

Resettlement Planning Document

Resettlement Plan

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June 2010

Nepal: Rural Reconstruction and Rehabilitation Sector Development Project

Bankatta-Bagae Road Sub-Project, Chitwan (From Chaniage 0+000 to 23+550)

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Government of Nepal
Ministry of Local Development
Department of Local Infrastructure Development & Agricultural Roads

District Development Committee/District Project Office
Chitwan District

Rural Reconstruction and Rehabilitation Sector Development Program (RRRSDP)

Volume-5

RESETTLEMENT STATEMENT DOCUMENT

Bankatta-Bagaee Road Sub-Project
(Chainage from 0+000 to 23+ 550)

June, 2010

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ABBREVIATION

ADB	The Asian Development Bank
AP(s)	Affected Person(s)/People/Family
CISC	Central Implementation Support Consultant
DDC	District Development Committee
DIST	District Implementation Support Team
DLRO	District Land Revenue Office
DLSO	District Land Survey Office
DoLIDAR	Department of Local Infrastructure Development and Agricultural Roads
DPO	District Project Office
DTMP	District Transport Master Plan
DTO	District Technical Office
GoN	Government of Nepal
GRC	Grievance Redress Committee
GRSC	Grievance Redress Sub-committee
ha	Hectare
HHs	Households
Kg	Kilogram
m	meter
MoLD	Ministry of Local Development
NRs	Nepalese Rupees
PCU	Project Coordination Unit
RF	Resettlement Framework
RoW	Right of Way
RRRSDP	Rural Reconstruction and Rehabilitation Sector Development Program
RS	Resettlement Specialist
RSD	Resettlement Statement Document
VDC	Village Development Committee
VICCC	Village Infrastructure Construction Coordination Committee

1. INTRODUCTION

1. This Resettlement Statement Document (RSD) presents a brief of the resettlement planning, preparation and implementation process that will be applied to the Bankatta-Bagae road Subproject under the Rural Reconstruction and Rehabilitation Sector Development Program (RRRSDP).

2. The Bankatta - Bagae Road Subproject is located in Chitwan and is 23.55 km long. The Subproject starts in Bankatta village from the bank of the Rewa river, passes through Gardi, Baghuda, Kalyanpur Village Development Committees (VDCs) and ends at the bank of the Bagae river at Ayodhyapuri VDC. This Subproject involves rehabilitation and reconstruction of an existing 40 years old road into an all weather blacktop road. The Subproject was prioritized in the District Transport Master Plan (DTMP) and approved unanimously from the formal meeting of District Council. According to DoLIDAR standard, the road will be of Nepal Rural Road Standard Class 'A' of District Road (RR-A) category. Normally 10 meter wide Right of Way (RoW) with 5 m formation width is envisaged for this subproject, with more width in selected switchback, lay-byes, extra widening and mass balance.

3. The Resettlement assessment survey was carried out throughout the corridor of the road subproject to assess the level of socio-economic impacts on the subproject affected households (hhs). The levels of impacts were determined by the type, nature and magnitude of potential impacts on resettlement issues. Cadastral survey map carried out in 2026 BS shows that the road had 8 meter width. Latter, the community along the alignment contributed 1 meter land from their private plots on both sides of the road to widen it. Therefore, the existing track is already 10 meter wide. There are no structures, crops, trees or any other assets in the existing track. Only the legal deed transfers of land to the government of Nepal (GoN) is remaining. The Subproject therefore does not incur any involuntary resettlement impact to the APs. As per the Resettlement Framework (RF) of the RRRSDP, the Subproject is not expected to have involuntary resettlement impacts and hence does not require a resettlement plan. As it falls under category 'C', the subproject does not require resettlement plan. Therefore, this Resettlement Statement Document (RSD) is prepared following the RF. Table 1 presents the summary of the APs.

Table 1: Summary of the APs

Description	Number	Remarks
1. Total Affected Household (Individual)	723	In existing road
2. Total no. of Plots	809	Govt : 14 plots, Aailani:163 plots and Private : 632 plots
3. Ethnicity of the Household		
• Brahamin/Chettri	336	
• Tharu	140	
• Gharti, Dura	57	
• Dalit	68	
• Madhesi	2	
• Newar	26	
• Gandharva (Gayak)	5	
• Rai ,Gurung, Magar	54	
• Organization (Red Cross Society)	1	
• Others	34	
4. Average HH size	4.9	Census survey 2001

Source: Cadastral report, April 2010

2. LIKELY IMPACTS OF SUB-PROJECT IMPLEMENTATION

4. During the survey from Ch 00+000 to Ch 23+550, the survey team did not observe any structures, trees, crops or other private and public properties within the existing 10 m width of the subproject. The hhs had built their structures outside of the RoW. Therefore there are no resettlement impacts due to the reconstruction and rehabilitation of the subproject. The Subproject requires 23.55 ha of land in total which is already occupied by the existing road, among which 18.84 ha is public land, 0.45 ha is private Ailani (privately occupied and in registration process), 0.02 ha is govt land and the remaining 1.74 ha is privately owned registered land. The existing road has been affecting 809 plots of 723 families of which 158 plots lie in Gardi, 56 plots in Baghauda, 75 plots in Kalyanpur and 520 plots lie in Ayodhyapuri VDCs (Please see in Appendix 1). Details of the subproject are summarized in table 2.

Table 2: Summary of Impacts

Affected land	Area ha	Plots
1. Total area of the land	23.55	
2. Public land	18.84	
3. Ailani land	0.45	Privately occupied but in registration process
4. Government land	0.02	Owned by government
5. Private land	1.74	In existing road
1. Total no of plots in VDCs		809
Gardi		158
Baghauda		56
Kalyanpur		75
Ayodhyapuri		520

Source: Cadastral report, April 2010

5. The analysis of cadastral report reveals that there are 14 plots registered in the name of the GoN, 163 private plots are registered as Ailani and 632 plots are privately owned plots.

3. JUSTIFICATION FOR PREPARING RESETTLEMENT STATEMENT DOCUMENT

6. The District Project Office (DPO) has initiated formal process of transferring ownership of the plots to the GoN. In this context, District Development Committee (DDC) has issued a letter to the District Land Revenue Office (DLRO) requesting the deed transfers (enclosed the letter in Appendix 7). The DLRO was requested to support for the ownership transfer citing the voluntary contribution by the land owners. All the concerned VDCs have written letters (enclosed the letter of the concerned VDCs in Appendix 4) to the DLRO to transfer ownership of affected area of land from the individual owners to the name of the GoN. Taking action upon the request from VDCs, DLRO forwarded the letters to District Land Survey Office (DLSO) to indicate/trace the road with 10m RoW in the map. After completing this process, DLRO will transfer land ownership in the name of the GoN and also revise the land ownership certificate of the owner by LAGAT KATTA (by correcting the original area of land parcel subjected to land acquisition and transfer in the State's name as public land). In this context, the DPO has decided to prepare RSD for this subproject.

4. COMMUNITY CONSULTATION, PARTICIPATION AND DISCLOSURE

7. The Subproject organized four public consultation meetings in Gardi, Baghauda, Kalyanpur and Ayodhyapuri VDCs. The land owners who had contributed lands for the existing road (APs), Village Infrastructure Construction Coordination Committees (VICCC), Grievance Redress Sub-committees (GRSC) and the other local stakeholders were informed about the Subproject and explained about the RF (Enclosed in Appendix 3) of the project during the meeting. Similarly this RSD was also shared during these events. Details of the consultation including number and profile of the participants and issues raised in the meetings are presented in the Appendix 6.

5. GRIEVANCE REDRESS MECHANISM

8. A Grievance Redress Committee at the district level has been established for the Subproject for hearing complaints of APs and for their appropriate resolutions. Other than disputes relating to legal rights, it will review all grievances relating to land acquisition. Grievances will be redressed within two to four weeks from the date of lodging the complaints.

9. Grievance Redress Sub-committees (GRSC) in each of the Gardi, Baghauda, Kalyanpur and Ayodhyapuri VDCs were formed. The APs were also informed about the grievance redress mechanism of the Project and existence of GRSC in VDC and district level. They were also informed about their rights to file their complaints about the Subproject. No complaints were submitted with GRSC until this planning period.

6. INSTITUTIONAL ARRANGEMENT

10. The key agencies involved in this Subproject implementation are as follows:

- Project Coordination Unit (PCU) supported by Central Implementation Support Consultants (CISC) at Department of Local Infrastructure and Agricultural Roads (DoLIDAR), Ministry of Local Development (MLD);
- District Project Office (DPO) supported by District Implementation Support Team (DIST) under District Technical Office (DTO) at District Development Committee (DDC); and
- Village Infrastructure Construction Coordination Committee (VICCC).

7. RESETTLEMENT BUDGET AND FINANCING PLAN

11. The budget required for the implementation of this RSD include administrative costs. The total cost of the affected private land in the existing road is equivalent to Rs. 20,167,441.00 at the current market price. As the land was already contributed by APs, the cost is not included in the budget.

12. If APs need to travel outside their village in the deed transfer process, travel allowances will be paid on the basis of the district agriculture wage rate. While the project will try to facilitate the land acquisition process locally, the estimated cost for such travel allowance is Rs. 723,000.00. The total cost of the RSD is calculated to be Rs. 2,305,800.00. Detail budget break down of the RSD is presented below in the Table 3:

Table 3: Summary of Cost for RSD

Item	Unit	Total loss	Amount (NRs.)	Remarks
1. DIRECT COST				
1.1 Land donated	Sqm		0.00	Current Market Price of the donated land is Rs. 20,167,441.00
Sub total			0.00	
2.INDIRECT COST				
2.1 Deed Transfer Assistance	HHs	723	723,000.00	723 APs
2.2 Official Deed Transfer fees	LS		750,000.00	
3 Appreciation Program for APs	LS		723,000.00	
Sub-Total			2,196,000.00	
Total			2,196,000.00	Both direct and indirect cost
5 Provisional Sum (5%)			109800.00	
GRAND TOTAL			2305800.00	

8. IMPLEMENTATION SCHEDULE

13. Proposed Resettlement Statement Document implementation schedule for Bankatta – Bagaee Road Subproject is presented below in the Table 4.

Table 4: Resettlement Statement Document Implementation Schedule

S. N.	Tasks	May'10				June'10				July'10				August '10			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1	Submission of Draft RSD to PCU			*													
2	Submission of Final RSD to ADB				*												
3	Consultation, and grievance resolution	Ongoing activity															
4	Transferring the land ownership					*	*										
5	Prepare resettlement implementation status report by DPO											*					
6	Verification survey of RSD implementation by CISC												*				
7	Submission of resettlement verification report from PCU/CISC to ADB													*			
8	Concurrence from ADB for contract award														*		
9	Monitoring and evaluation of RSD implementation	Ongoing activity															

9. MONITORING AND EVALUATION

14. The District Project Office (DPO) is responsible for the internal monitoring of the resettlement planning and implementation throughout the Subproject cycle. The DPO shall submit monthly progress reports to PCU on implementation of RSD. The PCU will submit quarterly monitoring report to ADB for its review.

15. The verification report of satisfactory implementation of this RSD will be prepared by PCU with support from the Resettlement Specialist of CISC. The report will be submitted to ADB along with the proposal to award the contract(s).