

Resettlement Plan

Document Stage: Draft for Consultation
Project Number: 44240-013
January 2019

BHU: Urban Infrastructure Project – Component A

Prepared by the Department of Urban Development and Engineering Services.

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A. Executive Summary

1. The Project will help improve urban infrastructure, its planning and management; enhance urban livelihoods; and increase capacity for administering urban infrastructure supply and maintenance works through three components A, B and C. Since there is one affected person identified under component A i.e., Thimphu, the detail matrix is enumerated and appended in **Annex 1**. Since the affected person was earlier enjoying free housing provided with basic amenities, now he has been relocated to a better housing within the Waste Water Treatment Plant (WWTP) complex and provided with all basic amenities. The transportation for shifting of belongings to a new location was facilitated by the Thimphu Thromde. The affected person was found to be content with the new location understood after recent interview survey conducted on 14th Sept 2018.

2. The land for the WWTP construction is Thromde (RGoB) owned and therefore no need for either land compensation or cash compensation for the land. The land certificate provided by the Thimphu Thromde is appended in **Annex 2**. Concerning other private assets such as fruit trees, no fruit trees were affected due to the Project hence no payment of compensation for the fruit trees is required. The GRM and Entitlement Matrix are prepared based on the Policy of ADB SPS 2009. Further, no objection related to land on WWTP construction provided by Thimphu Thromde is attached in **Annex 3**. No objection from the affected person pertaining to his new accommodation is in **Annex 4**. The Project Google site map for the WWTP at Babesa is appended in **Annex 5**.

B. Project Description

3. Under output 1a for Thimphu includes planning, survey, investigation and design and build of Waste Water Treatment Plant at Babesa, Thimphu. This involves evolving the best possible undertaking detailed engineering design and built of the most suitable option works and preparing cost estimates for obtaining project sanction.

4. The overall main benefits of the Project will be (i) improved urban environment, public health, and living standards in Thimphu, Phuentsholing and SamdrupJongkhar; (ii) effectively managed, reliable and sustainable urban services; and (iii) improved economic and social conditions from investments in construction of WWTP under Component 1 (Thimphu), bridge and approach roads under Component 2 (Phuentsholing) and water supply and sanitation under Component 3 (SamdrupJongkhar).

C. Scope of Land Acquisition and Resettlement

5. This Resettlement Planning (RP) document is prepared for component A: Urban Infrastructure Project for Thimphu Thromde for the “Construction of WWTP” at Babesa, Thimphu.

6. The photograph of the construction site of WWTP at Babesa Thimphu is attached in **Photograph 1**. This resettlement plan is prepared for the Construction of WWTP for which the Project minimizes private land acquisition and resettlement. The selection of sub-components included a criterion on resettlement impacts. Priority was given to components involving rehabilitation within the premises of existing urban infrastructure facilities, and construction of new facilities in government land. The resettlement impacts will further be minimized through “Due Diligence” report submitted earlier which shall be updated if required. Since there is one affected person, the Project is categorized as “**Category B**” Project according to SPS 2009.

7. No private land acquisition is required for the component A Project. During site visit prior to the start of the civil works, it was observed that there is one affected person who is going to be displaced. The displaced person is working with Thimphu Thromde as a lab In-charge. The affected person was relocated to a better residential quarters constructed by the Thimphu Thromde. The detail of the affected person is provided in subsequent page.

Table 1: Summary of Resettlement Impacts

Impact	Thimphu Thromde
Permanent Land Acquisition (ha)	-
Temporary Land Acquisition (ha)	-
Affected Person (AP)	1
Titled APs	-
Non-titled APs (Leaseholders/Renters and Workers/Employees)	-
Female-headed AP	-
Vulnerable APs	-
Affected Structure	1
Affected Common Property Resources	-

D. Socioeconomic Information and Profile

8. Since socio-economic study was carried out during PPTA phase and therefore it was felt not necessary to conduct the same study. This is to judiciously utilize the time and resources. For the socio-economic information, the PPTA socio-economic findings may be referred.

9. The project will affect one staff who is presently working under Thimphu Thromde as a lab in-charge. No communities in the vicinity will get affected due to this Project. In fact, communities residing under Thimphu Thromde will immensely be benefitted by the Project. Since the affected person is earning more than Nu.600 per day as his daily wage, he is not considered living below poverty line i.e., Nu. 2,195.45/person/month.

10. No impacts on private land are anticipated as the land required under this Project is Thromde (RGoB) owned land.

11. No impacts on the poor, indigenous and/or ethnic minorities and other vulnerable groups were observed.

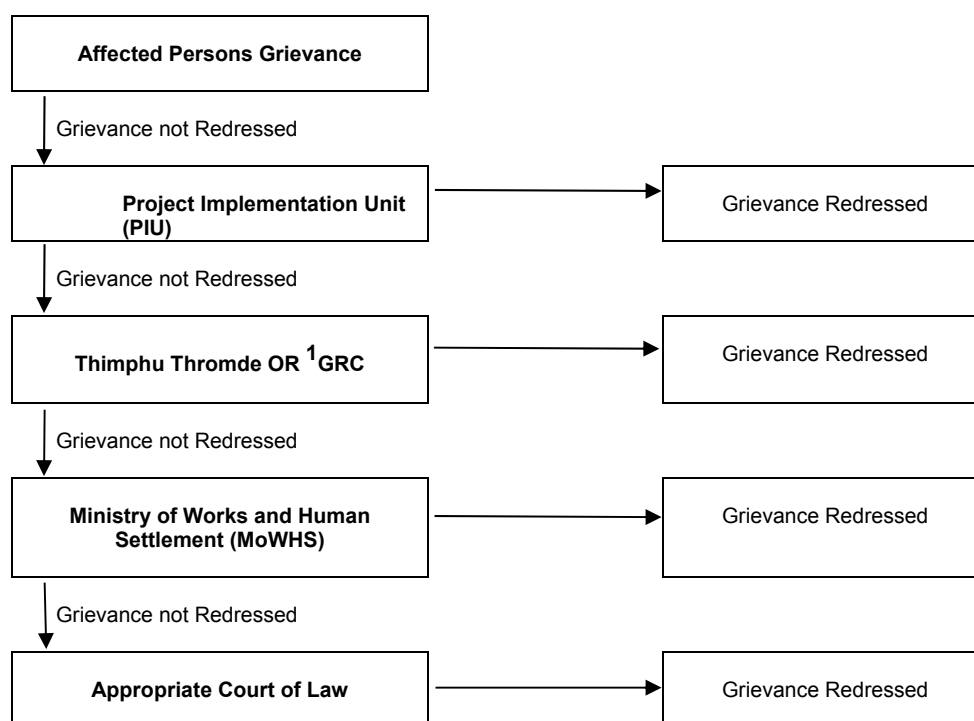
E. Information Disclosure, Consultation, and Participation

12. The resettlement planning document was prepared in consultation with stakeholders from PIU and Thromde. Discussions, particularly with the affected household and socio-economic information were gathered to determine the potential resettlement impacts. Information has been disseminated to the affected person through one-on-one discussion and will be further continued. Local language version of the Resettlement Planning document shall be prepared by the PIU, Thimphu. The affected person was well informed about the Project and accordingly accommodated within the WWTP complex provided with free basic amenities. Once the resettlement planning document is approved, the document will also be disclosed in the Implementing Agency's (IA), Executing Agency's (EA's) and ADB's website. No compensation/assistance to the affected person is required prior to commencement of civil works as all the project packages to be undertaken falls in government land. The affected person was provided with better housing. The shifting of personal assets of the affected person was facilitated by providing free transportation by Thimphu Thromde.

F. Grievance Redressal Mechanism

13. Grievances of the affected person will first be brought to the attention of the Project Implementation Unit (PIU). Grievances if not redressed by the PIU will be brought to the Grievance Redress Committee (GRC) which shall consist of local government representative, the head of the PIU and officials from Thromde. The committee will meet when a grievance is not resolved by the PIU. The affected person will be given notice of the meeting, and the need for it to determine the merit of the grievance, and to resolve the grievance within a month of receiving the notice for the meeting. Further grievances will be referred by the affected person to the MoWHS and if not redressed there then may approach to appropriate court of law. So far no grievances from the affected person were received by the PIU. The flow chart of grievance redressal mechanism (GRM) is as follows;

Figure 1: Grievance Redressal Process



14. The entire project works was undertaken in government land. The residential quarter where the affected person was residing earlier was established in government land and was demolished prior to handing over of the site to the contractor. This resulted displacement of one staff working with Thimphu Thromde and was accommodated within the WWTP complex. The present housing is better than the previous accommodation reported by the affected person.

G. Legal Framework

15. The policy framework and entitlements for the Project are based on national law (i) The

¹ Grievance Redressal Committee.

Land Act, 1979 (LA amended in 2007), (ii) the Land Compensation Rate, 2008/2009 (amended in 2017) and (iii) ADB's Policy on Safeguard Policy Statement 2009. Based on these, the following core involuntary resettlement principles applicable are:

- (i) Involuntary resettlement will be avoided as far as possible. If it is unavoidable, it shall be minimized;
- (ii) Where involuntary resettlement is unavoidable, affected person will be assisted to re-establish themselves;
- (iii) Lack of formal legal land title is not a bar for compensation and resettlement assistance;
- (iv) The affected person whose income or livelihood is affected shall be entitled to receive assistance to restore income and livelihood at pre-project standards;
- (v) The affected person will be fully informed and consulted on compensation, entitlements, and resettlement assistance;
- (vi) The affected person social and cultural institutions will be protected and supported; and
- (vii) The compensation and resettlement assistance will be fully provided before approving any subcomponent, if it involves involuntary resettlement impacts.

H. Entitlements Assistance and Benefits

16. The entitlement assistance and benefits is described in **Table 2** below. The affected person is Thromde appointed staff and a permanent staff. As entitlement for the affected person and as a good practice, the salvaged materials were given to the affected person and household belongings transported to his new location. As far as compensation is concerned, no allowance is required as the affected person is provided with better accommodation. The affected person reported that he is fully satisfied with his present location and accommodation.

Table 2: Entitlement Matrix

	Type of Application	Entitled	Compensation Policy	Implementation Issues	Responsible Agency
1	Loss of residential structure	One staff working with Thimphu Thromde	1. Provision of alternative accommodation within WWTP premises. 2. Rights to salvage materials for structures constructed by affected persons. 3. Provision of six months notice.	No demolition of structure before affected person is satisfactorily relocated and provided transportation to shift the household goods.	Implementing agency (IA) will ensure alternate staff quarter for the affected person.
2	Additional assistance to vulnerable	Affected person	No rental assistance was provided as the affected person was given free accommodation.	Vulnerable households will be identified during the census. If land-for-land is offered, ownership will be ascertained. The affected person is not vulnerable.	Implementing agency will identify vulnerable households, allocate replacement land, confirm rental assistance, and confirm lost income.
3	Affected Person/ impacts	Entitled affected person	Livelihood: Vulnerable affected person will be entitled for additional compensation if necessary.	Not applicable	Implementing Agency /PIU
4	Loss or disruption of common resources	Community local body	1. Replacement or restoration of affected community facilities such as toilet blocks, cultural resources, etc. 2. Enhancement of community resources where possible.	Not applicable	Implementing agency to determine the extent of losses or disruption, and ensure contractor performs restoration.
5	Any other loss not identified	Loss of unanticipated impacts	Unanticipated involuntary impacts will be documented and mitigated based on the principles provided in ADB's Safeguard Policy Statement 2009.	Not identified	Implementing agency

³ Estimates are based on AP survey.

Please note: There is no vulnerable persons impacted due to the project.

I. Relocation of Housing and Settlements

17. The affected person has been provided with better accommodation near to where the WWTP construction work is presently on-going resulted in easy accessibility to his job. The household belongings were transported free of cost to his new location.

J. Income Restoration and rehabilitation

18. No compensation and income restoration was applicable as the affected person was working with Thimphu Thromde as a Lab in-charge. To provide assistance and compensation through transitional and other short-term allowances was not required as the affected person continued working without wage cut. The affected person is found to be not vulnerable or fall below poverty line as he is earning Nu. 18,000/ month. The total poverty line is Nu. 2,195.95/person/month according to PAR Dec.2017, World Bank.

K. Resettlement Budget and Financing Plan

19. The Department of Engineering Services (DES) under the Ministry of Works and Human Settlement (MoWHS) is the executing agency responsible for implementing the Project. A Project Management Unit (PMU) has been established under DES, to support the Project while a Project Implementation Unit (PIU) has been established in Thimphu Thromde (TT). The PIU manages day-to-day operations and resettlement plan implementation, including monitoring work which will be undertaken throughout the project period. The responsible agencies for resettlement activities especially for the case of one staff working with Thimphu Thromde is being taken care by the PIU, Thimphu. The resettlement cost is not applicable as the affected person was provided with better housing and free transportation (to shift belongings to the new housing) was borne by the Thimphu Thromde. The resettlement cost is not required as is apparent in **Table 3** below.

Table 3: Resettlement Costs

	Remarks
Transitional allowances	Not applicable as the affected person was accommodated within the WWTP complex. The Resettlement cost is not applicable as the work is being undertaken in government land. The affected staff is identified as not vulnerable as he does not fall below poverty line.
Shifting allowances	
Training and income restoration	
Rental assistance	
Assistance to vulnerable household	
Consultation and information dissemination	
Monitoring and evaluation	
Subtotal	
Administrative and related costs	
Total	None

L. Institutional Arrangements

20. The institutional arrangement such as Institutional Roles and Responsibilities are described in **Table 4** below;

Table 4: Institutional Roles and Responsibilities

Activities	Agency Responsible
Subproject Initiation Stage	
i. Finalization of the sites	PIU/TT
ii. Disclosure of proposed subcomponent details by issuing Public Notices.	
iii. Staff selection, appointment and training	
iv. Formation of GRC	
v. Formal negotiation with other departments for land transfers if required	PIU/TT
Resettlement Plan Updating Stage	
i. Conducting Census of the affected person	PIU/TT/SS
ii. Conducting FGDs/ meetings / workshops during SIA surveys	
iii. Categorization of affected person for finalizing entitlements	PIU/PMU
iv. Formulating compensation and rehabilitation measures and implementation plans	PIU/SS
v. Review finalizing entitlements and rehabilitation packages	PIU/SS
vi. Approval of EM	PMU
vii. Disclosure of final entitlements and rehabilitation packages	PIU/TT
viii. Approval of resettlement plan	PMU/ADB
Resettlement Plan Implementation Stage	
i. Implementation of proposed rehabilitation measures	PIU/SS (not applicable)
ii. Serving formal notice to the affected person	
iii. Consultations with the affected person during rehabilitation activities	PIU/SS
iv. Grievances redressal	PIU/GRC
v. Internal monitoring	PIU/SS
Post Implementation	
i. Income restoration and training schemes	IA/EA (if applicable)
ii. Selection of training institutions	
iii. Finalizing list of affected person for training schemes	
iv. External monitoring and evaluation	External Agency

M. Implementation Schedule

21. The resettlement process with the affected person was completed before the start of civil works. The affected person was given sufficient notice (6 months) prior to the start of civil works. The implementation schedule is provided in **Table 5** below.

22. The civil works will be linked with the completion of land acquisition and compensation prior to the commencement of civil work. The land required under this Project is Thromde (RGoB) owned and does not require any land compensation. The PIU served the notification to the affected person through Thimphu Thromde administration six months prior to taking over of the land and structures. This facilitated the affected person to prepare advance packing and stuffing household items so that the Project impact will be further minimized and mitigated.



Table 5: Implementation Schedule[illegible]

N. Monitoring and Reporting

23. The monitoring aspect will cover physical and financial components and facilitate provision of feedback to maintain the implementation of resettlement plan on schedule. This resettlement plan implementation will be closely monitored to provide the PMU with an effective basis for assessing progress and identifying potential difficulties and problems. The PIU/Thimphu Thromde will be mandated to carry out internal monitoring.

24. There is one affected person who was displaced and has been accommodated within the WWTP complex. The implementing agency will undertake external monitoring which will also include monitoring of the Project on a semi-annual basis and submit reports directly to the PMU. The PMU will submit all reports to ADB for review.

Annex 1: Matrix on Information of Affected Person

Sl. No	Name of Displaced	Age	Sex	Education	Designation	No. of years served in WWTP, Babesa, Thimphu Thromde	Family	Salary (Nu)	Nationality	Pictures of the Affected person	Remarks
1	Mr. Pema Khandu	43	Male	Certificate level (CI VIII and with additional 4 yrs course completed from RTC, Kharbandi)	Lab In-charge	18 years (Since 2001)	5	600/day (18,000/month)	Bhutanese	 <p>Mr. Pema Khandu</p>  <p>New residence</p>	Currently working with Thimphu Thromde as Lab In-charge at WWTP, Babesa.

Explanatory note : (i) The displaced person (DP) Mr. Pema Khandu is a lab In-charge at the WWTP, Babesa since 2001. His monthly salary is Nu. 18,000 per month which means his daily earning is Nu. 600/day. His spouse (wife) is currently working as a sweeper at the same site at WWTP earning Nu. 8,580/month. He has two daughters and one son and two are students and one daughter enrolled at VTI for tailoring course. (ii) As far as Relocation and Rehabilitation is concerned, no transitional allowances were paid instead transportation was provided by the Thimphu Thromde (TT) for shifting of belongings to his new location which is hardly 0.5 km from his original place. In the process, no daily wages were cut which as a result no temporary economic impact during relocation were foreseen. After shifting to his new place of accommodation, he was able to continue with his previous job. Since the relocation happened within 0,5 km, children were able to access the same school without any hurdles.

In terms of Income and Expenditure pattern, the total earning by both husband and wife total monthly combined income is Nu. 26,580/month. The total family members are 5 and per person per head monthly income is Nu. 5,316.00 which is way above than the poverty line which according to the World Bank 2017 Bhutan Living Standards Survey (BLSS) Report and 2017 Poverty Analysis Report (PAR) is Nu. 2,195.95 per person per month. The poverty line, representing the level of consumption needed to secure the necessities of life, is obtained by adding estimated food and non-food requirements of Nu.1, 473.45 and Nu.722.50, respectively.

Annex 2: Land Certificate

	<p>ཐིམ་ཕུ་ཐར་མོ་ ཐིམ་ཕུ་ཐར་མོ་ ཐིམ་ཕུ་ཐར་མོ་ ཐིམ་ཕུ་ཐར་མོ་</p>		<p>Thimphu Thromde Building Number: 08 Gungdzin Lam Thimphu-11001 Bhutan</p>	
TT/TH/ADB/1/2017-18/ 03		25 July 2017		
TO WHOM IT MAY CONCERN				
<p>This is to certify that the land measuring about 2.5 acres at Bahesa on which the Thimphu Thromde is constructing a 12MLD WWTP based on SBR Technology with financial support from the Asian Development Bank is a government land and no private land has been acquired for the project.</p>				
<p> THROMPON THIMPHU THROMDE Thrompon Thimphu Thromde</p>				
<p>Dasho Thrompon: 4975-2-023335, Executive Secretary: -975-2-040355</p>				

Annex 3: No Objection related to land on Waste Water Treatment Plant construction



Dated 2nd July 2018





No Objection

This is to inform that the Labor camps, staff quarters, site office and other temporary structures built at the project site for " Design, Build, Operate and Transfer of 12MLD, waste Water Treatment Plant at Babisa, Thimphu (BHU-2816) are in line with the approval given by Thromde and have been constructed in government land. Thimphu Thromde has no objection and are no pending issues related to land in this regard.

Project Manager

PIU/ADB/Thimphu Thromde

Annex 4: No Objection from the affected person

 <p style="text-align: center;"> ཐིམ་ཕུ་ཐ་རུ་མ་གྲོལ་ཁང་། Thimphu Thromde Building No: 08 Gongdzin lam Thimphu - 11001, Bhutan </p>	
T1/PIU/ADB/2016-2017/	Dated 2 nd July 2016
<p>To Whom It May Concern</p> <p>This is to inform that, I'm happy with the accommodation provided to me after I was displaced by the project, and all the basic amenities such as drinking water, electricity etc. are readily available. I'm satisfied with my present status and have no objection/graveness of any form.</p>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">  <p>Pema Khandu In-Charge WWTP, Babisa</p> </div> <div style="width: 40%; text-align: center;">  <p style="text-align: right;">TASH DORJI T1/ADB/77</p> <p style="text-align: center;"> PROJECT ENGINEER PIU, ADB Thimphu Thromde </p> </div> </div>	
<small> Thimphu Thromde: +975-2-323662; Executive Secretary: +975-2-340353 Phone: +975-2-336310/322757/322265; Fax: +975-2-323662/340413/338951/334203 www.thimphu.gov.bt </small>	

Annex 5: Google map indicating 2.5 acres land for the construction of Waste Water Treatment Plant Thimphu Thromde at Babesa



Photograph 1: Photograph of the vicinity of the construction site of WWTP at Babesa, Thimphu

