality agreed to provide the land and has granted a letter of consent for the use of land, immediately after the WUSC gets a Registration Certificate.

33. However, the municipal land identified is being used by a temple, which is within the compound. At such compound, there is an existing temple and a shed (a simple corrugated galvanised iron sheet roofed structure of 12.0 x 2.5 x 3.0 m and cement floor) that is used by locals for spiritual gathering and hymns. The public shed, which is a structure without walls, is also used once in a while by people from the mountainous regions as stopover for 1-2 nights when they travel through the area. There are no permanent residents.

34. While the existing temple will not be affected due to the construction work, the public shed needs to be dismantled in the course of project structure construction. The shed will be replaced by building a community hall near the project structure with a separate access. Land for the community hall (building) is available within the compound of the municipality land so no additional private land is needed. Land is also free of informal users or encroachers, no other settlement will be adversely affected nor will there be a need of physical displacement.

35. Dismantling of the public shed without restoration or interim solution will not be allowed. Thus, the PMO will consider two options: (i) dismantling the public shed only after the completion of the new community hall, or (ii) building a temporary shed while the construction of the new community hall is ongoing. This will ensure that the community will always have a facility to use for their spiritual gatherings and hymns, and that the travelers will have a temporary stopover. For the purpose of this resettlement plan, option (ii) is considered and budgeted for.

36. Transmission main pipe lines of 4.86 km length and distribution network of 55.79 km are proposed along existing public road ROW and government vacant and unused land. Hence, no permanent involuntary resettlement impacts are anticipated due to laying of transmission mains and distribution lines. No relocation impacts or impacts on structures or temporary income loss are anticipated along alignment for water supply component of the subproject.

37. Temporary impacts of transmission and distribution network laying and house connections will be limited to temporary disturbance in access to shops and residences. The contractor will be

required to provide signs at appropriate locations indicating available alternate access routes for movement. The contractor will have to ensure access to shops and residences using simple wooden walkways where required and limit the excavation to 50 m at a time to minimize disruption. No road closures are anticipated during construction; contractor to undertake construction on one side of the road first and on completion of the same start work on the other side to minimize impact on traffic. Provision of house connections may cause temporary disruptions in access to residences during construction. The contractor will be required to maintain access. Construction contracts will include the above provisions.

38. The following mitigation measures are proposed to avoid and/or reduce the impacts to the shops/business and residents during linear works: (i) provision of advance notice to the community, (ii) conducting awareness campaigns, (iii) maintaining access by providing planks and leaving spaces to avoid disturbance to residents and shop keepers, (iv) managing traffic flows as per the traffic management plan prepared by the contractor in coordination with local authorities and communities, (v) limiting the amount of time of open trenches, (vi) placing telephone hotlines in signs on visible areas, (vii) making the community fully aware of the grievance redress mechanism, and (viii) providing contact information of the WUSC, regional design supervision and management consultant (RDSMC), and RPMO offices.

39. Available documents regarding land and photographs of the proposed sites for water supply facilities are appendixes to this resettlement plan (Appendixes 2 and 3). The details of land availability and ownership of proposed sites for the subproject are given in Table 8.

**Table 8: Proposed Subproject Components and Their Resettlement and Indigenous Peoples Impact Status**

S.N.	Component	Capacity / Length	Land required	Involuntary Resettlement Impacts	Indigenous Peoples Impacts	Remarks/Proposed Mitigation Measure
1.	Tube well-I (including Generator / Operator house); Treatment Plant; Overhead Tank [OHT]; Office Building	Tube wells: 2 nos.x 20.12 lps; 1 RCC overhead tank 450 cubic meters (m <sup>3</sup> ) capacity;	1,790.06 square meters (m <sup>2</sup> )	<p>All the structures are proposed on single site at Sidhanath tole near Thapachouraha. The land is public land. Few small trees and bushes are found around the site. There is a temple which will not be affected due to construction work.</p> <p>Although, the land is public and owned by the Municipality, the likely impact on the community people for gatherings and social functions inside of the temple premises and a corrugated galvanised iron (CGI) sheet roofed RCC floored shed to be dismantled because of the proposed water supply system. There is also potential tree loss due to the construction of structures.</p>	None	In compensation of the impact, the project is building a community hall for the purpose of public meetings, social functions and service for temple pilgrims. A compound wall will also be constructed for the temple and community hall buildings.
2	Deep tube well at Kajarkhola in ward no. 10	Deep tube well	1 kattha (335 m <sup>2</sup> )	No structures at the barren land nearby a stream. Vacant and unused government land. No involuntary resettlement impacts are anticipated.	None	Government land; Bhimdutta Municipality has given written consent to water users' and sanitation committee (WUSC) to use the land
3	Deep tube well at Sakarsal Khola in ward no. 6	Deep tube well	1 kattha (335 m <sup>2</sup> )	No structures are present at the vacant and unused government land. No	None	Government land; Bhimdutta Municipality has given written consent to WUSC to use the land

S.N.	Component	Capacity / Length	Land required	Involuntary Resettlement Impacts	Indigenous Peoples Impacts	Remarks/Proposed Mitigation Measure
				involuntary resettlement impacts are anticipated.		
4.	Transmission Mains for the Subproject and Distribution lines	Total 4.865 kilometer (km) Transmission  Total length 52.904 km Distribution  (Ductile iron pipes and high-density polyethylene [HDPE] pipes ranging from 40 mm of 10 kilogram-force to 200 mm are used)		There is potential tree loss due to the laying of pipes.	None	Temporary impacts of transmission and distribution network laying and house connections will be limited to temporary disturbance in access to shops and residences. The contractor will be required to provide signs at appropriate locations indicating available alternate access routes for movement. The contractor will have to ensure access to shops and residences using simple wooden walkways where required and limit the excavation to 50 m at a time to minimize disruption. No road closures are anticipated during construction; contractor to undertake construction on one side of the road first and on completion of the works start same on the other side to minimize impact on traffic. Provision of house connections may cause temporary disruptions in access to residences during construction. The contractor will be required to maintain access. Construction contracts will include the above provisions.

Note: Adequate land is available at each of the proposed sites and permission is obtained from the municipality for its use for the water supply subproject.

40. A few small trees and bushes were observed at some of the subproject sites. In case any of these trees are affected by the construction of structures and laying of pipes, compensation will be paid based on the provisions in the Entitlement Matrix. New trees will also be planted around the new community hall to replace any loss of trees planted by the community at the site.

#### A. Indigenous Peoples

41. The proposed project service area is heterogeneous in terms of ethnicity and comprises multi caste/ ethnic groups. Each caste and ethnic group is characterized by its own customs, traditions, culture and nature of occupation with which they are associated. Brahmin and Chhettri, comprising 75.7 percent (%) of total families, are the most commonly found caste group in the service area. Dalits are the next major group with 23.8%, followed by Janajati which constitutes about 0.4% (Table 9).

**Table 9: Caste / Ethnicity**

Ethnicity	Bhimdutta Ward No			Total	Percent (%)
	6	8	10		
Brahmin/Chettri	72	130	1011	1213	75.7
Janajati		1	6	7	0.4
Dalit	39	11	332	382	23.8
Other			1	1	0.1
Total	111	142	1350	1603	100.0

Source: Socio-economic Survey, December 2017.

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

43. The impacts on people belonging to janajati category (who are not assessed as indigenous peoples per SPS definition in the subproject area) will be positive, increasing the access to drinking water and sanitation facilities rather than adverse impacts. No physical displacement and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) of people belonging to janajati category is anticipated as a result of the subproject. Hence, separate Indigenous Peoples Plan is not required for this subproject.

44. In summary, public land is available at the three locations, hence, no private land will be acquired for the subproject. Bhimdutta Municipality agreed to provide such public land to WUSC and letter of consent for use of land issued by municipality. The subproject will not have any significant impact. One public shed used for community gathering will be dismantled but it will be replaced by a community hall that will be built nearby. Some low magnitude site specific impacts during pipe laying period such as limited accessibility to houses and shops are possible but these will be avoided through provision of wooden walkways and other measures in the EMP. No physical displacement and economic displacement is expected.

### III. SOCIOECONOMIC INFORMATION AND PROFILE

45. The proposed subproject covers Ward nos. 6, 8 and 10 of Bhimdutta Municipality (former Mahendranagar Municipality). Major settlements/ tole of the service area as well as Ward wise household and population are shown in table below. The proposed service area accommodates a total population of about 9,178.

**Table 10: Major Settlements, Households and Total Population by Ward**

Municipality	Ward No	Cluster / Settlements	Households	Population		
				Permanent	Rental (Floating)	Total
Bhimdutta	6	Baijanath, Bhumi Raj Tole, Banagau, Purnima Tole	111	710	32	742
	8	Sidhanath, Bhanu, Jyoti	142	880	5	885
	10	Adarsha Tole, Amarjyoti Tole, Badimalika Tole, Basanta Tole, Baijanath Tole, Danu Baba Tole, Divya Jyoti Tole, Gadda Chauki Tole, Gajar, Gyanu Baba Tole, Gauri Shankar, Gorakhnath, Jay Jagarnath, Jimuwa, Mahalaxmi Tole, Maheshori, Malikarjun Tole, Mankamana Tole, Nagarjune, Pashupati Tole, Pragati Tole, Purnagiri, Sangam Tole, Shanti Tole, Sarswati Tole, Shiva Tole, Sidhanath Tole, Sidheshori Tole, Sukasal, Tintara, Bijaya Tole	1,350	7,588	95	7,683
Total			1,603	9,178	132	9,310

Source: Socio-economic Survey, December 2017.

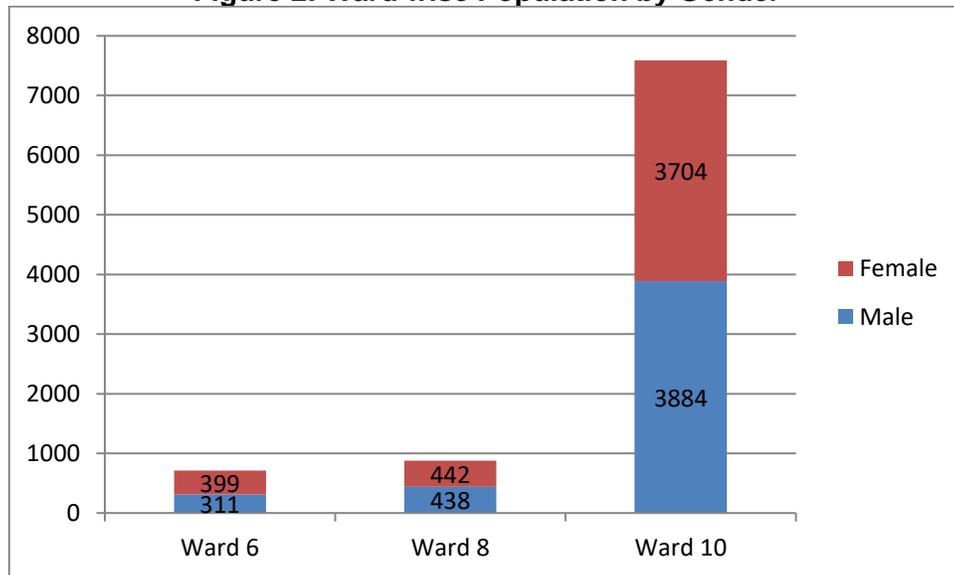
46. There are total 1603 households (permanent residents) in the project service area with an average household size of 5.7, which is higher than national average (4.8 CBS census 2011). The distribution of households by ward is presented in Table 11, which reveals that Ward no. 10 is densely populated as compared to other Wards. Among the total permanent population 9178) in the service area, 4633 are male and 4545 are female. Male (50.48%) and female (49.52%) are nearly in equal ratio. Ward wise population composition by gender is also illustrated in Figure 2.

**Table 11: Population and Household Size**

Bhimdutta Municipality	Ward No	Households	Population			Average Household Size
			Male	Female	Total	
Chakkiphanta	6	111	311	399	710	6.4
	8	142	438	442	880	6.2
	10	1,350	3,884	3,704	7,588	5.6
	Total	1,603	4,633	4,545	9,178	5.7
	Percentage (%)			50.48	49.52	

Source: Socio-economic Survey, December 2017.

**Figure 2: Ward wise Population by Gender**

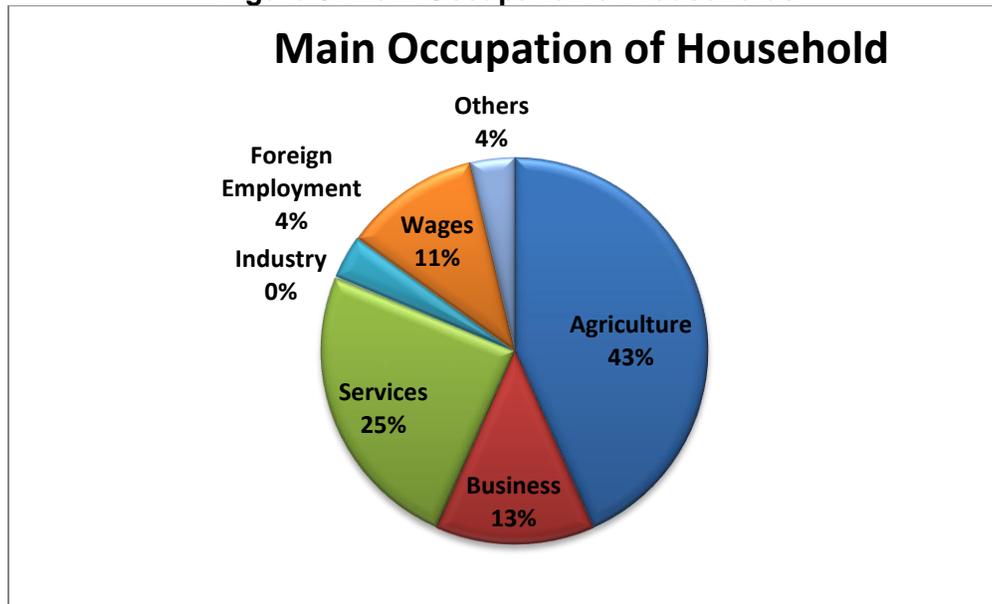


Source: Socioeconomic Survey, December 2017.

47. Although, the economy of the area is gradually shifting from rural agricultural economy to business and service based, majority of the households are still dependent on agriculture.

48. As the socio-economic data shows, nearly 43% of the households have agriculture as occupation. Service (government or private sector jobs) is another main occupation of 25% households, followed by engagement in business (13%) and wage labor (11%). The% of households by occupation is illustrated in Figure 3.

**Figure 3: Main Occupation of Households**



Source: Socio-economic Survey, December 2017.

**Table 11: Main Occupation of Household**

S. No.	Occupation	Ward No			Total	Percent (%)
		6	8	10		
1	Agriculture	63	108	524	695	43.4
2	Business	5	13	195	213	13.3
3	Services	1	15	377	393	24.5
4	Industry		2		2	0.1
5	Foreign Employment	3		55	58	3.6
6	Wages	4	3	175	182	11.4
7	Others	35	1	24	60	3.7
	Total	111	142	1350	1603	100.0

Source: Socioeconomic Survey, December 2017.

49. In ward no. 8 where the water supply structures are being built and where the temple compound is located, there is a total of 880 people belonging to 142 households who are permanent residents. About 92% of such population (130 households) is Brahmin/ Chhetri; only one household is Janajati and 11 households are Dalits. The main users of the temple are the people of ward no. 8 but many people from other wards and places also visit the temple for worshipping and other religious purposes.

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

50. Prior to the field visit and public consultation, desk review was carried out for better understanding of the subproject. Relevant reports and documents available at PMO/DWSS, regional project management office (RPMO), WUSC office and reports prepared by regional design, supervision and management consultant (RDSMC) were reviewed in order to assess the land requirement and level of likely impacts. The main reports and documents reviewed include: (i) Detailed Engineering Design Report, (ii) socioeconomic profile prepared by RPMO, and (iii) WUSC minutes and documents. Following the desk review, field visits and consultations were undertaken.

##### **A. Field visits**

51. Many field visits were done since November 2017 immediately after agreement was made between the PMO and consultant for the consulting services. Direct observation and interaction with local people was carried out during field visit. The details of the field visits including exact date, location, participants and topic discussed are included in Table 12 and few photographs are in Appendix 3.

##### **B. Public Consultation**

52. Consultations with key stakeholders were carried out in line with ADB's requirements related to environment and social considerations. During the consultation key concerns of people related to the project were discussed.

53. During field visits to all proposed sites and pipeline alignments, potential impacts and mitigation measures were assessed and discussed with stakeholders. The consultations helped to identify the needs/concerns and priorities of the stakeholders.

54. Consultation and meetings were held among the WUSC, local community and different stakeholders from subproject preparation i.e. inception phase to date at different stages to disseminate wide range of project information and to discuss and identify likely issues, problems/constraints and prospects and feedback from the participants. The consultations

conducted so far were mainly covering information dissemination about the subproject and its scope, cost sharing modality, likely positive and adverse impacts, requirement of land, procedures of compensation valuation and payment of compensation, grievance redress mechanism, and local demand.

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

**Table 12: Summary of Consultations**

S.N.	Date	Location	No. of Participants	Participants	Topics Discussed	Issues Raised
1	15 May 2018	Thapachaur, Chakkiphanta	9	Male:6 Female:3 Total:9 Brahman/ Chhetri:7 Janajati: Dalit:2	- Land (1790 sqm.) available from Municipality for the project purpose - Existing shed demolition and replace by community hall within the temple premises for the same purpose - Separate compound wall for the project structure area and temple area	As a public shed used for spiritual gathering and hymns will be dismantled, the community has requested to replace the shed with a community hall within the temple compound and a boundary wall for the protection of temple property.
2	25 Jan 2018	Thapachaur, Chakkiphanta	20	Male:18 Female:2 Total:20 Brahman/ Chhetri:14 Janajati:3 Dalit:3	-Project information dissemination - WUSC registration - Land acquisition process and social safeguard.	
3	5 December 2017	Thapachaur, Chakkiphanta	90	Male:61 Female:29 Total:90 Brahman/ Chhetri:82 Janajati: Dalit:9	Decided and made consensus that Shree Siddhanath Baijanath water users' and sanitation committee (WUSC) request to make a boundary wall to protect the available public land in the premises of temple as well as in the form of replacement of the existing shed, request to build new building within the premise of temple for the public use.	
4	28 Nov 2017 (2074/08/12 BS)	Thapachauraha, Chakkiphanta	22	Male: 20 Female: 2 Total: 22 Brahmin/ Chhetri: 16 Janajati: 3 Dalit: 3	- Project information dissemination - WUSC registration - Conducting socio-economic and engineering survey -Appointment of enumerator - Providing land for the project component	

<b>S.N.</b>	<b>Date</b>	<b>Location</b>	<b>No. of Participants</b>	<b>Participants</b>	<b>Topics Discussed</b>	<b>Issues Raised</b>
5	25 March 2018	Sahakari Building, Chakkiphanta	93	Male: 57 Female: 36 Total: 93 Brahmin/ Chheteri: 78 Dalit: 4 Janajati:2 Others: 9	1. Regarding socioeconomic and detail engineering design presentation 2. Regarding upfront cash (5%) collection 3. Regarding acquisition of land 4.Regaring having 15% contribution from municipality in sanitation part	

56. A WUSC meeting held on 15 May 2018 assured the availability of land within Temple premises for the project. According to the WUSC, there is no responsible temple user committee, thus, the ward office itself is responsible for the Shree Shiddhanath Baijanath temple at Bhanutol-8 of Bhimdutta Municipality. The existing land is owned by the government of Nepal. Certain parts of the land of the temple has been sanctioned for the water supply project. Within the sanctioned part of the temple compound, a shed exists which has been used by locals for spiritual gathering and hymn. They have requested to replace the hut/ shed with a community hall within the temple compound as well as support to build a boundary wall for the protection of temple property.

### **C. Information Disclosure**

57. To provide for more transparency in planning and for further active involvement of displaced persons and other stakeholders, project information will be disseminated through disclosure of the translated versions of the summary of resettlement plan in Nepali as well as English. The information will also be made available at public places including the offices of WUSC, Water Supply and Sanitation Division Office (WSSDO), RPMO and PMO offices. Project signboards shall be put up at strategic locations in the project area. A copy of the Resettlement Plan will be disclosed on the ADB and PMO/DWSS websites, and will also be available from the PMO on request.

## **V. GRIEVANCE REDRESS MECHANISM**

58. The purpose of the Grievance Redress Mechanism is for satisfactory resolution of complaints on the social and environmental performance of the subprojects under the UWSSP. The mechanism, developed in consultation with key stakeholders, will ensure that: (i) the basic rights and interests of every person adversely affected by the social and environmental performance of a subproject are protected; and (ii) their concerns are effectively and timely addressed.

59. A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate and facilitate resolution of affected persons' concerns, complaints, and grievances related to social, environmental and other concerns on the project. Grievances may be channeled through letters, emails, text messages (SMS), verbal narration, grievance box and registers. The GRM will aim to provide a time-bound and transparent mechanism to resolve such concerns.

60. A common GRM will be in place for social, environmental or any other grievances related to the project. The GRM will provide an accessible forum for receiving and facilitating resolution of affected persons' grievances related to the project. Project will publish the sample grievance registration form on its website, and publish it in local language and/or indigenous peoples dialect, at the hoarding board of each of the participating WUA or municipalities' office. Every grievance shall be registered with careful documentation of process adopted for each of the grievance handled, as explained below. The environmental and social safeguards officer (ESO/SSO) at the project management office (PMO) will have the overall responsibility for timely grievance redress on environmental and social safeguards issues. The social safeguards officer at the regional project management office (RPMO) will be the focal person for facilitating the grievance redress at the local level.

61. A municipal-level public awareness campaign will be conducted on a regular basis as per the communication strategy of the project to ensure awareness on the project and its GRM. The social and environmental safeguards experts of the project management and quality assurance consultant (PMQAC) and RDSMCs will support the WUA or municipalities in conducting municipality-wide awareness campaigns, which will ensure that all stakeholders including poor and vulnerable are aware of the GRM and project's entitlements.

62. A grievance redress committee (GRC) will be formed at the Municipality level, comprising the Mayor as Chairperson of GRC, and Regional Project Manager RPMO as Secretary. The GRC members will comprise of (i) WUSC Secretary; (ii) RPMO Engineer; (iii) RPMO social/environmental (as relevant) officer, (iv) representative of affected persons, (v) RDSMC's safeguards specialist (social/environment as relevant), (vi) a representative of reputable and relevant CBO/SHG/organization working in the project area as invitee,<sup>9</sup> and (vii) contractor's representative. The secretary of the GRC will be responsible for convening timely meetings and maintaining minutes of meetings. The concerned social safeguards expert of RDSMC will support the RPMO safeguard's officer and Project Manager of RPMO to ensure that grievances, including those of the poor and vulnerable are addressed. All GRCs shall have at least two women committee members. Along with representatives of the APs, civil society and eminent citizens can be invited as observers in GRC meetings.

63. The functions of the local GRC are as follows: (i) provide support to affected persons on problems arising from environmental or social disruption; asset acquisition (if necessary); and eligibility for entitlements, compensation and assistance; (ii) record grievances of APs, categorize and prioritize them and provide solutions within 15 days of receipt of complaint by WUA or local bodies; and (iii) ensure feedback to the aggrieved parties about developments regarding their grievances and decisions of the GRC. The GRM procedure is depicted in Figure 4, and is outlined below in detail, with each step having time-bound schedules and responsible persons to address grievances and indicating appropriate persons whose advice is to be sought at each stage, as required:

- (i) **First Level of GRM (WUA level):** The first-level, which is also the most accessible and immediate venue for quick resolution of grievances will be the contractors, RDSMC field engineers and RPMO supervision personnel, who will immediately inform the WUA. Any person with a grievance related to the project works can contact the Project to file a complaint. The municipal-level field office of the RPMO, in WUA's building, will document the complaint within 24 hours of receipt of complaint in the field, and WUA or local bodies will immediately address and resolve the issue at field-level with the contractor, supervision personnel of RPMO and RDSMC field engineers within 5 days of receipt of a complaint/grievance. The assigned RDSMC's Social Mobilizer will be responsible to fully document: (a) name of the person, (b) date of complaint received, (c) nature of complaint, (d) location and (e) how the complaint was resolved as well as to provide feedback to the complainant. If the complaint remains unresolved at the local level within 5 days, the WUA will forward the complaint to the municipality level GRM.
- (ii) **Second Level of GRM (Municipality level):** The complainant will be notified by the WUA that the grievance is forwarded to the Municipality-level GRC. The M level GRC will be called for a meeting, called and chaired by the Mayor. The GRC will recommend corrective measures at the field level and assign clear responsibilities for implementing its decision within 10 days of receipt of complaint by WUA. If the grievance remains unresolved within 10 days of receipt of complaint by WUA, the matter will be referred to the third level. The RPMO Engineer will be responsible for processing and placing all papers before the GRC, recording decisions, issuing minutes of the meetings, providing feedback to complainants and taking follow up actions so that formal orders are issued and decisions are carried out.
- (iii) **Third Level of GRM (PMO Level):** Any unresolved or major issues at Municipality level will be referred to the PMO for final solution. The PMO's Project Director will

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<sup>9</sup> If the complaints are related with IP/Dalits/other vulnerable groups, specific NGO/CBO that actively involved in development of these communities should be involved.

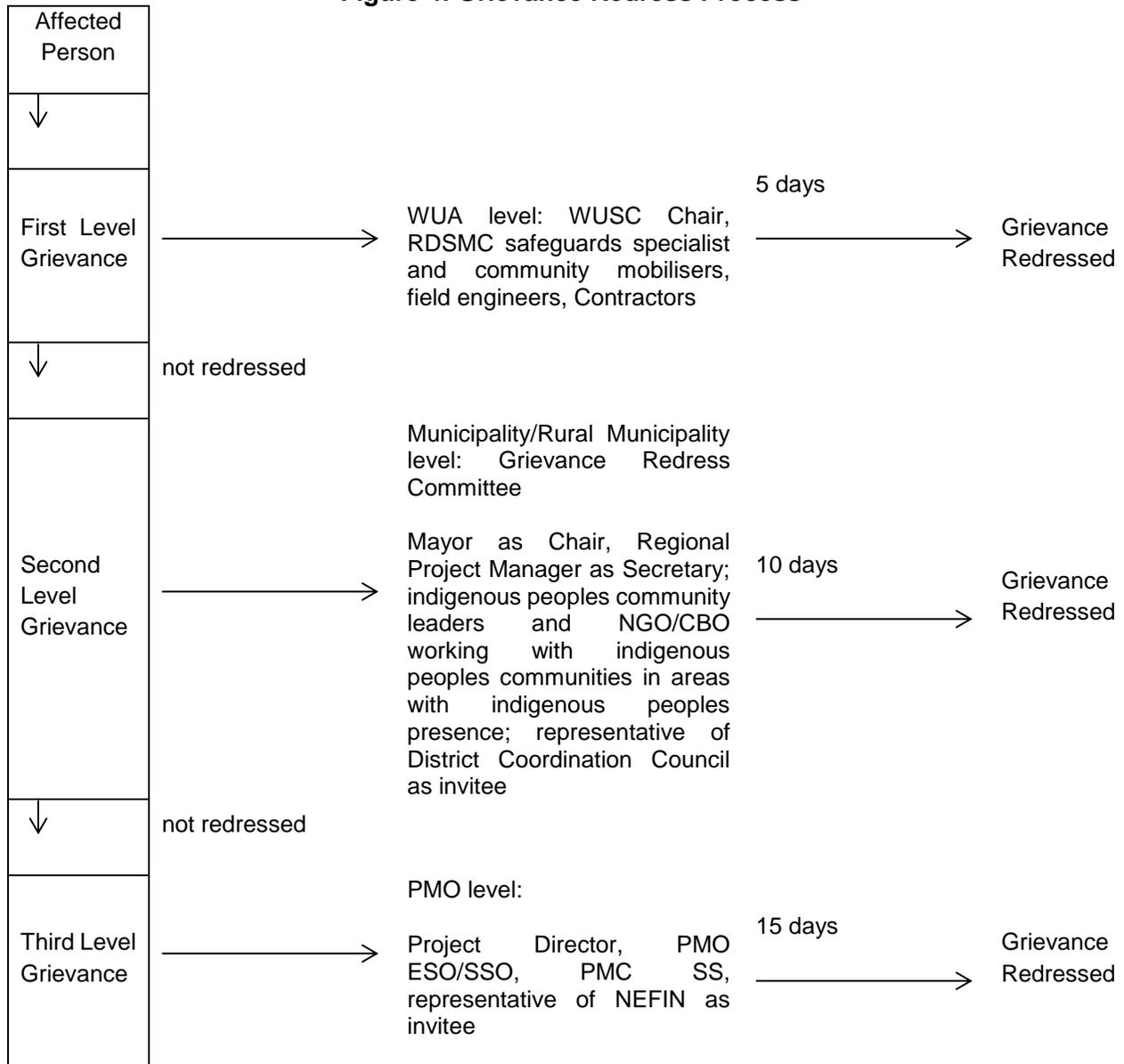
have special meeting to find solutions. Decision has to be made within 15 days of receipt of complaint by WUA. The project director will sign off on all grievances received by the PMO. The concerned Deputy Project Director (DPD) and environmental and social safeguards officers (ESO and SSO) of PMO will be involved with support from the PMQAC's social/environment safeguards experts. The SSO will be responsible to convey the final decision to the complainant.

64. All paperwork (details of grievances) needs to be completed by the WUA member secretary and circulated to the WUA Chairperson and members. At Municipality level, the Municipality SDO will be responsible for circulation of grievances to the Regional Project Manager, DWSS and other GRC members, prior to the scheduled meetings. The RPMO's Engineer will be responsible for follow-through of all escalated grievances. All decisions taken by the GRC will be communicated to the affected persons by the RPMO's SSO.

65. Despite the project GRM, an aggrieved person shall have access to the country's legal system at any stage and accessing the country's legal system can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

66. In the event that the established GRM is not in a position to resolve the issue, the affected person also can use ADB's Accountability Mechanism through directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters or the ADB Nepal Resident Mission. The complaint can be submitted in any of the official languages of ADB's developing member countries (DMCs). The ADB's Accountability Mechanism information will be included in the Project Information Datasheet (PID), to be published in web and distributed to the affected communities, as part of the project GRM.

**Figure 4: Grievance Redress Process**



ESO = environmental safeguards officer, NEFIN = Nepal Federation of Indigenous Nationalities NGO = nongovernmental organization, RDSMC = regional design, supervision and management consultant, SSO = social safeguards officer, GPMC = project management consultant; PMO = project management office, WUA = water users' association, WUSC = water users' and sanitation committee.

67. **Record keeping and disclosure.** Records at the municipal-level will be kept by the concerned WUA or local bodies member secretary, of all grievances received, including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date of the incident and final outcome. The number of grievances recorded and resolved and the outcomes will be displayed/disclosed in the PMO office, WUA, and on the web, as well as reported in the safeguards monitoring reports submitted to ADB on a semi-annual basis. For any grievance escalated to RPMO/ Municipality level, the RPMO's Engineer assigned as GRM focal person will be responsible for record-keeping, calling of GRC meetings and timely sharing of information with WUA or municipalities. For grievances escalated to PMO and above, the PMO's

SSO will be responsible for maintenance of records, sending copies to RPMO and WUA for timely sharing of information with the person filing complaint.

68. **Periodic Review and Documentation of Lessons Learned.** The PMO's SSO will periodically review the functioning of the GRM at municipality or WUA level and field level and record information on the effectiveness of the mechanism, especially on the project's ability to prevent and address grievances. Indicators pertaining to grievance redress (no. of grievances received, no. redressed/resolved to be reported by Member Secretary, WUA to RPMO SDO, and by RPMO to PMO SSO) in monthly and quarterly progress reports.

69. **Costs.** All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) at local (field/ward/municipal) level will be borne by the concerned focal organizations at each level: WUA at local level, and municipality at municipal level; and PMO at central level. Cost estimates for grievance redress are included in resettlement cost estimates.

## VI. LEGAL FRAMEWORK

70. This resettlement plan is prepared based on applicable legal and policy frameworks of the government, namely the Land Acquisition Act (LAA), 1977 and its subsequent amendment in 1993 and ADB's Safeguards Policy Statement (SPS), 2009. The Resettlement Framework for the UWSSP specifies that in case of discrepancy between the policies of ADB and the government, ADB policy will prevail.

71. **ADB Safeguards Policy Statement (2009).** The three important elements of ADB's SPS, 2009 are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same standard of living with the project as without it. In addition, the absence of legal title to land should not be a bar to compensation. ADB SPS requires compensation prior to actual loss. In cases where the contractors know which streets will be closed and for how long, compensation is to be paid out to the affected businesses prior to construction.

72. **Government of Nepal Laws and Policies.** LAA does not cover non-titleholders, such as encroachers, informal settler/squatters, occupiers, and informal tenants and leaseholders without documents. LAA also does not provide for replacement cost of the property acquired and has no provision for resettlement assistance for restoration of livelihoods of displaced persons, except for legal compensation for land and structures. Gaps between national law and ADB's SPS were identified, and bridging measures included in the entitlement matrix for the project. ADB's SPS applies to all ADB-financed and/or ADB-administered sovereign projects and their components, regardless of the source of financing, including investment projects funded by a loan, a grant, or other means. The resettlement plan and Entitlement Matrix therein represents a uniform document agreed upon by both the Government of Nepal and ADB to ensure compliance with their respective rules and policies. Appendix 4 provides a comparison of government and ADB SPS policy principles and provides a gap analysis.

73. The resettlement plan has the following specific principles based on the government provisions and ADB policy:

- (i) The land acquisition and resettlement impacts on persons displaced by the project would be avoided or minimized as much as possible through alternate design/engineering options.

- (ii) Where the negative impacts are unavoidable, the persons displaced by the project and vulnerable groups will be identified and assisted in improving or regaining their standard of living.
- (iii) Information related to the preparation and implementation of resettlement plan will be disclosed to all stakeholders, and people's participation will be ensured in planning and implementation. The resettlement plan will be disclosed to the DPs in local language.
- (iv) The displaced persons who do not own land or other properties, but have economic interests or lose their livelihoods, will be assisted as per the broad principles described in the entitlement matrix of this document.
- (v) Before starting civil works, compensation and resettlement and rehabilitation (R&R) assistance will be paid in full in accordance with the provisions described in this document.
- (vi) An entitlement matrix for different categories of people displaced by the project has been prepared. People moving into the project area after the cut-off date will not be entitled to any assistance.
- (vii) For non-titleholders such as informal settlers/squatters and encroachers, the date of completion of survey during detailed design will be the cut-off date, which will be declared by the Executing Agency.
- (viii) Appropriate grievance redress mechanisms will be established to ensure speedy resolution of disputes.
- (ix) All activities related to resettlement planning, implementation, and monitoring will ensure the involvement of women and other vulnerable groups.
- (x) Consultations with the affected persons will continue during the implementation of resettlement and rehabilitation works.
- (xi) There should be a clause in the contract agreement that the construction contractor will ensure access to shops and residences and compensate any loss or damage in connection with collection and transportation of borrow materials.

74. In accordance with the entitlement matrix for the project, all displaced households, persons and groups will be entitled to a combination of compensation packages and resettlement assistance, depending on the nature of ownership rights on lost assets, scope of the impacts including socioeconomic vulnerability of the displaced persons, and measures to support livelihood restoration if livelihood impacts are envisaged. The displaced persons and groups will be entitled to (i) compensation for loss of land at the replacement cost; (ii) compensation for loss of structures (residential/commercial) and other immovable assets at their replacement cost (without counting the depreciation value); (iii) compensation for loss of business/wage income; (iv) assistance for shifting of structure; (v) rebuilding and/or restoration of community resources/facilities; (vi) livelihood/ transitional cash assistance for six months for all physically displaced persons at official minimum wage of the appropriate affected persons' occupation for each head of the affected family.

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

75. Except for the loss of the community shed and possible loss of trees, no permanent loss of residential/commercial structures; loss of business; loss of work days/incomes, and relocation of households and businesses; loss of rental premises; and loss of access to premises for residence and trading are expected under the subproject.

76. A community hall will be built within the temple compound as a replacement for the community shed that will be lost. In case of loss of crops, cash compensation will be paid at current market rate that is proportionate to the size of the lost plot for one year's future harvests, based on

crop/fish stocks type and highest average yield over the past three years. Residual harvest can be taken away without any deduction. Cash compensation will be paid for loss of perennial trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity, or (ii) multiplied, for mature crop-bearing trees, by 5 years average crops plus cost of purchase of grafted/tissue cultured plant and required inputs to replace trees. With respect timber trees, cash compensation will be paid at current market rate of timber value of species at current volume, plus cost of purchase of seedlings/sapling and required inputs to replace trees.

77. If any other unanticipated impact will result from the subproject activities, entitlements will be determined in accordance with the Involuntary Resettlement safeguards requirements of the ADB SPS and the project resettlement framework.

**Table 13: Entitlement Matrix**

Type of Loss	Specification	Eligibility	Entitlements
<b>3. Income Restoration</b>			
Trees	Affected trees	Cultivator	<ul style="list-style-type: none"> <li>Cash compensation for perennial crop trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity, or (ii) multiplied, for mature crop-bearing trees, by 5 years average crops (the grafted/tissue cultured plant usually starts fruiting within 2-3 years), plus cost of purchase of grafted/tissue cultured plant and required inputs to replace trees</li> <li>Cash compensation for timber trees at current market rate of timber value of species at current volume, plus cost of purchase of seedlings/sapling and required inputs to replace trees</li> </ul>
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> <li>Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share</li> </ul>
<b>4. Common Resources, Public Services and Facilities</b>			
Loss of common resources, public services and facilities	Footbridges, roads, footpaths, culverts, places of worship, educational institutions, common water points/connections, public/community toilets, community spaces, playgrounds etc.	Service provider	<p>Full restoration at original site or reestablishment at relocation site of lost common resources, public services and facilities, including replacement of related land and relocation of structures according to provisions under Sections 1 and 2 of this entitlement matrix; and one-time grant fund for the CPR committee and management</p> <p>OR;</p> <p>Construction of additional community facilities and restoration of existing facilities in the original site/remaining part of site.</p>
<b>5. Special Provisions</b>			
Other impacts	Unanticipated impacts and negotiated changes to entitlements	All affected persons	<p>To be determined in accordance with the Involuntary Resettlement safeguards requirements of the ADB SPS and project resettlement framework</p> <p>Project Resettlement Plan to be updated and disclosed on ADB website</p> <p>Standards of the entitlement matrix of the Resettlement Plan not to be lowered</p>

Note: Additional grants for livelihood support/income generating activities is computed on the basis of similar support being provided for starting income generating activities by NGOs, SHGs and other multi-lateral aided projects in Nepal. All entitlements in NRs will be adjusted for inflation till the year of compensation payment.

### VIII. RESETTLEMENT BUDGET AND FINANCING PLAN

78. The resettlement cost estimated includes the cost of building a community hall and of dismantling the public shed inside the proposed site of water supply structures as well as cost for consultation, communication and grievance redress. These costs are included in overall project costs and the remaining cost will be borne by WUSC and counterpart funds, as indicated item-wise in Table 14.

79. Land for the community hall is available within the compound of municipality land so no private land needs to be acquired. The available land belongs to municipality. However, to avoid any disturbance, the municipality land would be divided into two separate compounds: one for WUSC where they can execute their work without any issue and another where the new community hall will be built. The community hall building will be the asset of temple and WUSC for their official and religious use. The estimated cost of the new building is NRs2,812,039.46.

80. Other costs such as safeguards training cost for personnel of PMO/RPMO, DWSSDO, field staff and supervisors of Contractor, and contingencies to cover damages to government /private property will be under separate project cost.

**Table 14: Provisional Resettlement Cost for Tumtadi Siddhanath Baijanath Subproject**

S. No.	Item	Unit	Rate per Unit (NRe)	Quantity	Cost (NRs)	Remarks
A	Compensation					
1	Cost for building Community Hall	No.		1	28,12,039	Included in the project cost. Estimates provided by project engineer. Cost of new hall estimated to be higher than market price of existing shed.
2	Cost for dismantling public shed (12x 3 x 2.75 m)			1	25,000	Included in the project cost. Estimates provided by project engineer.
3	Provisional sum for loss of trees	LS			75,000	Extent of loss will be confirmed based on DMS.
4	Provisional amount for construction of temporary shed	LS			1,00,000	
5	Consultation, communication and grievance redress	LS			100,000	Counterpart funds
6	Contingency (10% of sub-total)				311,204	
				Total (NRs)	34,23,243	

### IX. INSTITUTIONAL ARRANGEMENTS

81. **Executing agencies and Implementing Agencies.** The Ministry of Water Supply (MOWS) is the executing agency and the Department of Water Supply and Sewerage (DWSS) the implementing agency. The project management office (PMO) established under ongoing Third Small Towns Water Supply and Sanitation Sector Project (footnote 1) will be responsible for the overall management, implementation and monitoring of the project. There will be regional PMOs

(RPMOs) to manage day-to-day project implementation at the subproject/municipality level. The PMO will be assisted by PMQAC. The participating municipalities and WUAs will be supported by the regional design supervision and management consultants (RDSMCs) social safeguards specialist and RDSMC social mobilizer. At the local level, WUSCs as the executive body of the WUAs will work closely with the RDSMC for resettlement plan preparation or updating and implementation.

82. DWSS will have overall responsibility for resettlement activity under the Project, which includes ensuring compensation paid to all affected persons prior to the award of civil contracts. Actual responsibilities for safeguards will lie in the project management office (PMO) within DWSS to manage and ensure resettlement plan implementation.

83. **Project Management Office.** The PMO is staffed with a social development officer as involuntary resettlement safeguards officer (IRSO) who will receive support from Social Development and Safeguards Specialist (SDSS) of the PMQAC as well as the Social Safeguards Specialist (SSS) of the regional design and supervision consultants (RDSMC). Key tasks and responsibilities of the PMO IRSO on Involuntary Resettlement safeguards are as follows:

- (i) ensure that the resettlement framework provisions are adhered to and the resettlement plans are updated based on detailed designs, and that new resettlement plans or DDRs, as required, are prepared in accordance with the resettlement framework and government policies;
- (ii) review, approve, resettlement plans or DDRs for new subprojects with support from the social safeguards expert of PMC;
- (iii) provide oversight on social safeguards policy compliance of subprojects and ensure timely implementation of resettlement plans by regional project management offices (Eastern, Central, and Western RPMO) prior to the start of civil works;
- (iv) supervise and provide guidance to the RPMOs to properly carry out the monitoring and assessments as per the Resettlement Framework;
- (v) consolidate quarterly social monitoring reports from RPMOs and submit semi-annual monitoring reports to ADB. The monitoring reports should record the progress of resettlement activities and any compliance issues, grievances, corrective actions taken, follow-up actions required and status of compliance with relevant loan covenants.
- (vi) ensure timely disclosure of final resettlement plans in project locations and in a form accessible to the public; and
- (vii) ensure any grievances brought about through the GRM are addressed in a timely manner.

84. **Regional Project Management Office (3).** Three Regional Offices of DWSS (East, West and Centre, of which the RPMO-Centre will be located within the PMO) will be the regional Project offices, which will carry out procurement and contract management with support from PMO. The RPMOs will depute required supervision personnel in the municipalities, who will be supported by the regional design, supervision and management consultants (RDSMC) field engineers. The social and indigenous peoples development officer appointed and deputed by DWSS to the RPMOs will receive support from; (i) the PMO social safeguards officer; and (ii) the social specialist and the social mobilizers of the RDSMC teams to carry out the following:

- (i) review, update prepared draft resettlement plans/IPPs upon completion of detail design;
- (ii) screen impacts and prepare new resettlement plans and IPPs in accordance with resettlement framework/IPPF and government rules;

- (iii) engage in ongoing meaningful consultations with stakeholders and affected persons particularly through implementation of the consultation and participation;
- (iv) ensure provision of timely payments to the affected persons by the WUA before displacement/impact occurs in project sites ready for construction;
- (v) oversee implementation of resettlement plans and/or IPPs by WUAs;
- (vi) advise and take corrective actions when necessary to minimize/avoid social safeguards impacts;
- (vii) submit monthly social safeguards monitoring reports to PMO;
- (viii) assist in establishment of grievance redress committee (GRC) at Municipality level and assist in redressal of grievances brought about through the GRM in a timely manner.

85. The participating municipalities and WUAs will be supported by RDSMC social safeguards specialist and RDSMC social mobilisers. At the local level, WUSCs will work closely with the regional design and supervision consultants during design/resettlement plan preparation or updating stage, in identifying affected persons and alternative sites and reviewing the ownership status of such sites. WUSC will be responsible for procurement of suitable land for project-related works and will be supported by the municipality to obtain land. When plot owners decide to negotiate directly with WUSC, WUSC will come to mutual agreement for land/structure compensation and deliver all payments and assistance/allowances to affected persons (titled, non-titled, and vulnerable) as per the resettlement plan prior to award of civil works contract. WUSC will be responsible for resettlement plan implementation at local level. In case of any land donation or negotiated purchase, WUSC will be responsible for appointing the independent third party, as per resettlement framework. WUSC will take corrective actions when necessary to ensure avoidance/minimization of involuntary resettlement impacts. WUSC will implement the local level project awareness campaign with the assistance of RDSMC. It will disclose the project GRM to the affected communities; and address any grievances brought about through the project's Grievance Redress Mechanism in a timely manner.

86. WUSCs will involve Municipality in the dissemination of resettlement framework and resettlement plans to the public and seek any necessary support from them during resettlement plan implementation.

87. **Project Management and Quality Assurance Consultants.** The PMQAC will have a social development and safeguards specialist (SDSS). The SDSS assists the PMO to implement and manage safeguards requirements and policy compliance of the project. The SDSS will implement the capacity building program for PMO, RPMOs, project staff and contractors involved in project implementation on (i) ADB SPS (2009) and approved resettlement framework; (ii) National law on involuntary resettlement (LAA, 1982) and other relevant regulations; (iii) core labor standards; and (iv) the roles of PMO, RPMO, RDSMC and contractors on the project's GRM, public relations and on-going consultations.

88. **Regional Design, Supervision and Management Consultants.** The RDSMCs have one Social Safeguards Specialist each at the RPMOs. The DSMC SSS is supported by a team of Social Mobilizers.

89. **Civil Works Contractors.** The contractor will be required to designate a resettlement supervisor to (i) ensure compliance with resettlement plan and resettlement framework during civil works, (ii) carry out all mitigation and monitoring measures such as rebuilding of damaged structures/private property outlined in their contract, (iii) register all grievances received by the contractor's field personnel and notify the DSMC social mobiliser about the same, and (iv) resolve

minor grievances and complaints received from people in consultation with the WUSC or DSMC social mobilizer.

90. The government will ensure that bidding and contract documents include specific provisions requiring contractors to comply with all: (i) applicable labor laws and core labor standards on (a) prohibition of child labor as defined in national legislation for construction and maintenance activities; (b) equal pay for equal work of equal value regardless of gender, ethnicity or caste; and (c) elimination of forced labor; and (ii) the requirement to disseminate information on sexually transmitted diseases including HIV/AIDS to employees and local communities surrounding the project sites.

91. **Institutional Capacity Development Program.** The safeguards personnel of project consultants (SSS of PMQAC, SSS of RDSMC, SSO of PMO, SDO of RPMO), contractor's safeguards personnel and other key project related staff of PMO and RPMOs, will be oriented and trained by ADB on ADB safeguards policy and the approved project resettlement framework; resettlement plan preparation and updating process; monitoring, reporting and disclosure requirements, roles of different stakeholders in safeguards implementation and GRM, envisaged consultation and participation process, reporting and monitoring requirements, core labor standards for contractors, typical implementation issues, and lessons learnt in safeguards implementation in the first and second small towns water supply and sanitation projects. The key focus area of the training program will be ADB resettlement policy and principles and the training will focus on the differences between the provisions of the ADB policy and Government of Nepal laws, as the awareness of these differences and the need to follow the provisions of the ADB policy are critical for successful implementation of resettlement plans.

92. The SDSS of the PMQAC, assisted by RDSMC's SSS is responsible for development of a training program based on a capacity assessment of target participants (RDSMC community mobilisers, contractor(s), WUSC members), and for implementation of the training program to build capabilities on resettlement policy, planning, mitigation measures and safeguards. These will be jointly conducted by the SDSS and the RDSMC's SSS. Basic principles of resettlement planning, avoidance of involuntary resettlement impacts and minimization measures with an emphasis on protection of the poor and vulnerable, access to project information and benefits by affected persons, grievance redress process and its importance, and monitoring shall be covered in the training.

93. Typical modules will be (i) sensitization to social safeguards, gender and vulnerability issues; (ii) resettlement planning and typical issues in implementation; (iii) introduction to social safeguards policy, including ADB policy, GRM, entitlements, compensation and social safeguards monitoring requirements and mitigation measures; (iv) monitoring and reporting on resettlement plan implementation, including monitoring methods and tools; and (v) core labor standards, including equal pay for equal work, etc.

## **X. IMPLEMENTATION SCHEDULE**

94. The subproject components identified in Siddhanath Baijanath are to be implemented over a period of 2.5 years. The design stage commenced in September 2017 with the agreement between PMO and DSMC and the detailed design of the subproject is being completed in May 2018. The tender awarding is expected by July 2018. The construction period is expected to commence in first quarter of 2019 and will cover 18 months. The time bound resettlement plan implementation schedule is as shown below.

**Table 15: Time Bound Schedule for Resettlement Plan Implementation<sup>a</sup>**

S.N.	Activities	2017				2018				2019				2020			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
A	Feasibility and detailed design																
B	Safeguards document (resettlement plan) preparation and approval																
C	Repair/reconstruction of affected facilities, structures, utilities, if any, or construction of temporary facility, if required <sup>b</sup>					Immediately, in co-ordination with other departments, as required											
D	Consent for use of public land																
E	Safeguard training and capacity building																
F	Consultations and disclosure																
G	Start of civil works																
H	Internal monitoring, including surveys of affected persons on entitlements																
I	Monitoring and reporting progress																

<sup>a</sup> Implementation period is 30 months (8 months design phase and 22 months construction phase).

<sup>b</sup> Dismantling of the existing without restoration or interim solution will not be allowed.

## XI. MONITORING AND REPORTING

95. Resettlement plan implementation will be closely monitored to provide the PMO with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Monitoring will be undertaken by the PMTAC and PMO/RPMO. Monitoring will involve administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the detailed measurement survey of affected persons undertaken during project sub-preparation, and overall monitoring.

96. **Internal Monitoring.** Internal monitoring will be carried out by the PMO/RPMO with the assistance of Social Safeguards Specialist of PMTAC. Internal monitoring indicators will relate to process outputs and results, will be collected directly from the field, and will be reported monthly to the PMO to assess the resettlement plan implementation progress and adjust the work plan if necessary. Monitoring indicators include: (i) continued access to the shed/interim solution (temporary shed) until alternate building constructed; (ii) year when common property resource replaced; (iii) continued access to temple by community members/users during period of disruption; (iv) separate access to temple ensured post construction of water supply facilities; and (v) whether loss of trees compensated as per entitlement matrix, etc. The reports will be quarterly consolidated in the supervision reports for ADB.

## SOCIAL SAFEGUARDS SCREENING CHECKLIST

Country

Nepal

Subproject Name

Chakkiphanta Small Town Water Supply and Sanitation Project

Date

February 2018

### Resettlement Impact Checklist

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

Probable Resettlement Effects	Yes	No	Not Known	Remarks
Acquisition of Land				
Will there be land acquisition?		√		Nearly 1,790.06 m <sup>2</sup> of land is required for different project components such as Deep Boring, Treatment units, OHTs. The required land has been obtained by WUSC at 1 site from Bhimdutta Municipality. However, no private land needs to be acquired as an available land is municipal owned public land.
Is the site for land acquisition known?				NA
Is the ownership status and current usage of land to be acquired known?				NA
Will easement be utilized within an existing right of way (ROW)?	√			The pipe laying will be carried out along the existing government road Right of Way.
Will there be loss of shelter and residential land due to land acquisition?				NA
Will there be loss of agricultural and other productive assets due to land acquisition?				NA
Will there be losses of crops, trees, and fixed assets due to land acquisition?			√	The land is mostly barren but with some bushes/trees. Thus, there may be loss of trees. However, all efforts will be made to avoid such loss.

Probable Resettlement Effects	Yes	No	Not Known	Remarks
Will there be loss of businesses or enterprises due to land acquisition?				NA
Will there be loss of income sources and means of livelihoods due to land acquisition?				NA
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
Will people lose access to natural resources, communal facilities and services?		<input checked="" type="checkbox"/>		A public shed would have to be dismantled to make way for subproject structures. However, dismantling of the shed without restoration or interim solution will not be allowed.
If land use is changed, will it have an adverse impact on social and economic activities?			<input checked="" type="checkbox"/>	Construction of small structures on small size of public/government vacant lands will not result in change in land use, and hence adverse impact on social and economic activities are not expected.
Will access to land and resources owned communally or by the state be restricted?		<input checked="" type="checkbox"/>		Access to some portion of the temple compound will be restricted once the construction of the structures begins. The areas of the temple and community shed/hall will still be accessible though.
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Subproject? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				
If yes, approximately how many? __N/A_____				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				

## Indigenous Peoples Impact Screening Checklist

KEY CONCERNS (Please provide elaboration son the Remarks column)	YES	NO	NOT KNOWN	Remarks
Indigenous Peoples Identification				
Are there socio-cultural groups present in or use the subproject area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), z" minorities" (ethnic or national minorities), or" indigenous		<input checked="" type="checkbox"/>		The service area of the subproject is heterogeneous in terms of ethnicity/caste and culture, and no specific territory of indigenous people or socio-cultural groups is found. Most indigenous people i.e. Janajati in subproject areas are socially, economically and politically integrated

KEY CONCERNS (Please provide elaboration on the Remarks column)	YES	NO	NOT KNOWN	Remarks
communities" in the subproject area?				into the mainstream society, and considering the nature and scale of the subproject, only positive impacts on janajati households are anticipated.
Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the subproject area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?				NA
Do such groups self-identify as being part of a distinct social and cultural group?				NA
Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				NA
Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				NA
Do such groups speak a distinct language or dialect?				NA
Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?				NA
Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?				NA

#### B. Identification of Potential Impacts

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
Will the subproject directly or indirectly benefit or target Indigenous Peoples?	√			The subproject directly benefits the Indigenous Peoples i.e. Janajati because all the beneficiaries will get water supply service irrespective of their ethnicity/caste and economic status. Poor indigenous people will be benefitted through Output Based Aid component. Therefore, the impact on indigenous people will be more positive

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
				increasing their access to safe drinking water facilities rather than adverse impact.
Will the subproject directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)		√		
Will the subproject affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		√		
Will the subproject be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		√		
C. Identification of Special Requirements Will the subproject activities include				
Commercial development of the cultural resources and knowledge of Indigenous Peoples?		√		NA
Physical displacement from traditional or customary lands?		√		NA
Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		√		NA
Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		√		NA
Acquisition of lands that are traditionally owned or customarily used occupied or claimed by indigenous peoples?		√		NA

## Anticipated subproject impacts on Indigenous Peoples

Subproject component/ activity/ output	Anticipated positive effect	Anticipated negative effect
1.Civil Works: it includes the construction of following project components Bore hole Pressure Filter Softener Disinfection Units 450 Cum R.C.C OHT Generator House Guard House Office Building/Laboratory room	Regular safe water supply through efficient water supply system	None
2.Pipeline Network: includes excavation, pipe laying and backfilling for transmission mains and distribution network as following Transmission main of 4.86 km Distribution pipe network of 55.79 Km	Regular water supply through improved distribution network.	None

## DOCUMENTS / MINUTES RELATED TO PROJECT AND LAND

## श्री सिद्धनाथ बैजनाथ खानेपानी उपभोक्ता तथा सरसफाई समिति



भी.न.पा.-६ थापा चौक तिलाचौर

७ नं. प्रदेश, नेपाल  
स्थापित:- २०७५जि.स.स.का. वार्ता नं. ८३  
मिति: २०७५/०९/२८पत्र संख्या:-०६४/०६४  
च.नं:- ०९

मिति: २०७५.११.१९.

विषय:- आवश्यक कागजात पठाएको बारे ।श्री आयोजना व्यवस्थापन कार्यालय  
पानी पोखरी काठमाण्डौ ।

उपरोक्त विषय सम्बन्धमा तहाँ आयोजना व्यवस्थापन कार्यालयलाई यस श्री सिद्धनाथ बैजनाथ मन्दिरमा भीमदत्त नगरपालीका बाट अनुमती प्राप्त भएको जमिन भित्र परेका टहरा र वाल बौउन्डी को सम्बन्धमा यहाँ वडा अध्यक्ष श्री ध्वज बहादुर बिष्ट ज्यु को अध्यक्षतामा मिति २०७४।०९।१९ गतेका दिन बैठक बसी निर्णय गरेको प्रतिलिपि र वडा समितिको सिफारिस का साथै यस श्री सिद्धनाथ बैजनाथ खानेपानी तथा सरसफाई उपभोक्ता समितिको मिति २०७५।१२।१९ को बैठक को निर्णयको प्रतिलिपि का साथ आवश्यक कागजात पठाएको व्यहोरा अनुरोध गरिन्छ ।

जानकारी लिनु पर्ने आधिकारीक व्यक्तिहरुको विवरण :

१. श्री ध्वज बहादुर बिष्ट - ९८२९९९८८३९
२. श्री खगेन्द्र सिंह बिष्ट - ९८४८७२३३९५
३. श्री तुल बहादुर खड्का - ९८४८७३२८०७
४. श्री लक्ष्मी खडायत खडाली - ९८४८७६४८४०

उपस्थित  
उपस्थित

## TRANSLATION

G. S. S. KA. Registration No: 83

Date: 11 May 2018

SHREE SIDDHANATH BAIJANATH KHANEPANI UPABHOKTA TATHA SARSAFAI  
SAMMITTEE  
BIMDATTA MUNICIPALITY-8 THAPA CHOWK, TILACHAUR  
KANCHANPUR  
PROVINCE NO: 7  
ESTABLISHED:-2018

Letter No:-074/075 15 May 2018

Dispatch No: 01

Sub: Submission of Requested Documents

Project Management Office  
Panipokhari, Kathmandu

Regarding the above subject matter, we would like to inform the Project Management Office that Shree Siddhanath Baijanath Water User and Sanitation Committee had received permission from Bhimdutta Municipality to use the land for the water supply project. We hereby submit the following documents for your reference.

Minutes of meeting on 5 Dec 2017 chaired by Mr. Dhvaj Bahadur Bista (Chairman Wardno.8)

Recommendation of Ward Committee and

Minutes of meeting on 15 May 2018 of the above WUSC

Following persons may be contacted for further queries:

Mr. Dhvaj Bahadur Bista: 9821998831

Mr. Khagendra Singh Bista: 9848723395

Mr. TulBahadur Khakda:9848732807

Ms. LaxmiKadayat Khidali:9848764840

.....  
Karbir Sigh Airee  
Chairman,WUSC

BHIMDUTTA



८ नं. वडा समितिको कार्यालय  
भीमदत्त नगरपालिका कंचनपुर  
७ नं. प्रदेश नेपाल ।

पत्र संख्या : २०७४।०७५  
चलानी नम्बर ४८८



मिति:- २०७४।०७।०७  
ध्वज बहादुर विष्ट  
वडा अध्यक्ष  
भी.न.पा.-८

विषय : सिफारिस बारे ।

श्री सिद्धनाथ वैजनाथ खानेपानी तथा सर सफाई व्यवस्थापन समिति  
भी.न.पा ०८ कंचनपुर ७ नं. प्रदेश नेपाल ।

उपरोक्त सम्बन्धमा यस भीमदत्त नगरपालिका ०८ भानुटोल अन्तर्गत श्री सिद्धनाथ वैजनाथ मन्दिर को हाल सम्म कुनै पनि जिम्मेवारी समिति नरहेकोले मिति २०७४।०७।१३ गतेका दिन त्यहाँ रहेको समितिको प्राप्त पत्रानुसार यँहा वडा कार्यालयले नै त्यसको रेखदेख का साथै व्यवस्थापन गर्नु पर्नु भएकोले त्यहाँ निमार्णधिन तेस्रो खानेपानी आयोजनालाई चाहिने उक्त जग्गा जमिन कुनै कसैको अधिकार वा स्वामित्वमा नरहेको र नेपाल सरकारको स्वामित्वमा रहेको हुँदा उक्त जग्गामा खानेपानी आयोजना सञ्चालन गर्न निमार्णधिन क्षेत्रमो घर , टहराहरु परेकोले उक्त घर, टहरा मन्दिर समितिले नै उपभोग गर्दै आएकोले हाल भत्काउनु पर्ने अवस्था देखिन गएकोले सामुदायिक कृतन मण्डली साथै जमिनलाई वालपर्खाल निमार्ण गरि गराई दिन हुन सिफारिस गरिन्छ ।

*Signature*  
०९-०२-०७५-

ध्वज बहादुर विष्ट  
वडा अध्यक्ष  
भी.न.पा.-८

## TRANSLATION

OFFICE OF WARD COMMITTEE NO: 8  
BHIMDUTTA MUNICIPALITY KANCHANPUR  
PROVINCE NO: 7

Letter No: 2074/075  
Reference No: 488  
Date: 15 May 2018

Sub- Regarding Recommendation

Shree Siddhanath Baijanath Water User and Sanitation Committee  
Bimdatta Municipality: 08 Province No: 7 Nepal

As mentioned in the subject, there is no as such responsible temple user committee as per the information given by the user committee dated on 29 November 2017 so; ward office is looking after all the responsibilities of Shree Shiddhanath Baijanath temple existing in Bhanutol-8 of Bhimdutta Municipality. The existing land is owned by Government of Nepal. For your kind information, certain part of the land of that temple has been sanctioned for the water supply project. Within the sectioned part of the project, a hut/building exists which has been used by locals for spiritual gathering and hymn so, we would like to request you to replace the hut/ building within the temple compound and support us to make a boundary wall for the protection of temple property.

.....  
Dhwaj Bahadur Bista  
Ward Chairman  
Bimdatta Municipality:8



## TRANSLATION

A meeting was held in the chairmanship of Mr. Karbir Singh Air, chairman of Shreee Shiddhanath Baijanath Water User and Sanitation Committee and following decision were made in the presence of following people.

### Attendance

Chairman, Mr. Karbir Sigh Air  
Vice-chairman, Ms. Janaki Bista  
Secretary, Mr. Tul Bdr. Khadka  
Treasurer, Mr. Kamal Bdr. Chand  
Member, Ms. Ramila Devi Dhanuk  
Member, Ms. Bhagrathi Suni  
Member, Mr. Bahadur Dhanuk  
Member, Mr. Laxmi Khidali Khadapan  
Member, Mr. Prakash Datta Joshi

### Decision No: 1

For the purpose of Water Supply project, 1,790 square meters of land has been handed over to Shree Siddhanath Baijanath Water Supply and Sanitation Committee by Bhimdutta Municipality. In the area of sectioned land, a hut exist which need to be demolish for the construction of water supply project. Once the hut is demolished, the local people will not be able to gather there for their spiritual propose and singing hymn. To replace the gathering hut, a new hall and compound wall needs to construct within the compound of the temple as per the decision made by ward office. The ward office is looking after all the responsibilities of temple. Held meeting of WUSC had decided to send the copy of meeting to the Project Management Office.

Date. \_\_\_\_\_

Page No. \_\_\_\_\_

Remarks

आज मिति २०६४/८/१९ गतेको वि.प्र.समिति  
 ८ को वडा अध्यक्ष सा. ए.एम. बहादुर विष्ट  
 जसको अध्यक्षतामा १२ वटा पाल (११ महिला सदस्य)  
 एकमत निर्वाचन तालिम समितिमा  
 उपस्थित भई तालिम समितिमा निर्वाचन  
 गर्ने निर्णय गरियो।

उपस्थिति

- |     |                        |    |
|-----|------------------------|----|
| १.  | सा. ए.एम. बहादुर विष्ट | आम |
| २.  | राजेश सिंह             | आम |
| ३.  | रा. पौडेल              | आम |
| ४.  | गुरु बहादुर खड्का      | आम |
| ५.  | योगेश सिंह             | आम |
| ६.  | अनन्त खड्का            | आम |
| ७.  | राजेश सिंह             | आम |
| ८.  | उद्योत सिंह            | आम |
| ९.  | रविन्द्र खड्का         | आम |
| १०. | प्रेम खड्का            | आम |
| ११. | अमरजित खड्का           | आम |
| १२. | भोज सिंह               | आम |
| १३. | मंगल सिंह              | आम |
| १४. | पुनी खड्का             | आम |
| १५. | राजेश सिंह             | आम |
| १६. | वि.प्र.समिति           | आम |
| १७. | महादेव सिंह            | आम |

वि.प्र.समिति

वि.प्र.समिति

Rohit

(9)

Date. \_\_\_\_\_

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१८२१	वडाङ्गुर सिंह विष्ट	ASMA.
१९	पद्म सिंह विष्ट	<del>ASMA</del>
२०	इतरा जागी	<del>ASMA</del>
२१	भडाङ्गुरे जागी	<del>ASMA</del>
२२	गगन सिंह काको	गगन काको
२३	श्री सिंह सावध	पेरमउद
२४	पद्म सिंह विष्ट	पंमपिठ
२५	उमरा खोसका	<del>ASMA</del>
२६	पुकारा विष्ट	<del>ASMA</del>
२७	पुगु-रू महे	<del>ASMA</del>
२८	नरद वाधरा	न. द. वा. र. ५
२९	भनुवा धाउड	
३०	पुकारा खोसका	<del>ASMA</del>
३१	इर सिंह काको	
३२	विपम सिंह विष्ट	<del>ASMA</del>
३३	हई वं. जागी	<del>ASMA</del>
३४	विदेन्द्र वं. खोसका	<del>ASMA</del>
३५	मोहन दत्त ठाडु	
३६	न. वं. जागी	<del>ASMA</del>
३७	मोहन खोसका	<del>ASMA</del>
३८	पद्मा विष्ट	<del>ASMA</del>
३९	कान्ता ऐल	<del>ASMA</del>
४०	जानकी	जोहरा जानकी जोधा
४१	जानकी देवी	जोहरा जानकी

(2)

Date. \_\_\_\_\_

Page No. \_\_\_\_\_

82.	पुष्पा विष्ट	<del>ए.ए.ए.</del>
82	देवमती घाम्नी	देवमती घाम्नी
83.	विमला पाली	विमला पाली
84.	किरण मण्डारी	किरण मण्डारी
85.	जानकी बाईरा	जानकी बाईरा
86.	कलावती कामी	कलावती
86.	वरदेवी शर्मा	<del>विमला</del>
87.	लाल सिंह रोटी	<del>लाल सिंह</del>
88.	जानकी विष्ट	<del>जानकी विष्ट</del>
89	द्याना कामी	<del>द्याना कामी</del>
89	पद्म देवी विष्ट	
92.	हरीता कामी	
93.	दिपा देवी विष्ट	दिपा
94	हेमन्त मंडल	<del>हेमन्त</del>
97.	रमणीला देवी घाम्नी	रमणीला
98.	नन्दा देवी घाम्नी	नन्दा
96.	नितु थापा	नितु थापा
97	शारदा विष्ट	<del>शारदा</del>
98	उज्वली देवी घाम्नी	<del>उज्वली</del>
90	जानकी बाईरा	<del>जानकी</del>
31	शुभा विष्ट	शुभा
32	माना राम	माना राम
33	नरेश घाम्नी	नरेश घाम्नी
34	सुषमा देवी घाम्नी	<del>सुषमा</del>

(3)

Date. \_\_\_\_\_

Page No. \_\_\_\_\_

32.	शैलज सिंह कार्की	दौलतगंज
33.	सुलोचना नन्द जोशी	दौलतगंज
34.	करन सिंह कार्की	दौलतगंज
35.	भरत सिंह बिष्ट	दौलतगंज
36.	कालिदास प्रसाद	दौलतगंज
37.	जानी चन्द	दौलतगंज
38.	मदन चन्द	दौलतगंज
39.	जनक बंसाल	दौलतगंज
40.	प्रमोद सिंह चामी	दौलतगंज
41.	विल बहादुर चामी	दौलतगंज
42.	बिजय चामी	दौलतगंज
43.	राखन थापा	दौलतगंज
44.	अपविष्ट बिष्ट	दौलतगंज
45.	कमला खडका	कमला
46.	मानमती चामी	मानमती
47.	इन्द्राणी कार्की	इन्द्राणी
48.	उमरुपती पाण्डे	उमरुपती
49.	सावित्री खडका	सावित्री
50.	बल बहादुर गौहरा	बल बहादुर गौहरा
51.	प्रेम सिंह बंसाल	प्रेम सिंह बंसाल
52.	बिजय सिंह बिष्ट	बिजय सिंह बिष्ट
53.	लक्ष्मी खडका (विद्याल)	लक्ष्मी
54.	शेर सिंह बिष्ट	शेर सिंह बिष्ट
55.	विर बहादुर गौहरा	विर बहादुर गौहरा
56.	दान सिंह बिष्ट	दान सिंह बिष्ट
57.	नन्द लाल रिजाली	नन्द लाल रिजाली

(4)

Date. \_\_\_\_\_

Page No. \_\_\_\_\_

निर्माण नं०. काष्ठ वल्लेको बँक (मैला वार)  
 प्रलक्षीसिद्धनाथ वज्रनाथ मन्दिर परिसर को सर्वेक्षण  
 परिसर क्षेत्रमा खानी पानी तथा सरसफाई योजना  
 को लागि एकटा प्राण उपलब्ध गराउन निर्माण  
 सर्वे समत वार पारित गरियो।

निर्माण नं०. प्रलक्षीसिद्धनाथ मन्दिर परिसर को चारको  
 बाल (परवाल) को निर्माण उपभोगमा समिते  
 माफिल गर्न गराउन लगाउन र प्रलक्षीसिद्धनाथ मन्दिर परिसर  
 को पूर्वमा निर्माण भवन लाई खाने पानी तथा  
 सरसफाई योजना को लागि चाहिएको आगिस  
 को लागि उपलब्ध स्रोत भवनको लडाए रक्ष  
 वरपर को रकम को अलग गरी प्रलक्षीसिद्धनाथ  
 मा भूखण्ड मन्डली को लागि आवश्यक भवन  
 बनाउन निर्माण सर्वे समत वार पारित गरियो।

*(Handwritten signatures and initials)*

## TRANSLATION

A meeting was held on 2017-December-05 in the chairmanship of Mr. Dhvaj Bahadur Bista to discuss on the topic Shree Siddhanath Baijanath Water Supply and Sanitation Project, following people was participated in the meeting.

## Attendance:

Dhoj Bahadur Bista  
 Khagendra Singh Bista  
 Pun Damahi  
 Tul Bahadur Khadka  
 Joga Singh Bista  
 Annu Khadayat  
 Rajendra Singh Bista  
 Uddhab Singh Bista  
 Ratan Japrel  
 Prem Japrel  
 Dharma Raj Joshi  
 Bhuban Singh Bista  
 Mangal Singh Dhama  
 Funi Chand  
 Gagan Singh Khadka  
 Bir Bahadur Pali  
 Ananda Singh Bista  
 Bahadur Singh Bista  
 Padam Singh Bista  
 Uttara Jaagi  
 Bhadra Bir Jaagi  
 Gagan Singh Karki  
 Hair Singh Saod  
 Prem Singh Bista  
 Umesh Khadka  
 Prakash Bista  
 Yogendra Bhatta  
 Nande Bohara  
 Manuwa Dhanuk  
 Prakash Khadka  
 Hari Singh Karki  
 Kishan Singh Bista  
 Harka Bahadur Jaagi  
 Narendra Bahadur Khadayat  
 Mohan Datta Bhatta  
 Nar Bahadur Jaagi  
 Padma Bista  
 Kanti Yari  
 Janaki Bohara  
 Janaki Devi Bista  
 Puspa Bista  
 Dheumati Dhama  
 Bimala Pali  
 Kiran Bhandari  
 Janaki Bohara

Kalawati Karki  
Baldev Pujara  
Lal Singh Yari  
Janaki Bista  
Dhana Karki  
Jham Devi Bista  
Harina Karki  
Diya Devi Bista  
Hemanti Bhatta Lakhak  
Ramila Devi Dhanuk  
Nanda Devi Dhanuk  
Nitu Thapa  
Sarada Bista  
Ujali Devi Dhanuk  
Janaki Bohara  
Radha Bista  
Bhani Ram Odda  
Nar Bahadur Dhanuk  
Iswori Datta Joshi  
Dhaulat Singh Karki  
Krishna Nanda Joshi  
Karan Singh Karki  
Bharat Singh Bista  
Kausirama Devi Bista  
Gani Chand  
Madan Chand  
Janak Bhaduwal  
Pramod Singh Dharni  
Dil Bahadur Charni  
Niraj Dharni  
Roshan Thapa  
Jay Singh Bista  
Kamala Khadka  
Manmati Dharni  
Jhapu Devi Karki  
Pashupati Pandit  
Sarita Pujara  
Bal Bahadur Bohara  
Prem Singh Bhudal  
Kiran Singh Bista  
Laxmi Khadayat (Tedale)  
Sher Singh Bista  
Bir Bahadur Bista  
Dhan Singh Bista  
Nanda Lal Redabi

Decision No: 1

Participants of the meeting has decided and agreed to provide 5 Kattha land existed inside the premises of temple to the Shree Shiddhanath Baijanath Water Supply and Sanitation Project to construct water supply project.

**Decision No: 2**

Participants of the meeting had decided and made consensus that Shree Siddhanath Baijanath Water Supply and Sanitation Project Committee (WUSC) will make a boundary wall to protect the available public land in the premises of temple as well as WUSC will use the existing community building for their official use and in the form of replacement of that existing shed, WUSC will build new building within the premise of temple for the public use.

**PHOTOGRAPHS OF MEETINGS**

आल जिति २०७४। ए। शराते मंशिर का दिन चस  
 लिखित नगर पा. कन्यनपुर को वडा नं. ६, ए. ए.  
 १० का गवनिनीमिते प्रमुख तथा लिखित वडा का  
 अध्यक्ष ज्यु. ए. को उपस्थिति मा वडा मा विध्यमार्ग  
 खानेपानी तथा सरसफाई को अस्थावैधा गरके।  
 हुनाले खानेपानी तथा सरसफाई सेवा बन्ध्यालग  
 गर्न को लागी निम्न उपस्थिति साधन कालफल  
 बैठक बसियो।

उपस्थिति एड :-

- |                     |                  |            |       |
|---------------------|------------------|------------|-------|
| १. सुरेन्द्र बिष्ट  | नगर प्रमुख       | ९८५८७५०२१३ |       |
| २. परमानन्द जोशी    | वडा अध्यक्ष-१०   | ९८५८७५३३५९ |       |
| ३. हरछिंद धामी      | " - ६            | ९८५८७५०५६८ |       |
| ४. देवका बस्न       | कसमस " - ६       | ९८०९५५०३९१ |       |
| ५. इराजकावेरि       | कसमस " - ६       | ९८०५७५९२१७ |       |
| ६. मानु देवी सुमा   | वडा म. सदस्य - ८ | ९८०९५२०३५८ | गुनाल |
| ७. गवान सिंह बिष्ट  | शिक्षक           | ०८४८७२३०२३ |       |
| ८. अनु रकायत        | वडा नं. - ६      | ९          |       |
| ९. पद्म सिंह बिष्ट  | वडा - ८          |            |       |
| १०. मंगल सिंह धामी  | वडा ८            |            |       |
| ११. नन्द लाल फिडाली | वडा नं. ८        |            |       |
| १२. दिपक ब. सिद्ध   | " ८              |            |       |
| १३. बरे ब. झाकुक    | " ११             |            |       |
| १४. बरे पति धामी    | " ११             |            |       |

१० नं  
 मंगल सिंह धामी  
 नन्द लाल  
 दिपक ब. सिद्ध  
 बरे पति धामी

सि.नं.	नाम	पद	फोन नं. 2	सिगनेचर
92	डा. वि. न. (रि.क.)	वरिष्ठ - ८		
93	शिव बहादुर धामी	कॉन्सट	9729519881	
96	पद्म बहादुर जाशी	कॉन्सट		
97	राम बहादुर जेधाला	"		
98	शाहव सिंह बिठौर	SI - 11		
20	डॉ. मेरवी जहाद सिंह	Senior Engineer	BDA PEAJV	
29	सुरेन्द्र काठ श्रेष्ठ	Social Survey	BDA PEAJV	
22	निगरी नरायण सुवाल	Social Safeguard Specialist	BDA PEAJV Specialist - 9851126645	

## छुलझल का विषय हद :-

(१) लेंड्रो सानु शहरी रवानेपाने तथा सरसफाई क्षेत्रगत आचोजना के लागी सामाजिक, आर्थिक तथा वातावरणीय विस्तृत प्राविधिक समर्थन निर्णय गरिया।

(२) लक्ष्यांक संकलक (जम्मा सं. ट जन) लार्डि परिचालन गर्न निर्णय गरिया।

(३) चल भिन्न नगर पालिका अन्तर्गत १५०० देखि १६०० सम्म घर चुरी पर्ने गरी बडा नं. ६, ८, २१० का तिलकेनी / विजय गोल / जीमुवा / गज्जड / गडा-चौकी / <sup>वेपनापटेल</sup> थापा चौरहा / सुकरुसाल / तीला चौरहा आदि समेतिक गारि डिजाइन समर्थ प्रकृथा आवि वडाडक निर्णय गरिया।

## TRANSLATION

Today, 28 November 2017, a meeting was held in the chairmanship of newly elected mayor and other ward president of ward no 6, 8 and 10 of Bhimdutta Municipality to address the ongoing water and sanitation problem in Bhimdutta Municipality. Following people were participated the meeting.

Name list of meeting participants

S. No.	Participants Name	Designation	Address	Contact No
1.	SurendraBista	Mayor	Bhimdutta Municipality	9858750213
2.	Permananda Joshi	Ward Chairman	Bhimdutta Municipality-10	98488783159
3.	Harak Singh Dhami	Member	Bhimdutta Municipality- 6	9858750666
4.	Dal BahadurBohora	Ward Member	Bhimdutta Municipality- 6	9809440391
5.	DhwajBahadurBista	Ward Chairman-8	Bhimdutta Municipality- 8	9805759217
6.	Bhanu Devi Sunar	Ward member-8	Bhimdutta Municipality- 8	9809420858
7.	Bhawan Singh Bista	Teacher	Bhimdutta Municipality- 8	9848723023
8.	AnnuKhadayat	Member	Bhimdutta Municipality- 8	
9.	Padam Singh Bista	Member	Bhimdutta Municipality- 8	
10.	Mangal Singh Dhami	Member	BhimduttaMunicipality- 8	
11.	Nanda LalFidali	Member	Bhimdutta Municipality- 8	
12.	Deepak Bahadur Singh	Member	Bhimdutta Municipality- 8	
13.	Nar BahadurDhanuk	Member	Bhimdutta Municipality- 8	
14.	Nar PatiDhami	Member	Bhimdutta Municipality- 8	
15.	GaganKhadka	Member	Bhimdutta Municipality- 8	
16.	DilBahadurDhami	Member	Bhimdutta Municipality- 8	
17.	PadamBahadurJangri	Member	Bhimdutta Municipality- 8	
18.	Ram BahadurJethara	Member	Bhimduttaunicipality- 8	
19.	Yadav Sigh Bista	Member	Bhimdutta Municipality- 8	
20.	Kameshwor Prasad Singh	Engineer	BDA-PEA Jv.	
21.	Surendra Man Shrestha	Social Surveyor	BDA-PEA Jv.	
22.	GiriBahadurSunar	Social Safeguard Specialist	BDA-PEA Jv.	9851189045

Topic of discussion

Decision No: 1. participants of the meeting has been agreed to conduct socio-economic, environmental and technical survey of project area immediately.

Decision No: 2. it was agreed to hired 8 enumerators locally for socio-economic survey.

Decision No: 3. it was also agreed to cover about 1500 to 1700 households of ward no 6, 8 and 10 of Tilkani, Bijaya-tole, Jimua, Gajjad, Gadda-chauki, Baijanath-tole,Thapa-chauraha, Sukasal,Tilachauraha, etc for survey and designing propose of Third Small Towns Water Supply and Sanitation Sector Project.

आज मिति २०६८/११/११ का दिन यस श्री सिद्धनाथ वैजनाथ  
 तैसी साना शहरी खाने पानी ल्याय रण रफिफ्ट उपभोक्ता समितीका  
 अध्यक्ष श्री अणु विर सिंह ऐरीको अध्यक्षतामा आन्तरिक कार्यका  
 लय सिका को उपस्थितीमा निम्न निर्णय गर्ने पारील गर्दियो ।

उपस्थिती

- १- अध्यक्ष श्री- का विर सिंह ऐरी
- २- उपाध्यक्ष श्री जानकी विष्ट
- ३- सचिव " तुल का १९५६
- ४- कोषाध्यक्ष " कमल का चन्द
- ५- सदस्य " लहाडुर झाउक
- ६- " " सिकेला देवी झाउक र मिला
- ७- " " लक्ष्मी सजायल विजाली
- ८- " " प्रकाश दल जोशी
- ९- " " आनराय देवी सुनि
- १०- पदेन सदस्य " खड्का का विर (का.ने.८)
- ११- " " " " झाउक देवी (का.ने.६)
- १२- " " " " पतिनाथ जोशी (का.ने.१०)

प्रचुर अतिथी

१३- सि.ने.पा. नगर प्रचुर श्री सुनेन्द्र सिंह विष्ट

आमाओल

- १४- श्री. वि. आ. का. नेपालका श्री प्रदिप लाल कठि
- १५- सुनेन्द्र श्री नम विकास कोष " सुभाष पन्थ
- १६- संयोजकवर्ग DRTAC- " ए.पि. आ. आ. आ. आ.
- १७- डि. लिडर BDA PWT- " मोहन लहाडुर काकी
- १८- ल.सं.हा. विज्ञा- " प्रिथ्वी प्रसाद झाउक
- १९- सामाजिक सुनिय विज्ञा " सिरी लहाडुर सुनार

उपस्थिती

- २०- जोषा का. अध्यक्ष श्री खगेन्द्र के. श्री
- २१- मूठपुठवाड अध्यक्ष " मायाजी जोशी
- २२- वाड अध्यक्ष " उचरा जोशी
- २३- " " " " सुनेन्द्र पन्थ
- २४- सभासद देवी " कालु सिंह १९९१ पल

- 9. उद्देश आधोजन को नाभ परिवर्धन (गुणवत्ता) चम्की बना कर पान
- 10. सामाजिक आर्थिक विवरण प्रस्तुतीकरण
- 11. विच्छल डोजी नियमित डिजाइन प्रतिवेदन प्रस्तुतीकरण
- 12. आधोजन संरचना निर्माण कर लागी चाहिने डोजी
- 13. 2% अक्षीय गजद रकम उठाउने
- 14. अन्य रकम सभाई वापल उठाउनु पर्ने रकम

निर्णय नं. 9- यस आधोजन को गुणवत्ता चम्की बना गाने - करण उपरीपला पाने जिल्ला जल श्रोत समिती ले यस उपरोक्त को नाभ हाल श्री सिद्धनाथ वैजनाथ रवाने पानी लक्ष्य सभामाई उपरोक्त समिती भि. नं. पा. र खन गएकोले सोको जानकारी - खाते पानी लक्ष्य लक्ष विकास विकास लाई सिद्धा रिस जारी किडुन - निरुद्धत गजद पालीक लाई पत्राचार गर्ने निर्णय सर्व सम्मतीबाट पारित गरियो ।

निर्णय नं. 2 \* माथिका 2 र 3 अक्षीय गजद डिजाइन सुपरिवेक्षा लक्ष्य अर्थात् परादेशीयताबाट यस आधोजन को सामाजिक आर्थिक विवरण लक्ष्य विच्छल डोजी नियमित डिजाइन प्रतिवेदन प्रस्तुत गर्नु । प्रस्तुत लक्ष्य माथि व्यापक हल फल गर्दै आधोजन को सामाजिक आर्थिक लक्ष्य प्राविधिक पक्षमा जाग करी प्राख गएको निर्णय गरियो

निर्णय नं. 3. विच्छल डोजी नियमित डिजाइन प्रतिवेदन अनुसार सुपरिवेक्षण अर्थात् निर्माण हुने संरचनाको लागी चाहिने गजद रवाने पानी उपरोक्त समिती ले 95 दिन भित्र लक्ष जग्गा उपलब्ध गराउने निर्णय हुने निर्णय गरियो

निर्णय नं. 4 आधोजन प्रारम्भ गर्ने उपरोक्त सभामाईबाट लागत हरे - माथिका 6 फल अक्षीय 2% रकम वापल आधोजन क्षेत्र भित्र को 9500 धर धुरी बाट 29 दिन भित्र 9 कोट 80 लाख रुपैया प्रत्येक धर - धुरी को नाभ सहित सहेको गजद उठाउने निर्णय गरियो

निर्णय नं. 5- सर सभामाई सेवा विकास को लागी गजद पालीक बाट - जेठोर्नु पर्ने 95% रकम वापल आवश्यक परेक बरबल लागल - सहेको गजद गर्ने निर्णय गरियो ।

*(Handwritten signatures and stamps)*

24	बाई (दण्य)	श्री २१ गोत्र सिंह विष्णु	बाई
25		श्री धर्म सिंह राजा	बाई
26		श्री अन्नो २१ गोत्र	बाई
27		श्री विठ्ठल बाई	बाई
28		श्री लक्ष्मी	बाई
29		श्री लक्ष्मी	बाई
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31		श्री लक्ष्मी	बाई
32		श्री लक्ष्मी	बाई
33		श्री लक्ष्मी	बाई
34		श्री लक्ष्मी	बाई
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36		श्री लक्ष्मी	बाई
37		श्री लक्ष्मी	बाई
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39		श्री लक्ष्मी	बाई
40		श्री लक्ष्मी	बाई
41		श्री लक्ष्मी	बाई
42		श्री लक्ष्मी	बाई
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47		श्री लक्ष्मी	बाई
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58		श्री लक्ष्मी	बाई
59		श्री लक्ष्मी	बाई
60		श्री लक्ष्मी	बाई
61		श्री लक्ष्मी	बाई

निर्देश सं. ३- इस प्रकार पानी के मौलिक निर्माण के लिये डागा -  
 भादों को अपने ले सम्पूर्ण गांधी परिवार के पाल लाइली इ  
 किले के लिये अथवा निर्माण उपकरणों र आधुनिक -  
 किचन फूल फल जदी किचन व्यापी हिसाब के अथवा निर्माण -  
 गरीबों के निर्माण एवं समाज सेवा पारिषद करिये

Handwritten signatures and notes including:  
 - *Handwritten signatures*  
 - *Handwritten notes*  
 - *Handwritten numbers* (e.g., 37)  
 - *Handwritten words* (e.g., 'मा. वा. रि')



## TRANSLATION

Today on 23 February 2018, an interactive meeting was held in the chairmanship of Mr. Kar Bir Shing Air, Shree Shiddhanath Baijanath Third Water Supply and Sanitation Sector Project. Following people were participated in the interactive program.

## Attendance:

Karbir Singh Air, Chairman of WUSC  
 Janaki Bista. Vice Chairman WUSC  
 Tul Bahadur Khadka, Secretary WUSC  
 Kamal Bahadur Chand, Treasurer WUSC  
 Bahadur Dhanuru, Member WUSC  
 Ramila Devi Dhanuk, Member WUSC  
 Laxmi Khadayat Sedali, Member WUSC  
 Prakash Dev Joshi, Member WUSC  
 Bhagrati Devi Suni, Member WUSC  
 Dhoda Bahadur Bista, Member  
 Harka Singh Dhama, Member  
 Chief Guest  
 Surendra Singh Bista, Bhimdutta Municipality Mayor  
 Invitee guest  
 Pradip Lal Karna, Regional Project Manager  
 Hari Prasad Sharma, coordinator DRTAC  
 Man Bahadur Gurung, Senior Engineer Town Development Fund (TDF)  
 Mohan Bahadur Karkee, Team Leader Design and Supervision Consultant  
 Mishri Prasad Shrestha, GESI Expert BDA  
 Giri Bahadur Sunar, Social Safeguard Specialist BDA  
 Others Attendance  
 Khageshwor K. C.  
 Mahabir Jaagi  
 Purna Damai  
 Kanu Singh Khadayat  
 Mina Devi Karki  
 Mahabir Chand  
 Dil Bahadur Dhama  
 Mahabir Joshi  
 Uddhab Chand  
 Moti Ram Dhakuj  
 Dev Bahadu Bohara  
 Janaki  
 Kanta Yeri  
 Heman Devi Bista  
 Laxmi Rawal  
 Rama Bhandari  
 Tek Bahadur Singh  
 Mohan Singh Bista

Chharam Leen Rana  
Karan Chhang  
Chhabi Awasti  
Lalaita Bohara  
Bindu Chand  
Gagan Dhanuk  
Mohan Singh Bhatta  
Jova Singh Bista  
Yamik Bista  
Khageswor K.C.  
Dam Datta Pandey  
Bhawan Singh Bista  
Prem Singh  
Harish Dhanuk  
Padma Bista  
Kalawati Bhandari  
Janaki Bohara  
Suren Devkota  
Khagendra Singh Bista  
Dharma Singh Rana  
Anno Khadayat Yeri  
Bir Bahadur Bohara  
Nanda Bhandari  
Anandi Bista  
Belu Devi Bhandari  
Dev Singh Bista  
Keshab Sinsh Bista  
Narayan Singh Rawal  
Rajesh Bohara  
Uddhab Singh Bista  
Nar Bahadur Dhanuk  
Dhhana Karki  
Nirmala Bista  
Gita Bista  
Hemanti Bhatta  
Kiran Bhandari  
Manamati Dhama  
Shanti Bohora  
Padam Devi Bista  
Punam Joshi  
Janaki Bista  
Radha Bista  
Bina Bista  
Bhanu Sunar  
Puspa Bista  
Basanti Giri  
Basanti Bhandari  
Nanda Dhanuk  
Govinda Khadayak  
Sakali Dhanuk  
Padma Dhama

Tej Singh Kudal  
Ganesh Datta Joshi

Agenda of discussion

Regarding changing the name of WUSC  
Regarding Socio-economic profile presentation  
Regarding Detail Engineering Design profile presentation  
Regarding required land for construction of building structure  
Regarding 5% upfront cash collection  
Regarding upfront cash collection for sanitation sector.

Decision No: 1

Though this project name has been named as Tumtadi Chakkiphanta, the meeting has decided to replace the name with Shree Shiddhanath Baijanath Third Water Supply and Sanitation Sector Project which has been already registered in District Water Resource Office and request Bhimdutta municipality to write a recommendation letter to inform the Department of Water Supply and Sanitation.

Decision No: 2

Socio-economic and Detail Engineering Design Report's information has been known through the presentation done by Design and Supervision Consultant. A mass interactive program was held and information has been acquired.

Decision No: 3

As per the Detail Engineering Design Report, required land to construct water supply structure will be obtained<sup>1</sup>

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<sup>1</sup> This refers to obtaining a "No objection" from the Municipality for the use of the required land.

within the 15 days of this date of meeting.

Decision No: 4

To start the project, 5% upfront cash (1 Crore 40 Lakh Rs.) from user group (beneficiary households, 1602 in number) will be collected within the 21 days of meeting.

Decision No: 5

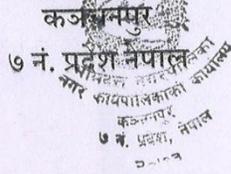
Municipality will bear the 15% contribution to develop the sanitation service.

Decision No: 6

Since the land for project structure construction belongs to Municipality. So, this WUSC decides to request for construction separate boundary wall to the temple and a community hall for payer and religious function. The separate community hall will be built economic way as per the discussions between project and WUSC. This decision passed with consensus of the whole WUSC members.



भीमदत्त नगरपालिका  
नगर कार्यपालिकाको कार्यालय



प.सं.:- ०७४।०७५

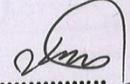
च.नं.:- ११८

मिति:- २०७४।१०।१४

बिषय:- सिफारिस बारे ।

श्री जिल्ला जलश्रोत समित  
कञ्चनपुर ।

उपरोक्त सम्बन्धमा यस नगरपालिका वडा नं. ०८ बस्ने करविर सिंह ऐरी ले श्री सिद्धनाथ खानेपानी तथा सरसफाई संस्था दर्ता का लागि सिफारिस गरिपाउ भनि यस कार्यालय मा निवेदन पेश गरेको हुंदा तंहा कार्यालयको नियमानुसार उक्त संस्था दर्ता गरिदिन हुन सिफारिस साथ अनुरोध गरिन्छ ।

  
.....  
हरि सिंह धा  
प्रशासकीय अधिकृत

TRANSLATION

Bhimdutta Municipality  
Office of Municipality Execution  
Kanchanpur

Province- 7 of Nepal

Letter No: 074/074  
Reference No (dispatched no.):3118  
Date: 28 January 2018

To  
The District Water Source Committee  
Kanchanpur

Kabir Sigh Airee, resident of ward no: 6, registered a letter to this municipality with the request to write a recommendation letter to the District Water-Source Committee to register an organization with the name of Shidhhanath Drinking Water and Sanitation Committee, so hereby we request you to register the organization as per the rules and regulation of your office.

Hari Sigh Dhami  
Administrative Officer



## भीमदत्त नगरपालिका नगर कार्यपालिकाको कार्यालय

काठमाडौं  
०७ नं. प्रदेश, नेपाल

प.सं.:- २०७४१०७५

च.नं.:- २३८६

मिति:- २०७४।११।०३

विषय:- अनुमति दिइएको बारे।

श्री सिद्धनाथ वैजनाथ तेस्रो खानेपानी तथा  
सरसफाई उपभोक्ता समिति  
भी.न.पा. ०८

उपरोक्त सम्बन्धमा भीमदत्त न.पा. वडा समितिको कार्यालय वडा नं. ८ को मिति २०७४।११।३ च.नं. २६६ को प्राप्त पत्रानुसार वडा नं. सिट नं. ०२०-१२९४-४ को कि.नं. ४२३ मध्ये पूर्व तर्फ क्षे.फ. ०१७९० मा खानेपानी योजना संचालन गर्न सिद्धनाथ वैजनाथ तेस्रो खानेपानी तथा सरसफाई उपभोक्ता समिति लाई निर्माण गर्न अनुमति दिइएको छ।

बोधार्थ:-

वडा समितिको कार्यालय  
वडा नं. ०८

*Handwritten signature*  
११।३.२३  
२०७४

TRANSLATION

Bhimdutta Municipality  
Office of Municipality Execution  
Kanchanpur

Province- 7 of Nepal

Letter No: 2074/074  
Reference No (dispatched no.): 3386  
Date: 16 March 2018

Sub:\_ regarding given permission

Shree Sidhhanath Baijanath Third Drinking Water and  
Sanitation User Committee  
Bhimdutta Municipality: 08

As mentioned in the subject and letter from the office of Bhimdutta Municipality Ward no: 8, dated on 17 March, 2018, reference no: 266, it is permitted that Shree Sidhhanath Baijanath Third Drinking Water and Sanitation User Committee can use the land recorded in sheet no. 020-1294-4, eastern part of the land with the area of: 01790 (square meters) from the plot no: 423 for the propose of drinking water supply project.

.....  
Himal Sigh Air  
Engineer

Reference  
Office of Ward Committee  
Ward no: 08



भिमदत्त नगरपालिका  
नगर कार्यपालिकाको कार्यालय

कञ्चनपुर  
नगर कार्यपालिका  
७ नं. प्रदेश, नेपाल  
२०७२

प.सं.:- २०७४।०७५

मिति २०७५।१।२०

च.नं.:- ४६८८

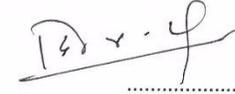
**बिषय:- अनुमति दिइएको बारे।**

श्री सिद्धनाथ वैजनाथ तेत्रो खानेपानी तथा  
सरसफाई उपभोक्ता समिति  
भी.न.पा. ०८

उपरोक्त सम्बन्धमा भिमदत्त न.पा. वडा समितिको कार्यालय वडा नं. १० को मिति २०७५।१।१९ च.नं. १०४२ को प्राप्त पत्रानुसार सिट नं. ०२०/१३३३-२ कि.नं. ११८२ मध्ये ३ कठ्ठा मा खानेपानी योजना संचालन गर्न सिद्धनाथ वैजनाथ तेत्रो खानेपानी तथा सरसफाई उपभोक्ता समितिलाई निर्माण गर्न अनुमति दिइएको छ।

**बोधार्थ:**

१० नं. वडा कार्यालय  
कञ्चनपुर।

  
हिमालय सिंह ऐर  
इन्जिनियर  
वे.ई.प. दर्ता नं. ३७५६ सिंगल

टेलिफोन :

नगर प्रमुख - ०९९-५२११६७, नगर उपप्रमुख - ०९९-५२१८२७, कार्यकारी अधिकृत - ०९९-५२१३२२, दमकल - ०९९-५२२३११

TRANSLATION

Bhimdutta Municipality  
Office of Municipality Execution  
Kanchanpur  
Province- 7 of Nepal

Letter No: 2074/2075  
Reference No: 4784

Date: 2018-03-03

Sub: Regarding Granted Permission

Shree Shiddhanath Baijanath Third Water Supply and Sanitation User Committee  
Bhimdutta Municipality: 08

As per the letter of ward committee office ward no: 10 on 2018-03-02, reference no: 1042, hereby we would like to inform that Shree Shiddhanath Baijanath Third Water Supply and Sanitation User Committee have authority to use 3 Kattha of land under sheet no: 020/1333-2, Plot no: 1182 to run the water supply project.

.....  
Himalaya Sigh Air  
Engineer

N. E. C. No: 3556, civil A  
CC/  
Ward Office: 6  
Kanchanpur

Note: Permission is received for 3 kattha, however, land required is 1 kattha.



भीमदत्त नगरपालिका  
नगर कार्यपालिकाको कार्यालय

कञ्चनपुर  
७ नं. प्रदेश, नेपाल

प.सं.:- २०७४१०७५

मिति २०७५।१।२०

च.नं.:- ५६८९

**बिषय:- अनुमति दिइएको बारे।**

श्री सिद्धनाथ वैजनाथ तेस्रो खानेपानी तथा  
सरसफाई उपभोक्ता समिति  
भी.न.पा. ०८

उपरोक्त सम्बन्धमा भीमदत्त न.पा. वडा समितिको कार्यालय वडा नं. ६ को मिति २०७४।१।२।२० च.नं. ९२८ को प्राप्त पत्रानुसार सिट नं. ०२०/१२९५-३ कि.नं. ५७४६ मध्ये ३ कठ्ठा मा खानेपानी योजना संचालन गर्न सिद्धनाथ वैजनाथ तेस्रो खानेपानी तथा सरसफाई उपभोक्ता समितिलाई निर्माण गर्न अनुमति दिइएको छ।

**बोधार्थ:**

०६ नं. वडा कार्यालय  
कञ्चनपुर।

*Handwritten signature: B. R. R.*  
.....  
हिमालय सिंह ऐर  
बुजिगियर  
वे.ई.प. दर्ता नं. ३७७६ सिमित

टेलिफोन :

नगर प्रमुख - ०९९-५२११६७, नगर उपप्रमुख - ०९९-५२१८२७, कार्यकारी अधिकृत - ०९९-५२१३२२, दमकल - ०९९-५२२३११

TRANSLATION

Bhimdutta Municipality  
Office of Municipality Execution  
Kanchanpur  
Province- 7 of Nepal

Letter No: 074/75  
Reference No:4783

Date: 3 May 2018

Sub: Regarding granted permission

Shree Shiddhanath Baijanath Third Water Supply and  
Sanitation Sector Committee  
Bhi. Mu: 08

As per the letter of ward committee office ward no: 6 on 10 April 2018, reference no: 928, hereby we would like to inform that Shree Shiddhanath Baijanath Third Water Supply and Sanitation User Committee have authority to use 3 Kattha of land under sheet no: 020/1294-3, Plot no: 5746 to run the water supply project.

.....

.....

Himalaya Sigh Air  
Engineer

N. E. C. No: 3556, civil A  
CC/  
Ward office: 6  
Kanchanpur

Note: Permission is received for 3 kattha, however, land required is 1 kattha.

**PHOTOGRAPHS AND MAP**



Meeting / Interaction with stakeholders including Municipality at land acquisition site:  
Thapachauraha, Bhimdutta Municipality



Proposed site for the project at Siddhanath near to Thapachauraha, Bhimdutta Municipality-8



Site visit and interaction with WUSC, Municipality representatives and local people at proposed site



Proposed site for different structures of the project.



The shed to be dismantled



The Proposed Site for Deep Tube Well at Sakarsal, Ward no. 6



The Proposed Site for Deep Tube Well at Ward no. 10



Yellow color represents the area for new community building as well as boundary line and orange colors represent the existing community building

**COMPARISON BETWEEN GOVERNMENT OF NEPAL LAW AND ADB SAFEGUARD  
POLICY ON LAND ACQUISITION AND RESETTLEMENT**

S.N.	ADB's SPS (2009)	Land Acquisition Act, 1977 & Land Reform Act, 1964	Gaps Between LAA and ADB's Policies and Action Taken to Bridge the Gap
1	Involuntary resettlement should be avoided wherever possible	Not defined in the LAA and LRA	The approach of avoiding involuntary resettlement has already been taken care of while preparing this project. This will be further practiced during design and implementation.
2	Minimize involuntary resettlement by exploring project and design alternatives	Not defined in the LAA and LRA	The resettlement framework / resettlement plan clearly define the procedures on how to minimize the involuntary resettlement through proper alternate engineering design and adequate consultation with stakeholders.
3	Conducting census of displaced persons and resettlement planning	The LAA spells out that physical inventory of assets and properties found on the land belonging to legal titleholders is prepared. No cut-off date is specifically mentioned in the LAA; the affected persons need to apply for compensation for buildings, trees, crops etc. within 15 days of being served notice for acquisition, if not satisfied with compensation offered or if he/she wants compensation for assets in addition to land.	The LAA does not define the census survey. It only reflects the inventory of losses (IOL) for titleholders, which is more in physical terms. The ADB policy spells out a detailed census through household surveys of displaced persons in order to assess the vulnerability and other entitlements. Resettlement planning documents for the UWSSP have been prepared based on the data collected through conducting a census, a socioeconomic survey for the displaced persons, and an inventory of losses.
4	Carry out meaningful consultation with displaced persons and ensure their participation in planning, implementation, and monitoring of resettlement program	Section 1 (6) of the LAA provides that whenever any property is needed or is likely to be needed for any public purpose or in the public interest, a notice is to be given at specified offices and house door/compound wall in the prescribed form and manner, stating that the property is proposed for acquisition.	<p>The LAA does not directly meet ADB's requirements.</p> <p>This section of the ordinance establishes an indirect form of public consultation. However, Local government Operation Act, 2017 Clause 11 (g) and Clause 11 (n-4) articulates the roles of local government in facilitation of land acquisition, compensation determination and distribution for public purpose. Similarly the sub clause (n-5 and 6) articulates the roles of local government in facilitation and coordination for determination of land ownership and cadastral mapping. Other role in land ownership certificate distribution is also defined in these sub clauses.</p> <p>But, it does not provide for public meetings and project disclosure, so</p>

S.N.	ADB's SPS (2009)	Land Acquisition Act, 1977 & Land Reform Act, 1964	Gaps Between LAA and ADB's Policies and Action Taken to Bridge the Gap
			stakeholders may not informed about the purpose of land acquisition, its proposed use, or compensation, entitlements, or special assistance measures. The resettlement planning documents for the UWSSP has been prepared following a consultation process which involves all stakeholders (affected persons, government department/line agencies, local community including indigenous peoples and women etc.), and the consultation will be a continuous process at all stages of the project development such as project formulation, feasibility study, design, implementation, and post-implementation, including the monitoring phase.
5	Establish grievance redress mechanism	Section 11 of LAA allows the landowner to file complaints / raise objections in writing within a time frame of 7 days plus time taken for travel from the date of publication of notice. Complaints are to be filed with the Ministry of Home Affairs, Government of Nepal through the local officer in charge of land acquisition.	The resettlement planning documents include an appropriate grievance redress mechanism to resolve complaints at project level. This includes formation of a grievance redress committee at town level, and publication of the notice of hearings and the scope of proceedings.
6	Improve or at least restore the livelihoods of all displaced persons	The LAA does not address the issues related to income loss, livelihood, or loss of non- titleholders. It only deals with the compensation for loss of land, structures, buildings, crops and trees, etc. for the legal titleholders and for tenants with registered deeds.	The resettlement plans for this project keep the provision for a census survey that will have the data on the loss of income and livelihood, and the same will be compensated as per the entitlement matrix for both physically and economically affected persons.
7	Land-based resettlement strategy	The LAA Section 14 provides for land for land compensation (if available), if the landowner loses his total land. In case of religious trust/Guthi lands acquired, Section 42 of the Land Reform Act states that Guthi land required for development work must be replaced with another land	Though this option may be a difficult proposition, given the lack of government land and the difficulties associated with the acquisition of private lands, the resettlement plans propose land-for-land compensation as its priority, if feasible. Attempt will be made to find alternate land for the loss of land, in case it is available and if it is feasible, looking at the concurrence of host community and land value.

S.N.	ADB's SPS (2009)	Land Acquisition Act, 1977 & Land Reform Act, 1964	Gaps Between LAA and ADB's Policies and Action Taken to Bridge the Gap
		(rather than compensated in cash).	
8	All compensation should be based on the principle of replacement cost.	The LAA does not specify how compensation is to be determined. Section 13 states that the amount of compensation may be determined separately for persons whose land is wholly acquired and persons whose land is partially acquired. Section 20 of the LAA states that in case the land to be acquired under this Act is a tenancy holding: fifty% of the amount of compensation payable for such land shall be obtained by the tenant with legal rights. In case a house constructed by the tenant with the consent of the landowner is also acquired, the tenant is eligible for the entire amount of compensation paid for such house.	The LAA differs from ADB policy in the valuation of land and prices of affected assets, where ADB prescribes the use of current market rates/replacement cost in the project area. The ordinance does not ensure replacement value or restoration of pre-project incomes of the affected persons. The resettlement planning documents for the UWSSP address all these issues, and spell out a mechanism to fix the replacement cost by having a valuation committee which will be responsible for deciding the replacement costs.
9	Provide relocation assistance to displaced persons.	No mention of relocation assistance to affected persons in LAA, although Section 16 (b) states The losses suffered by the concerned person as a result of his having been required to shift the residence or the place of his/her business by reason of acquisition of the land should be taken into account for computation of compensation.	The resettlement plan(s) provide for the eligibility and entitlement for relocation of the affected persons, in the form of relocation assistance which includes shifting allowances, right to salvage materials, and additional transitional assistance for the loss of business and employment.
10	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 no land assets.	The LAA does not have this provision.	The LAA only takes into consideration the legal titleholders and ignores the non-titleholders. The resettlement planning documents of the UWSSP ensure compensation and assistance to all affected persons, whether physically displaced or economically displaced, irrespective of their legal status. The end of the census survey will be considered the cut-off date, and affected persons listed before the cut-off date will be eligible for assistance.
11	Disclose the resettlement plan,	The ordinance only ensures the initial notification or the	The LAA does not comply with ADB's SPS-2009 as there is no mention of

S.N.	ADB's SPS (2009)	Land Acquisition Act, 1977 & Land Reform Act, 1964	Gaps Between LAA and ADB's Policies and Action Taken to Bridge the Gap
	including documentation of the consultation in an accessible place and a form and language understandable to affected persons and other stakeholders.	acquisition of a particular property.	disclosure of resettlement plan. The SPS ensures that the resettlement plan, along with the necessary eligibility and entitlement, will be disclosed to the affected persons in the local language (Nepali) in the relevant project locations and concerned government offices, and the same resettlement plan will also be disclosed on the executing agency's website and on the website of ADB.
12	Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	The LAA has a provision to include all the costs related to land acquisition and compensation of legal property and assets for legal titleholders. However, it does not take into account the cost related to other assistance and involuntary resettlement.	The LAA partially meets the requirement of ADB, as it only deals with the cost pertaining to land acquisition. The resettlement plan provides eligibility to both titleholders and non-titleholders with compensation and various kinds of assistances as part of the resettlement packages, and the entire cost will be part of the project cost.
13	Pay compensation and provide other resettlement entitlements before physical or economic displacement.	The LAA has the provision that at least 50% or a reasonable amount of compensation will be paid prior to possession of the acquired land.	It is specified in the resettlement planning documents of the UWSSP that all compensation and other entitlements are to be paid prior to physical and economic displacement and prior to contract award
14	Monitor and assess resettlement outcomes, and Their impacts on the standards of living of displaced persons.	This is not defined in the LAA	The LAA does not comply with ADB safeguards policies. The resettlement planning documents of the UWSSP has a detailed provision for a monitoring system within the executing agency. The executing agency will be responsible for proper monitoring of resettlement plan implementation, and the monitoring will be verified by an external expert.