

**Scaling up Renewable Energy Program
(SREP)**

**Waste to Energy Project Nepal
Social Management Framework
(SMF)**

**(Resettlement Policy and Vulnerable Community Development
Framework)**



**Government of Nepal
Ministry of Science, Technology and Environment
Alternative Energy Promotion Centre (AEPC)**

December, 2013

EXECUTIVE SUMMARY

Management of wastes is one of the major social and environmental issues in cities and emerging towns of Nepal. It is mainly due to putting low priority on waste management because of higher demand for other public services in many municipalities. Besides, the responsible municipalities and concerned entities, due to serious technical and financial constraints, are unable to deliver proper municipal solid waste management (MSWM) services to their respective cities.

The GoN has requested the World Bank for assistance in various forms of waste management through SERP. To deliver better waste management, the World Bank (WB) under the bilateral funded, *Scaling-Up Renewable Energy Program (SREP)*, is proposing an innovative, private-sector led, Waste to Energy (WTE) Project, that offers the potential to cost-effectively and environmentally manage municipal, industrial, and other wastes in Nepal.

The concept of this project is to identify existing Nepali private sector entrepreneurs who are willing to invest resources and efforts in entering any type of WTE business, and to support them with identification and delivery of projects that have been agreed as deliverables to the SREP Sub-Committee.

The SREP- WTE project is expected to create conducive market mechanism and deliver pilot projects in the categories of (i) municipal WTE; (ii) commercial WTE (e.g. poultry and cattle waste including industrial (sugar mill) waste) (iii) biomass (forest waste, agro-waste and crop residue, etc); and (iv) institutional WTE (e.g. kitchen or other waste from hospitals, prisons, boarding schools, university campus etc). The private companies which are interested in entering the waste-to-energy sector will be assisted with market research and awareness-raising of suitable technologies that are currently being used successfully in developing country environments, so that they can decide which types of technology partners to approach on their own for a business engagement.

The specific details about the conversion of different types of waste to energy are yet to be specified and therefore the nature and scale of their impacts will be known only later. However, the WTEP will involve collection, compilation and transportation of various types of waste and construction of process facilities that bear potential risk on social and cultural environment of any area including involuntary land taking. The World Bank requires undertaking safeguard due diligence to assess the environmental and social implications of developing waste to energy projects. To achieve these objectives, the Bank requires preparation of relevant safeguard documents to assess potential impacts; one key document is the Social Management Framework (SMF). This framework describes the policy, principles, and approach to be followed in avoiding, minimizing and mitigating adverse social and economic impacts by the sub projects under WTEP.

The framework is prepared based on the review of available project documents and literatures and information collected during field visit of some of the probable sites of the project.

Since the exact activities under the proposed project will be identified and prioritized during further stages of project design and implementation, it is expected that the activities proposed under this project likely be small and cause minimal negative social impacts. Land acquisition and resettlement are unlikely and discouraged under the project. Thus the adverse

social impacts of the proposed project are likely to be minimal due to absence of land acquisition and significant loss of income sources.

However, as precautionary measure some frameworks have been prepared and will be operational through a Social Action Plan (SAP) in absence of land acquisition and large scale loss of income sources as a result of this project.

Thus, Resettlement & Rehabilitation Policy Framework (RRPF), Framework for Gender Development, Framework for Vulnerable Community Development; Community Consultation and Disclosure Framework; Institutional Arrangement Framework have been prepared.

These frameworks will provide guidelines to avoid or reduce adverse impacts and enhance positive impacts to the wider project beneficiaries. Due to nature of activities and the approach taken, as well as the exact sites of intervention are not known, the implementing agencies will use the screening procedures outlined in this report to identify, assess, evaluate, mitigate and monitor social impacts of each activity/sub-project. Stakeholder consultations and social screening during the feasibility stage of each activity will identify and categorize the level of impacts and will guide the modalities to be followed avoiding or minimizing the impacts due to project implementation.

The RRPF guides the compensation for lost assets, livelihoods, community property, and resettlement and rehabilitation of project affected people in accordance with the GoN's Land Acquisition Act, 2034 (1977) and other relevant acts and World Bank's Operational Policy 4.12 on Involuntary Resettlement and Indigenous People (OP 4.10).

The VCDP provides guidance to the implementing agencies to ensure that project benefits are accessible to the vulnerable community living in the project area and to avoid any kind of adverse impact on the vulnerable community to the extent possible and if unavoidable it provide guidelines to ensure that adverse impacts are minimized and mitigated.

The gender development framework outlines the specific issues linking with corresponding strategies and activities which will be given due consideration in the project. This will ensure women's participation in the project cycle in order to benefit from project activities.

The consultation and disclosure framework is the cornerstone in planning, preparing and implementing the WTEP. For example, to assess the potential impact of the WTEP, such as on the vulnerable communities, *free, prior and informed consultation* with key stakeholders, in particular vulnerable people and their organizations at different levels will help ensure culturally appropriate and collective decisions. Further, public consultations and information dissemination, which ensures public understanding of the project's impacts and allows the vulnerable population—including scavengers, to express their voices, are also important parts of this framework.

The institutional framework outlines the institutional structure to implement the WTEP in general and implementation modalities of SMF in particular. The Biogas Sub Component (BSC) of AEPC will be responsible for the overall coordination, planning and implementation of social and community development activities as well as activities proposed under SAP, VCDP and GAP.

TABLE OF CONTENTS

1.	INTRODUCTION	1
1.1	The Project Context.....	1
1.2	AEPC/ World Bank Waste to Energy (WTE) Project	1
1.3	Proposed Development Objective(s).....	2
1.4	Project Components	3
1.5	Proposed Implementation Modalities of the WTEP	4
1.6	Need for Preparing Social Management Framework.....	5
1.7	Revision/Modification of the SMF	6
1.8	Limitations of the SMF	6
1.9	Methodology	6
1.9.1	Desk Study.....	6
1.9.2	Field Study.....	6
1.9.3	Data Analysis and Interpretation	7
1.10	Outline of the Report	7
2.	POTENTIAL SOCIAL IMPACT	8
2.1	Portfolio of the Projects under WTE.....	8
2.1.1	Municipal Waste to Energy Projects/Schemes.....	8
2.1.2	Forestry & Agricultural Waste (Biomass) to Energy Project/Schemes	10
2.1.3	Commercial Waste to Energy Projects/Schemes.....	11
2.2	Impact Identification& Assessment	13
3.	REVIEW OF RELEVANT SAFEGUARD POLICIES AND REGULATIONS.....	16
3.1	Key Applicable National Laws and Regulations	16
3.2	International Conventions	19
3.3	Applicable World Bank Policies	21
4.	THE RESETTLEMENT POLICY FRAMEWORK (RPF).....	22
4.1	General	22
4.2	Resettlement & Rehabilitation Policy	22
4.2.1	<i>Definitions</i>	23
4.2.2	<i>The Process</i>	23
4.2.3	<i>R & R Benefits and Entitlements</i>	27
4.2.4	<i>Consultation& Dissemination Strategy</i>	28
5.	VULNERABLE COMMUNITY DEVELOPMENT FRAMEWORK (VCDF).....	30
5.1	Vulnerable Groups in Nepal.....	30
5.1.1	<i>Adibasi/Janajati Groups</i>	30
5.1.2	<i>Dalits</i>	30
5.1.3	<i>Women and Others as Vulnerable Group</i>	31
5.1.4	<i>Disadvantaged /Vulnerable Groups in WTEP Area</i>	31
5.2	Major Issues and Need for Supporting Vulnerable Groups	32
5.3	Relevant Policies on IPs and other Vulnerable Communities.....	32
5.4	Objectives of VCDF.....	32
5.5	Steps for VCDP.....	33
5.5.1	<i>Screening</i>	33
5.5.2	<i>Social Impact Assessment</i>	33
5.5.3	<i>Suggested Format for VCDP</i>	34
5.5.4	<i>Specific Measures</i>	34
5.5.5	<i>Consultation & Dissemination Strategy</i>	34
6.	GENDER DEVELOPMENT FRAMEWORK (GDF)	35

6.1	Need for GDF	35
6.2	Process to Follow	35
6.3	GoN Policies on Gender Mainstreaming	36
6.4	Gender Equity and Social Inclusion (GESI) Policy of AEPC	37
6.5	Gender Inclusive Design and Preparation of GAP.....	38
7.	STAKEHOLDER CONSULTATIONS AND DISCLOSURE FRAMEWORK	40
7.1	Stakeholder Identification	40
7.2	Stakeholder Consultation	41
7.3	Consultation Strategy during Design and Implementation	43
7.4	Disclosure of Information	44
8.	INSTITUTIONAL ARRANGEMENTS	45
8.1	Implementation Arrangement of WTEP	45
8.2	Biogas Sub Component (BSC).....	45
8.3	Responsibility for Implementing and Monitoring the SMF.....	45
8.4	Social Accountability and Grievance Redressal Mechanism.....	45
8.5	Impact Monitoring and Evaluation	46
8.5.1	<i>Monitoring Framework</i>	47
8.6	Capacity Assessment and Capacity Building Measures	47
9.	BUDGET	49
	REFERENCES	50
	Annex 1 Checklist for Stakeholder Consultations and Focus Group Discussion	51
	Annex 2 Details of Consultation Meeting and Participants	53
	Annex 3 Classification of Adivasi Janajatis in Nepal.....	61
	Annex 4 Scheduled Castes of Dalit Community in Nepal.....	62
	Annex 5 Situation of Dalit in Comparison to National Average	63
	Annex 6 Specific Measures for Vulnerable People’s Development for WTEP	64
	Annex 7 Gender Development Plan for Subproject	65
	Annex 8 Consultation Strategy during Implementation of WTEP	67
	Annex 9 Disclosure Requirements under WTEP.....	68
	Annex 10 Monitoring Parameters, Methods, Schedule and Location	69
	Annex 11: Social Screening Format	71

List of Tables

Table 2.1	MSW Generation and Collection Efficiency in Pokhara and Biratnagar	9
Table 2.2	Likely Adverse Social Impacts	14
Table 3.1	Applicable Social Policy, Acts, and Regulations	16
Table 3.2	Applicable International Norms.....	19
Table 4.1	Entitlement Matrix	27
Table 7.1	Key Issues Raised by the Stakeholders during the Consultations	41
Table 9.1	Budget Estimation for Implementation of SMF	49

ACRONYMS/ABBREVIATIONS

ADB	Asian Development Bank
AEPC	Alternative Energy Promotion Centre
BSC	Biogas Sub Component
BSMC	Biratnagar Sub Metropolitan City
CBO	Community-based Organization
CDO	Chief District Officer
CF	Community Forest
CFUGs	Community Forest User Groups
CSOs	Civil Society Organizations
DADO	District Agriculture Development Office
DDC	District Development Committee
DFO	District Forest Office
EIA	Environmental Impact Assessment
EPA	Environment Protection Act
EPR	Environment Protection Regulation
EMP	Environmental Management Plan
FUG	Forest Users Group
FECOFUN	Federation of Community Forest Users, Nepal
FGD	Focus Group Discussion
FY	Fiscal Year
GoN	Government of Nepal
HMG	His Majesty's Government
HHs	Households
GDP	Gross Domestic Product
GON	Government of Nepal
HDI	Human Development Index
HQ	Head Quarters
IDA	International Development Agency
IEE	Initial Environmental Examination
IP	Indigenous People
IK	Indigenous Knowledge
INGO	International Non-Governmental Organization
ILO	International Labor organization
Km	Kilometer
LDO	Local Development Officer
M&E	Monitoring and Evaluation
MOLD	Ministry of Local Development
MoPPW	Ministry of Physical Planning and Works
NGO	Non Government Organization
PAPs	Project Affected Peoples
PSC	Project Support Consultant
PSMC	Pokhara Sub Metropolitan City
UNDP	United Nations Development Program
VDC	Village Development Committee
SMP	Social Management Plan
SWMA	Solid Waste Management Act
SREP	Scaling Up Renewable Energy Program
VCDP	Vulnerable Communities Development Plan

WTEP	Waste to Energy Project
WB	World Bank
TOR	Terms of Reference

1. INTRODUCTION

1.1 The Project Context

Large quantities of wastes from different sources like domestic, institutional, industrial etc are generated from urban areas of Nepal. A recent study¹ has estimated that an average per capita household waste generation rate of Nepal's cities is 170 grams (g)/capita/day. The study also revealed that the household waste generation rates vary with the economic status and climatic conditions. On an average, households with monthly expenditures of NRs40,000 (\$400) and above generate more than twice as much waste as households with monthly expenditures of less than NRs 5,000 (\$50). Households in Terai municipalities generate nearly 80% more waste than those in mountain region municipalities. For institutional establishments, the average daily waste generation was 4.0 kilograms (kg) per school and 1.4 kg per office. Similarly, the average daily waste generation of commercial establishments was 1.4 kg per shop and 5.7 kg per hotel or restaurant.

The breakdown of household waste composition indicated that the highest waste category was organic waste with 66%, followed by plastics with 12%, and paper and paper products with 9%. The composition analysis of institutional wastes revealed 45% paper and paper products, 22% organic wastes, and 21% plastics. Similarly the commercial wastes comprised 43% organic wastes, 23% paper and paper products, and 22% plastics. In aggregate, MSW is composed of 56% organic waste, 16% plastics, and 16% paper and paper products (ADB, 2013).

Waste management is one of the major social and environmental issues in cities and emerging towns of Nepal. Managing solid waste has been accorded a low priority mainly because the demand is higher for other public services in many municipalities. Besides, the responsible municipalities and concerned entities, due to serious technical and financial constraints, are unable to deliver proper municipal solid waste management (MSWM) services to their respective cities. The problem has been further exacerbated due to absence of segregation practice in source. The commonly practiced waste disposal using open dumping, including on vacant lands, river banks, and forest areas, can cause potentially serious surface- and groundwater pollution, vector-borne diseases, and environmental and human health hazards and endanger safety. The use of products that generate hazardous waste is another concern. Unmanaged disposal of medical wastes from hospitals and clinics also contribute to pollution and public health hazards in the localities. Furthermore, there is little to no waste recycling, except by the scattered scavenging community. Large amounts of otherwise recoverable energy and resources are lost. Increasing urbanization is adding greater dimensions to the problem.

1.2 AEPC/ World Bank Waste to Energy (WTE) Project

Nepal has been approved as an eligible Scaling Up Renewable Energy Program (SREP)-pilot country for receiving up to USD 40M in total grant funds from SREP (that will be channeled in tranches through International Finance Corporation (IFC), Asian Development Bank (ADB) and World Bank, respectively) to implement a well-conceived and structured program to scale up Renewable Energy (RE) in the country, in small hydro, mini and micro-hydro,

¹ADB (2013) Solid Waste Management in Nepal: Current Status and Policy Recommendations

solar and W2E/biogas technologies. The SREP Investment Plan (SREP-IP) was prepared under the leadership of GoN with assistance from experts engaged for the preparation of the IP, and inputs were received from a wide array of stakeholders including national and private sector institutions, industry associations, development partners and civil society. The SREP-IP also benefited from the experiences and inputs from ADB, IFC, and the World Bank. The SREP-IP complements the GoN's program for increasing the access to energy services from alternative energy sources

The GoN has requested the World Bank for assistance in various forms of waste management through SERP. To deliver better management of wastes, the World Bank (WB) under the bilateral funded, *Scaling-Up Renewable Energy Program (SREP)*, is proposing an innovative, private-sector led, Waste to Energy (WTE) Project, that offers the potential to cost-effectively and environmentally manage municipal, industrial, and other wastes in Nepal. The project incorporates source segregation, energy and resource recovery. WTE is a form of energy-recovery schemes which generate energy in the form of electricity or heat from the biodegradable and non-degradable waste. W2E addresses the issues of waste management and energy recovery at a same time. The possible W2E schemes under SREP are categorized in the following four groups, namely:

- I. **Municipal WTE** that intends to recover energy from municipal waste in urban center, cities, etc.
- II. **Commercial WTE** that intends use of waste produced at the commercial establishments like poultry litter, agro-waste, biomass crop residue, liquor industry, etc.
- III. **Institutional WTE** that intends to recover energy from the kitchen or other waste of hospitals, prisons, boarding schools, university campus, military barracks, and police barracks, etc.
- IV. **Biomass (forestry and agriculture) WTE** intends to recover energy from agricultural wastes or biomass from forests which are not used and/or have minimum use such as forest litter.

The concept of this project is to identify existing Nepali private sector entrepreneurs who are willing to invest resources and efforts in entering any type of WTE business, and to support them with identification and delivery of projects that have been agreed as deliverables to the SREP Sub-Committee. The private companies which are interested in entering the waste-to-energy sector will be assisted with market research and awareness-raising of suitable technologies that are currently being used successfully in the developing country environments, so that they can decide which types of technology partners to approach on their own for a business engagement. In this, the capacity of AEPC and other sector stakeholders will be enhanced to facilitate the process for a sustainable market development. AEPC for its part will support the planning process, policy development and creation of a conducive investment climate for this new business segment. Private companies will be expected to contribute the major share of project costs. This will be in the form of equity funds, as required by commercial lenders, and they will be expected to seek debt funding for the remainder. AEPC will assist in mobilizing commercial debt, possibly through the provision of a minimum level of grant funding required for financial closure.

1.3 Proposed Development Objective(s)

The project development objective is to promote market-led approaches to commercially

viable off-grid energy generation from waste, through better management of waste, and public and private partnership.

The project aims to promote private sector-led generation of energy from waste, and better management of waste through Technical Assistance and financial support for the development of commercially viable business models. This will be done with resources mobilized from various sources including the GoN's subsidy, local private investors, SREP, other donors, and commercial banks. Public Private Partnerships will be facilitated by AEPC to enable local firms to partner on a commercial basis with viable technology providers.

1.4 Project Components

The proposed SREP- WTE project comprises two components—i) Technical Assistance and ii) Financing of Investments

Component 1: Technical Assistance:

- (a) **Identification of Investors**--Call for Expressions of Interest from interested parties (in any sector) to identify and invest in W2E projects. Projects should focus on harnessing waste (ranging from municipal solid waste to organic kitchen waste, to animal waste, to agricultural waste and crop residue, to human waste, all proposed to be converted through suitable technology into a source of renewable energy generation which can be thermal or electrical power). Supplies of waste will be sourced from commercial businesses (poultry farms, dairy farms, pig farms, breweries, agri-waste, biomass, etc), from municipal landfills, and from institutional sources (e.g. hospitals, army barracks, boarding schools, university dormitories, etc).
- (b) **Support for Market Research of demand and supply and identification of viable projects proposed by private investors on a competitive basis**--Vetting of proposals received, selection of short listed companies, and cost-sharing of market research and technical due diligence for identified projects. Due diligence will include individual project sponsors' compliance with IDA Safeguards policies, and an overall Safeguards Policy Framework for W2E Projects will be prepared as a reference document by AEPC to assess compliance of individual proposals within this framework. Social and Environmental Safeguards will be a key part of project preparation and also supervision during implementation of various AEPC-assisted projects.
- (c) **Capacity Building Program for Nepalese companies whose proposals are competitively selected**--Nepalese companies will be supported on a cost-sharing TA basis (i.e. AEPC will not pay the full cost of the market research study that will lead to the private firm's business plan, but will cost-share the technical due diligence with the firm). This upfront TA support will provide for further exposure to available, proven technologies for their chosen type of W2E project, site visits and potential partnerships with technology investors from the sub-region or beyond, since the technology is not available within Nepal. All this will help the Nepali firm to make a business decision on which technology partner it wishes to approach. The initial TA will cover the due diligence and market exploration required. Finally, before investment approval, all selected projects which are capable of mobilizing investment resources required, will be supported with an experienced technology partner, if they

wish. This technology partner may choose to be an investor (and therefore participate in the profits) or may choose to remain in the role of a technical expert (paid only for services and possibly a one-time success fee). Such support from a technology partner is needed because this is a new market segment in Nepal and there is no experience with implementation in the private sector, on a commercial scale. In order to assist Nepali firms to navigate new technologies and new business models, continued involvement of an experienced technology partner (freely chosen by the firm) is essential for successful market development.

- (d) **Third Party Due Diligence by AEPC**--Full scale technical due diligence performed by impartial experts on business plans presented to the Investment Sub-Committee (which will have representation from AEPC, private sector and civil society representatives). This will also include development of a monitoring and reporting system at AEPC, which will be required to report on project progress according to agreed indicators.
- (e) **Support for AEPC to facilitate policy as required by emerging investors, and create a conducive environment for market-driven W2E technologies, through TA and leveraging SREP funds.** AEPC will be supported to develop policy as required.

Component 2: Financing of Investments

This will involve a limited contribution to achieve financial closure for competitively selected W2E investments led by the private sector, for which the private sector undertakes design, construction, financing (except for viability gap financing to be contributed by AEPC), operation and maintenance.

AEPC may also use the SREP funds to take an equity stake in a business on behalf of e.g. a municipality, or else it may set up a guarantee mechanism (first-loss) to catalyze commercial lending, or it may offer a “viability gap funding” arrangement which is permitted under SREP rules in order to achieve financial closure for the project. Firms will be specifically encouraged to approach IFC Kathmandu and other commercial lenders for equity or debt support as well, and AEPC’s own capacity building efforts in the W2E field will benefit from observing IFC Advisory services and IFC due diligence that must be undertaken in this connection.

1.5 Proposed Implementation Modalities of the WTEP

The SREP- WTE project is expected to create conducive market mechanism and deliver pilot projects in the categories of (i) municipal WTE; (ii) commercial WTE (for instance, but not limited to, poultry and cattle waste, industrial waste etc.) (iii) Biomass (forest waste, agro-waste and crop residue, etc); and (iv) institutional WTE (e.g. kitchen or other waste from hospitals, prisons, boarding schools, university campus etc.).The Alternative Energy Promotion Centre (AEPC) is the focal agency for renewable energy promotion in Nepal under the purview of Ministry of Science, Technology and Environment (MOSTE) has been proposed as the lead agency to implement the project.

AEPC, through a transparent, competitive procurement process for the WTEP, will invite proposals from private Developers for the project. A potential Developer could be a

commercial firm, private companies, an NGO, a consortium of local bodies and private companies and NGO/CBO. Furthermore, a potential Developer can bid on one or more types of wastes, including, in partnership with a relevant entity. For example, for access to municipal wastes, it may be prudent for a potential Developer to partner with a municipality. Likewise, for access to animal or poultry manures, a farm-based entity may be more suitable. Potential energy and/or resource recovery under the project could be in the form of Biogas, Electricity, Refuse Derived Fuels (RDF), Briquetting, Compost, and as considered feasible by a Developer. However, the project encourages the entities that produce their waste on site, mostly, who will use that to generate biogas from it and either use that biogas for cooking (to cut down on firewood purchases) or they will pipe it into a retrofitted diesel generator and use it to generate electricity for themselves, saving on a few hours of having to burn diesel. As lead implementing agency, the key contributions of AEPC under the SREP- WTE project are the following:

- (i) AEPC will identify firms interested in investing in WTE projects through a competitive process (e.g. call for proposals) and it will prepare qualified firms through TA support;
- (ii) AEPC will identify qualified firms following results of TA and due diligence, that are able to deliver projects;
- (iii) AEPC will lead policy development and ensure a conducive environment for investors.

Proposed competitive procurement required to follow the guidelines of GoN and World Bank. While implementing the project(s) each winner will abide by the Bank's Safeguard Policies and/or the GON's relevant policies, whichever is stricter.

1.6 Need for Preparing Social Management Framework

Although the general thrust and broad project interventions are well understood as outlined above, the specific details about the conversion of different types of waste to energy are yet to be specified and therefore the nature and scale of their impacts, will be known only later. However, the WTEP will involve collection, compilation and transportation of various types of waste and construction of process facilities that bear potential risk on social and cultural environment of any area. The World Bank requires undertaking safeguard due diligence to assess the environmental and social implications of developing waste to energy projects. To achieve these objectives, the Bank requires preparation of relevant safeguard documents to assess potential impacts; one key document is the Social Management Framework (SMF). Given the fact that the locations and the sites details under the project are not known yet, the SMF is proposed as an instrument to identify, assess, mitigate and monitor social risks associated with the project. The SMF provides a Resettlement Policy Framework as per the World Bank's OP 4.12 and relevant regulatory requirements of GoN with additional guidelines for dealing with vulnerable groups as per the WB's OP 4.10 and for strengthening gender participation. Furthermore, the SMF provides guidelines to undertake social screening, and impact appraisal. If the screening indicates resettlement impacts, the SMF provides guidelines to prepare and implement resettlement action plan (RAP) for the subproject under WTEP. The objective of the SMF is to ensure that activities under the proposed operations will address the following issues:

- Ensure compliance and due diligence with World Bank’s social safeguard policies as well as with related Government policies, regulation, guidelines and procedures as applicable to the type of project activities financed by the project.
- Minimize potential adverse social impacts of the project activities as a result of either individual subprojects or their cumulative effects;
- Ensure that social issues related to the project are thoroughly evaluated and necessary interventions are incorporated in planning, decision making, and implementation of project activities;
- Identify possible measures to enhance positive social outcomes;
- Provide a mechanism for consultation and disclosure of information.

1.7 Revision/Modification of the SMF

The SMF will be an ‘up-to-date’ or a ‘live document’ enabling revision, when and where necessary. Unexpected situations and/or changes in the project or sub-component design would therefore be assessed and appropriate management measures will be incorporated by updating the Social Management Framework. Such revisions will also cover and update any changes/modifications introduced in the legal/regulatory regime of the country. Also, based on the experience of application and implementation of this framework, the provisions and procedures would be updated, as appropriate in agreement with the World Bank and the implementing agencies/ departments.

1.8 Limitations of the SMF

This Social Management Framework has been developed in line with World Bank’s Operational Policies (OPs) and is based on the national and state laws and regulations, as applicable at the time of preparation of this document. Any proposed modifications in the laws, regulations or guidelines that were notified as ‘draft’ at the time of preparation of this document have not been considered.

1.9 Methodology

The study methodologies adopted for preparing SMF is based on desk study and field study.

1.9.1 Desk Study

In desk study project documents and relevant literatures particularly applicable GON’s social regulations and guidelines, World Bank social safeguard policies were thoroughly reviewed.

1.9.2 Field Study

In field study, some of the sites of the awarded project proposals during Waste to Energy (W2E) Bazaar 2013 were visited and interaction and consultation meetings were carried out with stakeholders to explore likely social implications of the proposed project and corresponding mitigation measures. The stakeholder consultation exercise was conducted with the help of check list (Annex 1). The details of the participants and issues raised during the consultation meetings are presented in Annex 2.

1.9.3 Data Analysis and Interpretation

The data collected through various tools and sources were mainly analyzed using qualitative methods. Qualitative data like socio-cultural characteristics, knowledge, practices and attitudes and perceived need and problems expressed, suggestions and comments made by the people of the study areas have been analyzed under appropriate context under different categories and sub-headings. Necessary maps, tables and charts have been presented in the appropriate sections.

The religious, cultural, and historical sites were evaluated in terms of their religious and historical significance based on the spiritual and historical linkage of the people of the area.

1.10 Outline of the Report

The Social Management Framework has been structured along the lines:

- Project Background and Description
- A Brief Summary of Key Social Impacts
- Social Regulatory Framework Applicable for the Project
- Resettlement Policy Framework(RPF)
- Vulnerable Community Development Framework (VCDF)
- Gender Development Framework (GDF)
- Stakeholder Consultation and Disclosure Framework
- Institutional Arrangement (including monitoring, reporting& capacity building)
- Budget
- Annexure

2. POTENTIAL SOCIAL IMPACT

2.1 *Portfolio of the Projects under WTE*

Four types of wastes: municipal, institutional, commercial (cattle, poultry, etc and there could be other types of waste), and biomass—including forestry& agricultural residue —are covered under the project. Field visits and appraisal of sample projects (selected during Waste to Energy (W2E) Bazaar 2013) to be implemented under the WTEP were conducted and accordingly identified the potential social issues arising from implementation of the projects. The implementation of these projects is spread across several cities and/or towns in the country.

2.1.1 *Municipal Waste to Energy Projects/Schemes*

Waste databases of Nepal show that municipal solid waste (MSW) holds greater potentiality and opportunity for converting waste to energy. MSW can be directly combusted in waste-to-energy facilities as a fuel with minimal processing, known as mass burn; it can undergo moderate to extensive processing before being directly combusted as refuse-derived fuel; or it can be gasified using pyrolysis or thermal gasification techniques.

However, it is proposed that the pilot municipal W2E processing system will include waste segregation and resource recovery, biogas and fertilizer generation through anaerobic digestion, biogas-to-electricity conversion, and production of refuse derived fuels. It would be implemented in the following three phases:

Phase I: focus on waste segregation and include setting up a waste collection point, a separation plant, a plastic washing system, and a plastic product handling.

Phase II: Once the segregation plant is fully operational, focus on installing an anaerobic digestion system, a waste water treatment facility, a fertilization plant and biogas conversion to electricity.

Phase III: focus on installing a refuse derived fuel processing unit to pelletize the residual high calorific waste to produce RDFs through drying and compression.

While Phase I and II would be implemented in Year 1, Phase III would be implemented in Year 2 only.

Pokhara and Biratnagar Municipalities have been identified as potential site for piloting/developing municipal waste to energy projects.

Pokhara Sub Metropolitan City (PSMC) is the second largest cities of the country having total population of 255465 with 126238 and 1229227 male and female populations respectively in 2011 census. The total households in PSMC are 66236 with an average household size of 4.40 persons. It has a total area of 55.22 km² with a build up area of 28.44 km² and population density of 4799 person per km². It serves as the headquarters of Kaski District, Gandaki Zone and the Western Development Region. Pokhara is one of the most popular tourist destinations in Nepal.

The population of the PSMC comprises Brahmins, Chhetris, Janajatis/adibasi (Newars, Gurung, Magar, Thakalis) and Dalits castes like Damai (tailor), Kami (blacksmith), Sunar (goldsmith), Gaine (singer) and Pode (sweeper). There is a small Muslim community as well.

The PSMC engages a private contractor, Pokhara Waste Management Services Ltd (PWMS) to manage MSW in some parts of the city. While the PWMS is able to collect only 8tpd of MSW, PSMC collects the majority i.e. 42tpd of MSW in the city out of the total 50 tpd MSW collected at present in the city. The MSMC manages MSW with the help of 17 regular staffs and 20-25 temporary staffs. The contract between PWMS and Pokhara Municipality is based on a 60/40% revenue sharing model. PWMS relies on waste collection fees, and the sale of compost and recyclables (plastics, metals, paper) for its revenues.

Biratnagar Sub Metropolitan City (BSMC) is the fourth largest city of the country having total population of 201125 with 101994 and 99176 male and female populations respectively in 2011 census. The total households in BSMC are 45132 with an average household size of 4.80 persons. It has a total area of 58.48 km² with a build up area of 10.84 km² and population density of 3505 person per km². It serves as the headquarters of Morang District and is also the major industrial and commercial hub of Eastern Nepal.

At present Health and Peace for Environment (HPE), a private company is a contractor to Biratnagar Municipality for managing the entire solid waste management from collection to disposal based on a resource and fees sharing mechanism. It has the current capacity to collect a total of 50tpd MSW. They also operate two small informal transfer stations and a compost facility.

The contract allows the company to collect service charges from households, industries and commercial areas but requires them to share 10% of the collected fees with the Municipality and 25% with Tole Lane Organizations, a judging body composed of local people.

However, at present most of the wastes generated in these municipalities are not being adequately managed thereby creating a serious health and environmental hazard, particularly in the slum and squatter areas, where the residents have less capacity to pay for better services and are often ignored by the official agencies. Therefore, poor urban settlements particularly in BSMC are most affected because of indiscriminate dumping and lack of open spaces.

Municipal solid waste generation and collection efficiency in Pokhara and Biratnagar Municipalities is presented in the table 2.1 below.

Table 2.1 MSW Generation and Collection Efficiency in Pokhara and Biratnagar

Details MSW Generation	Municipalities	
	Pokhara	Biratnagar
Average HH Waste (Kg/day)	0.97	0.68
Average HH Size(number of members)	4.40	4.80
Average Per Capita HH Waste(g/capita/day)	220.97	142.39
Total Waste(tons/day)	58.55	29.18
Total Commercial Waste (tons/day)	27.29	25.48
Total Institutional Waste (tones/day)	4.00	3.70
Average Per Capita MSW (g/capita/day)	441.94	284.78
Total MSW Generation (tons/day)	117.11	58.37
Estimated Waste Collection (tons/day)	50	50
Collection Efficiency (%)	42.7	85.7

Source: ADB, 2013

2.1.2 Forestry & Agricultural Waste (Biomass) to Energy Project/Schemes

Biomass consists of organic residues from plants and animals which are obtained primarily from harvesting and processing of agricultural and forestry crops. Biomasses are wastes and by-products that could be utilized as fuels for producing energy, instead of becoming landfill waste. Examples of some of the biomass residues that are utilized in direct combustion power plants are: forest slash, urban wood waste, lumber waste, agricultural wastes, etc.

In Nepal, the government and different donor agencies and NGOs have been supporting small-scale bio-briquette projects for a decade. Though there was a latent demand of bio-briquette in urban markets and a huge production potential in rural areas, it could not be a commercial venture due to the lack of a reliable value chain. The main aim of the WB/AEPC WTEP is to contribute to low-emission, climate-resilient development through a well-established green, fair and integrated bio-briquette value chain. This includes scaling-up of the promising model of sustainable production and consumption of biomass-based energy products. The model is designed to contribute addressing growing energy crisis while promoting pro-poor economic growth and sustainable management of community forests producing energy from forest and agricultural waste.

Thus under this type, the WTEP will facilitate upgrading of biomass based energy products (e.g. Bio-briquettes, charcoal etc) and processes and support enterprises to access finance, technology and other business services. The project will provide technical support to create market for biomass-based energy products in Nepal and focus on this promising value chain to increase and improve the production and demand for the products. It is expected that with such an expansion of the market, bio-briquettes would move from being a marginal product to a more mainstream one, thus creating new opportunities for several of the existing and new small processing enterprises and provide a model for country to promote biomass energy to reduce pressure from fossil fuel.

Dolakha district has been selected for piloting biomass to energy project. Dolakha covers an area of 2,191km² with a population of 186557 in 2011 census. Dolakha is accounted one of the remote but resourceful mountain districts in Nepal. It is, however, rather poor in terms of many socio-economic and human development indicators. The district is comprised of households with diverse caste and ethnic identities. Of them, Tamang, Jirel, Sherpa, Magar, Sunuwar, Thami are ethnic groups (indigenous) or Janjatis (those groups traditionally do not belong to a caste hierarchy within the Hindu caste system rather they had their own language, confined territory and system of governance), Brahman and Chhetri are high caste Hindu and Kami, Sarki and Damai are the Dalits or “untouchable” caste groups.

The people in this district are overwhelmingly depending on agriculture and forest resources for their livelihood. They get daily consumables from the forest, e.g. leaf-litter, firewood, herbs and fodder. Some hold jobs (both government and non-government sectors) and a few are involved in micro businesses (shop-keeping, local herbs processing, etc.). However, wage labor is the dominant livelihood coping strategy and source of income for the poor and marginalized households.

About 101,500 ha of forest lie in the Dolakha district. Of which, 43646.80 ha i.e., 43% of total forest in the district, is under community management called “community forest”. The Community Forest is a national forest that is “handed over” to a user group for development, conservation, and utilization for the collective interest. The Forest Act of 1993 and Forest Regulations 1995 created a provision for Government of Nepal to handover to communities

the rights to manage government owned forestlands. These Acts identified forest user groups as self-governing institutions with rights to acquire, transfer, and sell forest products. However, the state retains ownership of forests, while communities hold the rights to use the forests and make management decisions. Local people are now aware of the importance of forests in sustaining their livelihoods and feel that forests must be conserved and managed properly for the sustainable utilization of forest products. Forest use is not unrestricted in either the legal framework or in practice. Community Forest User Groups (CFUGs) are required to pay taxes to government when they sell any forest products outside the CFUG. Restrictions on certain species are also issued from time to time. CFUGs retain 100% of revenues generated from their forest, but must allocate 25% of this income for forest development activities as per the Forest Act. Besides, it is mandatory to spend 15% of the total fund to poor and marginal people to run different livelihood improvement programs.

At present, the biomass for charcoal and other similar production is abundant in Dolakha (7623 kg/ha/year). Generally, timber, fuel wood and non-timber woody biomass extracted during the regular silvicultural operations such as harvesting, thinning, pruning and cleaning are the major forest based woody biomass. Besides, Dolakha has huge potential for using wastes for charcoal making from forest-based enterprises such as furniture making, sawmills and plywood/veneer. Currently, there are 40 furniture enterprises, 30 sawmill, 5 veneer enterprises and a plywood industry that are in operation in Dolakha. Dibya Ply Udhyog alone produces three tons of waste per day that includes sawdust, *jabara* (small pieces of veneer that cannot be used for plywood making), wood chips and small wood. Only one-third of which is currently being used as fuel in ply processing and rest is left unused as waste. Of all those wastes, wood chips and small wood can directly be used for bio-briquettes and charcoal making while sawdust and *jabara* can be used after densification.

However, to ensure sustainable use of those resources and to avoid their over-use in long run, it is recommended to undertake a detailed resource inventory prior to the establishment of any bio-briquettes enterprises and the improved charring retort (ICR) for efficient charcoal production. Further, rotational biomass collection is recommended to continuous biomass collection from the same patch of forest to promote the natural regeneration of biomass. It is also recommended that local CFUG need to be mobilized as monitoring committee to ascertain the proper use of non woody biomass (and the woody are not over used) and to manage the plantation for sustainable harvesting. The perspective developer will appoint an ESMF focal person and he or/she will provide required guidelines to ensure sustainable use of resources. The ESMF officer at AEPC will monitor the activities to ensure sustainable use of resources under WTE project.

2.1.3 Commercial Waste to Energy Projects/Schemes

Poultry farming is one of the vibrant enterprises in Nepal and the farms are located in and around urban areas, especially in Chitwan and Kathmandu valley. But the continuous load shedding and irregular power supply in the country seriously affect the poultry farming and therefore the entrepreneurs are forced to invest huge money to install and run diesel generator as backup. On the other hand, management of waste produced by the chicken in huge quantity is a real challenge. The promotion of biogas from poultry manure could be a solution for both perennial power supply and waste management.

The technological options available today can be optimally utilized to generate electricity by using the biogas produced from such plants. This can be done in various ways: inject the gas

to the diesel generator and replace the fuel or install thermal generator and use the produced gas as an input fuel. This will serve not only providing electricity services to the farming, it also help to reduce the exposure of greenhouse gases and manage the waste.

A poultry bird (layer) produces about 0.1 kg (100 gm) litter daily; whereas 1kg poultry litter produced 0.063 m³ biogas by anaerobic digestion (Rehling, 2002 cited in AEPC, 2012). Under optimum conditions, a biogas plant fed with the litter from 100 birds will produce daily $100 \times 0.1 \times 0.063 \text{ m}^3 = 0.63 \text{ m}^3$ of biogas. This gas is adequate for a 4-member family to prepare one meal. As such it may be concluded that minimum 500-birds poultry farm is technically suitable for a biogas plant (AEPC, 2012).

The biogas produced from poultry waste (litter) can be used to generate electricity – through a biogas generator. The gas produced from the digester contains Methane, moisture Hydrogen Sulfide, Carbon dioxide and other impurities. Methane has a high calorific value in its pure stage. If the moistures and other impurities especially sulfide gas are properly separated the pure methane is suitable for Internal Combustion (IC). Once pure Methane is available in suitable quality and quantity it finds a wide range of applications from running an oil engine, driving a Motor car Engine to operating a Gas Turbine for rural power generation.

Commercial cow farms are the other potential arena where waste can be converted into different types of energy products profitably. Daily produced waste can be utilized as feeding materials for the biogas plants which helps not only for the environment management but also for more income generating activities through clean energy options. For example Lumbini Agro Products and Research Center, Rupandehi was established on the year 2065 B.S. in Tikuligad VDC, Rupandehi. The total land area of farm is 32 Bigha and there were altogether 269 numbers of cow in the farm. It is estimated that, 3374 kg of dung and 2638 liter of urine is produced daily in the farm but dispose method is open dumping.

Potential of Biogas from Poultry Waste in Nepal	
Total population of poultry birds=	25, 00, 00,000
Average Layers population	= 18, 00, 00, 000
Average Broilers population	= 7, 00, 00, 000
Total poultry waste produced	= 20,100,000 kg per day
Daily potential for biogas	= 0. 063x 20,100,000=1,266,300 m ³
Source: AEPC, 2012	

If properly stored and used, manure from animal feeding operations can be a valuable resource. Applying manure to land can be an environmentally sound approach to fertilizing fields. Manure can also be used in digesters (machines which decompose manure and capture the methane gas emitted) to produce electricity, and other useful by-products such as bio-slurry. However, if not managed correctly, the waste produced by the commercial farm can pollute the environment – especially water and air and possibility of social resistance against the firms itself.

Considering the daily available dung and urine from the farm, it can be installed 270 m³ capacity of biogas plant. If thus produced biogas can be converted into electrification then 386 kWh per day can be generated. Installation of Biogas reactor mainly depends upon the duration of working hour and its capacity as well. If the farm generates the electricity, it could be possible to fulfill own demand and also excess electricity may possible for selling in

the market in reasonable cost price. In terms of financial investment, however, it seems more expensive but from various diversifications such as use of gas, electricity, bio-slurry, carbon market etc. creates sustainability in future long term (AEPC, 2012a).

2.2 Impact Identification & Assessment

The projects, which will be implemented under WTEP, have its own beneficial as well as adverse impacts. The significance of these impacts depends on the individual project, its size and location. In general, the projects under WTEP are small in size and therefore relatively have less potential adverse impacts. This section identifies the social impacts of the sub-project activities with a view to facilitate early evaluation of such impacts and integrate suitable mitigation measures during sub-project planning and implementation.

The projects under WTEP involve construction of waste receiving and segregation yards, composting yards, processing facilities, biogas production plants, and engineered landfills with leachate collection and disposal arrangements among others. Most of these works would be spread over in one location and the requirement of land for these projects is rather small as compared to other infrastructure development projects. Generally, the land for the solid waste treatment facility will be selected away from habitations. However, the solid waste/poultry waste treatment plant/facility, at times would require displacement of people and trigger resettlement issues, if there is need for private land (or) government land that has been occupied. Displacement may also result in loss of livelihood or sources of livelihood and thus loss of income. The land parcels located close to the solid waste treatment facility may see fall in value. The WTE project envisions that if private land is required, land will be acquired following standard procedures as per LAA 1977 (see Annex 13) considering the spirit of Resettlement Policy outlined in this report. In case of Municipality land, a formal MoU between the perspective developer and concern municipality will be concluded mentioning clear terms and conditions.

Thus, key social impacts can be grouped into three categories viz., (i) direct (loss of land and other properties; loss of income; loss of livelihood); (ii) indirect (loss of access to public infrastructures and community resources during construction); and (iii) perceived losses (perception of decline in property values adjacent to waste collection and process facilities sites).

The other likely impacts include dust and noise, pressure and disturbances on community infrastructure and resources due to influx of workforce during the construction period. Further, issues related to vulnerable groups such as the urban poor, women, socially and historically disadvantaged groups such as Dalits and indigenous people forms another dimension of social risks and problems. Thus, it becomes the responsibility of the project implementing authorities to see that the sub-project plan takes into consideration the potential social impacts on the people before considering the sub-project for implementation.

However, the project is expected to cause positive health benefits from better management of waste, for example, removal of poultry litter which pollutes nearby water supplies, or urban waste which spreads disease. Similarly, construction works under the WTEP can contribute to creating jobs in the towns where the work is initiated. It can increase local employment and hiring of semi skilled workers—masons, carpenters, building workers, plumbers, electricians, and others. Increased employment will help increase the incomes of the local populations, improve their living conditions, and contribute to the fight against poverty.

However, based on the findings of feasibility studies and consultations with stakeholders indicated the following (Table 2.2) possible adverse social impacts due to the implementation of sub projects under WTEP.

Table 2.2 Likely Adverse Social Impacts

Waste Type	Project Activities	Probable Impacts
Municipal Waste	MSW collection and hauling	Vehicular emission, road dust, foul odor, possibilities of local resistance, depreciation on land values near project site.
	MSW pilling	Involuntarily land taking, health and sanitation issue – spread of disease vector to nearby community and plant workers, foul order. Seepage of leachate.
	Separation (to organic and inorganic)	Health and sanitation issue – spread of disease vector to nearby community and plant workers, foul odor
	Construction of biogas plant	Involuntarily land taking, health and sanitation issues during construction
	Issues of biogas handling	Biogas is a highly flammable gas, containing traces of H ₂ S which is very toxic. There is also risk for explosion if depending on potential for sparks and the oxygen to methane ratio being within the explosion limits
	Establishment of gas engine to generate electricity	Involuntarily land taking, noise, smoking and fear of firing
	Transmission of electricity	Involuntarily land taking for transmission station, tower pad and transmission line
	Packing of manure and supply	Health and sanitation issue – spread of disease vector to nearby community and plant workers
	RDF process and production	Noise, health and sanitation issue
	Remaining inorganic waste	Issues of safe disposal and possibility of social resistance
Institutional and Commercial Waste	Collection and hauling	Vehicular emission, road dust
	Pilling/storage	Involuntarily land taking, health and sanitation issue – spread of disease vector to nearby community and plant workers, foul odor and possibility of social resistance, seepage of leachate
	Biogas plant establishment	Involuntarily land taking,
	Issues of biogas handling	Biogas is a highly flammable gas, containing traces of H ₂ S which is very toxic. There is also risk for explosion if depending on potential for sparks and the oxygen to methane ratio being within the explosion limits

	Gas engine to generate electricity	Involuntarily land taking, noise, smoking and fear of firing
	Transmission of electricity	Involuntarily land taking for transmission station, tower pad and transmission line
	Packing of manure and supply	Health and sanitation issue – spread of disease vector to nearby community and plant workers
Agricultural & Forestry Waste	Collection of litter and agricultural residues	Loss of vegetation diversity due to over use of resources Effect of divergence of the resources to the project that the communities were dependent on, e.g. (a) forest products such as litter and fire wood (b) cow dung for cooking, (c) manure, (d) livelihood they are managing to secure through labor for existing management etc.
	Pilling/storage	Involuntarily land taking
	Briquette and pellet plant and production	Involuntarily land taking, emission of toxic gasses and dusts, heat stress risk to workers and health and safety issues for workers

3. REVIEW OF RELEVANT SAFEGUARD POLICIES AND REGULATIONS

The prevailing Acts, policies, regulations, conventions and guidelines related to social development in Nepal have been reviewed while preparing this SMF. The GON has passed sectoral policies, enacted acts and regulations, developed guidelines and manuals, and has signed international treaties and conventions all relating to the social environment. In addition, international agencies that finance projects have requirements in place to ensure that their social safeguard policies are adopted while planning and implementing such projects. Likewise, the ILO Convention on Indigenous and Tribal Peoples (ILO, enacted in 1989 and ratified by Nepal in 2007: No.169) and the United Nations Declaration on the Rights of Indigenous Peoples (2007) have also been reviewed and discussed.

3.1 Key Applicable National Laws and Regulations

There are several laws related to addressing social issues in the country. The policies relevant to the project are briefly explained below.

Table 3.1 Applicable Social Policy, Acts, and Regulations

Act / Regulation	Salient Feature/s	Applicability
The Interim Constitution of Nepal 2063 BS (2007)	Article 19 of the Interim Constitution (2063) (2007)), Right to Property, states that “(i) Every citizen shall, subject to the laws in force, have the right to acquire, own, sell and otherwise dispose of the property”	Yes –In case the project under WTE acquire private land or take municipal and community land and that lead to loss of livelihoods, loss of land and Buildings etc.
	(ii) The State shall not, except in the public interest, requisition, acquire, or create any encumbrance on the property of any person. This clause shall not be applicable on property acquired through illegal means. (iii) Compensation shall be provided for any property requisitioned, acquired or encumbered by the State in implementing scientific land reform program or in public interest in accordance with law. The compensation and basis thereof and operation procedure shall be as prescribed by the law.	Yes –In case the project under WTE acquire private land or take municipal and community land and that lead to loss of livelihoods, loss of land and Buildings etc.
Land Acquisition Act, 2034 (1977 AD) and Land Acquisition Rules, 2026 BS (1969)	The Land Acquisition Act (LAA), 2034 (1977), first promulgated in 1961 (Land Acquisition Act, 2018) is the core legal document to guide tasks related to land acquisition and resettlement activities in	Yes –In case the project under WTE acquire private land or take municipal and community land and

Act / Regulation	Salient Feature/s	Applicability
AD)	Nepal. Government can acquire land at any place in any quantity by giving compensation to the land owner pursuant to the Act for any public purposes or for operation of any development project initiated by government institutions.	that lead to loss of livelihoods, loss of land and Buildings etc.
Land Reform Act (LRA) 2021 (1964).	This Act establishes the tiller's right on the land, which he is tilling. The LRA additionally specifies the compensation entitlements of registered tenants on land sold by the owner or acquired for the development purposes.	Yes –In case the project under WTE acquire private land or take municipal and community land and that lead to loss of livelihoods, loss of land and Buildings etc.
The Forest Act, 1993	Clause 68 (1) of the Forest Act 2049 (1993) states that the government may permit the use of any part of government-managed forest, leasehold forest or community forest, if there is no alternative for the implementation of a plan or project of national priority without significantly affecting the environment. According to the clause 68 (2), if any loss to persons or community is involved while permitting use of such land, it is required to compensate the loss.	Yes – In case the project under WTE acquire private forest lands or take government-managed forest, leasehold forest or community forest for the implementation of WTEP
Guthi Corporation Act, 2033 (1976)	Land acquisition must also comply with the provisions of this Act. Section 42 of this Act states that Guthi (religious trust land) acquired for a development must be replaced with other land, rather than compensated in cash.	Yes – In case the project under WTE acquire or take Guthi land that lead to loss of livelihoods, loss of land and Buildings etc.
Labour Act, BS 2048 (1992)	This Act classifies those persons younger than 15 years as children and those between the ages of 15 and 18 as ‘Nabalik.’ The act specifies that working hours for Nabalik and women must be between 6 a.m. and 6 p.m. and prohibits night working hours for women. Children are prohibited from working. The Act also states that equal opportunity shall be given to women as that of men. Regular work hours for other employees must not exceed 8 hours in a day and 48 hours in week. For work conducted beyond that period, over time allowances must be paid at the rate of 150% of the normal hourly wages, not to exceed 4 hours each day. According to this	Yes. The act is mandatory and directly relevant to implementation of the proposed project activities. It provides for the mode of appointment, working hours, control of child labor, equal remuneration and other labor requirements.

Act / Regulation	Salient Feature/s	Applicability
	act, employee wage rates shall not be less than the rate fixed by the concerned GoN offices.	
NFDIN Act 2002, Local Self-Governance Act, 1999 and Tenth Plan (2007-10) and Three Year Interim Plan (2011-13)	<p>Nepal does not have a standalone policy on Indigenous Peoples and other vulnerable communities. These acts have been placed significant emphasis on delivering basic services to the disadvantaged and indigenous people, Dalits, women, disabled and other vulnerable groups</p> <p>These acts and plans include policies for the development of Adivasi/Janajati and other disadvantaged groups:</p> <ul style="list-style-type: none"> • creating an environment for social inclusion; • participation of disadvantaged groups in policy and decision making; • developing special programs for disadvantaged groups; • positive discrimination or reservation in education, employment, etc.; • protection of their culture, language and knowledge; • proportional representation in development process; and • making the country's entire economic framework socially inclusive 	Yes. If the indigenous people and Dalit are found within and at the vicinity of the proposed project sites, the requirements of these acts and plans are also applicable to the WTEP.
Solid Waste Management Act of 2011	<p>The act aims maintaining a clean and healthy environment by minimizing the adverse effects of solid waste on public health and the environment.</p> <p>The local bodies, such as municipalities, have been made responsible for the construction, operation, and management of infrastructure for collection, treatment, and final disposal of MSW.</p> <p>The act mandates local bodies to take the necessary steps to promote reduce, reuse, and recycle (3R), including segregation of MSW at source.</p> <p>It also provides space for the involvement of the private sector, community-based organizations (CBOs), and nongovernment organizations (NGOs) in SWM through competitive bidding.</p>	Yes. Public private partnership in waste management is the main thrust of WTEP. It aims to generate commercially viable energy through better management of waste through public private partnership.

Act / Regulation	Salient Feature/s	Applicability
	Procedures for bidding, selection of the successful bidder, and authority of the bidder in collecting tipping fees (tariffs) against SWM services are provided. In addition, the act authorizes the imposition and collection of service fees against SWM services, and prescribes the basis for fixing such fees and procedures for their collection and usage. It also authorizes the local bodies to formulate rules, by-laws, and guidelines, with the approval of the municipal board.	

3.2 International Conventions

Nepal is signatory of ILO Convention on Indigenous and Tribal Peoples, 1989 (No.169) which deals with the safeguard of indigenous people and their social interest. Similarly, the United Nations Declaration on the Rights of Indigenous Peoples was adopted by the United Nations General Assembly during its 61st session on 13 September 2007. The non-binding declaration outlines the individual and collective rights of indigenous peoples, as well as their rights to identity, culture, language, employment, health, education and other issues. The UN describes it as setting an important standard for the treatment of indigenous peoples that will undoubtedly be a significant tool towards eliminating human right violation against the indigenous people and assisting them in combating discrimination and marginalization.

Table 3.2 Applicable International Norms

Convention	Salient Feature/s	Applicability
ILO Convention on Indigenous and Tribal Peoples, 1989 (No.169)	<p>In 2007, the UN Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly. Nepal ratified ILO Convention No. 169 on September 14, 2007 (BS 2064/05/28). Article 1 of the convention provides a definition of tribal and indigenous peoples.</p> <p>Article 6 requires consultation with the peoples concerned through appropriate procedures and, in particular, through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly.</p> <p>In Article 15, it states that indigenous and tribal peoples shall, wherever possible, participate in the benefits of natural resource utilization activities and shall receive fair compensation for any damages which they may sustain as a result of such activities.</p>	Yes. If the indigenous people are present within and surrounding areas of the proposed project sites under WTEP, the convention requirements are applicable.

Convention	Salient Feature/s	Applicability
	<p>Article 16(2) clearly mentions that where the relocation of these peoples is considered necessary, such exceptional measures and such relocation shall take place only with their free and informed consent.</p> <p>Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.</p> <p>Article 16(3) mentions that, whenever possible, these peoples shall have the right to return to their traditional land as soon as the grounds for relocation cease to exist.</p> <p>Article 16(5) specifies the persons thus relocated shall be fully compensated for any resulting loss or injury.</p>	
<p>United Nations Declaration on the Rights of Indigenous Peoples, 2007</p>	<p>The goal of the Declaration is to encourage member countries to work alongside indigenous peoples to solve global issues, like development, multicultural democracy and decentralization. The Declaration sets out the individual and collective rights of indigenous peoples, as well as their rights to culture, identity, language, employment, health, education and other issues (Article 1-4). It also "emphasizes the rights of indigenous peoples to maintain and strengthen their own institutions, cultures and traditions (Article 5) and to pursue their development in keeping with their own needs and aspirations (Article 23)". It "prohibits discrimination against indigenous peoples" (Article 21), and it "promotes their full and effective participation in all matters that concern them and their right to remain distinct and to pursue their own visions of economic and social development" (Articles 25-30). According to Article 31, there is a major emphasis that the indigenous peoples will be able to protect their cultural heritage and other aspects of their culture and tradition, which is extremely important in preserving their heritage</p>	<p>Yes. If the indigenous people are present within and surrounding areas of the proposed project sites under WTEP, some of the provisions of the Declaration are applicable.</p>

3.3 *Applicable World Bank Policies*

The World Bank's social safeguard policies are a cornerstone of its support to sustainable poverty reduction. The objective of these policies is to prevent and mitigate undue harm to the people in the development process. These policies provide guidelines for the identification, preparation, and implementation of programs and projects. The main social safeguard policies to be triggered under this project will be OP 4.12 on Involuntary Resettlement and OP 4.10 on Indigenous Peoples. These policies will be triggered to ensure community assets and livelihoods are protected or compensated and indigenous people's requirements are taken into consideration by the project wherever applicable. A brief description of each policy applicable in context of this Project from social viewpoint is presented below:

Indigenous People (OP 4.10)

This policy states that any development process under the Bank finance should fully respect the dignity, human rights, economies, and cultures of Indigenous Peoples. Project should engage in a process of free, prior, and informed consultation with IPs that should result in broad community support to the project by the affected Indigenous Peoples.

Projects should include measures to avoid potentially adverse effects on the Indigenous Peoples' communities or when avoidance is not feasible, minimize, mitigate, or compensate for such effects. Project should ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate and gender and inter-generationally inclusive.

The policy is triggered as there are indigenous peoples in the proposed project area, and these indigenous peoples are the intended beneficiaries of the project. As result, a culturally appropriate vulnerable community development plan will be prepared following meaningful consultation with the affected Indigenous People (IPs).

Involuntary Resettlement (OP 4.12)

OP 4.12 recognizes that involuntary land taking resulting in loss of shelter, assets or access and income or sources of income should be addressed by the project. Displaced persons should be meaningfully consulted, given opportunities to participate in planning and implementing resettlement programs and assisted in their efforts to improve their livelihoods and standards of living. Absence of legal title to land should not be a bar for compensation, resettlement, and rehabilitation assistance. Vulnerable groups such as indigenous people, women-headed households, and senior citizens should be entitled to special benefit package in addition to compensation and resettlement.

The proposed project does not envisage any involuntary resettlement and involuntary land acquisition. However OP 4.12 will be applicable in case there is involuntary land taking resulting in displacement of people and / or loss of livelihood or source of livelihood. In such circumstances OP 4.12 will be triggered, and a Resettlement Policy Framework (as part of this report) establishes the process by which members of potentially affected communities will be consulted and participate in design of project and mitigatory/compensation measures.

4. THE RESETTLEMENT POLICY FRAMEWORK (RPF)

4.1 General

This framework describes the policy, principles, and approach to be followed in minimizing and mitigating adverse social and economic impacts by the sub projects under WTEP.

Land acquisition and large scale loss of livelihood are highly unlikely and discouraged under this project. However, as a precautionary measure, a Resettlement & Rehabilitation Policy Framework (RRPF) has been prepared to address unavoidable impacts that may arise in the form of:

- a) Loss of Land
- b) Loss of structure;
- c) Loss of source of livelihood;
- d) Loss of access to common resources and facilities;
- e) Loss of standing crops, trees and perennial trees; and
- f) Loss of public infrastructure& community resources.

The framework guides the compensation for lost land, assets, livelihoods, community property, and resettlement and rehabilitation of project affected people in accordance with the GoN's Land Acquisition Act, 2034 (1977) and other relevant acts and World Bank's Operational Policy 4.12 on Involuntary Resettlement and Indigenous People (OP 4.10) as discussed in Chapter 3 of this report.

4.2 Resettlement & Rehabilitation Policy

The Resettlement& Rehabilitation Policy has been proposed based on the general findings of the consultation with stakeholders, field visits, and meetings with various likely affected persons residing in and around of the proposed project areas. The main thrusts of the principles are as follows

- Minimize adverse impacts as much as possible, such as land taking and human displacement;
- Plan and implement necessary mitigation measures to address livelihood impacts as a result of land-taking and as a consequence of implementation of other project activities;
- Compensation will be paid at replacement cost for all title holders. In general, non land title holders are not subjected to compensation of land, however, lack of title does not bar affected households from resettlement & rehabilitation benefits;
- Consultations with and participation of the affected people should be mainstreamed in the planning and implementation process of the project
- Give special attention and adequate measures to assist the vulnerable households;
- Grievance and monitoring procedures shall be in place

The project implementing agency AEPC along with its public (local bodies) and private partners are committed to ensure that all compensation and resettlement activities associated with the project as a whole are undertaken in compliance with relevant local legislation and World Bank's policies as prescribed in this framework. The AEPC also acknowledges the

need to incorporate the best practice involuntary resettlement guidelines, as embodied in the policies of the World Bank in its resettlement program to address any gaps/limitations in the local legislation and ensure the proper restoration of affected livelihoods.

4.2.1 Definitions

While implementing this policy, the following definitions are used where applicable:

- **Cut-off date:** In the cases of land acquisition affecting legal titleholders, the cut-off date would be the date of issuing the preliminary notice under the Land Acquisition Act 2034. In cases where people lack title, the cut-off-date shall be the date of start of the Census survey undertaken by the project authority.
- **Project Affected Person:** Affected persons are those who stand to lose all or part of their physical and non-physical assets including homes, productive land, community resources, commercial properties; livelihood; and socio-cultural network.
- **Severely Affected Households:** These are households that will be affected by any one of the following: (i) Significant loss of income (>10 %) and (ii) Loss of accesses to common property resources for those whose livelihoods depend on these.
- **Project Displaced person:** A displaced person is a person who is compelled to change his/her place of residence and/or work place or place of business, due to the project.
- **Affected family:** A family whose primary place of residence or other property or source of livelihood is adversely affected by the acquisition of land for a project or involuntary displacement for any other reason
- **Wage Earner:** A person who is working with a commercial establishment or working as a labor in an agriculture land, which is being affected by the project.
- **Encroacher:** A person, who has trespassed Government land, adjacent to his/her own land or asset, to which he/she is not entitled, and deriving his/her livelihood prior to the cut-off date.
- **Squatter:** Squatter is a person who is land less and has settled on publicly owned land without permission and has been occupying publicly owned building without authority prior to the cut-off date.
- **Vulnerable Person:** The vulnerable person includes both socially as well as economically disadvantaged persons such as janjatis, dalits, disabled/Differently-abled, woman headed households, destitute, orphans, widows, unmarried girls, abandoned women ,or persons above sixty years of age; who are not provided or cannot immediately be provided with alternative livelihood, small and marginal farmers, and landless wage earners.
- **Entitled Person:** person adversely impacted by the project and is entitled to some kind of assistance as per the project entitlement framework
- **Titleholders (THs):**Persons who possess legal documents in support of claims made towards ownership of structure or land are titleholder

4.2.2 The Process

4.2.2.1 Declaration of the Project and its Impact Zone

The Project Executing Agency (PEA) will inform the community well in advance about the project, its feature and likely adverse impact if any and also the positive impact of the project.

4.2.2.2 Social Screening

The ESMF focal person of the perspective developer will carry out social screening using a format given in Annex 11. The purpose of screening is to get an overview of the nature, scale and magnitude of the issues in order to determine the need for conducting SIA and preparing Resettlement Action Plan (RAP). After identifying issues, the applicability of the Bank's environment and social safeguard policies is established along with Government of Nepal's regulatory requirements. Based on this, boundaries and focus areas for the SIA along with the use of specific instruments are determined.

Though it is envisaged that the subproject activities will have very generic social issues that are manageable through standards and codes of practice, there might be some sub-project activities proposed in due course, that carry a higher risk social disruptions and/or impacts. The possibility of such an issue arising in the sub-project site will be identified during the screening process. The screening format has been designed to identify sub-project/s with potential social issues that may need to be addressed at the project planning stage. Based on the screening findings to the extent of likely impacts the sub-project safeguard requirements will be categorized as follows

- Sub-projects that will affect more than 50 people due to involuntary land taking and/or physical relocation or losing 10% or more of their productive (income-generating) assets then a full Resettlement Action Plan (RAP) must be prepared.
- Sub-projects that will affect less than 50 people as a result of physical displacement due to involuntarily land taking or lose less than 10% of their productive (income-generating) assets then an abbreviated RAP will be prepared.

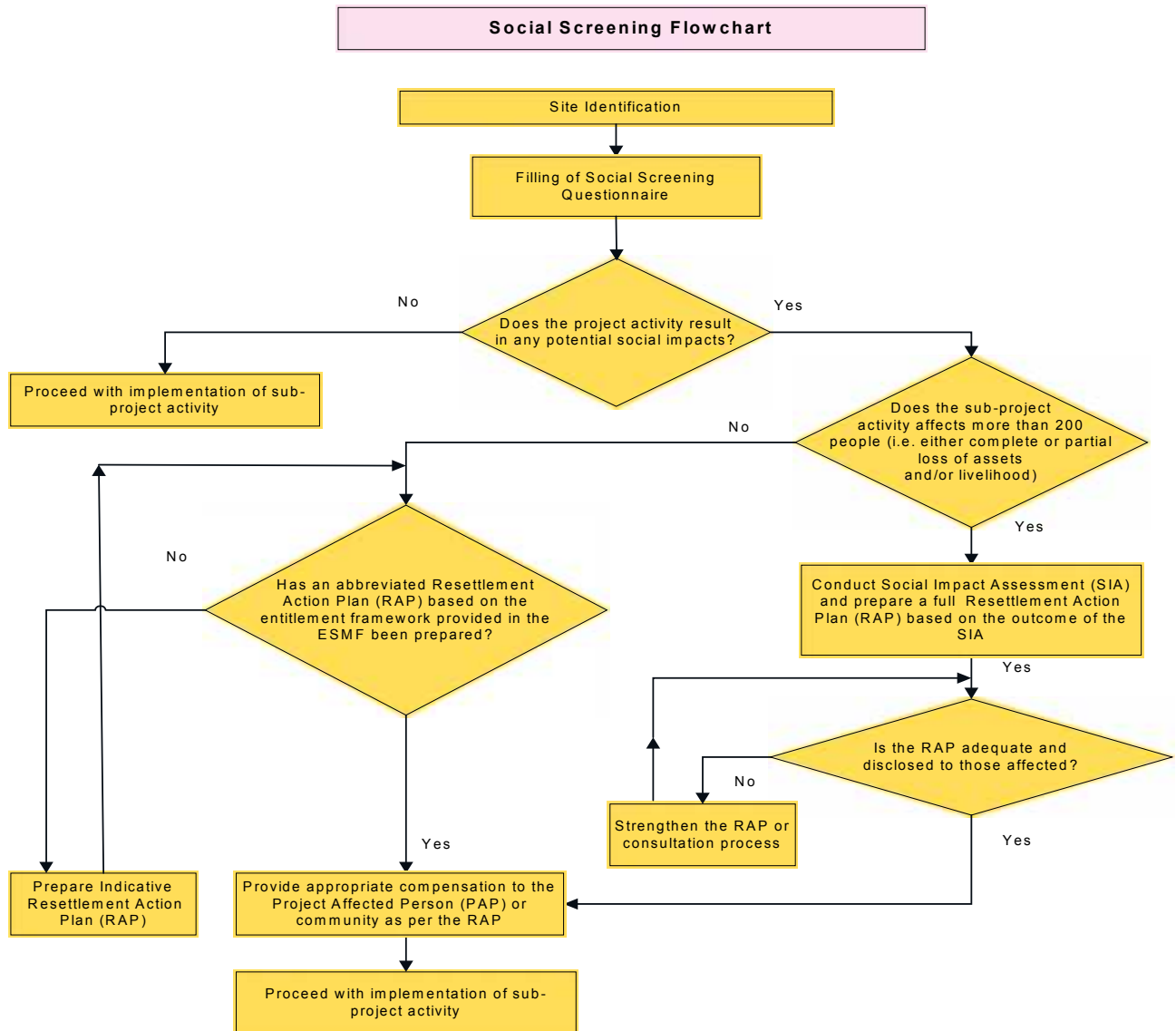
The above plans will be prepared as soon as subproject is finalized, prior to Bank's approval of corresponding civil works bid document.

- Sub-projects that are not expected to have any land acquisition or any other significant adverse social impacts; on the contrary, significant positive social impact and improved livelihoods are exempted from preparing full or abbreviated RAP. However, this category may also have some temporary but not significant impacts which will have to be mitigated as a part of construction management in consultation with the PAP by the Contractor.

The screening and categorization of impact will be initiated by the perspective developer either by its ESMF focal person or, if there are no such skills, then with the help of external consultants. The social screening report prepared by the perspective developer will be reviewed and approved by the ESMF officer at AEPC.

The outcome of the screening process will help prioritize the various investments and where required, start the clearance process in a timely manner e.g. project sites (in particular requiring Forest Clearance etc) wherein clearance process is expected to take longer duration can be sequenced/phased later in overall project implementation but the clearance process for such sites is initiated at the start of the overall project. This shall help ensure that no sub projects are dropped merely due to delay in the clearance procedures. The social screening flowchart depicted in Figure 4.1 below illustrates the overall screening process.

Figure 4.1 Social Screening - Flow Chart showing Key Steps



4.2.2.3 Conduction of Social Impact Assessment (SIA)

The prospective developer will undertake a survey for identification of the persons and their families likely to be affected by his/her proposed project. Every survey shall contain the following VDC/Municipality or ward / village-wise information of, the project affected families:

- 1 Members of families who are residing, practicing any trade, occupation or vocation in the project affected area;
- 2 Project affected families who are likely to lose their house, commercial establishment, agricultural land, employment or are alienated wholly or substantially from the main source of their trade occupation or vocation or losing any other immovable property.
- 3 Agricultural laborers and non-agriculture laborers.
- 4 Losing access to private property or common property resources

The project on completion of the survey will disseminate the survey results among the affected community.

4.2.2.4 Preparation of Resettlement Action Plan

Having identified the potential impacts of the relevant sub-projects, the next step is to develop action plan to mitigate the impacts. The RAPs provides a link between the impacts identified and proposed mitigation measures to realize the objectives of involuntary resettlement. The RAPs will take into account magnitude of impacts and accordingly prepare a resettlement plan that is consistent with this framework for Bank approval before the sub-project is accepted for Bank financing.

Every-draft Resettlement Action Plan (RAP) prepared shall contain the following particulars (see also Annex 12a & 12b) namely:

- Census of all PAPs with losses will be identified and quantified, that require mitigation
- The extent of area to be acquired for the project, the name(s) of the corresponding VDC(s)/ Municipality (s) area and the method employed for acquiring land with the relevant documentation.
- VDC/Municipality wise or ward wise list of project affected families and likely number of displaced persons by impact category
- Family-wise and the extent and nature of land and immovable property in their possession indicating the survey numbers thereof held by such persons in the affected zone;
- Socio-economic survey of affected people including income/asset survey of PAPs.
- A list of agricultural laborers in such area and the names of such persons whose livelihood depend on agricultural activities;
- A list of persons who have lost or are likely to lose their employment or livelihood or who have been alienated wholly and substantially from their main sources of occupation or vocation consequent to the acquisition of land and / or structure for the project;
- Information on vulnerable groups or persons for whom special provisions may have to be made;
- A list of occupiers, if any
- A list of public utilities and government buildings which are likely to be affected
- A comprehensive list of benefits and packages which are to be provided to project affected families by impact category;
- Details of the extent of land available which may be acquired in settlement area for resettling and allotting of land to the project affected families;
- Details of the basic amenities and infrastructure facilities which are-to be provided for resettlement;
- Entitlement matrix
- Time schedule for shifting and resettling the displaced families in resettlement zones
- Grievance redressal mechanism
- Institutional mechanism for RAP implementation;
- Monitoring and evaluation indicators and mechanism; and
- Budget

4.2.2.5 Sub-Project Approval

In the event that a sub-project involves land acquisition against compensation or loss of livelihood or shelter, the project shall:

- not approve the subproject until a satisfactory RAP has been prepared and shared with the affected person and the local community; and
- not allow works to start until the compensation and assistance has been made available in accordance with the framework.

4.2.3 R & R Benefits and Entitlements

The resettlement and rehabilitation (R&R) benefits shall be extended to all the Project Affected Families (PAF). Compensation amounts will be based on the principle of replacement value. The exact value of compensation and replacement cost will be different for each activity at different project location and will be based on an economic and social survey of the area of the activity and of affected persons. However, the entitlements and assistance amount proposed in the entitlement matrix are based on the ESMF of NIRTTP(2012) agreed by both GoN and WB.

Table 4.1 Entitlement Matrix

Impact Category	Entitlement Unit	Entitlements
Loss of agriculture land	Registered owner	<ul style="list-style-type: none"> a. Cash compensation at replacement cost b. Any transfer costs, registration fees or charges c. Compensation for crops and trees if any d. Subsistence allowance equivalent to one year of minimum agriculture wages
Loss of agriculture land	Non- titleholder	<ul style="list-style-type: none"> a. Compensation for crops and trees if any b. Subsistence allowance equivalent to six months of minimum agriculture wages for loss of livelihood
Loss of House or other property	Property owner (title holder)	<ul style="list-style-type: none"> a. Compensation at replacement cost or as settled by users' organization and PAP or committee under District Administration Office. b. Shifting allowance of NPR 5000 as one time grant. c. Resettlement assistance of NPR 50000
Loss of house or other property	Encroachers / squatters	<ul style="list-style-type: none"> a. Compensation for the structure build on government land at replacement value b. One time grant of NPR 5000 as shifting allowance. c. Resettlement assistance of NPR 50000
Loss of Trees and Crop	Landowner	<ul style="list-style-type: none"> a. At least three months advance notice for crop harvest b. In absence of advance notice, cash compensation based on annual value of the product and calculated according to the Department of Agriculture norms (crop

Impact Category	Entitlement Unit	Entitlements
		compensation) c. Cash compensation based on annual value of the product and calculated according to the Department of Forestry (for trees compensation)
Loss of Income or source of income	Eligible households	a. Subsistence allowance equivalent to one year of minimum agriculture wages
Loss of Common Property Resources	Community groups	a. Any CPR impacted will be replaced by the project
Loss of government/ public properties	Relevant government and public authorities	a. Government infrastructure and facilities affected by the project will be repaired or replaced in consultation with the relevant departmental authorities. b. Affected public structures will be relocated or reinstated with the consultation of local stakeholders. c. The acquired government land and forest for the project will be acquired in line with the prevailing laws in coordination with the relevant government agencies.
Impacts associated with construction works	All the directly or indirectly affected peoples and workers	a. Project contractors in the construction phase and project operator in the operation phase will be made responsible for the occupational health and safety of workers. b. The contractor(s) will be made responsible to adopt Safe Construction Practices (SCP) in order to minimize construction related accidents c. Trainings will be provided to all construction workers about SCP
Loss of cultural property	Users of the cultural properties	a. All the affected cultural properties (shrines, other religious symbols or sites, places of worship (church, temple, stupas) will be repaired and restored consulting with the local users.

4.2.4 Consultation & Dissemination Strategy

All the project affected people along with relevant stakeholders will be consulted following the principles of *free, prior and informed consultation*. The perspective developer on completion of the SIA will disseminate the SIA results among the affected community. Based on the social impact assessment, the perspective developer will prepare an action plan to mitigate or minimize the adverse impacts as identified during the SIA. The draft mitigation plan in form of resettlement action plan (RAP) will be again disseminated among the affected

individuals / community. The feedback received from the affected groups will be incorporated to the extent possible before finalization of the RAP.

5. VULNERABLE COMMUNITY DEVELOPMENT FRAMEWORK (VCDF)

5.1 Vulnerable Groups in Nepal

In Nepal, there are several factors that could determine a group's vulnerability. Even though gender, caste and ethnicity have been officially acknowledged as primary factors that determine a group's backwardness; other factors such as region, economic status and patronage network play an equally important role. The Tenth National Plan (2002–2007) have identified three major groups as more vulnerable than others in the context of Nepal—women, Dalits and Adivasi/Janajati. These three groups are disadvantaged in terms of (i) access to livelihood, assets and services; (ii) social inclusion and empowerment; (iii) legal inclusion and representation in Government; and (iv) economic marginalization. A brief description of these vulnerable groups is presented below

5.1.1 Adivasi/Janajati Groups

The Adivasi/janajati groups in Nepal are defined as social groups with a social and cultural identity distinct from the dominant society. National Foundation for Upliftment of Adivasi/Janajati Act, 2058 (2002) defines those ethnic groups and communities who have their own mother language and traditional rites and customs, distinct cultural identity, distinct social structure and written or unwritten history. The act has recognized 59 indigenous communities in Nepal. These indigenous communities are known as Adivasi/Janajati in Nepali and Indigenous Nationalities in English as per the act. These groups as whole are generally considered to be the marginalized segment of the population who engage in economic activities ranging from hunting/gathering and shifting agriculture in or near forests to wage laborers or even small-scale market oriented activities.

However, Adivasi/janajati among themselves are diverse groups who do not all come under one economic system. There are disparities among different Adivasi Janajati groups in Nepal. While Adivasi Janajati groups such as Rautes are still engaged in hunting and collecting food, Chepangs and Kusundas are practiced slash and burn, shifting cultivation and depend mainly on natural resources. On the other hands, Newars, Thakalis and Gurungs are more exposed to modernity and are involved in foreign employment, government and nongovernment services, industry and commerce. Considering their diverse socioeconomic status, Nepal Federation of Indigenous Nationalities (Adivasi Janajati) (NEFIN) 2004, an umbrella organization of Adivasi Janajati groups has classified Adivasi Janajati groups into five categories. Of the total 59 Adivasi Janajati groups, 10 groups are categorized as "endangered", 12 groups as "highly marginalized", 20 groups as "marginalized", 15 groups as "disadvantaged" and 2 groups as "advanced" or better off on the basis of a composite index consisting of literacy, housing, land holdings, occupation, language, education, and population size(Annex 3). The first and second category of the Adivasi Janajati groups seems more delicate from the involuntary resettlement point of views in Nepal.

5.1.2 Dalits

Dalits are defined as those castes of people of Nepal who were categorized as 'untouchables' in the Old Civil Code of 1853 that prevailed until the promulgation of the New Civil Code of 1962. In the context of Nepal, however, the word *Dalit* has generally come to mean a 'community or a person who suffers from the illness of caste discrimination and belongs to

the bottom of the caste hierarchy'. *Dalits*, who have been placed at the very bottom of Hindu caste hierarchy by the discriminatory caste based system, comprise 13 percent of the total population of the Nepal (CBS, 2001). They do not have any geographical centre or 'traditional homeland' where they are numerically predominant, but are instead, scattered throughout Nepal. The *Dalit* community in Nepal is not homogenous. *Dalits* can be divided in three broad regional groups: i) *Dalits* in the hill areas; ii) *Dalits* in the *Newari* community; and iii) *Dalits* in the *Terai* areas. The practice of untouchability is more severe amongst the *Madhesi* community in the *Terai* and in the hills of the Mid-Western and Far-Western Development Regions of Nepal. National Dalit Commission (2003) has identified 27 *Dalit* castes in Nepal (Annex 4)

As the Dalit communities remain marginalized from the State's economic and social services and political opportunities, the living conditions and human development indicators of Dalits are far below the national average. Poverty is rampant among Dalits and is far more vulnerable to the prevailing economic, social, political and educational conditions in comparison to other excluded communities. The poverty index for dalits is 47% compared to the national average of 31%. In total, 44 percent of dalits in the Terai are landless and 44.6 percent of the dalits of the hills are marginalized farmers (owning 0.18 to 0.40 ha. of land). On most socio-economic indicators, the Terai Dalits fare worse than the hill Dalits. Altogether, dalits own just one percent of Nepal's arable land, while only three percent of dalits own more than a hectare of land (Annex 5).

5.1.3 Women and Others as Vulnerable Group

Though women comprise half of the total population, gender discrimination still prevails in the society. Status of women in Nepal with regards to their access to knowledge, economic resources, political power, and personal autonomy in decision making is quite low. Daughters lose rights over parental property after marriage. Despite the high average work burden of women, which at 16 hours a day is much higher than the global average (Nepal Human Development Report, 2004), women still lack access to and control over productive resources. Only 10 percent of women have land ownership while a meager 5.5 percent own a house of their own (CBS, 2004). Women in all social groups and regions have been proven as more disadvantaged than their male counterpart and even among women widows, separated, divorced and women headed households are particularly vulnerable. Similarly, women in all groups due to their limited access to economic resources and livelihood options can equally be classified as vulnerable who are at permanent risk for facing severe poverty in Nepal. Elderly people, children and the individuals less able to care themselves within the communities are also persons who are any time prone to vulnerability.

5.1.4 Disadvantaged/Vulnerable Groups in WTEP Area

In the relative term, women are the disadvantaged group as a whole irrespective of ethnic/caste status. Their educational level is much lower than males, they are barely employed outside home and most of them are dependent on their husband or male household head of the family. Households occupying government land without formal registration called *sukumbasi* are also fall under this category. It is reported that there are some *sukumbasi* households in the project sites.

The Dalits are the other disadvantaged groups who are socially, economically and politically marginal in all spheres of life. One of the main reasons for the vulnerability of the Dalits is

that they have very little legal entitlement or ownership of private property. They are mainly dependent on community property resources or natural resources. Dalits, on the other hand, their representation in decision making bodies is poor despite their numerical strength in local context.

Similarly, not all Adibasi/Janjati groups are economically well up and educated in the project sites. Majority of them are surviving marginally. Their literacy rate is lower compared to other groups particularly of Brahmin/Chhetris in the project sites. Thus, they are socially, economically, politically and educationally marginalized. They are also among the vulnerable to under-employment, migration, and child labor and trafficking.

5.2 Major Issues and Need for Supporting Vulnerable Groups

Based on a rapid assessment of the field situation in the project areas, consultations with the stakeholders, and findings of several studies, it is found that there are number of constraining factors as important for enabling the indigenous people to participate in the project and to derive benefits compare to other groups. These comprise: (i) limited exposure to emerging market; (ii) limited access to institutional credit, farm inputs and agricultural extension services; (iii) lack or poor leadership quality and lack or inadequate representation/participation in decision-making; and (v) lack of consultation with them on developmental issues. Poverty, illiteracy, landlessness/ low amount of the land holding, limited access to the available agricultural extension services (such as the improved seeds, fertilizers and improved farm practices, etc) have also been the constraining factors of their participation in the overall development process.

However, it would be unrealistic to assume that all the issues mentioned above will be addressed by the WTEP. However, the project would focus on issues that are directly related to their involvement in project activities and accessing project benefits. The bottom-line is to ensure equitable opportunities for the vulnerable people to get project benefits. The main objective of the vulnerable community development strategy would be, therefore, to ensure that the vulnerable people are actively involved with the project activities and they have access to project benefits at par with the rest of the community. The strategy also aims at minimizing any negative impacts like creating further sources of social and economic imbalances between communities.

5.3 Relevant Policies on IPs and other Vulnerable Communities

Relevant national and WB's policies on IPs and vulnerable groups have been reviewed in Chapter Three of this report.

5.4 Objectives of VCDF

The principal objectives of the framework are to:

- Ensure that project engages in free, prior, and informed consultation with the vulnerable community wherever they are affected.
- ensure that project benefits are accessible to the vulnerable community living in the project area

- avoid any kind of adverse impact on the vulnerable community to the extent possible and if unavoidable ensure that adverse impacts are minimized and mitigated
- ensure vulnerable people's participation in the entire process of preparation; implementation and monitoring of the sub project activities
- minimize further social and economic imbalances within communities; and
- Develop appropriate training / income generation activities in accordance to their own defined needs and priorities.

5.5 Steps for VCDP

The steps to be followed for VCDP are as follows:

1. Screening to identify whether Indigenous / vulnerable peoples are present or have collective attachment to, the project area
2. Social assessment and analysis to be carried out to address the social concerns of the subcomponent area
3. Identifying views of the affected communities by following a process of free, prior, and informed consultation at each stage of the project, and particularly during project preparation
4. Institutional arrangements (including capacity building wherever necessary) for screening project-supported activities, evaluating their effects on vulnerable community, preparing VCDPs (if required), and addressing grievances
5. The preparation of Plan
6. Monitoring and reporting including the establishment of mechanisms and benchmarks appropriate to the project and
7. Disclosure of the draft Plan

5.5.1 Screening

During the planning and design phase of the sub project, screening survey will be carried out based on group discussion with the communities in the sub project area in order to identify presence of any vulnerable group or any such group that have collective attachment to the project area (See Annex 11). Apart from the consultation with the community members, consultations / in depth interviews will also be carried out with the NGOs working in the area and representative of local self-government. The screening will look into the details of IPs/vulnerable people households, assessing the number of such households along the zone of influence of the proposed sub project. If the result shows that there are IPs/vulnerable people households, the issues related to the community will be included in the social impact assessment (SIA) survey.

5.5.2 Social Impact Assessment

The prospective developer will be responsible for conducting SIA and the development of an action plan with the help of vulnerable community and organizations working for them. The SIA will gather relevant information on demographic, social, cultural; economic and networking aspects of each household and needs of the community as a whole. The information on individual household will be collected through household survey whereas community based needs would be accessed through group discussions with the community as a whole as well as in discussion with the community leaders and other stakeholders. The

discussion will focus on both positive and negative impacts of the sub project. The suggestion and feedback of the community on the design and planning of the sub project will also be documented.

5.5.3 Suggested Format for VCDP

The suggested format for the VCDP is as follows

1. Description of sub projects and implications for the vulnerable community
2. Social, cultural and economic profile of the households
3. Land tenure information
4. Gender disaggregated data on number of vulnerable households by impact category
1. An entitlement matrix documenting various types of losses that could result from a sub-project and corresponding compensation and resettlement and rehabilitation benefits for these categories of affected people
2. Documentation of free, prior and informed consultation with communities to obtain broad ownership and ascertain their views about the project design and mitigation measures. Findings of need assessment of the community
3. Community development plan based on the results of need assessment
4. Modalities to ensure regular and meaningful consultation with the community
5. Institutional arrangement and linkage with other national or state level programs
6. Institutional mechanism for monitoring and evaluation of VCDP implementation
7. Grievance redressal mechanism accessible to the affected vulnerable people
8. Implementation Schedule and cost estimate for implementation

5.5.4 Specific Measures

Specific measures for vulnerable groups including indigenous peoples, Dalits, minor ethnic communities, women, and powerless communities are outlined in Annex 6. The table at the annex 6 also shows the source of funding and the agencies responsible to implement the proposed strategies.

5.5.5 Consultation & Dissemination Strategy

The project affected vulnerable communities will be consulted following the principles of *free, prior and informed consultation*. The perspective developer on completion of the SIA will disseminate the SIA results among the affected vulnerable communities. Based on the social impact assessment, the perspective developer will prepare Vulnerable Community Development Plan (VCDP) to mitigate or minimize the adverse impacts and to enhance positive impacts as identified during the SIA. The draft VCDP will be again disseminated among the affected individuals / community. The feedback received from the affected groups will be incorporated to the extent possible before finalization of the VCDP.

6. GENDER DEVELOPMENT FRAMEWORK (GDF)

The framework for gender development outlines the specific issues linking with corresponding strategies and activities which will be given due consideration in the project. This will ensure women's participation in the project cycle in order to benefit from project activities.

6.1 *Need for GDF*

Although women are identified as vulnerable groups and will be included amongst the potential beneficiaries under the VCDP, this alone does not suffice to address the deep rooted social, cultural and economic issues of women. Regardless of caste and ethnicities, women in general, suffer more than their male counterparts on various grounds warranting special treatment or mitigation measures in order to minimize project's adverse impacts and enhance positive impacts to sustain better livelihood. The social assessment exercise was useful in generating some of the issues and concerns of the women in the project areas. However, gender specific information collected during social assessment is inadequate to prepare a full-fledged Gender Action Plan (GAP). Thus, based on the available information from the field, a generic GDF serving as a guideline for the preparation of Gender Action Plan (GAP) during implementation of subproject has been prepared.

6.2 *Process to Follow*

Focus on gender leads to benefits that go beyond the good project performance. Women have primary roles in the collection, transport, use, and management of fuel, fodder, water and other household activities and yet are hardly involved in decision making in the sector. Gender should be addressed through an approach that is participatory and responsive to the needs of the poor and marginalized women of the society. The participation of beneficiaries and focus on poverty reduction are two other key determinants of the effectiveness and sustainability of any project. Any project must address the constraints on women's participation in project design, implementation and monitoring and evaluation. The project must also focus on the linkage between gender and poverty, by identifying, for example, households headed by females and those households' special needs. An adaptive, learning, and process-oriented approach works better than a blue print approach. Project beneficiaries are likely to have a stronger sense of ownership when the project gives them enough time, design flexibility, and authority to take corrective action. In this way, they find it easier to incorporate their earlier learning and negotiate with project staff and service providers. Therefore, a mechanism must be built into the project to allow such two-way interactions between the beneficiaries and the service providers.

The major tools that could be used to identify and deal with gender issues in the project cycle are: gender analysis, project design, and policy dialogue.

Gender analysis should be an integral part of the initial social assessment at the screening stage itself. The issues identified can be scaled up during the feasibility and detailed analysis can be carried out during the DPR stage.

The project designs should be gender responsive based on the gender analysis, and should be included in the DPR. The findings and recommendations from the gender analysis during project planning and feedback from beneficiaries during implementation must be discussed

thoroughly to determine the need for further action. The gender checklists listed below are the key action points that furnish required information and provide guidelines to design gender responsive project:

- Identify key gender and women's participation issues.
- Identify the role of gender in the project objectives.
- Prepare terms of reference (TOR) for the gender specialist or social development specialist of the client
- Conduct gender analysis as part of overall Social Assessment.
- Draw up a socioeconomic profile of key stakeholder groups in the target population and disaggregate data by gender.
- Examine gender differences in knowledge, attitudes, practices, roles, status, wellbeing, constraints, needs, and priorities, and the factors that affect those differences.
- Assess men's and women's capacity to participate and the factors affecting that capacity.
- Assess the potential gender-differentiated impact of the project and options to maximize benefits and minimize adverse effects.
- Identify government agencies and nongovernmental organizations (NGOs), community-based organizations (CBOs), and women's groups that can be used during project implementation. Assess their capacity.
- Review the gender related policies and laws, as necessary.
- Identify information gaps related to the above issues.
- Involve men and women in project design.
- Incorporate gender findings in the project design.
- Ensure that gender concerns are addressed in the relevant sections (including project objectives, scope, poverty and social measures, cost estimates, institutional arrangements, social appendix, and consultant's TOR for implementation and M & E support).
- List out major gender actions.
- Develop gender-disaggregated indicators and monitoring plan.

6.3 GoN Policies on Gender Mainstreaming

The Government of Nepal (GON), since the early 1990s, has been making significantly increasing commitments to gender equity, equality and the empowerment of women in its policies, plans and programs. The GON introduced a Gender Approach to Development (GAD) in 1990, to enable women and men to participate equally in public and private life and realize their full potential in development. The Tenth Plan (2002-2007) as a Poverty Reduction Strategy Paper (PRSP) identified gender and inclusion as its main strategies for reducing poverty. 'Social inclusion and targeted programs' was one of the four major pillars of the Tenth Plan/PRSP. The Plan, instead of relying only on targeted programs, tried to address gender and caste related issues by mainstreaming all of the four pillars of PRSP along with envisaged strategies to achieve gender equality and empowerment of women. The Three Year Interim Plan (TYIP) [2008-2010]), which emphasizes post conflict reconstruction, rehabilitation and reconciliation, continued the long-term goal of poverty reduction through gender mainstreaming and social inclusion.

Similarly, Nepal is signatory to many international human rights related conventions and declarations, which call for the elimination of all forms of gender based discrimination,

including those in access to education, health and other services. The Convention on the Elimination of all forms of Discrimination against Women (CEDAW), signed by the GoN in 1991, commits Nepal to constitutional and legal equality, particularly in the fields of education, health, citizenship, property and employment. It also guarantees freedom from all kinds of violence and sexual exploitation

Thus, GON, in its national level policies and plans, has duly emphasized the importance of women in all spheres ranging from household to community and national level. Realizing the increased potentiality of women in the socio-economic and political sectors, the government has increasingly provided more space for increased participation of women. In addition, GON has established the National Women Commission, a national level well empowered body to look after the issues of women and take protective and defensive measures to address the issues and problems encountered by the women at all levels and in any forms viz domestic violence, women's right to properties and representation in the key positions with fair proportions.

6.4 Gender Equity and Social Inclusion (GESI) Policy of AEPC

AEPC is recognized as an effective, efficient and GESI proactive institution for the promotion and development of RE sector. The main objectives of GESI policy of AEPC are-- improve living standard of rural women and men, increase employment of women and men as well as productivity, reduce dependency on traditional energy and attain sustainable development through integrating the alternative energy with the socio-economic activities of women and men in the rural communities.

The target areas for GESI interventions are policy level, program level and beneficiary's level. The strategic intervention areas and target for each level will be different but all will contribute from their own level to achieve goal/ objectives of the program. AEPC's GESI mainstreaming approach includes:

- Affirmative action and positive discrimination to the targeted groups
- Subsidy and credit facilities for the targeted groups
- Social mobilization with reflect methodology to assess needs of targeted groups and enabling their demand dynamics
- Frequent critical analysis on demand and supply of the target groups
- Work with likeminded and right holders organizations
- Coordinate and collaborate with local bodies, line agencies, social leaders and media
- GESI capacity building of the stakeholders and partners at all levels
- Create platform for GESI responsive RET knowledge building, sharing and learning
- Piloting action research adopting right based approach to reach poor women and men, and women belonging to janjati, dalit, madhesi, muslim and other backward communities (OBCs).
- Revising and devising from the lessons learned and up-scaling of the good practices.
- Promotion of technology end use for employment and income generation of targeted groups.
- Promote GESI responsive RET policy, strategy, periodic plan, rules and regulations and program and budget
- Institutionalize GESI disaggregated (quantitative and qualitative) database system, regular monitoring mechanism/reporting, review/evaluation
- Establish monitoring framework to manage disaggregated database at all level

- Strengthening of AEPC as GESI responsive institution
- Promotion of RET through different modes and means to extend access to rural women and men, and women and men from poor and DAG groups
- Collaborate for Research and development (R&D) to design and promote gender friendly RET
- Establishment of knowledge management system for GESI responsive RET knowledge

6.5 Gender Inclusive Design and Preparation of GAP

The gender inclusive design criteria emphasizes on the initiatives and promotion of female focused and female friendly activities through which their potentiality could be utilized in the action. This will require targeting the females of different sites in providing the project supports that match well with their needs, interest and abilities in the following ways.

Establishing Community Participation Mechanism

- Develop a participation strategy for men and women during project implementation and M & E.
- Avoid overly high expectation of women's participation and develop a practical schedule, as women often have time and financial constraints. The strategy should incorporate the following:
- Planning: Conduct women specific consultation to take their views and suggestions on the design. Any mechanism established during the project design such as grievance mechanisms should have adequate representation from women.
- Construction: Ensure work conditions that are conducive to women's participation (e.g., gender-equal wage rates, construction season, toilet and child-care facilities).
- Monitoring and evaluation (M & E): Develop a feedback mechanism in which both male and female have a voice. Identify organizations that could facilitate women's participation during implementation and M & E.

Providing Training Options

- Identify ways to link up with income-generation, literacy, and other activities to support an integrated approach to poverty reduction and women empowerment
- Support a decentralized structure to allow linkages between the village and local government.
- Include financial and technical capacity building for relevant local government bodies to enable them to effectively support women groups.

Staffing, Scheduling, Procurement and Budgeting

- Hire female project staff.
- Consider seasonal labor demand in scheduling civil works.
- If appropriate, set a minimum percentage of female laborers and prohibit the use of child laborers in the civil works contract.
- Ensure adequate and flexible budgeting to allow a "learning" approach (e.g., training budget, consulting service budget for women's organizations).

Monitoring and Evaluation

- Develop M & E arrangements: (i) internal M & E by project staff; (ii) external M & E by NGOs or consultants, as necessary; and (iii) participatory monitoring by beneficiary men and women.

- Disaggregate all relevant indicators by gender such as number of women gaining access to credit, increase in women's income, and career prospects for project trained women.

Documentation

- Document the gender-responsive design features in the DPR and include covenants in the loan agreement to ensure gender-sensitive project design mechanisms to be complied by the executing agency

A Gender Development Plan suggested for the project is presented in Annex 7.

7. STAKEHOLDER CONSULTATIONS AND DISCLOSURE FRAMEWORK

7.1 Stakeholder Identification

Stakeholders are people, groups, or institutions, which are likely to be affected by the proposed project (either negatively or positively), or those which can affect the outcome of the project. Generally a distinction is made between two kinds of stakeholders, the primary and secondary stakeholders. The primary stakeholders are the stakeholders who are directly affected, either positively or negatively by the project. As such, the primary stakeholders of this component of the project include the intended users/ consumers, city residents, adjoining farmers and residents of private poultry farms, owners of the commercial farms and enterprises or perspective developers of the project who will be directly benefit or detriment from the project particularly activities related to the conversion of wastes into energy. The secondary stakeholders are line ministries of the GoN and donors but also include local NGOs, private sector entrepreneurs, local government bodies and political parties. Thus, the secondary stakeholders are stakeholders, which play some intermediary role and may have an important effect on the project outcome. Overall, this project has following stakeholders at different levels:

1. Stakeholders for Biomass to Energy Project

- District Forest Office (DFO)
- District Agriculture Development Office(DADO)
- District Development Committee (DDC)
- Federation of Community Forestry Users Nepal (FECOFUN)
- Community Forest Users Group (CFUG)
- Prospective Project Developers
- Non-Governmental Organizations working in forestry sector
- Briquette producers
- Charcoal producers & Worker working in char production
- Other supply chain actors like traders, charcoal users (ironsmith)
- Biogas Producer Association
- Community people residing vicinity of the proposed project sites
- VDC/Municipality
- Representative of the Beneficiaries (i.e., if electricity or biogas is sold to the nearby community))
- PAF losing land/asset/livelihood and access to public and natural resources

2. Stakeholders for MSW to energy Project:

- Municipalities
- Waste Management Services providers
- Waste scavengers
- Perspective Project Developers
- Community people residing vicinity of the proposed project sites
- Non-Governmental Organizations working in municipal waste management
- District Forest Office (DFO)
- District Agriculture Development Office(DADO)
- District Development Committee (DDC)

- Biogas Producer Association
- Nepal electricity authority
- Department of electricity development
- Representative of the Beneficiaries (i.e., if electricity or biogas is sold to the nearby community)
- PAF losing land/asset/livelihood and access to public and natural resources

3. Stakeholders for Commercial Waste to Energy Project

- Poultry Farmers Association
- Poultry and Cattle Farmers
- Perspective Project Developers
- Community people residing vicinity of the proposed project sites
- Non-Governmental Organizations working in poultry waste management
- District Forest Office (DFO)
- District Agriculture Development Office(DADO)
- District livestock Development Office
- District Development Committee (DDC)
- Nepal Biogas Promotion Association
- Nepal Electricity Authority
- Department of Electricity Development
- VDC/Municipality
- Representative of the Beneficiaries (i.e., if electricity or biogas is sold to the nearby community)
- PAF losing land/asset/livelihood and access to public and natural resources

7.2 Stakeholder Consultation

The participation of stakeholders in project planning and implementation is essential and therefore stakeholders were consulted during the site visit. The consultations were carried out to develop community /stakeholder’s ownership and support for the project, and integrate and address their concerns through suitable measures in the project design. Major concerns expressed by the stakeholders during the consultation are summarized below:

Table 7.1 Key Issues Raised by the Stakeholders during the Consultations

Locations	Venue and date	Key Issues Raised by the Participant Stakeholders
Dolakha	27 Oct., 2013, DDC Office Dolakha	<ul style="list-style-type: none"> • Ratio of the subsidy should be increased to make the project social and environmental friendly • There is no proper definition of forest wastes as everything in a forest can be used in one way or the other. Therefore, operational definition of the “forest waste” should clearly be defined. • There is a high chance of overused of the resources/forest waste absent of strong monitoring mechanism in place. Therefore constant monitoring system should be place so as to supervise the proper usage of forest products.

		<ul style="list-style-type: none"> • Ambiguity in regulatory provisions and state policies to use forest waste for commercial/private production • Inventory should be done to find out annual allowable amount of forest waste and it should be mentioned in the OP of CFUG • The perspective developers should guarantee to provide employment opportunity for local people particularly those people who are dependent on forest resources for their major portion of livelihood earning • Women, Adhibasi/janjati people, Dalits and other disadvantaged groups should be actively involved in the project as well as in the benefit sharing. Their ideas should be considered. Mostly the Adhibasi/janjati people have a good knowledge about the flora and fauna of that area. So their ideas and involvement should be highly encouraged.
Chitwan	30 Oct.,2013, DDC Office Bharatpur	<ul style="list-style-type: none"> • Project will have positive health benefits from better management of waste, for example, removal of poultry litter which pollutes nearby water supplies and spread foul smell • Perspective entrepreneurs are expecting appropriate technologies to manage poultry waste as soon as possible • They also express their willingness to appoint focal person to oversee social and environmental safeguard issues during all phases of the project period • They have their own private land to establish all facilities without disturbing the vicinity communities, though they were not confirmed how much land will require. • Active participation from the NGOs, the local communities and the municipality needs to be ensured in the process of planning, implementation and monitoring of the project.
Kaski	31 Oct.,2013, DDC Office, Pokhara	<ul style="list-style-type: none"> • Project will have positive health benefits from better management of waste, particularly removal of urban waste which might spread disease. • Municipality will provide land required to establish facilities and no need for private land acquisition. • Perspective developer should provide guarantee of employment for currently involved (17 full time and 20-25 part time) collectors of MSW in Pokhara • Active participation from the existing municipal waste collection companies and NGOs, and the municipality needs to be ensured in the process of planning, implementation and monitoring of the project

7.3 Consultation Strategy during Design and Implementation

Consultation is the cornerstone in planning, preparing and implementing the WTEP. For example, to assess the potential impact of the WTEP, such as on the vulnerable communities, *free, prior and informed consultation* with key stakeholders, in particular vulnerable people and their organizations at different levels will help ensure culturally appropriate and collective decisions. Further, public consultations and information dissemination, which ensures public understanding of the project's impacts and allows the vulnerable population—including scavengers, to express their voices, are also important parts of this framework.

The above indicated process will help the WTEP ensure that vulnerable communities in the project areas are likely to be supported are informed, consulted, and mobilized to participate in the WTEP and/or its sub-projects, as applicable.

A community consultation methodology is required to be designed in order to facilitate effective consultative process. The methodology may include an opinion survey and a consultation program encompassing broad and specific areas of influence of the sub-projects. The methodology could include specifically designed questionnaires and strategies for (i) public and community organizations; and (ii) the community in general.

The public and community organizations to be consulted include (i) waste management services providers, waste scavengers, community people residing at the vicinity of the proposed project sites, non-governmental organizations working in municipal waste management, employee and labor organizations of the municipality etc (ii) community based organizations (caste/ethnic and women organizations) and local NGOs.

The public and community in general could further be divided into two groups (i) public at large in the area of influence; and (ii) affected community in the project area by the proposed sub-project activities. The consultation program may involve both formal and informal presentations and meetings with the target groups, information dissemination campaigns through fliers, posters, and radio announcements; and an opinion survey.

The implementing agencies (AEPC along with perspective public private venture) will be responsible to carry out continued consultation with and information dissemination to the key stakeholders regarding:

- The relevant details of the project;
- Community's feedback on project design
- Issues of vulnerable groups including gender issues
- Proposed community support activities for overall social development
- The resettlement plan and various degrees of project impact;
- Details of entitlements under the resettlement plan and what is required of PAPs in order to claim their entitlements (a copy of the entitlement matrix in Nepali will be provided to the PAPs);
- Compensation process and compensation rates;
- If applicable, relocation and resettlement site development operation in order to obtain agreement and support of affected people in participating in these operations;
- Implementation schedule with a timetable for the delivery of entitlements, and
- Detailed explanation of the established grievance process mechanism.

The implementing agencies shall enlist the help of community leaders and other influential community officials in encouraging the participation of the PAPs in resettlement and community support activities. Finally, they shall attempt to ensure that all vulnerable groups and indigenous peoples/ethnic minorities, women understand the process and that their needs are specifically taken into consideration. The Annex 8 presents potential stakeholders for consultation, mode of consultation and ways of dissemination at various stages of consultation. The implementing agencies (AEPC along with perspective public private venture) or the Project Coordination Unit (PCU) formed under this project will have the responsibility to organize, facilitate and document consultations.

7.4 Disclosure of Information

The following information needs to be displayed / disseminated, wherever applicable.

- a) Project specific information(project sites, scale of impacts- adverse and beneficial social benefits, sustainability mechanism, monitoring system and the outcome of the project) need to be made available at each project site through public information desk
- b) Project Information brochures shall be made available at all project sites as well as the office of implementation agency and the office of the respective project VDCs and ward office of respective municipalities.
- c) Reports and publications, as deemed fit, shall be expressly prepared for public dissemination e.g., English versions of the EIA/SIA and EMP/RAP along with Executive Summary of EIA/SIA and EMP/RAP in Nepali language.
- d) Wherever project activities will be carried out a board will be put up for public information which will disclose all desired information to the public, for greater social accountability.
- e) All information will be translated into Nepali language and will be disclosed to the public

The Annex 9 outlines the requirement for document disclosure under WTEP in regard to social safeguard aspects.

Disclosure of SMF

The complete SMF as well as the executive summary required to be disclosed on the website of AEPC and in World Bank's InfoShop.

8. INSTITUTIONAL ARRANGEMENTS

This chapter outlines the institutional structure to implement the WTEP in general and implementation modalities of SMF in particular.

8.1 Implementation Arrangement of WTEP

The project will be implemented by the Alternative Energy Promotion Centre (AEPC) under the Ministry of Science, Technology and Environment, Government of Nepal. The main technical counterpart for the project is the Alternative Energy Promotion Center (AEPC), a unit of the Ministry of Science, Technology and Environment (MoSTE). Within the AEPC, the main interlocutor for the project is the private sector. The AEPC is geared to launch the SREP Waste to Energy Market Development competition through a call for proposals from potential firms and other entities such as the non-government organizations (NGOs) and any public private ventures for waste to energy conversion projects. The proposed project envisions the production of electricity and thermal energy from organic wastes produced in urban centers, cities, municipalities, and large commercial and non-commercial institutions, as well as biomass waste. Included is the option to produce compost and recover useable, re-sellable items. Also, potential institutes—including prisons, army barracks, monasteries, and universities—will be eligible to participate under the project.

8.2 Biogas Sub Component (BSC)

In order to manage the day-to-day implementation (including technical and fiduciary responsibilities) of the project, the Biogas Sub Component (BSC) of AEPC will bear the responsibilities of overall supervision, monitoring and evaluation of the activities and coordination between various sub-components of the project and work as bridge between MoSTE, AEPC and other implementing agencies—perspective developers which include--commercial firm, private companies, an NGO, a consortium of local bodies and private companies and NGO/CBO. The biogas subcomponent will also be responsible for regular reporting of the progress to the MoSTE, National Planning Commission and the other related agencies. Besides, the biogas subcomponent (BSC) shall carry on coordination and reporting functions with the World Bank and other donors

8.3 Responsibility for Implementing and Monitoring the SMF

The perspective developers will prepare and implement all the required safeguard mitigation plans as prescribed in this report. The biogas subcomponent (BSC) within the AEPC will serve as the coordinating and executing agency. The BSC will have oversight and monitoring responsibilities over the perspective project developer that will be implementing the respective project activities including safeguard mitigation plans. The BSC would consist of a Social Focal Point (SFP) possibly a Social Development Specialist (SDS), to provide social safeguard oversight to the project. It would have two mandates: to carry out the project management functions (in accordance with the World Bank and the GON's social safeguard guidelines), and to build the capacity of the AEPC/BSC in these areas.

8.4 Social Accountability and Grievance Redressal Mechanism

The social accountability mechanisms will be established for all sub-projects. The key approaches that would be adopted for ensuring social accountability would be any or a

combination of participatory processes guiding social audit, citizen score card and report card to acquire feedback on performance of the sub projects and record citizens' recommendations for improvement. The social accountability mandate will be further strengthened through a strong grievance redress mechanism.

It is expected that through a participatory process, acceptance of the sub-projects and grievances can be minimized. However, it is necessary to establish an effective grievance redressal mechanism to address complaints/grievances related to social issues that may arise. Any grievances and objections retarding the social aspects of the project will be referred to the project Grievances Redress Committee (GRC). The project GRC will be formed at central/AEPC and subproject levels. The composition of the GRC at national level will be:

- i. BSC manager of AEPC - Chairperson
- ii. Representatives of the developers from different categories of waste - Members (4)
- iii. Representatives of two CSOs working in the field of waste management- Member (2)
- iv. Social Development Specialist at AEPC_BSC, Member secretary

Similarly, the composition of the GRC at subproject level will be:

- i. Chairperson of respective Municipality/VDC- Chairperson
- ii. Representative from Project affected people- Member (2)
- iii. Representatives from local NGO/CBO – Members (2)
- iv. ESMF focal person of the perspective developer- Member secretary
- v. Representative from Developer/Project manager- Member

A grievance record file will be maintained in the GR Cell where all written and oral grievances will be filed and recorded. The affected persons can register their grievances at the complaint cell established at AEPC-BSC in central level and subproject office at local level. All cases will be registered, categorized and prioritized by the ESMF focal person at the subproject and by the Social Development Specialist at AEPC-BSC. GRCs will meet periodically to discuss the merit of each case and fix a date for hearing and notify the PAP to submit necessary documents in proof of her/his claim/case; resolve grievances within 3 weeks of receipt of complaint. R&R and VCDP related Grievances will be referred to GRC. Land acquisition related grievances will be addressed as per the Clause 11 of LA Act of Nepal 2034 (1977), where CDO is assigned the sole responsibility. However, all PAP will have the option of accessing the court of law in case of dissatisfaction with the decision of the GRC

8.5 Impact Monitoring and Evaluation

Monitoring of the implementation of social safeguard activities prescribed in SMF and RAP will be carried out to ensure that their goals are met. The monitoring procedures will fully be consistent with the monitoring provisions spell out in the guidelines of the concerned government authorities. The land acquisition and corresponding RAP and VCDP implementation activities will be closely monitored internally by the AEPC through its district energy officer based in each DDC office. In particular, the entitlement matrix and the GRM will be monitored and its status will be reported. Besides, monitoring involve: (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after any resettlement impact by utilizing baseline information generated from SIA during sub-project preparation;

(iii) overall monitoring to assess AP status; and (iv) preparation of progress reports to be submitted to AEPC and MoSTE reporting actual achievements against the targets fixed and reasons for shortfalls, if any.

Impacts of the proposed projects will be monitored on the basis of a scheduled plan. Frequency of monitoring will depend on size, location and magnitude of the project parameters. The AEPC-BSC is responsible to adhere with monitoring parameters, locations, schedule and responsibilities. Impact monitoring will be carried out through internal monitoring system. External evaluation will be carried out twice in the life cycle of the project implementation – once at the midterm of implementation and again at the end of implementation. The external evaluation will be done independently and will not be involved AEPC-BSC that implements the project

8.5.1 Monitoring Framework

The key social monitoring indicators relevant with safeguard measures have been developed and disaggregated at three levels. They are i) Output ii) Outcome and iii) Impact level in Annex 10. Both internal and external monitoring system will be placed providing adequate attention to assess the progress against these indicators with evidences based on quantitative and qualitative facts.

8.6 Capacity Assessment and Capacity Building Measures

Capacities for managing social management tasks need to be built in two ways. Firstly, capacities should be built considering the overall institutional development of AEPC in addressing social issues and secondly, sub-project specific capacities (i.e. capacity of perspective project developer to address specific social safeguard issues) that are useful in implementation of the sub-project.

Currently AEPC has no human resource for social safeguards management. Key to address overall social issues are: 1) limited resources (technical and finance), and 2) lack of experts to address social issues. Technical experts-- social safeguard specialist required to be appointed in BSC as needed, for full time in the initial phase of implementation which may be made intermittent at later stage. The BSC is responsible to address all issues related to SMF.

The personal involved in implementing social safeguard measures at the AEPC should be provided capacity building training in (i) screening prospective subprojects for IR and IPs effects; (ii) safeguard plan preparation and appraisal; (iii) plan monitoring; and (iii) reporting. Similarly, it is important that BSC makes effort to train the relevant sub-project staff on management of social issues, provide guidance to explain World Bank's and GoN's social safeguard obligations, their importance, and benefits and encourage them to build requisite capacities.

Training on Social Safeguards should include major topics such as: (i) donor's IR and IP safeguards policy principles, scope and triggers, definitions, and management; (ii) objective and principles of SMF; (iii) principles and procedures of land acquisition; (iv) public consultation and participation; (v) entitlements and compensation & assistance disbursement mechanisms including livelihood restoration and relocation; (vi) grievance redress; (vii) implementation of resettlement plan/indigenous peoples plan; and (viii) monitoring of

implementation of RAP and VCDP and its reporting. The training should also give emphasis on the difference between the provisions of the World Bank's policy and the GoN's applicable regulatory instruments.

9. BUDGET

Conformance of the social safeguards including bearing the costs for various social tasks is the responsibility of AEPC through BSC. Adequate provision for financing different requirements suggested under this framework should be made while allocating budget for the subproject. The budget proposed here includes preparation of social safeguard mitigation plans and their implementation including impact evaluation, supervision and monitoring. The perspective developers will be responsible to acquire private or community land (if any) for the implementation of the project. The tentative budget breakdown for SMF implementation is presented in Table 9.1.

Table 9.1 Budget Estimation for Implementation of SMF

SMF Activities	Tentative Costs in 000(NRs) per project	Remarks
Project specific social screening & assessment	200.00	
Project specific RAP, VCDP &GDP Preparation	300.00	
Disclosures and dissemination of social safeguard documents	50.00	
Implementation of RAP, VCDP and GDP	500.00	
Supervision, monitoring and reporting	100.00	
Midterm and final impact evaluation	300.00	
Capacity building for safeguard staff	50.00	
Social /community monitoring /audit	50.00	
Total	1550.00	

REFERENCES

- AEPC (2012a) Detailed Feasibility Studies of Selected Enterprises (Cow Farms/Slaughter Houses) for Biogas Power Generation.
- AEPC (2012) Detailed Feasibility Study of Biogas Power Generation from Poultry Waste in the Poultry Farms.
- ADB (2013) Solid Waste Management in Nepal: Current Status and Policy Recommendations
- CBS (2011) Population Census of Nepal 2011: National Report. Kathmandu: Government of Nepal
- CBS (2011) Nepal Living Standard Survey (NLSS), Volume II, Kathmandu: CBS/Government of Nepal
- GoN (2011) Three Year Plan from FY 2010/11 to FY 2012/13. Government of Nepal, National Planning Commission, Kathmandu, Nepal.
- HMGN (1993) Forest Act, 1993
- HMGN (1995) Forest Regulation, 1995
- ILO, Convention No. 169 [http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm](http://www.ilo.org/indigenous/Conventions/no169/lang-en/index.htm)
- MRCP (2010) District Development Profile of Nepal 2010/2011, Kathmandu: Megha Publication and Research Center (MRCP), Putalisadak
- United Nation (2007) United Nations Declaration on the Rights of Indigenous Peoples, United Nation
- World Bank (2013) Project Concept Note on a proposed grant to GoN for Waste to Energy Market Development
- World Bank (2013) Integrated Waste-to-Energy Project Investment Plan for Scaling-up of Renewable Energy Program (SREP)
- World Bank (2013) Resource Base Analysis for Viability of Improved Charring Retort (ICR) to Meet Industrial Demand for Charcoal in Brick Kilns

Annex 1 Checklist for Stakeholder Consultations and Focus Group Discussion

- 1. Overview of the proposed WTEP**
 - Project objectives and components
 - Implementing institutions
 - Project management structure
 - Monitoring and supervision
- 2. Institutional Capacity Assessment (implementing institution)**
 - Experiences of Social management of similar works
 - Existence of units/ focal points to look after social issues; assigned rights and duties, functions and effectiveness of their roles and responsibilities
 - Human & financial resources and facilities
 - Legal and policy implication and mandate
 - Implication of extra work load from this program
- 3. Likely Impacts of the proposed activities in terms of Involuntarily land acquisition and resettlement, and on the issues of IPs, gender equality, social inclusion and social accountability**
 - Individuals and groups likely to be impacted, categories of impacted people with estimated numbers and degree of impact
 - Impacts on vulnerable communities including: *Janjatis, Dalits*, and highly poor groups including women, physically challenged and destitute
 - Other social and cultural risks and barriers
- 4. Mitigation measures to avoid or minimize negative impacts and contents of RR and VCDP policies**
 - Mode of compensation and rehabilitation assistance for losses to assist the affected people in various categories to restore their living conditions
 - Ways of identifying different categories of impacted people determined in terms of degree of impact and assets lost;
 - Criteria to be used in identifying who is eligible for compensation for each category of population impacted
 - Modes and methods of valuation of lost assets
 - Modes of implementation of RAP and VCDP with clear roles and responsibilities at different levels
- 5. Institutional Structure and corresponding role and responsibilities for Grievance Redress Mechanism to be developed in different levels**
 - Subproject Level
 - Central Level
- 6. Institutional arrangement for implementing SMF**
 - Specific roles, responsibilities, and authority of involved institutions with regard to management in the proposed program/project
- 7. Monitoring and Evaluation**
 - Level, types, frequencies and institutional roles and responsibilities
 - Feedback systems for overall framework compliance
 - Third party/independent monitoring (Who, when, where, & how)
 - Reporting mechanism
- 8. Funding**

- Estimation of likely range of overall costs and overall funding arrangements to implement SMF

9. Capacity Building

- Requirements for strengthening capacity to implement SMF and to monitor its overall compliance

Annex 2 Details of Consultation Meeting and Participants

Preparation of Social Management Framework for SREP Waste to Energy Market Development Component

सरोकारवानासंगको समुहगत छलफल / अन्तर्क्रियाका सहभागीहरूको उपस्थिति

दिनांक: 2060-6-90

स्थान: जि.वि.स. दोतरवा

क्र.सं.	पुरो नाम पद	लिंग	पद वा पेशा/आवसाय	कार्यालय/नाममा संस्था	ठेगाना	सम्पर्क नम्बर	हस्ताक्षर
1.	दुपराज पोखरेल	पु	अध्यक्ष/सिस्टम डिपार्टमेन्ट	जिम्कला विद्यालय	धनकुटा	874680097	
2.	ताराका खोइरे	-	सी.पी.आ.	"	सुनसरी २, रोटेस	9744033838	
3.	जगदिश अर्वाल	-	सी.पी.आ.	"	"	984445702	
4.	उषाकिशोर शर्मा	-	उ.पी.आ.	"	"	984445702	
5.	सुरेश राउत	-	इन्जिनियर	श्रीजंग नगरपालिका	श्री.सु. - १	984445702	
6.	रामकृष्ण शर्मा	-	सी.पी.आ.	सि.व.का	सुनसरी	984445702	
7.	रमा कुँशी	म	अध्यक्ष	पेकोपा	सुनसरी/सि.स.	984445702	
8.	गोपीराम खड्का	पु	सी.पी.आ.	सुनसरी/सि.स.	सुनसरी/सि.स.	984445702	
9.	रामकृष्ण शर्मा	पु	सचिव	सुनसरी/सि.स.	सुनसरी/सि.स.	984445702	
10.	रामकृष्ण शर्मा	पु	सचिव	सुनसरी/सि.स.	सुनसरी/सि.स.	984445702	
11.	अनिल शर्मा	पु	अध्यक्ष	सुनसरी/सि.स.	सुनसरी/सि.स.	984445702	
12.	आयुष शर्मा	पु	अध्यक्ष	सुनसरी/सि.स.	सुनसरी/सि.स.	984445702	
13.	पद्म कुमारी पुरोडा	पु	डि.सी.	REMR	काठमाडौं	9744401564	
14.	संजिता खड्का	F	पु.स.	सि.स. वि.वा.संस्था	दोतरवा	068-569930	
15.	सुशान्त शर्मा	पु	अध्यक्ष	सुनसरी/सि.स.	सुनसरी/सि.स.	984445702	
16.	सुशान्त शर्मा	पु	अध्यक्ष	सुनसरी/सि.स.	सुनसरी/सि.स.	984445702	

क्र.सं.	पुरो नाम पद	लिंग	पद वा पेशा/आवसाय	कार्यालय/नाममा संस्था	ठेगाना	सम्पर्क नम्बर	हस्ताक्षर
17.	विद्या प्रसाद जोशी	पु	अध्यक्ष	जिम्कला विद्यालय	सी.पी.आ.-४	984445702	
18.	पारुला शर्मा	म	सचिव	"	काठमाडौं - ३५	4108528	
19.	कृष्णा खड्का	म	सचिव	सि.स. वि.वा.संस्था	सी.पी.आ.-८	9844406032	
20.	सुशान्त शर्मा	पु	अध्यक्ष	सुनसरी/सि.स.	सी.पी.आ.-१०	984445702	
21.	सुशान्त शर्मा	पु	अध्यक्ष	सुनसरी/सि.स.	सुनसरी/सि.स.	984445702	
22.	वि.स. शर्मा	पु	अध्यक्ष	सुनसरी/सि.स.	"	984445702	
23.	वि.स. शर्मा	पु	अध्यक्ष	सुनसरी/सि.स.	"	984445702	
24.	वि.स. शर्मा	-	अध्यक्ष	सुनसरी/सि.स.	सी.पी.आ.	984445702	
25.	सुशान्त शर्मा	-	अध्यक्ष	सुनसरी/सि.स.	"	984445702	
26.							
27.							
28.							
29.							
30.							
31.							
32.							
33.							

Preparation of Social Management Framework for SREP Waste to Energy Market Development Component

स्थान: सिद्धि विक्टोरि उद्योग, अमरावती, जिल्हा - वसिष्ठ - C, पिन-431002 दिनांक: 28/06/19

सरकारमानासंगुको समुहगत धानपान / अन्नाक्रियाका सहभागीहरूको उपस्थिति

क्र.सं.	पुरा नाव वर	लिंग	वय वा पेशा/व्यवसाय	कार्यालय/भाष्य संस्था	ठेगाना	सम्पर्क नम्बर	हस्ताक्षर
1.	देव व. शेट	पु	35	सिद्धि विक्टोरि उद्योग	अमरावती - C		
2.	पद्म व. शेट	पु	4		लि.पा.		पद्म
3.	राम व. शेट	पु	1				राम
4.	रा कुमारी शेट	म	1				रा कुमारी
5.	दिश कुमारी शेट	म	1				दिश
6.	चन्द्र कुमारी शेट	म	1				चन्द्र
7.	रमेश राम्भा	पु	1				रमेश
8.	रम व. शेट	पु	1				रम
9.	राम व. राम्भा	पु	1				राम
10.	विठ्ठल राम्भा	पु	1				विठ्ठल
11.	अन व. शेट	पु	1				अन
12.	प्रेम व. राम्भा	पु	1				प्रेम
13.	नर व. शेट	पु	1				नर
14.	देव लाल शेट	पु	1				देव
15.	देव शेट	पु	1				देव

क्र.सं.	पुरा नाव वर	लिंग	वय वा पेशा/व्यवसाय	कार्यालय/भाष्य संस्था	ठेगाना	सम्पर्क नम्बर	हस्ताक्षर
17.	देव व. शेट	पु	35	सिद्धि विक्टोरि उद्योग	अमरावती - C		देव
18.	पुनलि माण्डे शेट	म	4				पुनलि
19.	लिला माण्डे राम्भा	म	4				लिला
20.	रा कुमारी राम्भा	म	4				रा कुमारी
21.	लिला माण्डे शेट	म	1				लिला
22.	पद्म कुमारी शेट	म	4				पद्म
23.							
24.							
25.							
26.							
27.							
28.							
29.							
30.							
31.							
32.							

Preparation of Social Management Framework for SREP Waste to Energy Market Development Component

सरोकारवालासँगको समुहगत कल्पना / कल्पनाका सहभागीहरूको उपस्थिति

स्थान: सिटी टाउन सभामा २०७१/०६/१३

मिति: २०७१/०६/१३

क्र.सं.	पूरा नाम वर	लिंग	पद वा पेशा/भाषण	कार्यालय/संस्था	ठेगाना	सम्पर्क नम्बर	हस्ताक्षर
1.	पुष्पकान्त शर्मा	पु.	पौरोहित्य	मि. वि. पी. फोरम	काठमाडौं	९७७७६६६६६	<i>[Signature]</i>
2.	सुनील शर्मा	पु.	वि. वि. पी.	मि. वि. पी. फोरम	काठमाडौं	९७७७६६६६६	<i>[Signature]</i>
3.	Bal Ram Karki	-	संस्थापक	वि. वि. पी.	काठमाडौं	९७७७६६६६६	<i>[Signature]</i>
4.	Hari Bhattacharya	M	Consultant	WB/AEPC	Kathmandu	९७७७६६६६६	<i>[Signature]</i>
5.	PRACHIN LAL SHRESTHA	M	Chairperson	Shukla Biogas Field	Chitwan	९७७७६६६६६	<i>[Signature]</i>
6.	Er. Biret Shrivastava	M	Section Chief	Chitwan Municipality	Chitwan	९७७७६६६६६	<i>[Signature]</i>
7.	सुनील शर्मा	पु.	Program Officer	ECOSCENTRE	Bharatpur-2	९७७७६६६६६	<i>[Signature]</i>
8.	Bhaskar K. Shrestha	पु.	NEA	Bharatpur	Bharatpur	९७७७६६६६६	<i>[Signature]</i>
9.	सुनील शर्मा	पु.	वि. वि. पी.	वि. वि. पी.	काठमाडौं	९७७७६६६६६	<i>[Signature]</i>
10.	सुनील शर्मा	पु.	वि. वि. पी.	वि. वि. पी.	काठमाडौं	९७७७६६६६६	<i>[Signature]</i>
11.	सुनील शर्मा	पु.	वि. वि. पी.	वि. वि. पी.	काठमाडौं	९७७७६६६६६	<i>[Signature]</i>
12.	RASHI PRADHAN	Male	Executive Director	Chamber of Commerce & Industry - Chitwan	Narayangarh, Chitwan	९७७७६६६६६	<i>[Signature]</i>
13.	Surbir Prasad	M	Chairperson	fecofom, Chitwan	Bharatpur	९७७७६६६६६	<i>[Signature]</i>
14.	RAJESH KUMAR	M	Chief DADO	DADO	Bharatpur	९७७७६६६६६	<i>[Signature]</i>
15.	Dr. Ram Kumar Karki	M	Senior Veterinary Officer	DESO	Bharatpur	९७७७६६६६६	<i>[Signature]</i>
16.	सुनील शर्मा	पु.	वि. वि. पी.	वि. वि. पी.	काठमाडौं	९७७७६६६६६	<i>[Signature]</i>

क्र.सं.	पूरा नाम वर	लिंग	पद वा पेशा/भाषण	कार्यालय/संस्था	ठेगाना	सम्पर्क नम्बर	हस्ताक्षर
17.	Bishal Lamichhane	M	Engg. Officer	DDC	Bharatpur, Chitwan	९७७७६६६६६	<i>[Signature]</i>
18.	Ashish Shrestha	M	Equation Analyst	World Bank	Kopanchi, Lalpur	९७७७६६६६६	<i>[Signature]</i>
19.	Ajay B. Mathema	M	Engg. Specialist	World Bank	Plot No. 1, B/M	९७७७६६६६६	<i>[Signature]</i>
20.	Lata Subedi	F	SA	DDC	Bharatpur, Chitwan	९७७७६६६६६	<i>[Signature]</i>
21.	Dev Kumar Joshi	F	SM	DDC	Bharatpur, Chitwan	९७७७६६६६६	<i>[Signature]</i>
22.	Surya Man Shrestha	F	Policy	Surya Man Shrestha	Narayangarh	९७७७६६६६६	<i>[Signature]</i>
23.	Ranjana Adhikari	F	DDC	DDC	Bharatpur, Chitwan	९७७७६६६६६	<i>[Signature]</i>
24.							
25.							
26.							
27.							
28.							
29.							
30.							
31.							
32.							

Preparation of Social Management Frameworks for SREP Waste to Energy Market Development Component

सरोकारवालासंगको समुहगत छलफल / अन्तर्क्रियाका सहभागीहरूको उपस्थिति

स्थान: जेठ्ठला/दिक्पाउ सार्वजनिक कम्पनिम, कोशी | मिति: २०८०/०८/१८

क्र.सं.	पुरा नाम पर	लिंग	पर बा पेशा/व्यवसाय	सरोकार/सम्बन्ध संस्था	ठेगाना	सम्पर्क नम्बर	हस्ताक्षर
1.	राहुलीम चौडाल	पुरुष	कार्यालय निर्देशक	पोखरा फौजमैला	पोखरा - १०	९८५६०३३६६६ ९८५६०३३६६६	<i>[Signature]</i>
2.	Kusumaj Lalola	M	R.R.O	NBPA	Pokhara	९८०५४११११ ९८०५४११११	<i>[Signature]</i>
3.	Anish Srestha	M	Quality Analyst	World Bank	Kapada, Laliper	९८०५४११११	<i>[Signature]</i>
4.	Uttam P. Oja	M	Advisor	ANPC/NREEP	Rhumtha, G.H.	९८५७०६९९९	<i>[Signature]</i>
5.	Ravi Bhandari	M	Local Representative	Gold Rush Pvt Ltd	Pokhara	९९६०३३३३३	<i>[Signature]</i>
6.	उत्तम जोशी	M	प्र. प्र. प्र. प्र.	जे. ए. ए. ए. ए. ए. ए. ए.	पोखरा	९८५६०३३३३३	<i>[Signature]</i>
7.	गंगा नन्द प्रसाद	M	प्र. प्र. प्र.	जे. ए. ए. ए. ए. ए. ए.	पोखरा	९८५६०३३३३३	<i>[Signature]</i>
8.	सुशील सुब्बा	F	प्र. प्र. प्र.	जे. ए. ए. ए. ए. ए. ए.	पोखरा	९८५७०६९९९	<i>[Signature]</i>
9.	नारायण प्रसाद श्रेष्ठ	M	नि. ए. ए. ए. ए. ए. ए.	जे. ए. ए. ए. ए. ए. ए.	पोखरा	९८५७०६९९९	<i>[Signature]</i>
10.	बैजु श्रेष्ठ	M	प्र. प्र. प्र.	जे. ए. ए. ए. ए. ए. ए.	पोखरा	९८५६०३३३३३	<i>[Signature]</i>
11.	विशालराज शर्मा	M	जे. ए. ए. ए. ए. ए. ए.	जे. ए. ए. ए. ए. ए. ए.	पोखरा	९८५६०३३३३३	<i>[Signature]</i>
12.	गोपाल शर्मा	M	प्र. प्र. प्र.	जे. ए. ए. ए. ए. ए. ए.	पोखरा	९८५६०३३३३३	<i>[Signature]</i>
13.	Dr. Anun Neupane	M	EEO	DIC, Vashi	Pokhara	९८५६०३३३३३	<i>[Signature]</i>

क्र.सं.	पुरा नाम पर	लिंग	पर बा पेशा/व्यवसाय	सरोकार/सम्बन्ध संस्था	ठेगाना	सम्पर्क नम्बर	हस्ताक्षर
17.	लिला नाम शर्मा	पु	कार्यालय निर्देशक	पोखरा फौजमैला	पोखरा - १०	९८५६०३३६६६	<i>[Signature]</i>
18.	बाल शर्मा	पु	कार्यालय निर्देशक	पोखरा फौजमैला	पोखरा - १०	९८५६०३३६६६	<i>[Signature]</i>
19.	विष्णु शर्मा	पु	कार्यालय निर्देशक	पोखरा फौजमैला	पोखरा - १०	९८५६०३३६६६	<i>[Signature]</i>
20.							
21.							
22.							
23.							
24.							
25.							
26.							
27.							
28.							
29.							
30.							
31.							
32.							
33.							

Venue: DDC Office, Dolkha**Date: 2070/07/10**

S. N	Full Name	Sex	Post / Occupation	Office / Organization	Address	Phone Number
1.	Tubaraj Pokhrel	M	LDO	DDC	Dolakha	9854040015
2.	Narayan Sedai	M	Social Development Officer	DDC	Dolakha	9744033838
3.	Jagadish Aryal	M	Account Officer	DDC	Dolakha	9744033838
4.	Hari Prasad Bhattarai	M	Consultant	AEPC/WB	Kathmandu	9841892751
5.	Shyam Kishor Yadav	M	Energy Officer	DDC	Dolakha	9851089880
6.	Suresh Rawat	M	Engineer	Bhimeshwor Municipality	Dolakha	9851002074
7.	Ramkumar Bhandari	M	Assistant forest Officer	DFO	Dolakha	9841331358
8.	Sita K.C	F	President	FECOFUN	Lakuridada	9744022094
9.	G. Khatiwada	M	Office Assistant	DDC	Dolakha	9841070458
10.	Dhagya B. Siwakoti	M	Customer	Suspa Community Forest	Dolakha	9841003869
11.	Ramsran Dhimi	M	Secretary	Suspa Community Forest	Dolakha	9844307778
12.	Anil Maharjan	M	Researcher Coordinator	Minergy	Lalitpur	9841336256
13.	Pech Kr. Sunuwar	M	DC	REMREC	Kavre	9744025614
14.	Sanjita Sunuwar	F	Technical Assistant	DADO	Dolakha	049421130
15.	Ajay Mathema	M	Consultant	AEPC/WB	Kathmandu	9841638502
16.	Aayush Ghimire	M	Student		Kathmandu	9818651889
17.	Rakesh Tuladhar	M	Engineer	Rimrek	Dhulikhel	049421130
18.	Susil Gyawali	M	Technical Assistant	Himalayan Naturals Pvt.ltd	Kathmandu	9851127784
19.	Tika P. Joshi	M	Office Assistant	DDC	Dolakha	9844091098
20.	Ashuta Bhattarai	F	Student		Kathmandu	9813108668
21.	Kamala Basnet	F	Secretary	Himawanti, Dolakha	Dolakha	9844060271
22.	Nawaraj Khadka	M	President	Harit Industry	Dolakha	9754201578
23.	Dilli P. Poudel	M	Student	Bergen University, Norway	Sarlai	9841178010
24.	Bir B. Thami	M	President	Suspa Kshemadevi CFUG	Sarlai	9741094248
25.	Birkha Chhetri	M	Businessman	Minergy Pvt.ltd	Lalitpur	9844060410

26.	Dinesh Neupane	M	Messenger	Chamber of Commerce & Industry, Dolakha	Dolakha	9844090463
27.	Kumar Budhathoki	M	Office Assistant	DDC Dolakha	Dolakha	9744022246

Venue: Sikre Briquette Industry, Attarpur-8, Sindhpalchowk

Date: 2070/07/10

S.N	Full Name	Sex	Post / Occupation	Office / Organization	Address
1.	Dev B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
2.	Padam B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
3.	Yam B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
4.	Ga Kumari Shrestha	F	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
5.	Deu Kumari Shrestha	F	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
6.	Nanda Kumari Shrestha	F	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
7.	Ramesh Shakya	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
8.	Ratna B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
9.	Som B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
10.	Shiva Lal Shakya	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
11.	Bhakta B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
12.	Prem B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
13.	Nar B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
14.	Bek Lal Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
15.	Prem Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
16.	Binod Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
17.	Tek B. Shrestha	M	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
18.	Putali Maya Shrestha	F	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
19.	Lila Maya Shakya	F	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
20.	Sher Kumari Shakya	F	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
21.	Tika Maya Shrestha	F	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk
22.	Padam Kumari Shrestha	F	Entrepreneur	Sikre Briquette Industry	Attarpur-8, Sindhpalchowk

Venue:DDC, Chitwan Bharatpur

Date: 2070/07/13

S. N	Full Name	Sex	Post / Occupation	Office / Organization	Address	Phone Number
1.	Purushotwam Sharma	M	Planning Officer	DDC, Chitwan	Bharatpur	9841779776
2.	Ganesh Jha	M	DFO	DFO, Chitwan	Bharatpur	9755000493
3.	Bal Ram Luitel	M	Communication Officer	DDC	Chitwan	9855059010
4.	Hari P. Bhattarai	M	Consultant	AEPC/WB	Kathmandu	9841892751
5.	Prachin Lal Shrestha	M	Entrepreneur	Subha Biomass Pvt.ltd	Chitwan	9855054025
6.	Er. Birat Ghimire	M	Env. Section Chief	Bharatpur Municipality	Bharatpur	9855056035
7.	Rishiram Adhikari	M	Program officer	ECOSCENTRE	Bharatpur-2	9855061026
8.	Ishwor Kr. Shrestha	M	Engineer	NEA Bharatpur	Bharatpur	9845706765
9.	Kesab Debkota	M	Director	National Biogas Company Pvt.ltd	Bharatpur	9855055151
10.	Ramchandra Gautam	M	Executive Director	National Biogas Company Pvt.ltd	Bharatpur	9855056758
11.	Dipak Raj Bista	M	Program Officer	Chamber of Commerce and Industry	Narayangad Chitwan	9845247758
12.	Rashik Pradhan	M	Executive Director	Chamber of Commerce and Industry	Narayangad Chitwan	9845084242
13.	Surbir Pokhrel	M	Chairperson	FECOFUN, Chitwan	Bharatpur	9855055477
14.	Rajaram Adhikari	M	Chief	DADO	Bharatpur	9855059570
15.	Ajay Bhakta Mathema	M	Consultant	AEPC/WB	Kathmandu	9841638502
16.	Dr. Ram Kumar Karki	M	Sr. Veterinary Officer	DLSO	Bharatpur	9855065176
17.	Damodar Subedi	M	M.D	Janata Urja Bikash Company	Bharatpur	9855058042
18.	Bishal Lamichhane	M	Energy Officer	DDC	Bharatpur	9841763680
19.	Ashis Shrestha	M	Operation Analyst	World Bank	Kupandol, Lalitpur	9801054392
20.	Sita Subedi	F	OA	DDC	Bharatpur	9845278212
21.	Dev Kumari Joshi	F	SM	DDC	Bharatpur	9845436051
22.	Surya Man Shrestha	M	Poultry	Suryodaya Poultry & Feed Industry	Narayangad	9855056717

23.	Ranjana Adhikari	F		DDC	Bharatpur	
-----	------------------	---	--	-----	-----------	--

Venue: DDC Office, Kaski

Date: 2070/07/14

S.N	Full Name	Sex	Post / Occupation	Office / Organization	Address	Phone Number
1.	Santosh Poudel	M	Executive Officer	Pokhara Waste Management Pvt.Ltd	Pokhara-10,	9856032638
2.	Pusparaj Koirala	M	R.P.O	NBPA	Pokhara	9804188987
3.	Ashis Shrestha	M	Operation Analyst	World Bank	Kupandol, Lalitpur	9801054392
4.	Uttam P. Jha	M	Advisor	AEPC/NRREP	Khumaltar, Lalitpur	9851066828
5.	Ravi Bhandari	M	Local Representative	Gold Rush Pvt.Ltd	Pokhara	9846038302
6.	Uttam Joshi	M	First Vice President	Tole Coordination Committee	Pokhara	9846140877
7.	Ganga B. Thapa	M	SDADO	DADO	Pokhara	9746003997
8.	Narayan Shrestha	M	Acting LDO	DDC, Kaski	Pokhara	9856027721
9.	Smriti Gurung	F	Acting PO	Kaba Foundation Nepal	Newroad, Pokhara	9847642626
10.	Resh B. Gurung	M	President	Heralo	Pokhara	9856020776
11.	Nishanraj Gautam	M	Planning Officer	DDC, Kaski	Pokhara	9856023830
12.	Gopal Khadka	M	V. President	NGO Federation Nepal	Pokhara	9856024288
13.	Er. Arjun Neupane	M	EEO	DDC, Kaski	Pokhara	9846128094
14.	Hari Bhattarai	M	Consultant	AEPC/WB	Kathmandu	9841892751
15.	Ajay Mathema	M	Consultant	AEPC/WB	Kathmandu	9841638502
16.	Sashi Pokhrel	M	Engineer, DEEU	DDC, Kaski	Tanahun	9846093233
17.	Lila Nath Poudel	M	Forester	DFO	Pokhara	9846023509
18.	Bal Bhadra Puri	M	Waste Management	Batabaran Sundar Nepali Pvt.Ltd	Syanga	9840331554
19.	Bidur Giri	M	Waste Management	Batabaran Sundar Nepali Pvt. Ltd	Syanga	9856029309

Annex 3 Classification of Adivasi Janajatis in Nepal

Region	Classification of Adivasi Janajatis				
	Endangered (10)	Highly Marginalized (12)	Marginalized (20)	Disadvantaged (15)	Advantaged (2)
Mountain (18)		Shiyar, Shingsawa (Lhomi), and Thudam	Bote, Dolpo, Larke, Lhopa, Mugali, Tokpegola, and Walung	Bara Gaule, Byansi (Sauka), Chhaintan, Maparphali Thakali, Sherpa, Tangbe, and Tingaunle Thakali	Thakali
Hill (24)	Bankariya, Hayu, Kusbadiya, Kusunda, Lepcha, and Surel	Baramu, Thami (Thangmi), and Chepang	Bhujel, Dura, Pahari, Phree, Sunuwar, and Tamang	Chhantyal, Gurung (Tamu), Jirel, Limbu (Yakthumba), Magar, Rai, Yakkha, & Hyolmo	Newar
Inner Terai (7)	Raji, and Raute	Bote, Danuwar, and Majhi	Darai, and Kumal		
Terai (10)	Kisan, and Meche (Bodo)	Dhanuk (Rajbansi), Jhangad, and Santhal (Satar)	Dhimal, Gangai, Rajbansi (Koch), Tajpuriya, and Tharu		

Source: NEFIN, 2004

Annex 4 Scheduled Castes of Dalit Community in Nepal

Region	Scheduled Dalit Castes
Hill Dalit	1. Gandharba (Gaine) 2. Pariyar (Damai, Dargee, Suchikar, Nagarchee, Dholee, Hudke) 3. Badi 4. Bishwokarma (Kami, Lohar, Sunar, Od, Chunanra, Parki, Tamata) 5. Sarki (Mijar, Charmakar, Bhool) 6. Poda (Deula, Pujari, Jalari) 7. Chyame (Kuchikar, Chyamk)
Terai Dalit	8. Kalar 9. Kakaihiya 10. Kori 11. Khatik 12. Khatwe (Mandal, Khang) 13. Chamar (Ram, Mochi, Harijan, Ravidas) 14. Chidimar 15. Dom (Marik) 16. Tatma (Tanti, Das) 17. Dushadh (Paswan, Hajara) 18. Dhobi (Rajak) Hindu 19. Pattharkatta 20. Pasi 21. Bantar 22. Mushar 23. Mestar (Halkhor) 24. Sarbhang (Sarbariya) 25. Natuwa 26. Dhandi 27. Dharikar/Dhanka

Source: National Dalit Commission, 2003

Annex 5 Situation of Dalit in Comparison to National Average

Indicators	National Average	Dalit
Below five years child mortality rate	1000/104	1000/171.2
Infant mortality rate	1000/75.2	1000/116.5
Fertility rate	4.0	4.07
Literacy rate	54	33
Average years of schooling	3.62	2.1
High school graduate and above (%)	17.6	3.8
Graduates and above	34	0.4
Poverty	31	47
Landless	-	44% Tarai Dalit 15% Hill Dalit

Source: Three Year Interim Plan (2008/09 to 2010/11), NPC, GoN

Annex 6 Specific Measures for Vulnerable People’s Development for WTEP

Proposed Strategies	Sources of Funding	Agencies Responsible
A. Inclusion		
<ul style="list-style-type: none"> • Ensure awareness raising, active participation and capacity building of the vulnerable communities • Ensure of participation in awareness campaign, project implementation and monitoring • Ensure equal wages for similar work during implementation • Launch project information campaign to inform the target groups about the key features of the project and sub project. 	GON/AEPC&Developers	AEPC-BSC+ Developers
B. Program Planning		
<ul style="list-style-type: none"> • Asses and analyze the presence of indigenous and Dalits in subcomponent sites • Treat and support indigenous people, dalits and other vulnerable communities preferentially • Involve indigenous people, women and dalits in beneficiary groups to increase their participation. • Define training/income generation activities based on the identified needs and priorities of vulnerable people in the subproject area. 	GON/AEPC&Developers	AEPC-BSC+ Developers
C. Capacity Building		
<ul style="list-style-type: none"> • Conduct project related meetings in indigenous and vulnerable community areas to encourage their participation. Ensure a quorum which includes representation from IP groups. • Provide targeted assistance/training aimed at vulnerable groups to enhance livelihoods and participation in the subcomponents • Built in awareness campaign about the project in the subproject • Build capacity of indigenous peoples, Dalits and other vulnerable communities promoting necessary knowledge and skills to participate in subcomponent activities • Develop capacity through trainings on application of Agriculture Information system to small farmers 	GON/AEPC&Developers	AEPC-BSC+ Developers

Annex 7 Gender Development Plan for Subproject

Gender Development Plan

Issues	Strategy	Proposed Activities
Lack of awareness	<ul style="list-style-type: none"> • Awareness campaign about the project for the community focusing on the vulnerable group including women. 	<ul style="list-style-type: none"> • Formation of women groups around specific project areas. • Share information about the project benefits in Nepali language.
Low Level of literacy	<ul style="list-style-type: none"> • Support functional literacy campaign and develop extension programmes to take the benefits from the project as per the needs of illiterates. 	<ul style="list-style-type: none"> • Undertake literacy programs as built- in activities coordinated with literacy programmes. • Develop the implementing strategies to communicate real time information. • Develop audio-visual aids and documentary for training programs about the project for illiterate women groups.
Excluded from opportunities and low level of participation in decision making process because of social/cultural restriction and boundaries	<ul style="list-style-type: none"> • Rapport building with Women Development Office at District or local level involving them in Programmes • Gender sensitization to all stakeholders including project entities. • Ensure Women's participation during meetings, project implementation And monitoring. 	<ul style="list-style-type: none"> • Carry out meetings and interaction programme with and orientation to women in the community. • Conduct leadership training for women members of commodity groups. • Provide opportunities of exposure or study visit to women's group to develop their leadership capacity
Lack of knowledge on and access to technical knowhow	<ul style="list-style-type: none"> • Promote need based technical awareness and support services. 	<ul style="list-style-type: none"> • Organize training on newly lunched technologies • Skill training to women in vocational fields and support for IGAs • Distribution of seed money to run training based IGA for resource generation and mobilization • Conduct health related trainings (Awareness on HIV/AIDS, child nutrition etc)
Disparity in Wages	<ul style="list-style-type: none"> • Accord Priority Employment to women in project generated construction activities. 	<ul style="list-style-type: none"> • Inform women groups regarding proposed construction works. Identify women interested to work; assess their skills and involve them as per their capabilities. • Monitor women wage rate and do the

Issues	Strategy	Proposed Activities
	<ul style="list-style-type: none"> • Promote equal wages for equal work 	<p>needful to ensure wage equality for similar type of construction works.</p> <ul style="list-style-type: none"> • Inclusion of the above elements in the contractors' document.

Annex 8 Consultation Strategy during Implementation of WTTP

Stage/s	Strategic Works	Mode of Consultations	Ways of Dissemination
Screening	Site visits (if necessary) and desk work	Public Meetings, Interaction, FGDs and transect walk together with the local residents	Provide information about project's activities using local language/Nepali language
Project Formulation	Identification of interest stakeholders, development of consultation methodology & Schedule, consultation with interest groups, and Consideration of necessary changes	Workshop, Meetings	Orientation in local language/Nepali language
Impact Assessment	Scoping, assessment and management process, alternative option, mitigation measures	Workshop, meetings, FGDs, site surveys	Orientation using local language/Nepali language
Implementation and monitoring	Consultation and collaboration on the basis of project activities	Workshop, meetings, group formation	Orientation using local language/Nepali language

Annex 9 Disclosure Requirements under WTEP

Documents to be disclosed	Frequency	Where
Summary of project documents	Once in a project cycle, at the beginning(after agreement on project with the client)	On the website of project proponent The client would make the RAP available at a place accessible to affected persons and local NGOs, in a form, manner, and language that are understandable to the PAPs
Resettlement Action Plan (RAP)	Once in the entire project cycle. But to remain on the website and other disclosure locations throughout the project period.	On the website of project proponent The client would make the RAP available at a place accessible to affected persons and local NGOs, in a form, manner, and language that are understandable to the PAPs
Resettlement & Rehabilitation Policy translated in local language	Once in the entire project cycle.	Distributed among Project Affected Persons (PAP)
Information regarding impacts and their entitlements in local language	Once at the start of the project and as and when demanded by the PAP.	Through one-to-one contact with PAPs. Community consultation List of PAPs with impacts and entitlements to be posted in the project office and website of project proponent
R&R monthly progress report.	10th day of every month	Website of project proponent Hard copy in the office of the executing agency including respective Warden office, project VDCs in local language
RAP Impact Assessment Report	At midterm and end of the RAP implementation	Project proponent's website in local language.
Land Acquisition notifications, if required	As required under the national LA Act	Project proponent's website. Hard copy in the offices of the executing agency, concerned project VDCs and in local language
Grievance redressal process.	Continuous process throughout the project cycle.	On the web sites of project proponent. Hard copies in local language in the office of executing agency, DDC and VDCs
Minutes of Formal Public Consultation Meetings	Within two weeks of meeting	On the web sites of project proponent. Hard copies in local language in the offices of executing agencies, project VDCs.

Annex 10 Monitoring Parameters, Methods, Schedule and Location

Levels	Indicators	Methods	Frequency	Responsibility
Activity/Output Level	Land acquisition (ha), cash compensation paid for acquired land and property(price, % paid, no. of HHs	Review of data/progress report/field verification/meeting	Quarterly/ha	BSC/AEPC - Social Safeguard Specialist
	Ownership transfer of acquired land	Review of progress report/meeting	Quarterly/half yearly/annually	BSC/AEPC/District Land Revenue Office
	Enhancement /mitigation measures implemented(training, dislocation transportation/ allowance distributed	Review of progress report/field verification/meeting	Quarterly/half yearly/annually	BSC/AUPC/ Consultant NGOs/ Training Institution
	Crop loss (area, quantity and value)	Review of progress report/field verification/meeting	Half yearly/annually	BSC/AEPC/ implementation Consultant/ Farmers
	Employment generated (No. of employed by gender, caste/ethnicity and wage paid)	Review of progress report/ contractor's records	Quarterly/half yearly/annually	PCU/AEPC/ implementation Consultant/ Farmers
	Health and safety measures adopted/ awareness raising activities	Review of progress report/field verification	Quarterly/half yearly/annually	BSC/AEPC/ implementation Consultant/ Farmers
	Public infrastructure/ facilities compensated/ rehabilitated	Review of progress report/field verification/meeting	Quarterly/half yearly/annually	BSC/AUPC/ implementation Consultant/ Farmers
B. Outcome Level	No. of HH relocated and assisted	Review of progress report/field verification	Half yearly/annually	PCU/AEPC/ /Independent Consultant
	Livelihood improvement activities implemented and people/HHs benefited	Review of progress report/field verification/meeting	Quarterly/half yearly/annually	BSC/AEPC/ /Independent Consultant
	Compensation money used by HH(land purchased, house constructed, investment in productive assets)	Review of progress report/field verification/meeting	Half yearly/annually	BSC/AEPC/ /Independent Consultant

	Meeting /consultation held at different levels (no. of meetings, no. of complains filled, handled and resolved	Review of progress report/field verification/ meeting	Half yearly/ annually	BSC/AEPC/ /Independent Consultant
	Income generation/restoration measures effectively implemented and changes in HH income	Review of progress report/field verification/ Meeting/HH survey	Half yearly/ annually	BSC/AEPC/ /Independent Consultant
	Land use(price, land use, productivity	Review of progress report/field verification/ meeting	Half yearly/ annually	BSC/AEPC/ /Independent Consultant
C. Impact Level	Improved livelihood (income, consumption, poverty reduction, education, health, HH assets etc)	Review of progress report/field verification/ meeting/HH survey	Mid-term/final	Third party monitoring and evaluation- Independent Consultant
	Social/ gender empowerment (leadership, decision making, participation, representative etc)	Review of progress report/field verification/ meeting/HH survey	Mid-term/final	Third party monitoring and evaluation- Independent Consultant
	Social wellbeing(self satisfaction, feeling of socially protected)	Review of progress report/field verification/ meeting	Mid-term/final	Third party monitoring and evaluation- Independent Consultant

Annex 11: Social Screening Format

1. Title of the Sub project:			
1.1 Site Locality:			
1.2 Sub project activities:			
1.3 Contact Details:			
2. Impact on specific assets due to project intervention			
2.1 What are the asset(s) that would be affected due to Subproject Interventions? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Land <input type="checkbox"/> Physical Structure (dwelling or commercial) <input type="checkbox"/> Community Resources <input type="checkbox"/> Natural Resources (Water bodies/ Forest/ Public Pond) <input type="checkbox"/> Others (please specify)		
2.1.1 Land	Currently Owned	Private	Public
	Total Area		
	Land use		
	Additional requirement	Private	Public
	Total Area		
	Land use		
	Permanent/temporary		
	Land Procurement	<input type="checkbox"/> Voluntary Donation <input type="checkbox"/> Direct Purchase	<input type="checkbox"/> Voluntary Donation <input type="checkbox"/> Land Acquisition
Presence of <input type="checkbox"/> Squatter/ <input type="checkbox"/> Encroacher/ <input type="checkbox"/> leaseholder in Private/Public land: <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, <ul style="list-style-type: none"> Total number of affected families: Possibility of physical displacement: 			
Procurement Procedure for additional land:			
2.1.2 Physical Structures (Specify Private (P), Squatter (S), Encroacher (E), Leaseholder (L) etc)		Private	Public
	Houses to be resettled:		
	Community resources:		
	Commercial/ business structures:		
2.1.3 Is there any Community Resource Properties resources that	Community Resource Property	No. of beneficiary households	

might be affected due to project intervention? <input type="checkbox"/> Yes <input type="checkbox"/> No		
2.1.4 Is there any natural resources that might be affected due to project intervention? <input type="checkbox"/> Yes <input type="checkbox"/> No	Natural Resource	Dependent households
3. Impact in Livelihood		
<input type="checkbox"/> Yes <input type="checkbox"/> No (Specify Private (P), Squatter (S), Encroacher (E), Leaseholder (L) etc)	Impact	No. of families
	<input type="checkbox"/> Loss of shelter and housing structure <input type="checkbox"/> Loss of income source <input type="checkbox"/> Loss of grazing field <input type="checkbox"/> Loss of agricultural land <input type="checkbox"/> Others	
4. Impact on Trees and Crops		
4.1 Vegetation clearance <input type="checkbox"/> Private Land <input type="checkbox"/> Governmental Forest <input type="checkbox"/> Community Forest	Tentative number of trees to be felled: <ul style="list-style-type: none"> • Tree size _____ • Pole size _____ 	
4.2 Agricultural Crop/Fruit bearing trees loss (Specify Private (P), Squatter (S), Encroacher (E), Leaseholder (L) etc)	Agricultural Land	Horticulture (Fruits)
5. Vulnerable Groups		
5.1 Area there Vulnerable Groups (Adibasi/Janajati/Dalit/Women headed households residing within or adjacent to project site)? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, does project intervention affect these groups? <input type="checkbox"/> Land <input type="checkbox"/> Physical Structure <input type="checkbox"/> Income generating activities	
5.2 If yes, displacement of these people needed?		
5.3 Is there any way that proposed project may pose any threat to cultural tradition and way of life of vulnerable groups?		
5. Community Benefits from sub-project intervention		
<ul style="list-style-type: none"> • • • • • • 		
6. Perception toward project		
6.1 Community Perception toward project	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative

Annex 12a OP 4.12 - Involuntary Resettlement

Note: OP/BP 4.12, *Involuntary Resettlement*, were revised on April 2013 to take into account the recommendations in “*Investment Lending Reform: Modernizing and Consolidating Operational Policies and Procedures*” (R2012-0204 [IDA/R2012-0248]), which were approved by the Executive Directors on October 25, 2012. As a result of these recommendations: (a) OP/BP 10.00, *Investment Project Financing*, have been revised, among other things, to incorporate OP/BP 13.05, *Supervision* and OP/BP 13.55, *Implementation Completion Reporting*, (which have consequently been retired); and (b) OP/BP 8.60, *Development Policy Lending*, and OP 9.00, *Program-for-Results Financing*, have also been revised. OP/BP 4.12 have consequently been updated to reflect these changes, to clarify the extent of applicability of OP/BP 4.12 to Development Policy Lending and Program-for Results-Financing, and to reflect the updated title of the Bank’s policy on access to information.

Questions on this OP/BP may be addressed to the Safeguard Policies Helpdesk in OPCS (safeguards@worldbank.org).

Revised April 2013

1. Bank¹ experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

Policy Objectives

2. Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.²

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons³ should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.⁴

Impacts Covered

3. This policy covers direct economic and social impacts⁵ that both result from Bank-assisted investment projects,⁶ and are caused by

(a) the involuntary⁷ taking of land⁸ resulting in

(i) relocation or loss of shelter;

(ii) lost of assets or access to assets; or

(iii) loss of income sources or means of livelihood, whether or not the affected persons

must move to another location; or

(b) the involuntary restriction of access⁹ to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

4. This policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are

(a) directly and significantly related to the Bank-assisted project,

(b) necessary to achieve its objectives as set forth in the project documents; and

(c) carried out, or planned to be carried out, contemporaneously with the project.

5. Requests for guidance on the application and scope of this policy should be addressed to the Resettlement Committee (see [BP 4.12, para. 7](#)).¹⁰

Required Measures

6. To address the impacts covered under para. 3 (a) of this policy, the borrower prepares a resettlement plan or a resettlement policy framework (see paras. 25-30) that covers the following:

(a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are

(i) informed about their options and rights pertaining to resettlement;

(ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and

(iii) provided prompt and effective compensation at full replacement cost¹¹ for losses of assets¹² attributable directly to the project.

(b) If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are

(i) provided assistance (such as moving allowances) during relocation; and

(ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.¹³

(c) Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are

(i) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living;¹⁴ and

(ii) provided with development assistance in addition to compensation measures described in paragraph 6(a);

(iii) such as land preparation, credit facilities, training, or job opportunities.

7. In projects involving involuntary restriction of access to legally designated parks and protected areas (see para. 3(b)), the nature of restrictions, as well as the type of measures necessary to mitigate adverse impacts, is determined with the participation of the displaced persons during the design and implementation of the project. In such cases, the borrower prepares a process framework acceptable to the Bank, describing the participatory process by which

(a) specific components of the project will be prepared and implemented;

(b) the criteria for eligibility of displaced persons will be determined;

(c) measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected area, will be identified; and

(d) potential conflicts involving displaced persons will be resolved.

The process framework also includes a description of the arrangements for implementing and monitoring the process.

8. To achieve the objectives of this policy, particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples,¹⁵ ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.

9. Bank experience has shown that resettlement of indigenous peoples with traditional land-based modes of production is particularly complex and may have significant adverse impacts on their identity and cultural survival. For this reason, the Bank satisfies itself that the borrower has explored all viable alternative project designs to avoid physical displacement of these groups. When it is not feasible to avoid such displacement, preference is given to land-based resettlement strategies for these groups (see para. 11) that are compatible with their cultural preferences and are prepared in consultation with them (see [Annex A](#), para. 11).

10. The implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. For impacts covered in para. 3(a) of this policy, these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons. For impacts covered in para. 3(b) of this policy, the measures to assist the displaced persons are implemented in accordance with the plan of action as part of the project (see para. 30).¹⁶

11. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land (see footnote 1 above), or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area,¹⁷ or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

12. Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction¹⁸ of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

13. For impacts covered under para. 3(a) of this policy, the Bank also requires the following:

(a) Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

(b) In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service

for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).

(c) Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in preexisting communities and groups are honored.

Eligibility for Benefits¹⁹

14. Upon identification of the need for involuntary resettlement in a project, the borrower carries out a census to identify the persons who will be affected by the project (see the [Annex A](#), para. 6(a)), to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs), and it specifies grievance mechanisms.

15. *Criteria for Eligibility*. Displaced persons may be classified in one of the following three groups:

(a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);

(b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan (see [Annex A](#), para. 7(f)); and²⁰

(c) those who have no recognizable legal right or claim to the land they are occupying.

16. Persons covered under para. 15(a) and (b) are provided compensation for the land they lose, and other assistance in accordance with para. 6. Persons covered under para. 15(c) are provided resettlement assistance²¹ in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank.²² Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in para. 15(a), (b), or (c) are provided compensation for loss of assets other than land.

Resettlement Planning, Implementation, and Monitoring

17. To achieve the objectives of this policy, different planning instruments are used, depending on the type of project:

(a) a resettlement plan or abbreviated resettlement plan is required for all operations that entail involuntary resettlement unless otherwise specified (see para. 25 and [Annex A](#));

(b) a resettlement policy framework is required for operations referred to in paras. 26-30 that may entail involuntary resettlement, unless otherwise specified (see [Annex A](#); and

(c) a process framework is prepared for projects involving restriction of access in accordance with para. 3(b) (see para. 31).

18. The borrower is responsible for preparing, implementing, and monitoring a resettlement plan, a resettlement policy framework, or a process framework (the "resettlement instruments"), as appropriate, that conform to this policy. The resettlement instrument presents a strategy for achieving the objectives of the policy and covers all aspects of the proposed resettlement. Borrower commitment to, and capacity for, undertaking successful resettlement is a key determinant of Bank involvement in a project.

19. Resettlement planning includes early screening, scoping of key issues, the choice of

resettlement instrument, and the information required to prepare the resettlement component or subcomponent. The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement. In preparing the resettlement component, the borrower draws on appropriate social, technical, and legal expertise and on relevant community-based organizations and NGOs.²³ The borrower informs potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.

20. The full costs of resettlement activities necessary to achieve the objectives of the project are included in the total costs of the project. The costs of resettlement, like the costs of other project activities, are treated as a charge against the economic benefits of the project; and any net benefits to resettlers (as compared to the "without-project" circumstances) are added to the benefits stream of the project. Resettlement components or free-standing resettlement projects need not be economically viable on their own, but they should be cost-effective.

21. The borrower ensures that the Project Implementation Plan is fully consistent with the resettlement instrument.

22. As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its InfoShop. After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner.²⁴

23. The borrower's obligations to carry out the resettlement instrument and to keep the Bank informed of implementation progress are provided for in the legal agreements for the project.

24. The borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement monitoring. If the assessment reveals that these objectives may not be realized, the borrower should propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate (see also [BP 4.12](#), para. 16).

Resettlement Instruments

Resettlement Plan

25. A draft resettlement plan that conforms to this policy is a condition of appraisal (see [Annex A](#), para. 2-21) for projects referred to in para. 17(a) above.²⁵ However, where impacts on the entire displaced population are minor,²⁶ or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower (see [Annex A](#), para. 22). The information disclosure procedures set forth in para. 22 apply.

Resettlement Policy Framework

26. For sector investment operations that may involve involuntary resettlement, the Bank requires that the project implementing agency screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the borrower submits, prior to appraisal, a resettlement policy framework that conforms to this policy (see [Annex A](#), paras. 23-25). The framework also estimates, to the extent feasible, the total population to be displaced and the overall resettlement costs.

27. For financial intermediary operations that may involve involuntary resettlement, the

Bank requires that the financial intermediary (FI) screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the Bank requires that before appraisal the borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy (see [Annex A](#), paras. 23-25). In addition, the framework includes an assessment of the institutional capacity and procedures of each of the FIs that will be responsible for subproject financing. When, in the assessment of the Bank, no resettlement is envisaged in the subprojects to be financed by the FI, a resettlement policy framework is not required. Instead, the legal agreements specify the obligation of the FIs to obtain from the potential subborrowers a resettlement plan consistent with this policy if a subproject gives rise to resettlement. For all subprojects involving resettlement, the resettlement plan is provided to the Bank for approval before the subproject is accepted for Bank financing.

28. For other Bank-assisted project with multiple subprojects²⁷ that may involve involuntary resettlement, the Bank requires that a draft resettlement plan conforming to this policy be submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject or subprojects (a) the zone of impact of subprojects cannot be determined, or (b) the zone of impact is known but precise sitting alignments cannot be determined. In such cases, the borrower submits a resettlement policy framework consistent with this policy prior to appraisal (see [Annex A](#), paras. 23-25). For other subprojects that do not fall within the above criteria, a resettlement plan conforming to this policy is required prior to appraisal.

29. For each subproject included in a project described in para. 26, 27, or 28 that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing.

30. For projects described in paras. 26-28 above, the Bank may agree, in writing, that subproject resettlement plans may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. Any such delegation, and appropriate remedies for the entity's approval of resettlement plans found not to be in compliance with Bank policy, are provided for in the legal agreements for the project. In all such cases, implementation of the resettlement plans is subject to ex post review by the Bank.

Process Framework

31. For projects involving restriction of access in accordance with para. 3(b) above, the borrower provides the Bank with a draft process framework that conforms to the relevant provisions of this policy as a condition of appraisal. In addition, during project implementation and before to enforcing of the restriction, the borrower prepares a plan of action, acceptable to the Bank, describing the specific measures to be undertaken to assist the displaced persons and the arrangements for their implementation. The plan of action could take the form of a natural resources management plan prepared for the project.

Assistance to the Borrower

32. In furtherance of the objectives of this policy, the Bank may at a borrower's request support the borrower and other concerned entities by providing

- (a) assistance to assess and strengthen resettlement policies, strategies, legal frameworks, and specific plans at a country, regional, or sectoral level;
- (b) financing of technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations;

(c) financing of technical assistance for developing resettlement policies, strategies, and specific plans, and for implementation, monitoring, and evaluation of resettlement activities; and

(d) financing of the investment costs of resettlement.

33. The Bank may finance either a component of the main investment causing displacement and requiring resettlement, or a free-standing resettlement project with appropriate cross-conditionalities, processed and implemented in parallel with the investment that causes the displacement. The Bank may finance resettlement even though it is not financing the main investment that makes resettlement necessary.

1. Bank" includes IBRD and IDA; "loans" includes IDA credits and IDA grants, guarantees, Project Preparation Facility (PPF) advances and grants; and "projects" includes projects under (a) PPFs advances and Institutional Development Fund (IDF) grants, if they include investment activities; (b) grants under the Global Environment Facility and Montreal Protocol, for which the Bank is the implementing/executing agency; and (c) grants or loans provided by other donors that are administered by the Bank. The term "project" does not include programs supported by Development Policy Lending (for which the environmental provisions are set out in [OP/BP 8.60, *Development Policy Lending*](#)), or by Program-for-Results Financing (for which environmental provisions are set out in [OP/BP 9.00, *Program-for-Results Financing*](#)). "Borrower" also includes, wherever the context requires, the guarantor or the project implementing agency.
 2. In devising approaches to resettlement in Bank-assisted projects, other Bank policies should be taken into account, as relevant. These policies include [OP 4.01, *Environmental Assessment*](#), [OP 4.04, *Natural Habitats*](#), [OP 4.10, *Indigenous Peoples*](#), and [OP 4.11, *Physical Cultural Resources*](#).
 3. The term "displaced persons" refers to persons who are affected in any of the ways described in para. 3 of this OP.
 4. Displaced persons under para. 3(b) should be assisted in their efforts to improve or restore their livelihoods in a manner that maintains the sustainability of the parks and protected areas.
 5. Where there are adverse indirect social or economic impacts, it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups. Other environmental, social, and economic impacts that do not result from land taking may be identified and addressed through environmental assessments and other project reports and instruments.
 6. This policy does not apply to restrictions of access to natural resources under community-based projects, i.e. where the community using the resources decides to restrict access to these resources, provided that an assessment satisfactory to the Bank establishes that the community decision-making process is adequate, and that it provides for identification of appropriate measures to mitigate adverse impacts, if any, on the vulnerable members of the community. This policy also does not cover
-

refugees from natural disasters, war, or civil strife (see [OP 8.00](#), *Rapid Response to Crises and Emergencies*).

7. For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.
 8. "Land" includes anything growing on or permanently affixed to land, such as buildings and crops. This policy does not apply to regulations of natural resources on a national or regional level to promote their sustainability, such as watershed management, groundwater management, fisheries management, etc. The policy also does not apply to disputes between private parties in land titling projects, although it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, especially those affecting poor and vulnerable groups.
 9. For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para. 3(a).
 10. The *Involuntary Resettlement Sourcebook* provides good practice guidance to staff on the policy.
 11. "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see [Annex A](#), footnote 1). For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of para. 6.
 12. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.
 13. The alternative assets are provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost.
 14. Such support could take the form of short-term jobs, subsistence support, salary maintenance or similar arrangements.
-

15. See [OP 4.10](#), *Indigenous Peoples*.
 16. Where the borrower has offered to pay compensation to an affected person in accordance with an approved resettlement plan, but the offer has been rejected, the taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount plus 10 percent in a secure form of escrow or other interest-bearing deposit acceptable to the Bank, and has provided a means satisfactory to the Bank for resolving the dispute concerning said offer of compensation in a timely and equitable manner.
 17. See [OP 4.04](#), *Natural Habitats*.
 18. As a general principle, this applies if the land taken constitutes less than 20% of the total productive area.
 19. Paras. 13-15 do not apply to impacts covered under para. 3(b) of this policy. The eligibility criteria for displaced persons under 3 (b) are covered under the process framework (see paras. 7 and 30).
 20. Such claims could be derived from adverse possession, from continued possession of public lands without government action for eviction (that is, with the implicit leave of the government), or from customary and traditional law and usage, and so on.
 21. Resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate.
 22. Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.
 23. For projects that are highly risky or contentious, or that involve significant and complex resettlement activities, the borrower should normally engage an advisory panel of independent, internationally recognized resettlement specialists to advise on all aspects of the project relevant to the resettlement activities. The size, role, and frequency of meeting depend on the complexity of the resettlement. If independent technical advisory panels are established under OP 4.01, Environmental Assessment, the resettlement panel may form part of the environmental panel of experts.
 24. See The World Bank Policy on Access to Information, para. 34 (Washington, D.C.: World Bank, 2002).
 25. An exception to this requirement may be made in highly unusual circumstances (such as emergency operations) with the approval of Bank Management (see BP 4.12, para. 8). In such cases, the Management's approval stipulates a timetable and budget for developing the resettlement plan.
-

26. Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost.
27. For the purpose of this paragraph, the term "subprojects" includes components and subcomponents.

Annex 12b OP 4.12, Annex A - Involuntary Resettlement Instruments

These policies were prepared for use by World Bank staff and are **OP 4.12 - Annex A**
not necessarily a complete treatment of the subject. **December, 2001**

This Operational Policy statement was updated in February 2011 to clarify the use of Use of Escrow Accounts in order to Help Reduce Delays in Implementation of Resettlement, and Clarification of Funding of Grievance Mechanisms.

Questions on this policy may be addressed to [OPCS Quality Assurance and Compliance \(OPCQC\)](#).

Revised February 2011

1. This annex describes the elements of a resettlement plan, an abbreviated resettlement plan, a resettlement policy framework, and a resettlement process framework, as discussed in [OP 4.12, paras. 17-31](#).

Resettlement Plan

2. The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement plan covers the elements below, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

3. *Description of the project.* General description of the project and identification of the project area.

4. *Potential impacts.* Identification of

(a) the project component or activities that give rise to resettlement;

(b) the zone of impact of such component or activities;

(c) the alternatives considered to avoid or minimize resettlement; and

(d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

5. *Objectives.* The main objectives of the resettlement program.

6. *Socioeconomic studies.* The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including

(a) the results of a census survey covering

(i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;

(ii) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;

(iii) the magnitude of the expected loss--total or partial--of assets, and the extent of displacement, physical or economic;

(iv) information on vulnerable groups or persons as provided for in [OP 4.12, para. 8](#), for whom special provisions may have to be made; and

(v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their

displacement.

(b) Other studies describing the following

(i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;

(ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;

(iii) public infrastructure and social services that will be affected; and

(iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

7. *Legal framework.* The findings of an analysis of the legal framework, covering

(a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;

(b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;

(c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation;

(d) laws and regulations relating to the agencies responsible for implementing resettlement activities;

(e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps; and

(f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land--including claims that derive from customary law and traditional usage (see [OP 4.12, para.15 b](#)).

8. *Institutional Framework.* The findings of an analysis of the institutional framework covering

(a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;

(b) an assessment of the institutional capacity of such agencies and NGOs; and

(c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

9. *Eligibility.* Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

10. *Valuation of and compensation for losses.* The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.¹

11. *Resettlement measures.* A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see [OP 4.12, para. 6](#)). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

12. *Site selection, site preparation, and relocation.* Alternative relocation sites considered

and explanation of those selected, covering

- (a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- (c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (d) legal arrangements for regularizing tenure and transferring titles to resettlers.

13. *Housing, infrastructure, and social services.* Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services);² plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

14. *Environmental protection and management.* A description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement³ and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

15. *Community participation.* Involvement of resettlers and host communities,⁴

- (a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;
- (b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
- (c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of preexisting communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries);⁵ and
- (d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

16. *Integration with host populations.* Measures to mitigate the impact of resettlement on any host communities, including

- (a) consultations with host communities and local governments;
- (b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;
- (c) arrangements for addressing any conflict that may arise between resettlers and host communities; and
- (d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

17. *Grievance procedures.* Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

18. *Organizational responsibilities.* The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between

agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

19. *Implementation schedule.* An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

20. *Costs and budget.* Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.⁶

21. *Monitoring and evaluation.* Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

Abbreviated Resettlement Plan

22. An abbreviated plan covers the following minimum elements:⁷

- (a) a census survey of displaced persons and valuation of assets;
- (b) description of compensation and other resettlement assistance to be provided;
- (c) consultations with displaced people about acceptable alternatives;
- (d) institutional responsibility for implementation and procedures for grievance redress;
- (e) arrangements for monitoring and implementation; and
- (f) a timetable and budget.

Resettlement Policy Framework

23. The purpose of the policy framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation (see [OP 4.12, paras. 26-28](#)). Subproject resettlement plans consistent with the policy framework subsequently are submitted to the Bank for approval after specific planning information becomes available (see [OP 4.12, para. 29](#)).

24. The resettlement policy framework covers the following elements, consistent with the provisions described in [OP 4.12, paras. 2 and 4](#):

- (a) a brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a resettlement plan as described in paras. 2-21 or an abbreviated plan as described in para. 22 cannot be prepared by project appraisal;
- (b) principles and objectives governing resettlement preparation and implementation;
- (c) a description of the process for preparing and approving resettlement plans;
- (d) estimated population displacement and likely categories of displaced persons, to the extent feasible;
- (e) eligibility criteria for defining various categories of displaced persons;
- (f) a legal framework reviewing the fit between borrower laws and regulations and Bank

- policy requirements and measures proposed to bridge any gaps between them;
- (g) methods of valuing affected assets;
- (h) organizational procedures for delivery of entitlements, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer;
- (i) a description of the implementation process, linking resettlement implementation to civil works;
- (j) a description of grievance redress mechanisms;
- (k) a description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements;
- (l) a description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
- (m) arrangements for monitoring by the implementing agency and, if required, by independent monitors.

25. When a resettlement policy framework is the only document that needs to be submitted as a condition of the loan, the resettlement plan to be submitted as a condition of subproject financing need not include the policy principles, entitlements, and eligibility criteria, organizational arrangements, arrangements for monitoring and evaluation, the framework for participation, and mechanisms for grievance redress set forth in the resettlement policy framework. The subproject-specific resettlement plan needs to include baseline census and socioeconomic survey information; specific compensation rates and standards; policy entitlements related to any additional impacts identified through the census or survey; description of resettlement sites and programs for improvement or restoration of livelihoods and standards of living; implementation schedule for resettlement activities; and detailed cost estimate.

Process Framework

26. A process framework is prepared when Bank-supported projects may cause restrictions in access to natural resources in legally designated parks and protected areas. The purpose of the process framework is to establish a process by which members of potentially affected communities participate in design of project components, determination of measures necessary to achieve resettlement policy objectives, and implementation and monitoring of relevant project activities (see [OP 4.12, paras. 7 and 31](#)).

27. Specifically, the process framework describes participatory processes by which the following activities will be accomplished

- (a) *Project components will be prepared and implemented.* The document should briefly describe the project and components or activities that may involve new or more stringent restrictions on natural resource use. It should also describe the process by which potentially displaced persons participate in project design.
- (b) *Criteria for eligibility of affected persons will be determined.* The document should establish that potentially affected communities will be involved in identifying any adverse impacts, assessing of the significance of impacts, and establishing of the criteria for eligibility for any mitigating or compensating measures necessary.
- (c) *Measures to assist affected persons in their efforts to improve their livelihoods or restore them, in real terms, to pre-displacement levels, while maintaining the sustainability of the park or protected area will be identified.* The document should describe methods and procedures by which communities will identify and choose potential mitigating or compensating measures to be provided to those adversely affected, and procedures by which adversely affected community members will decide among the options available to them.
- (d) *Potential conflicts or grievances within or between affected communities will be resolved.*

The document should describe the process for resolving disputes relating to resource use restrictions that may arise between or among affected communities, and grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures, or actual implementation.

Additionally, the process framework should describe arrangements relating to the following (e) *Administrative and legal procedures*. The document should review agreements reached regarding the process approach with relevant administrative jurisdictions and line ministries (including clear delineation for administrative and financial responsibilities under the project).

(f) *Monitoring arrangements*. The document should review arrangements for participatory monitoring of project activities as they relate to (beneficial and adverse) impacts on persons within the project impact area, and for monitoring the effectiveness of measures taken to improve (or at minimum restore) incomes and living standards.

1. With regard to land and structures, "replacement cost" is defined as follows: For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in [OP 4.12, para. 6](#).
 2. Provision of health care services, particularly for pregnant women, infants, and the elderly, may be important during and after relocation to prevent increases in morbidity and mortality due to malnutrition, the psychological stress of being uprooted, and the increased risk of disease.
 3. Negative impacts that should be anticipated and mitigated include, for rural resettlement, deforestation, overgrazing, soil erosion, sanitation, and pollution; for urban resettlement, projects should address such density-related issues as transportation capacity and access to potable water, sanitation systems, and health facilities.
 4. Experience has shown that local NGOs often provide valuable assistance and ensure viable community participation.
 5. [OP 4.11, Physical Cultural Resources](#).
 6. The costs of establishing the grievance procedures for the project shall be included in the project costs.
 7. In case some of the displaced persons lose more than 10% of their productive assets or require physical relocation, the plan also covers a socioeconomic survey and income restoration measures.
-

Annex 13 Standard procedures of land Acquisition as per Land Acquisition Act, 1977 as amended in 1992

Clauses	Procedures
Clause 3	Acquire land for any public purpose, subject to the award of compensation.
Clause 4	Institutions seeking land acquisition may also request GON to acquire the land under the regularity provisions subject to be compensated by such institutions' resources.
Clause 6	If the land has to be acquired for institutions other than the local governance bodies and institutions fully owned by the government, the Land Acquisition and Compensation Fixation Committee (LACFC) has to consider the following in fixing the compensation amount: (i) Price of land prevailing at the time of notification of land acquisition; (ii) Price of standing crops and structures; and (iii) Loss incurred by the AP by being compelled to shift his or her residence or place of business in consequence of the acquisition of land.
Clause 9	Duration of compensation days will be determined by LACFC
Clause 10	Provision for the affected households to take the crops, trees and plants from land and salvageable from the structures.
Clause 11	Any grievances and objections will be referred to the Grievances Redress Committee (GRC) The Act assigns the Chief District Officer (CDO) as the sole responsibility to chair land acquisition activities and to address the grievances related to the RP implementation activities.
Clause 13	GoN forms a LACFC under the chairmanship of CDO of the restrictive districts. The other members to be included in the Committee comprise the Chief of Land Revenue Office (LRO), an Officer assigned by CDO, representative from District Development Committee (DDC), Concerned Project Manager, and VDC representative.
Clause 27	Provisions for land acquisition through the mutual agreement with the plot owners, where the process of land acquisition as per Act is not required.

