

Resettlement Planning Document

Resettlement Plan

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Nepal: Rural Reconstruction and Rehabilitation Sector Development Project

Kalanki-Ghyampedol-Badbhanjyang Rural Road Road Sub-Project, Kathmandu (From Chaniage 0+000 to 6+037)

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

District Development Committee/District Project Office
Kathmandu District

Rural Reconstruction and Rehabilitation Sector Development Program
(RRRSDP)

SHORT RESETTLEMENT PLAN

Kalanki – Ghyampedol – Badbhanjyang Rural Road Subproject
(Chaniage: 0+000 to 6+037)

August, 2010

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EXECUTIVE SUMMARY

1. The Short Resettlement Plan (RP) has been prepared for the Kalanki – Ghyampedol-Badbhanjyang Rural Road subproject under the Rural Reconstruction and Rehabilitation Sector Development Program (RRRSDP). The RP presents the process adopted for preparation of the involuntary resettlement plan, and its implementation with mitigating measures of the subproject impacts.

2. The Subproject is located at Kathmandu District, and involves rehabilitation and upgrading of more than 10 years old existing earthen road into 5m blacktop carriage width with 6m formation width. The Subproject was prioritized in District Transport Master Plan, 2004 (DTMP), and selected and approved from the formal meeting of District Council. The Subproject starts from Nagdhunga of Badbhanjyang Village Development Committee (VDC), passes through Thankot, Dahachok, Balambu, VDCs, and ends at Thapagaun of Nayanaiikap VDC and Puranonaiikap. The total length of the proposed road is 6.037 km. The subproject implementation works has occupied 48290 sqm land.

3. A census socio-economic and loss assessment survey of the project affected persons (APs) was carried out to document complete socio-economic as well as loss assessment. Minor impacts were found unavoidable due to technical and road safety considerations. Total 7 households are affected by the subproject. 36 persons of the 7 households belonging to 3 HHs from Chhetri, 3 HHs from Newar and 1 HH from Brahmin are the Affected Persons (APs). The socio economic analysis present, no household fall below district poverty line and two households are found losing more than 20% of total land holding.

4. The average food sufficiency month of the APs is 7.57 months per year. The 2 households have less than 4 months of food sufficiency, 2 households have 4-6 months of food sufficiency and 3 have more than nine months from their own land. The APs are largely dependent on non-agriculture income. The food during the deficit period is covered through income from non-agriculture sector. Total six structures will be dismantled in implementation which are , 1 residential private structure, 1 private business building, 1 private toilet, 1 private kitchen and 2 public structures (pati) will be fully affected due to the reconstruction/upgrading of road.

5. One of the major objectives of the Resettlement Framework is to avoid or minimize land acquisition and involuntary resettlement wherever possible. In unavoidable situation, the project aims to ensure that the AP's rights are ensured and they receive assistance so that they would be at least as well-off as they would have been in the absence of the Project. All involuntary land acquisition (other than voluntary land donation) will be compensated at replacement cost. APs have been informed and consulted regarding project and its [safegaurdsafeguard](#) policies of resettlement. This is confirmed through a 'no coercion' clause verified by an independent third party. Special attention has been paid to ensure that the vulnerable groups and the women-headed households receive appropriate assistance. The national laws, regulation, resettlement framework and ADB's resettlement safeguard policy has been followed during the land and property acquisition and compensation process.

6. A Compensation Determination Committee (CDC) has been formed under the chairpersonship of the Chief District Officer (CDO). NRs. 6.24 million has been proposed for implementation of the RP where the compensatory costs have been decided by the CDC. The RP has made provisions to restore/rehabilitate APs by providing employment opportunity during construction. Besides, APs will also receive opportunity through Livelihood Enhancement Skill Training (LEST) to restore their livelihood.

7. A Grievance Redress Committee (GRC) has been formed at district level for hearing the complaints of APs and for their appropriate resolution. Similarly, six Grievance Redress Sub-Committees (GRSCs) have been formed at the village level, and includes three representatives from Village Infrastructure Construction Coordination Committee (VICCC) and two from the APs. The GRC and GRSCs facilitate in hearing the complaints and disputes relating to land acquisition and compensation.

8. Project Coordination Unit (PCU) supported by the Central Implementation Support Consultant (CISC) at the central level, District Project Office (DPO) supported by the District Implementation Support Team (DIST) at the district level, and VICCC at the Subproject VDC level will be involved in implementing the RP.

9. The DPO will be responsible for the internal monitoring of the resettlement planning and implementation throughout the subproject cycle. A verification report on RP implementation will be prepared by PCU and submitted to ADB recommendation of contract award. The activities will be monitored and evaluated externally during project period an independently appointed agency not involved with any aspects of the Project. They will perform the monitoring based on established indicators and provide report to both PCU/DPO and the ADB.

10. The subproject implementation will physically displace from housing or losing 10% or more of their productive land, and hence fall under category B of Involuntary Resettlement Policy of ADB. Therefore, a Short Resettlement Plan has been prepared to address the land and property acquisition, compensation and resettlement from the road subproject.

GLOSSARY OF TERMS

Affected Persons (APs)	All persons who as of the cut-off-date stand to lose for the project all or part of their land or other assets, irrespective of legal or ownership title.
Cut-off Date	The date of census survey to count the APs and their affected land and assets.
Land Donation	Land owners' willingness to provide part of his/her land for the project in expectation of project benefits. It must be voluntary or unforced and confirmed in written agreement witnessed by third party.
Legalizable	Those who do not have formal legal rights to land when APs are recorded, but could claim rights to such land under the law of Nepal.
Non-titled	Those who have no recognizable rights or claims to the land that they are occupying. However illegal inhabitants as per law of Nepal will be excluded from non-titled.
Poverty Line	The level of income below which an individual or a household is considered poor. Nepal's national poverty line which is based on a food consumption basket of 2,124 calories and an allowance for non food items of about two thirds of the cost of the basket will be adopted by the sub project to count APs under the poverty line. Whereas this poverty level may vary in accordance to district. Reference poverty line for poverty measurement 2009/010 for Kathmandu district is Rs 13,997.73/-, calculated based on inflation rate of 26.6 percent from base year 2003/04. The determination of poor households or persons will be based on the census and socio-economic survey and further confirmed by community meetings.
Project Affected Family	A family consisting of APs, his/her spouse, sons, unmarried daughters, daughters-in law, brothers or unmarried sisters, father, mother and other legally adopted members residing with him/her and dependent on him/her for their livelihood.
Severely Project Affected Family/People (SPAF)	A Project Affected Family that is affected by the project such as: a. There is a loss of land or income such that the affected family fall below the poverty line; and/or b. There is a loss of residential house such that the family members are physically displaced from housing.
Squatters	People living on or farming land not owned by themselves and without any legal title or tenancy agreement. The land may belong to the Government or to individuals.
Titled	APs who have formal legal rights to land, including any customary or traditional rights recognized under the laws of Nepal.
Third Party	An agency or organization to witness and/or verify "no coercion" clause in an agreement with APs in case of voluntary land donation. One independent agency (i.e. not involved in project implementation), preferably working on rights aspect, will be recruited in each development region to serve this function.
Vulnerable Group	Distinct group of people or persons who are considered to be more vulnerable to impoverishment risks than others. The poor, women-headed, Dalits and IPs households who fall below poverty line will be counted as vulnerable APs.
Women-headed household	Household headed by women, the woman may be divorced, widowed or abandoned or her husband can be working away from the District for long periods of time, where the woman takes decision about the use of and access to household resources.

ABBREVIATION

ADB	The Asian Development Bank
AP(s)	Affected Person(s)/People
CDC	Compensation Determination Committee
CDO	Chief District Officer
CISC	Central Implementation Support Consultant
DADO	District Agriculture Development Office
DDC	District Development Committee
DIST	District Implementation Support Team
DoLIDAR	Department of Local Infrastructure Development and Agricultural Roads
DPCC	District Project Coordination Committee
DPO	District Project Office
DTMP	District Transport Master Plan
DTO	District Technical Office
EA	Executive Agency
FGD	Focus Group Discussion
FY	Fiscal Year
GAP	Gender Action Plan
GoN	Government of Nepal
GRC	Grievance Redress Committee
GRSC	Grievance Redress Sub-committee
ha	Hectare
HHN	Household Number
HHs	Households
IA	Implementing Agency
IPDF	Indigenous People Development Framework
IPDP	Indigenous People Development Plan
IR	Involuntary Resettlement
Kg	Kilogram
LEST	Livelihood Enhancement Skills and Training
m	meter
MoFSC	Ministry of Forest and Soil Conservation
MoLD	Ministry of Local Development
MoU	Memorandum of Understanding
NGO	Non Government Organization
NRs	Nepalese Rupees
PAF	Project Affected Families
PAP	Project Affected Person
PC	Project Coordinator
PCU	Project Coordination Unit
RBG(s)	Road Building Group(s)
RF	Resettlement Framework
RoW	Right of Way
RP	Resettlement Plan
RRRSDP	Rural Reconstruction and Rehabilitation Sector Development Program
RS	Resettlement Specialist
SAP	Social Action Plan
SDS	Social Development Specialist
SM	Social Mobilizer
SPAF	Severely Project Affected Family
Sq. m.	Square meter
VDC	Village Development Committee
VICCC	Village Infrastructure Construction Coordination Committee
Zol	Zone of Influence

1. INTRODUCTION

1. This Short Resettlement Plan (RP) presents a brief of the involuntary resettlement planning and implementation process that will be applied to the Kalanki – Ghyampedol – Badbhanjyang rural road subproject under the Rural Reconstruction and Rehabilitation Sector Development Program (RRRSDP).

2. The proposed road subproject is 6.037 km, and lies in north-western part of the Kathmandu District. The road starts from Nagdhunga of Badbhanjyang VDC and ends at Thapagaun of Naya Naikap VDC. The subproject passes through Thankot, Dahachok, Balambu, Naya Naikap and Purano Naikap VDCs. The subproject has been highly anticipated as alternative route for Tribhuvan Highway and access to all six VDCs along the road corridor.

3. The Subproject follows more than 10 years old existing earthen track. Currently 10 mini buses, 5 micro buses (both bus are same route of Dahachok to Ratna Park), few school bus and other private vehicles are plying on the road. The road was prioritized in District Transport Master Plan, 2004 AD (DTMP-Code: 27A042R) approved by the formal meeting of District Council. The road will be upgraded to blacktop standard. Formation width of the road will be 6m with 8m road width. The road is Nepal Road Standard Intermediate category.

4. Household listing along with cadastral survey, socio-economic and loss assessment survey, target group interviews and community consultation meetings with APs in the Zone of Influence (Zoi) of the subproject has been carried out as the part of detail feasibility study to determine socio-economic status of the APs and their impacts.

5. Implementation of the Subproject impacts 7 households were interviewed while preparing the RP (please refer Appendix 1). These household families consist of 36 members, and belong to 19 Chettri, 12 Newar and 5 Brahmin communities. None of the households belong to indigenous peoples group as defined by the Indigenous Peoples Development Framework (IPDF) of the RRRSDP. In total 6 structures will be affected fully. The subproject is expected not to incur significant impacts to the APs (total AP population <200 who become physically displaced and number of APs losing more than 10% of their productive assets). Thus, a short resettlement plan has been prepared. Table 1 presents the summary of the APs.

Table 1: Details of the Affected Population in the Subproject

Variable	Number	Remarks
Total Affected Household	7	
Total Affected Population	36	
Interviewed Household	7	
Ethnicity of Affected Household		
Brahmin/Chettri	4	
Newar	3	
Male	22	
Female	14	
Average HH size	5.14	
No. of Women Headed Household among APs	1	

Source: Socio-economic survey, April 2010.

6. The road subproject will provide socio-economic benefits to the local people after its complementation. The Subproject has been highly anticipated as alternative route for avoiding/reducing traffic jam of Kalanki Chok for using Tribhuwan Highway and will provide easy access to all six VDCs along the road corridor. This will also help to promote the different transportation, to facilitate educational services in the settlements and to improve living standard livelihood development opportunities. Mainly, production/distribution of vegetables, easy of local inhabitants.

2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

7. Detailed socio-economic and loss assessment survey of affected households were carried out in order to document the losses due to implementation of the road Subproject. Cadastral survey has reported requirement of land acquisition from individual and public ownership. Local people along the alignment had opened the 8 m wide track road donating individual land. The road alignment has been track opened in 2053 BS on their own effort but still some of the section, structures and road width were not clear inside 8m width. The structures were built before 2053 BS and community could not compensate the value of the structures to relocate at that time. At chainage 5+216 to 5+287 and chainage 6+204 to 6+248, the land owner didn't agree for donation. Since they are losing more than 20% of total land holding so DPO decided to provide compensation. The immediate hhs were not agreed to donate additional land for its further expansion. The project policy is to reduce adverse resettlement impact as far as possible and the other hand it has limited resources for property acquisition for reconstruction. In this situation, the DPO decided to consider only the existing 8 m road width for the subproject upgrading.

8. In total 467 private land parcels will be affected by this subproject. Among these land parcels; 460 land parcels falls on existing track and 7 land parcels needs to occupy for new cutting. Mentioning the land parcels those falls under existing track has still pending the deed transfer so, all the parcels should be needed for deed transfer. Hence, this RP has made the provision for the task in budget part.

9. The sub project occupied 48290 sqm of land which comprises 38700 sqm private land, 9000 sqm public land and 500 sqm guthi sansthan land. The alignment has already occupied the 8 m wide existing road so only little additional land will be required for its improvement. To reduce impact on structure and correcting the alignment, in chaniage 5+694 to 5+724 at Balambu VDC, the DPO with the consensus of local stakeholders decided to acquire 34.18 sqm land area opposite site of house. The decision was made to reduce resettlement cost as well as to make alignment straight. Following Table -2: presents the detail of affected area:

Table - 2: Land to be acquired for the Subproject

Land to be acquired	Area (Sqm)	No. of plots	Remarks
1.Total area of the land	48290.00	548	
2. Total area of private land in the existing road	38700.00	466	
3. Total area of public land in existing road	9000.00	80	
4. Guthi Sansthan	500.00	1	
5. Private Land requirement for new cutting	34.18	1	

Source: Cadastral Survey Report, April 2010.

10. Among the 7 households surveyed, the landholding status of all households has been analyzed. Pre project average land holding of 7 HHs is 0.180 ha which will reduce to 0.170 ha after project implementation.. Table 3 presents the landholding pattern of the APs.

Table 3: Landholding Status of the APs

Land Holding (ha)	Pre Project		Post Project	
	Number	Percent	Number	Percent
<0.5	7	100	7	100
0.5-1.0	0	0	0	0
>1.0	0	0	0	0
Average Holding	0.180	100.00	0.170	100.0

Source: Socio-economic survey, April, 2010.

11. In total 6 structures will be affected by the Subproject. Among them 4 are private and 2 are public structures. Table – 4: presents a brief account of affected structures. Photographs of the affected structures are enclosed in Appendix – 2: with their valuation.

Table 4: Summary of Affected Structures along the Alignment

SN	Name of Owner	Name of Structure	Storey	Affected Status	Affected Area (sq ft)	Remarks
1	Ramchandra Sigdel	Kitchen	1	Fully	137.4	
2	Krishna Pd. Khadgi	Business building	2	Fully	1071.68	
3	Shreekrishna Giri	House	2	Fully	1512.12	
4	Mira Shrestha	Toilet	1	Fully	56.26	
5	Community Pati	Pati	1	Fully	101.32	
6	Community Pati	Pati	1	Fully	223.15	

Source: Household listing survey, April, 2010.

3. SOCIO-ECONOMIC INFORMATION OF THE AFFECTED HOUSEHOLDS

12. Socio-economic information of affected people (APs) residing in the Subproject area was collected through household survey and focus group discussions (FGDs). The socio-economic survey covered 7 households. Table 5 presents the AP's socio-economic information from the survey.

Table 5: Socio-economic Status of APs.

Variables	Pre-Project		Post-Project	
	No. /Income	Percent (%)	No. /Income	Percent (%)
1. Agricultural Income (HH)				
<12000	3	43	3	43
12000-25000	4	57	4	57
>25000	0	0	0	0
Average (NRs)	12,428.57	100	11,457.50	100
2. Non-Agricultural Income (HH)				
<12000	0	0		
12000-25000	0	0		
>25000	7	100		
Average (NRs)	1,19,942.85	100	1,19,942.85	100
3. Total Income (HH)				
<25000	0	0	0	0
25000-50000	0	0	0	0
>50000	7	100	7	100
Average (NRs)	1,32,371.42	100	1,31,400.36	100
4. Food Sufficiency (HH)				
< 3 months	0	0	2	28.57
3 - 6 months	4	57.14	2	28.57
6 - 9 months	00	0	0	0
>9 Months	3	42.86	3	42.86
Average (months)	7.57	100	6.89	100
5. Poverty (HH)				
<20% Land Loss	5	71.42		
Above Poverty (PCI)	5	71.42		
Below Poverty (PCI)				
>20% Land Loss	2	28.58		
Above Poverty (PCI)	2	28.58		
Below Poverty (PCI)	0			
6. Age Group (years)				
		Male	Female	
< 6	2	2	0	
6-16	2	1	1	
16- 45	20	12	8	
45 - 60	10	5	5	
> 61	2	2	0	

Source: Socio-economic survey, April, 2010

13. Income and expenditure data of surveyed households reveals that families have more income from non-agriculture sector compared to agriculture sector. Out of total income, 89.64 percent of the share is from non-agricultural income. Therefore, these households are depending on non-agriculture source of income such as, small business, land brokery, wage labour etc.

14. Out of 7 households, 3 households earn less than Rs 12,000 per year from own or tenant land, whereas all of them additionally earn more than that from non-agricultural income. As presented in table 5, loss of agricultural income is Rs 971.07 per household on an average as a result of subproject intervention. The project will provide LEST program and restore the agriculture loss.

15. The average food sufficiency month of the APs is 7.57 months per year. The 4 households have 3-6 months of food sufficiency, and 3 have more than nine months from their own or tenancy land. The APs are largely dependent on non-agriculture income. The food during the deficit period is covered through income from non-agriculture sector.

16. The data analysis of the APs shows that 2 households lose more than 20% of their total land holding and all the APs do not fall below district poverty level.

17. About half of the population among the APs are in active age¹ group. The age distribution of APs shows that 2 persons are < 6 years, 2 are in school going age of 6-16 years, 20 persons are 16-45 years age group, who are eligible for Livelihood Enhancement Skill Training (LEST), 10 peoples are 46-60 years and 2 people are > 61 years of age.

18. The Resettlement Framework of the RRRSDP states that the economic future of the APs must be same as they have before the project. The donation is accepted from those households who do not fall below poverty line². As major source of income of majority households are from non-agriculture sources, there will be no change in earning level and food security before and after the subproject intervention. It is expected that the loss incurred due to the subproject will also be off-set by benefits of the road as well as rehabilitation assistance and skill training provided under the Subproject.

¹ Priority will be given to the age group between 16-45 years while planning LEST for APs.

² The poverty line for this district was NRs. 11056.80 in the year of 2003/004. In year 2009/10, the figure has grown up to NRs. **13997.73** due to the inflation, which has been increased at 26.6 % from the base year of 2003/4 (The National Living Standard Survey for 2003/4).

19. About 42.86 percent of the households are from Chhetri, 42.86 percent are from Newar and 14.28 percents are from Brahmin communities

20. APs are not interest to be involved in road construction activities. Skills like bio-engineering work mud masonry and bamboo works are the major skills known and practiced by the APs. Male members have more skills on the above mentioned work than female members among APs. Various types of income generation and awareness trainings like adult literacy, agriculture extension, livestock farming and health sanitation awareness have been taken by the APs through different agencies in the past.

21. At present, the average time required to reach the District center (Ratnapark) is 1.5 hours by local vehicle and 1 hour by private vehicle. The cost by bus is Rs. 40 per trip from the Subproject site. Average time to primary schools is about 15 minutes, to college 1.3 minutes (by vehicle) and to secondary schools is 25 minutes. Sub-health posts are at about 25 minutes walking distance and a health post is about 40 minutes far from settlement. Hospital is reached in 1.5 hour by bus at district centre and local markets in 25 minutes.

4. POLICY FRAMEWORK, OBJECTIVES AND ENTITLEMENTS FOR THE PROJECT

4.1 Applicable Legal and Policy Framework

22. This section provides the review of national laws, policies of the donor agency and the Resettlement Framework of the RRRSDP that applies to the project.

23. The **Interim Constitution of Nepal (2007)** guarantees the fundamental rights of a citizen. Article 19(1) establishes the right to property for every citizen of Nepal, whereby every citizen is entitled to earn, use, sell and exercise their right to property under existing laws. Article 19 (2) states that except for social welfare, the state will not acquire or exercise authority upon individual property. Article 19(3) states that when the state acquires or establishes its right over private property, the state will compensate for loss of property and the basis and procedure for such compensation will be specified under relevant laws.

24. The **Land Acquisition Act (1977)** and its subsequent amendment in 1993 specify procedures of land acquisition and compensation. The Act empowers the Government to acquire any land, on the payment of compensation, for public purposes or for the operation of any development project initiated by government institutions. There is a provision of Compensation Determination Committee (CDC) chaired by Chief District Officer to determine compensation rates for affected properties. The Act also includes a provision for acquisition of land through negotiations. It states in Clause 27 "notwithstanding anything contained elsewhere in this Act, the Government may acquire any land for any purpose through negotiations with the concerned land owner. It shall not be necessary to comply with the procedure laid down in this act when acquiring land through negotiations."

25. The **Land Reform Act (1964)** is also relevant. As per the Act, a landowner may not be compensated for more land than s/he is entitled to under the law. This Act also establishes the tiller's right on the land which s/he is tilling. The land reform act additionally specifies the compensation entitlements of registered tenants on land sold by the owner or acquired for the development purposes. The Act amendment most recently in 2001 has established a rule that when state acquires land under tenancy, the tenant and the landlord will each be entitled to 50 percent of the total compensation amount.

26. The **Land Revenue Act (1977)** is also applicable, as the land acquisition involves change of ownership of land. Article 8 of the Act states that registration, change in ownership, termination of ownership right and maintenance of land records are done by Land Revenue Office. Similarly article 16 says, if land revenue is not paid by the concerned owner for long period of time, the revenue can be collected through auction of the parcel of the land for which revenue has been due.

27. The **Public Roads Act, 2031 (1974)** empowers the government to acquire any land on a temporary basis for storage facilities, construction camps and so on during construction and upgrading of roads. Any buildings and other structures such as houses, sheds, schools, and temples are to be avoided wherever possible. The government is required to pay compensation for any damages caused to buildings, standing crops and trees. Compensation rates are negotiated between the government and the landowners.

28. Land acquisition must also comply with the provisions set out in the **Guthi Corporation Act 1976**. The Section 42 of the Act states that Guthi (religious/trust) land acquired for a development must be replaced with other land.

29. The government has drafted, with ADB's technical assistance, a **National Policy on Land Acquisition, Compensation and Resettlement Development Projects**. The Policy is still in the draft form, but once approved will provide clear guidelines to screen, assess and plan land acquisition and resettlement aspects in development projects. The draft Policy highlights the need to handle resettlement issues with utmost care and forethought particularly in case of vulnerable groups. There are provisions of voluntary land donation by non-poor and providing assistance to poor families.

30. The **ADB's Policy on Involuntary Resettlement** states that involuntary resettlement should be avoided where feasible. Where population displacement is unavoidable, it should be minimized by exploring all viable options. People unavoidably displaced should be compensated and assisted, so that their economic and social future would be generally as favourable with the project as it would have been in the absence of the project. People affected should be informed fully and consulted on resettlement and compensation options. Existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible, and resettlers should be integrated economically and socially into host communities. The absence of formal legal title to land by some affected groups should not be a bar to compensation; particular attention should be paid to households headed by women and other vulnerable groups, such as indigenous peoples and ethnic minorities, and appropriate assistance provided to help they improve their status. As far as possible, involuntary resettlement should be conceived in the presentation of project costs and benefits. The policy addresses losses of land, resources, and means of livelihood or social support systems, which people suffer as a result of an ADB project.

31. **ADB's Operational Manual Section F2/OP** states that where projects provide direct benefits to communities, and are amenable to a local decision-making process, arrangements to deal with losses on a transparent, voluntary basis may be included in resettlement plans, with appropriate safeguards. Such safeguards include (i) full consultation with landowners and any non-titled affected people on site selection; (ii) ensuring that voluntary donations do not severely affect the living standards of affected people, and are linked directly to benefits for the affected people, with community sanctioned measures to replace any losses that are agreed to through verbal and written record by affected people; (iii) any voluntary "donation" will be confirmed through verbal and written record and verified by an independent third party such as a designated non government organization or legal authority; and (iv) having adequate grievance redress mechanisms in place. All such arrangements are set out in a resettlement framework that is prepared before the first management review meeting or private sector credit committee meeting and covenanted.

4.2 Objectives

32. The major principle of the Resettlement Plan are as followings:

- a. Involuntary land acquisition and resettlement impact will be avoided or minimized through careful planning and design of the project;
- b. For any unavoidable involuntary land acquisition and resettlement, APs will be provided compensation at replacement cost and/or assistance so that they will be as well-off as without the project;
- c. APs will not be forced for donation of their land, and there will be adequate safeguards for voluntary land donation.
- d. APs will be fully informed and consulted during project design and implementation, particularly on land acquisition and compensation options;

- e. The absence of formal legal title to land will not be a bar to compensation for house, structures and trees/crops, and particular attention will be paid to vulnerable groups and appropriate assistance provided to help them improve their socio-economic status;
- f. Land compensation and resettlement assistance will be completed before award of civil works contracts, while other rehabilitation activities will continue during project construction; and
- g. Land acquisition and resettlement will be conceived part of the project and the costs related to resettlement will be included in and financed out of the project cost.

33. The subproject selection and planning follow community-driven approach, which gives communities ownership over planning and project implementation. The Subproject will provide direct benefits to community, including improved access to markets and services such as schools, health facilities and public services. It is believed that the improved road will also lead to higher value and production of local land because of improved access and availability of agricultural inputs. Given that most local people are willing to voluntarily donate part of their land in road improvement that provides benefit to community. However, adequate process and safeguards are built in the RP ensuring that the voluntary land donation is unforced and it doesn't lead to impoverishment of affected people, including:

- a. Full consultation with affected persons and communities on selection of sites and appropriate design to avoid/minimize additional land acquisition and resettlement effects;
- b. As a first principle, APs were informed of their right to entitle compensation for any loss of their property (house, land, and tree) that might be resulted by the project construction, and the land donation might be accepted only as a last option;
- c. No one will be forced to donate their land and APs will have the right to refuse land donation;
- d. In case APs are directly linked to project benefits and thus are willing to voluntarily donate their land after they are fully informed about their entitlement, the project will assess their socio-economic status and potential impact of land donation and accept land donation only from those APs who do not fall below the poverty line after the land donation.
- e. Any voluntary land donation (after the process as mentioned above) will be confirmed through a written record, including a "no coercion" clause verified by an independent third party.
- f. The donation will be limited to only land and minor assets (houses and major assets will be excluded from donation);
- g. A Grievance Redress Sub-Committee (GRSC) will be set up at VDC level in every road section (chaired by local leader, and including representatives of APs) and APs who are not satisfied with the land donation can file their complaint with GRC. If GRC found out that the above provisions were not complied with, APs will be excluded from the land donation.

34. All involuntary land acquisition (other than exceptional voluntary land donation) will be compensated at replacement cost and APs assisted so that their economic and social future would generally be as favourable as it would have been in the absence of the project. The absence to formal title to land will not be a bar to compensation assistance for loss of assets and special attention will be paid to ensure that households headed by women and other vulnerable groups receive appropriate assistance to help them improve their status. The APs land affected by the road will be informed by the project office through publishing general notice at the VDC. Therefore, date written in the notice will remain the cut-off-date, which is 25-04-2010 for the entitlement and owners (including non-titled) of affected assets till such a date will be eligible to be categorized as APs. The entitlement policy/matrix of the Project is presented in Table 6.

4.3 Entitlement Matrix/Policy

Table 6: Entitlement Matrix/Policy

Type of Loss	Application	Definition of Entitled Persons	Policy/Entitlement
1. Acquisition of private, tenancy, or Guthi land	Entire or part of land to be acquired from owner of the land as recorded at cut off date	<ul style="list-style-type: none"> Titleholder Tenants 	<ul style="list-style-type: none"> Land with equivalent size and category, or cash compensation at replacement cost In case of vulnerable group, preference will be in replacing land for land Any transfer costs, registration fees or charges Registered tenant will receive the 50% value of the land Land registration in the name of both land owner and spouse (in case of land for land compensation) If remaining land becomes unavailable for use as a result of land acquisition, APs will have option to relinquish unavailable remaining portion of land and receive similar benefits to those losing all their land parcel persons having non titled land will receive compensation for crops and subsistence allowance for one year crop, and provided with replacement land if (<i>Ailani</i>) Government land is available in the village. Any up-front costs for the tenancy agreement will be reimbursed either through an agreement with the land lord or by the EA
2. Temporary loss of land	Temporary land taken by the project	<ul style="list-style-type: none"> Titleholder Tenants 	<ul style="list-style-type: none"> Compensation at replacement cost for the net loss of income, damaged assets, crops and trees etc. An agreement between contractors and APs before entering the site if case of involvement of contractors.
3. Loss of residential, commercial, and other structure	Structures, buildings including cattle shed, walls, toilets etc. affected by the project.	<ul style="list-style-type: none"> Owner Tenants Non-titled (encroachers/squatters) 	<ul style="list-style-type: none"> Compensation for full or partial loss at replacement cost of the affected structure without depreciation or deduction for salvaged material. Displacement and transportation allowance for residential and commercial structures to cover actual cost as estimated in the RP. Rental stipend equivalent of three months' rent for tenants who have to relocate from tented building.
4. Loss of community structures / resources	Community facilities (e.g. irrigation, water, etc.) affected by the project.	The users of the facility or community or group	<ul style="list-style-type: none"> Reconstruction by the project leaving such facilities in a equivalent or better condition than they were before. or Cash compensation at full replacement cost without depreciation or deduction for salvaged material.
5. Loss of trees and crops	Affected fruit/nut trees	Owner of the affected fruit/nut trees	<ul style="list-style-type: none"> Cash compensation based on annual value of the produce and calculated according to the Department of Agriculture (DoA) norms. RPs to confirm that the DoA norms and techniques are sufficient and updated regularly.
	Affected timber and fodder trees	Owner of the affected timber and fodder trees	<ul style="list-style-type: none"> Cash compensation based on calculation of the production and calculated according to the norms as decided by the Ministry of Forestry and Soil Conservation.
	Affected crops	Owner of the affected crops Sharecropper of the affected crops	<ul style="list-style-type: none"> Cash compensation based on the local market prices for the produce of one year and calculated as per the norms of District Agriculture Development Office (DADO). 50% cash compensation of the lost crop for the sharecropper.

Type of Loss	Application	Definition of Entitled Persons	Policy/Entitlement
6. Loss of economic opportunity	Economic opportunity lost as result of loss of livelihood base.	Persons in the road vicinity who may be adversely affected, although they do not lose assets as such	<ul style="list-style-type: none"> • Preferential employment in wage labour in project construction works. • Skills training support for economic restoration • Priority in poverty reduction/social development program
7. Loss of time and travel expenses	All expenses incurred in travelling to fill application and making claims and time lost.	The entire project affected persons eligible for compensation.	<ul style="list-style-type: none"> • Project facilitates to avoid time and travel expenses by providing the compensation at site.
8. Land donations	Loss of land and other assets by means of voluntary donation	Voluntary donation is accepted only if AP: <ul style="list-style-type: none"> • Is project beneficiary and is fully consulted and informed about their rights; • Doesn't fall below poverty line after land donation; • Donating up to 20% land holding, • Unforced or freely willing to donate (with an agreement, including a "no coercion" verified by third party 	<ul style="list-style-type: none"> • No compensation for the donated land, but entitled for compensation of other assets such as house, structures,, etc. • Transfer of land ownership by negotiation (DDC and the owner). • Free/escape of any transfer costs, registration fees or charges. • Preferential employment in wage labour in project construction work.
9. Additional Assistance			
	9.1 Preference in employment in wage labour in project activities	All APs	<ul style="list-style-type: none"> • Construction contracts include provision that APs will have priority in wage labor on project construction during implementation. • APs shall be given priority after construction for work as maintenance worker, mandated in local body agreement.
	9.2 Skill training and income generation support	One member of each PAF belonging to vulnerable group/below poverty line	<ul style="list-style-type: none"> • Skill training and income generation support financed by project • RP to include a need assessment and skill training program for APs.
	9.3 Priority in poverty reduction/social development programs	All APs	<ul style="list-style-type: none"> • Participation of APs with priority in saving credit scheme facilitated by the Project. • Participation of APs with priority in life skills, income generation, and other entrepreneurship.

Sources: Report RRRSDP, 2007

5. INFORMATION DISSEMINATION, CONSULTATION, PARTICIPATION, DISCLOSURE AND APPROVAL OF RP

35. The subproject organized 9 public consultation meetings with APs, VICCCs, Grievance Redress sub-committees and the other stakeholders and informed them about the project and the subproject. They were provided information on subproject component, stages, resettlement principles and resettlement framework. These meetings were used to get wider public input from both the primary and secondary stakeholders. The details of consultation including the number of meetings organized, number and profile of the participants, issues raised in the meetings have been presented in the Appendix 6.

36. The community meeting and interviews were carried out in Badbhanjyang, Thankot, Dahachok, Balambu, Nayanaikap and Puranonaikap VDCs with the owners of land and structures under the existing alignment of the road. The road alignment has been track opened in 2053 BS on their own effort but still some of the section, structures and road width were not clear inside 8m width. The structures were built before 2053 BS and community could not compensate the value of the structures to relocate at that time. At chainage 5+216 to 5+287 and chainage 6+204 to 6+248, the land owner didn't agree for donation. Since they are losing more than 20% of total land holding so DPO decided to provide compensation for those special case APs. During the meeting, people have shown commitment, eagerness and ready to help in any respect for the successful completion of the road construction. The resettlement consultant along with other social and technical staff of District Implementation Support Team (DIST) in coordination with VICCCs facilitated the information campaign during walkover survey, cadastral and household listing and socio-economic and loss assessment survey of the households. During household survey, each household was again informed about the subproject, entitlements and project procedures. This RP has been disclosed to the APs and informed about their entitlements through these consultation meetings. The communities were explained about:

- a. Relevant details of the subproject scope and schedules,
- b. RP and various degrees of project impact,
- c. Details of the entitlements under the RP and requirement of APs to claim their entitlement,
- d. Implementation schedule with time sheet for entitlements delivery,
- e. Compensation process and compensation rates to be considered,
- f. Detail explanation of the grievance process and other support in arbitration,
- g. Role of DPCC, VICCC, GRC and other community officials to encourage the APs in RP implementation, and
- h. Special consideration and assistance of all vulnerable groups.

37. A continued information and consultation program during the project period will be conducted during RP implementation and income restoration. The Resettlement Specialist/Social Development Specialist of DIST will act as information conduit. Resettlement Specialist (RS) and Social Mobilizers (SM) will also facilitate DPO in land and other property acquisition, compensation process and actively encourage and enable the APs to participate in the Subproject processes.

38. A summary RP (final) will be prepared in Nepali and will be made available to the affected people by DIST (Appendix 9). The final RP will also be disclosed on the website of the RRRSDP as well as ADB.

6. GENDER IMPACTS AND MITIGATING MEASURES

39. During the course of socio-economic and loss assessment survey of Affected Households, special attention was paid for women's participation to assess the impact of the subproject on them. Data analysis revealed that illiteracy, lack of ownership of property, lack of decision making authority, extensive involvement in household activities are some of the main features of female's socio-economic status in the subproject area.

40. It was also pointed out that the main problem faced by women in the subproject area, is the difficulty in accessing immediate health care services during child bearing. As perceived by women as well as men, improvement of road will provide easy access to health facilities for them thereby reducing the related maternal and child health risks. Besides that, discussions among the women revealed that the subproject, by improving transport facilities in their area, will also contribute to their mobility to nearby towns and villages for accessing socioeconomic facilities particularly for sale and purchase of goods as the majority of the women in the subproject comprise of the main income earners in the family. Likewise they were also of the opinion that commencement of the subproject may also provide them employment opportunity during the construction phase.

41. The reconstruction and rehabilitation of the subproject, as per the women participants, will have far-reaching impacts on them and their lives. The women participants expressed that their mobility will be greatly enhanced both in terms of access to social services, as well as access to higher levels of education and health facilities, also outside the village. Such awareness program will mitigate the above problem. The cost for such informative boards are kept in environmental and engineering part.

42. Some of the possible unenthusiastic impacts of the subproject as voiced by women comprised of (i) increased risk of accident as a result of speeding vehicles (ii) heightened access of outsiders in the villages during construction phase thereby affecting women's mobility and (iii) girl trafficking.

43. Women in the subproject area were extensively involved in farming, cattle rearing and household activities. However, few women were reported to be engaged in other activities apart from household and agricultural activities, such as vegetable farming, bamboo craft work, operating tea and other small shops.

7. GRIEVANCE REDRESS MECHANISMS

44. A Grievance Redress Committee has been established for the Subproject for hearing complaints of APs and for their appropriate resolution.³ 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. The Grievance Redress Committee (GRC) comprises of:

- Head of DDC/local leader (Chairperson),
- One representative of local bodies,
- Two representatives of APs (including Vulnerable Group member),
- One representative of civil society organizations,
- One representative of project,
- RS /SDS to attend as observers and to support the APs

45. GRSCs are formed in each VDC which consists of three members from VICCC and two members from APs to hear the complaints and grievances at local level. APs can approach the Subcommittee with their problem which is then discussed locally with an aim of finding an amicable solution. Social Mobilizers (SMs) will also act as intermediaries to assist the APs.

46. The key functions of the GRSCs are to (i) provide support for APs to lodge their complains; (ii) record the complains, categories and prioritize them; (iii) settle the grievances in consultation with APs and DPO staff; (v) report to the aggrieved parties about the decision/solution; and (vi) forward the unresolved cases to higher authorities. Following process will be followed to find resolution on the grievances:

- **Step 1:** APs file complaints at GRC sub-committee at VDC level. The complaints will be discussed among concerned parties to settle the issue locally within 15 days from appeal date. RS, SMs and VICCC in the concerned VDCs will facilitate consultation and deliberation in this regard
- **Step 2:** If no amicable solution is reached at VDC level within 15 days, APs can appeal to GRC at district level.

³ The complaints that are likely to arise include: (i) APs not enlisted; (ii) losses not identified correctly; (iii) problems related to land donation; (iv) inadequate compensation/assistance; (v) dispute about ownership; and (vi) problems/delays in disbursement of compensation/assistance.

- **Step 3:** If APs are not satisfied with the decision of GRC or fail to receive response from them, they may resort to legal remedies available under the Land Acquisition Act (1977).

47. Six GRSCs have been formed in Badbhanjyang, Thankot, Dahachok, Balambu, Nayanaikap and Puranonaikap VDCs. The affected persons were also informed about the grievance redress mechanism of the project and existence of grievance redress committees in VDCs and district level. They were also informed about their rights to file their complaints about the Subproject and about compensations. APs were also informed about CDC compensatory rates, and the RP documents. Few normal complaints were submitted with GRSCs until this reporting period. Mainly the complaints were regarding the compensation of land and private structures but it solved by the community along with VICCC and VDC.

8. COMPENSATION AND INCOME RESTORATION

48. APs will be compensated at replacement cost for any involuntary land acquisition. The Compensation Determination Committee (CDC) has been formed at the district level to decide compensation rates for land and property to be acquired. The CDC is formed under the chairmanship of the Chief District Officer (CDO), and Land Revenue Officer, a representative of District Development Committee, and the Project Coordinator of the DPO are the members. Two representatives of the APs and VICCCs are also invited in the committee meeting as observers. The design survey team will assess the compensation rates for the lost assets and recommend it to the Compensation Determination Committee (CDC) for final valuation and compensation distribution. APs losing houses will be assisted in relocation by providing additional transportation and displacement allowances along with the compensation of structure and land, according to the entitlement matrix. Vulnerable APs will be provided additional assistance/allowances as stated in the policy/entitlement matrix.

8.1 Valuation and Compensation Determination

49. The survey and valuation of affected land and households were undertaken by survey team at DPO assisted by DIST. The team has assessed losses and estimated value for compensation. Cadastral mapping has verified the land plots under road alignment for the deed transfer.

50. Members from APs and VICCCs were invited in the CDC meetings as observers where the DIST facilitated and explained the RP policies and framework. CDC has decided to approve valuations that were proposed in the RP document. CDC has also made decision to keep aside the estimated amount for the absentee family until they return to claim their compensation. Payments for the losses will be made at public meetings in local area for small amounts and cheque will be used for larger amounts.

8.2 Income Restoration and Rehabilitation Program

52. APs who lose their income sources (land, business) and are at risk of impoverishment will be assisted through income restoration programs. Special attention will be given to poor and vulnerable groups. APs will be given priority for employment in road construction work. The contract documents will include provisions regarding preferential employment of APs and vulnerable groups in wage labour in construction works. The APs will develop skills in construction works while working in the subproject, which will also be a useful means of income for them in future.

8.3 Livelihood Enhancement Skills and Training (LEST) Program

53. One member of each affected households belonging to vulnerable group/below poverty line will be provided income restoration measures under the Livelihood Enhancement Skills Training (LEST) program according to the requirements of the Resettlement Framework. LEST will include trainings on income generating activities which will be delivered through trainings and other supplementary investments. These programs are expected to re-establish APs' lost livelihood options and development of new income generating opportunities. The trainings are based on the need assessment of the affected families. Analysis of the census socio-economic and loss assessment survey of the road subproject reveals 7 households directly affected by the project. So all the APs, project will provide the LEST program. Therefore, the training program

has been designed for the one person from above household of 16-45 years age group. The cost of the training program is included in the RP and will be financed under the Project's community empowerment program. Additionally, Social Action Plan (SAP), Gender Action Plan (GAP) and Indigenous Peoples' Development Plan (IPDP) prepared for the Subproject will incorporate all families from the Zone of Influence (ZoI) and provides opportunities to the Communities to enhance their abilities for socio-economic advancement.

Table 7: Livelihood Enhancement Skills Trainings for APs

SN	Trainings	Male	Female	Total	Event	Duration	Rate/ person	Total cost (Rs.)
1	Beauty- parlour	0	4	4	1	2 months	12,000.0	96,000.00
2	Motor Driving (Taxi and Van)	3	0	3	1	2 months	10,000.00	60,000.00
	Total	3	4	7				156,000.00

Note: The training type may change as per the changed need of the APs during implementation.

54. The DPO will deliver the skill training in partnership with training institutions/professionals, who are available locally/districts. DIST social team will help in identifying and employing professionals to impart the training package where preference will be given to locally based resource persons or institutions having expertise in the subject area. District level sector line agencies of the government (such as Cottage and Small Industry, District Agriculture Office, District Forest Office) will also be mobilized by DPO for additional expert resources, if required.

8.4 Voluntary Land Donation Process

55. The identified APs losing land and other properties were called for community meeting to disclose the draft Resettlement Plan and discuss resettlement procedures. The APs were informed about the land donation provisions as described in the RF of the project. After the information, majority of the APs agreed to donate their land already occupied by the existing road. The concerned landowners were informed individually and the Memorandum of Understanding (MoU) was signed with DPO (Appendix 4). Total no. 258 HHs is signed the MoU when 5HHs are new cutting APs. The households donating or agreeing to provide land on negotiated price signed a written consent in the presence of the officials from NGO, VDC, GRSC and VICCC as third party witnesses. The forms were signed without pressure or coercion. Furthermore, the APs who have voluntarily donated the land for the subproject will be rewarded by DPO by issuing an appreciation letter which cost shown in table 10: Summary of Cost for RP.

Deed Transfer Action Plan of Kalanki – Ghyampedol- Badbhanjyang Road Subproject

S. N	Activities	Sept-10				Oct-10				Dec- 10				Jan-11			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1	Meeting with Land Revenue Office																
2	Letter Collection for the land owner for Deed transfer																
3	Conduct meeting with land owner																

4	Informed landowner for their presents to deed transfer																		
8	Distribute Compensation for the losses																		
5	Conduct deed transfer																		
6	Distribute the new land registration Certificate to the landowner																		
7	Conduct Appreciation Programme with landowner																		

9. INSTITUTIONAL ARRANGEMENT

9.1 Institutional Arrangement of the Project

56. The key agencies involved in the implementation of this subproject are as follows:

9.1.1 Central Level Arrangement

57. The Project Coordination Unit (PCU) established at DoLIDAR has overall responsibility for the coordination and facilitation of the resettlement activities. The CISC will support PCU in effective planning and implementation of the resettlement, compensation and rehabilitation measures outlined in the RP. The PCU/CISC will also look after the policy compliance and monitoring of the proper implementation of the RP.

9.1.2 District Level Arrangement

58. The District Project Office (DPO) has been established under DDC/DTO to ensure that the Resettlement Framework is followed in preparation and implementation of the resettlement plan for the Subproject. The DPO has the primary responsibility of planning, coordination and financing of the RPs in the district. The DPO coordinates with the Chief District Officer, Land Revenue and Survey Office, District Agriculture Development Office, District Forest Office, District Soil Conservation Office and Drinking Water and Sanitation Office and other concerned line agencies as per need.

59. The DIST will assist the DPO in planning, preparing and implementing the resettlement plan. The DIST will also liaise with DPO to ensure that the contractor will provide employment opportunity to the affected persons, especially women and other vulnerable persons. DPO will make provision in the civil works contracts for preferential employment of qualified affected persons. DIST will also help the affected person with information campaigns to promote clarity and transparency, and help in community level consultations about entitlements and saving and credit and income generation opportunities.

9.1.3 Subproject Level Arrangement

60. Project Coordinator (PC) of the district will lead the implementation of the resettlement plan in subproject level. PC will integrate construction, land acquisition and compensation activities within the subproject. The DPCC and VICCC will provide necessary support to the PC in the planning, implementation and monitoring of the resettlement activities. In addition, GRC and its sub-committees and RBGs will also have important facilitation role at the subproject level.

9.1.4 Compensation Determination Committee

61. The Land Acquisition Act, 2034 (1977) provides for the establishment of Compensation Determination Committee to decide compensation levels at District level. This is composed of the CDO, the LRO, representative of the DDC and the Project Coordinator. To make the decision making process transparent, two representatives from the APs and VICCC member will be invited as observers. CDC under the Land Acquisition Act 1977 plays a major role in deciding rates of compensation. The committee also listens grievance of the APs if they are not satisfied from the response of district level GRC.

10. RESETTLEMENT BUDGET AND FINANCING

62. The costs required for implementation of the Resettlement Plan will be financed under the project's rural transport program budget and will be administered according to the Land Acquisition Act 1977. These costs include (i) compensation for acquired assets; (ii) costs for rehabilitation of APs; and (iii) administrative costs for RP implementation. Yearly budgeted will be arranged by the DPO for the RP implementation. The detail estimation of the RP is described under following paragraphs.

10.1 Cost of Compensation for Assets

63. Compensation for assets includes land and structures. Compensation of such assets is based on replacement cost at current market price. Land rates are based on prevailing market rate. Valuations of structures are done with the help of DPO by DIST as per district valuation rate provided by District Technical Office (DTO). Additionally, displacement and transportation allowance will be also calculated for residential structures. Rental stipend equivalent of three months rent for tenants who have to relocate from rented building. All these valuations are finally endorsed by CDC.

64. There is also voluntary land donation provision by APs, and it is acceptable only if an AP is losing less than 20 percent of their total land holding, and their poverty level is above the district poverty level. Voluntary land donation has to be without any pressure or coercion. In this Subproject, APs are willing to donate the land for construction works. The APs have signed a MoU with DPO accordingly.

10.1.1 Cost of Compensation for Land

65. According to the Resettlement Framework of RRRSDP, APs who are losing more than 20% land of total land holding, such APs are liable to get the compensation from the project. From our analysis of socio-economic survey data we have found 2 HHs will be losing more than 20% land of total land holding. The total valuation of the affected land of 2 HHs amounts is NRs. **3,54,202.69**. Regarding one AP of at Balambu VDC at Chundevi Chok, was affected by the project but often consultation among VICCC, VDC, AP,DPO, PCU/CISC, we made a consensus to pay compensation to land owner on other side, which not only make alignment straight but also reduces the resettlement cost of RP. So, the cost of compensation of land is **7,52,478.67** (approved by CDC meeting are presented in the table 8.)

Table 8: Details of the land price of losing more than 20% of total land holding and additional land cost (in Rs.)

VDC	Location	negotiated Rate\sqm	HHs losing land in sqm	Amount (Rs.)	Remarks
Balambu	Balambu -5kha	2,188.94	62.7929	1,37,449.73	more than 20% land holding
Balambu	Balambu -8kha	2,188.94	99.022	2,16,752.96	more than 20% land holding
Total Amount				3,54,202.69	
Additional Land cost					

Balambu	Balambu 5kha, Chundevi	-	22015.17 (current market rate)	34.18	752478.67	alternative option for displacement house (compensation for land)
				Total	1106681.36	

Source: Land Revenue Office, Kathmandu and CDC meeting-20\03\2067, at Kathmandu.

10.1.2 Cost of Compensation for Trees and crops

66. No trees and crops are found within the 8m road width. Therefore the cost for these items is not calculated.

10.1.3 Cost of Compensation for Structures

67. Costs for structures are based on age of the building for its replacement cost. A total 6 structures will be affected by the Subproject and is estimated to cost **Rs 17,97,571.40**. Details of the affected structures and their photographs are annexed (Ref. Appendix- 2). Valuation of the structures was endorsed by the CDC. A detail of the affected structures is given in the table 9.

Table 9: Valuation of affected Houses\Structure

Affected Structures	Name of VDCs	No of structures	Total cost	Remarks
Kitchen	Badbhanjyang	1	60,456.00	
Business building	Badbhanjyang	1	4,71,539.20	
House	Dahachok	1	10,98,049.00	
Toilet	Balambu	1	24,756.00	
Pati	Balambu	1	44,580.80	
Pati	Balambu	1	98,190.40	
Grand			17,97,571.40	

10.2 Cost of Rehabilitation Support

68. Cost in this category cover support measures for affected individuals and households. The following are the estimated allowances for the loss of structures:

- **Rs. 25,000.00/-** transportation allowance for residential structures (for the transfer of household goods from old house to rented house and then to new house.)
- **Rs. 1,79,756.70/-** dismantle cost for houses, business house, toilet kitchen and public.
- **Rs. 30,000/-** rental stipend equivalent of 3 months' rent for households who have to relocate due to project impact.

10.2.1 Travel Allowances

69. If APs need to travel outside their village in the land acquisition process, travel allowances will be paid based on unskilled district rate. While the Project will try to facilitate the land acquisition process locally, the estimated cost for such travel allowance is **Rs. 8,50,000.00**

10.3 Total Cost Estimate for RP

70 The total cost of the affected private land is calculated to be NRs. 85,80,01,266.00 The land equivalent to NRs. 856,894,584.64 has been donated by the local communities and not included in the budget. The cost of private land equivalent to NRs 11,06,681.36 is calculated for compensation. The CDC meeting held on 4th July, 2010 (2067/03/20 BS) approved the budget for property acquisition. The total cost of land acquisition and resettlement including compensation for the loss of structure, land, livelihood restoration programme and various allowances is NRs. 6.24 million. Detail budget break down of RP is presented in the Table 10:

Table 10: Summary of Cost for RP

Item		Unit	Total loss	Amount (NRs.)	Remarks
1. DIRECT COST					
1.1	Compensation for private land	sqm	195.99	1,106,681.36	
1.2	Public structure (Pati)	No.	2	142,771.20	
1.3	Private structure (houses, toilet & kitchen)	No.	4	1,654,800.20	
1.4	Reserve fund for unavailable APs	LS	LS	1,000,000.00	
1.5	Boundary pillar cost for layout	Nos.	700	289,754.91	Estimate is given an appendix 10
Sub-total				4,194,007.67	
2. INDIRECT COST					
2.1	Transportation allowance	LS	6hhs	25,000.00	
2.2	Dismantling cost			179,756.70	
2.3	Rental Stipend	LS	1hh	30,000.00	for 3 months
2.4	Deed Transfer Assistance	Plots	467	850,000.00	
2.5	Official Deed Transfer fees	LS		500,000.00	
Sub-Total				1,584,756.70	
3	Income generation and Livelihood improvement programme	LS		156,000.00	
4	Appreciation Program for APs	LS		250,000.00	
Sub-Total				406,000.00	

	Total			6,184,764.37	
5	Provisional Sum (5%) only indirect cost			79,237.84	
GRAND TOTAL				6,264,002.21	

11. IMPLEMENTATION SCHEDULE

71. Proposed RP implementation schedule for Kalanaki – Ghampedol – Badbhanjyang Road Sub Project is shown in Table 11.

Table 11: RP Implementation Schedule

Table 11.11: Implementation Schedule																														
S. N.	Tasks	Aug-10				Sept-10				Oct-10				Nov-10				Dec-10				Jan-11				Feb-11				
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4									
1	Submission of Draft RP to PCU									*																				
2	Submission of Final RP to ADB for approval									*																				
3	Consultation, and grievance resolution	Ongoing activity																												
4	Inform APs for the compensation claim										*																			
5	Collect application from the APs for compensation											*																		
6	Verify the application and prepare final list of APs												*																	
7	Final collection of Memorandum of Understanding (MoU) for voluntary contribution (for land)			*	*	*	*	*	*	*	*	*	*	*																
8	Transferring the land ownership														*	*	*	*	*											
9	Pay compensation for eligible APs																		*											
10	Implementation of AP's Livelihood Restoration Programme																				Will be initiated after approval of RP and may be Continuous along with community development program									
11	Prepare resettlement implementation status report by DPO																		*											
12	Verification survey of RP implementation by CISC																			*										
13	Submission of resettlement																			*										

[illegible]

12. MONITORING AND EVALUATION

12.1 Monitoring at District Level

72. The Project has a mechanism to monitor and evaluate the resettlement and compensation process.

73. 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 resettlement plan. The PCU will submit quarterly monitoring report to ADB for its review. Such reports will be posted on websites of ADB and PCU.

74. The Project Coordinator (PC) or his/her representative will attend VICCC meetings, as and when required. Progress on resettlement implementation and any concerns will be discussed in such meetings. The VICCC and resettlement social staff will facilitate the monitoring of progress and resolution of any grievances locally.

75. The DPO will organize periodic progress review workshops involving APs representatives. Special attention will be paid on securing the participation of women in the review workshops. The workshops will provide households with opportunities to discuss both the positive and negative aspects of their resettlement, compensation and reestablishment. An inclusive problem-solving approach will be followed, using local experiences and realities as the basis for solutions. Resettlement Specialist / Social Development Specialist will facilitate such workshops.

12.2 Verification by PCU

76. The verification of satisfactory implementation of RP including completion of land compensation is a condition for contract award and commencement of civil works. A verification report in this regard will be prepared by PCU assisted by Resettlement Specialist and submitted to ADB along with proposal to award the contract(s). The verification report has to have investigated to the extent to which any land donations were freely made and with adequate safeguard, and whether assessed compensation/assistance has been paid to the APs. About 10 % APs may be surveyed as part of the verification.

12.3 External/Third Party Monitoring

77. The implementation activities will be monitored and evaluated externally once in a year through an independently appointed agency, consultant or NGO not involved with any aspects of the project, which will provide report to both PCU/DPO and to ADB. The PCU will hire such external monitoring agency/consultant with the ADB concurrence. A sample survey of affected households needs to be undertaken to assess the degree to which the project's resettlement objectives have been met. The socio-economic survey undertaken for land acquisition will form a baseline data, from which many of the indicators can be measured. A sample survey at the end of the subproject period will cover all the categories of APs and assess changes resulted from the project. The aim of the sample monitoring survey will be to measure the extent to which APs living standards have been restored/improved. The table 12 include monitoring indicators for external monitoring.

Table 12: Monitoring and Evaluation Indicators

Type	Indicator	Examples of Variables
Process Indicator	Staffing	Number of DoLIDAR staff on RRRSDP, by district project office and job function Number of DIST staff on RRRSDP, by district and job function Number of other line agency officials available for tasks Number of resettlement/Social mobilization personnels located in the field
	Consultation	Number of consultation and participation program held with various stakeholders VICCC, GRC formed by Subproject in district Number of VICCC meetings held Grievances by type and resolution Number of field visits by CISC/PCU staffs Number of field visits by resettlement/social mobilization staffs
	Procedures in Operation	Census and asset verification/quantification procedures in place Effectiveness of compensation delivery system Number of land transfers (owner to GoN) effected Coordination between PCU, DTO/DPO and other line agencies
Output Indicators; data disaggregated by sex of owner/ head of household	Acquisition of Land	Area of cultivated land acquired by Subproject road Area of other private land acquired Area of communal/government land acquired Area of the land compensated Area of land voluntarily donated
	Structures	Number, type and size of private structures acquired Number, type and size of community structures acquired Number, type and size of government structures acquired
	Trees and Crops	Number and type of private crops and trees acquired Number and type of government/community crops and trees acquired Crops destroyed by area, type and number of owners
	Compensation and Rehabilitation	Number of households affected (land, buildings, trees, crops) Number of owners compensated by type of loss Amount compensated by type and owner Number and amount of allowances paid Number of replacement houses constructed by concerned owners Number of owners requesting assistance with purchasing of replacement land Number of replacement land purchases affected Livelihood restoration cost
	Reestablishment of Community Resources	Number of community structures repaired or replaced Number of trees planted by government agency
Impact Indicator – data disaggregated by sex of owner/ head of household	Household Earning Capacity	Employment status of economically active members Landholding size, area cultivated and production volume, by crop Selling of cultivation land Changes to livestock ownership – pre- and post disturbance Changes to income-earning activities (agriculture) – pre- and post disturbance Changes to income-earning activities (off-farm) – pre- and post disturbance Amount and balance of income and expenditure
	Changes to Status of Women	Participation in training programmes Use of credit facilities Participation in road construction Participation in commercial enterprises
	Changes to Status of Children	School attendance rates (male/female) Participation in road construction
	Settlement and Population	Growth in number and size of settlements Growth in market areas Influx of squatters/encroachers Increase in trips made to DPO/DDC Increase in use of modern facilities

13. CONCLUSIONS

78. Kalanki – Ghyampedol - Badbhanjyang Road subproject needed only 34.18 sqm additional private land for the construction works. The total affected households are 7. Total land it affects is 548 plots among which 466 private plots, 80 government plots, 1 Guthi plot is in existing land and 1 is in new cutting. Further it fully affects 1 private residential structure, 1 private business structure, 1 kitchen, 1 toilet and 2 public structures (pati). Since the study does not revealed significant impact on APs, the road subproject is not expected to have significantly adverse involuntary resettlement impacts and hence falls under Category B of ADB operational Procedures. In this context, this short resettlement plan has been prepared.