

Social Monitoring Report

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Semiannual Report (July–December 2020)
December 2020

India: South Asia Subregional Economic Cooperation Road Connectivity Investment Program-Tranche 2

Mechi River Bridge and Approach Road - Nepal Section

Prepared by the Department of Roads (DOR) under the Ministry of Physical Infrastructure and Transportation of The Government of Nepal.

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I. Background of the Project

1. The construction of the Mechi River Bridge and approach road is supported by Asian Development Bank (ADB) under the South Asia Sub regional Economic Cooperation (SASEC) Road Connectivity Investment Program (“SASEC RCIP”).¹ The SASEC RCRIP aims to improve road connectivity and efficiency of the international trade corridor, by expanding about 500km of roads in the North Bengal and Northeastern Region (NB-NER) of India. The proposed investment program will upgrade national highways (NH), and state highways (SH) connecting five countries: Bangladesh, Bhutan, India, Myanmar and Nepal in the northeastern part of India including North Bengal.

2. A resettlement plan had been prepared in April 2017 by the National Highway and Infrastructure Development Corporation Limited, Ministry of Road Transport and Highways, Government of India (GoI) as the project will be financed by the ADB loan through the GoI. The Department of Roads (DOR) under the Ministry of Physical Infrastructure and Transportation (MoPIT) of Nepal is responsible for land acquisition, rehabilitation and resettlement on the Nepal side of the bridge. The RP addresses social issues arising out of acquisition of land and other assets, displacement of squatters and removal of encroachments resulting in social and / or economic displacement to households/individuals/community, either directly or indirectly, in compliance with ADB's Safeguard Policy Statement (SPS, 2009), Nepal Land Acquisition Act, 1977 and Land Acquisition, Rehabilitation and Resettlement Policy 2071 (2015).

3. The project involves construction of an approach road on the Nepal side to connect to the new bridge across Mechi River on the northern side of the existing bridge. The six-lane major bridge of 675 m long and 15 m vehicle underpass connects the Nepal-side border to India-side border and further to Kakarvitta in Nepal and the proposed Panitanki bypass of Asian Highway AH 02 in India. The length of approach road in Nepal is 547 m.

4. This semi-annual social monitoring report covering the period from July 2020 to December 2020 has been prepared to comply with loan covenants on project monitoring.

II. Legal and Policy Framework

5. The policy framework and entitlements for the program are based on Nation Laws: (i) Nepal Land acquisition Act of 1977; (ii) Land Acquisition, Rehabilitation and Resettlement Policy of 2015; and the ADB SPS, 2009. The Department of Roads (DOR) under the Ministry of Physical Infrastructure and Transportation (MoPIT) of Nepal is the resettlement plan implementation agency, responsible for land acquisition on the Nepal side of the bridge.

III. Institutional Arrangements

6. The Ministry of Road Transport and Highway (MORTH), Government of India is the Executing agency (EA) for the cross-border national bridge project. The National Highway and Infrastructure Development Corporation Limited of India is the Implementing Agency (IA). Loan financing for civil works is be financed by Government of India through a loan from the ADB. The Government of Nepal's Department of Road (DOR) is responsible to implement safeguard related activities for the Nepal side of the project per agreement in a Memorandum of Understanding signed by MORTH and MOPIT in August 2017. OR has established a Project Directorate PIU at

¹ Loan 3690-IND: South Asia Subregional Economic Cooperation Road Connectivity Investment Program - Tranche 2, approved on 13 August 2018 for \$150 million.

the divisional level in Jhapa with a Senior Divisional Engineer overseeing the implementation. For resettlement activities the DoR/PIU is supported by a resettlement expert deployed by ADB to assist DoR/PIU for land acquisition and timely and transparently distribution compensation of affected assets, consultation with local Government and other government institution for shifting and reinstate the existing structure. Additionally, the resettlement expert reviews the monitoring data, prepares monitoring reports as per requirement of ADB, conducts consultations with affected persons and advises DOR on follow-up actions.

IV. Semi-Annual Monitoring Result

4.1 Status of land compensation payment

7. The subproject has acquired a total 0.0962 ha. Land, of which 0.2183 ha. is private land owned by 4 households with land ownership certificates (who also own 4 private structures) and 0.744 ha. if government land. The latter is occupied by 39 nontitled households who own 39 private structures. Majority (91%) of the structures belonged to nontitled households and 9 percent of the structures were owned by titleholders. Eighty three percent of the private structures affected were temporary in nature, followed by 16 percent structures that were semi-permanent in nature. Ninety percent of the affected structures were used as residence and 10 percent were used as for residential and commercial purposes.

8. The Compensation Determination Committee (CDC) chaired by chief district officer, Jhapa has decided to pay compensation of only four titleholders households on 18 Feb2019 and remaining 39 were treated as none titleholders so they are not eligible to get compensation of land because they don't have formal legal right on land. All four land owners have been provided replacement value of their affected land and the ownership has been transferred in the name of Nepal Government after payment of compensation. The payment was made through cheque.

Table 1. Details of landowners and payment status of the four landowners are given below.

SN	Name of Owners	Address	Parcel	Affected area (sqm)	Cost (NRs)	Payment status (%)
1	Bal Krishna Adhikari	Mechi Municipality-6	2406	50.79	1229000	100%
2	Ram Pd Limbu	Mechi Municipality-6	2405	50.79	1229000	100%
3	Netra Pd Upreti	Mechi Municipality-6	2407	541.79	6560000	100%
4	Bhupal Dhoj Dahal	Mechi Municipality-6	2419	101.57	2580000	100%
Total Cost paid for land compensation					11598000	

4.2 Status of structure compensation payment

9. Forty three households lost residential and residential cum commercial structure due to the project. Out of 43 households, four households received compensation of land who were considered legal owners. With respect to structures, all 43 structure owners received full compensation, including rental stipend and transportation allowances before commencement of civil works. The Compensation Determination Committee (CDC) meeting held on 21 April 2019 decided the compensation rate for structure, without depreciation and at replacement cost as per the entitlement matrix. Before shifting the structures, full payment had been provided to

the owners through cheques issued by the Mechi Municipality. The 43 households received a total of NRs 22,002,917.55 for structures. In addition, NRs 430,000.00 and NRs 215,000.00 were provided as a house rent and transportation allowance, respectively. Total structures compensation and other assistance detail are given below table. The detail list of structure owners and compensation payment status is provided in Annex -1

Table 2. Compensation for Nontiled Structures

Total structure	Total compensation (NRs)	Total rental Stipend (NRs)	Transportation allowances (NRs)	Compensation payment Status
43	22,002,2017.55	430,000.00	215,000.00	100% payment

4.3 Additional assistance from Local Government

10. Mechi Municipality also provided NRs 250,000 per households as additional cash grant to 39 nontitled households were living in community, albeit on government land, since the 1990s. These 39 households do not have formal legal land right and without land ownership certificate they were not eligible to get compensation of land.

4.4 Compensation of Crops and Private trees

11. No privately crops and private trees were affected by the project.

4.5 Assistance, Allowances and Benefits

12. The Compensation Determination Committee (CDC) meeting chaired by Chief District Officer Jhapa which was held on 21 April 2019 had decided to pay rental stipend and transportation allowances NRs 10,000 and NRs 5,000 respectively for all 43 structure owners. These were given along with structure compensation through cheque. All APs were paid full compensation and assistance as per the entitlement matrix of approved. The cash grant provided by the Mechi municipal government is an ex gratia assistance in over and above the households entitlements under the RP.

V. Progress on Public Assets

5.1 Progress Public Forest Clearance

13. The project affected 101 trees on the right of way of the Mechi Highway. The Department of Forest and Soil Conservation approved the cutting of these public trees. The Divisional Forest Office of Jhapa mobilized local labour to cut the trees with the help of the contractor. All costs associated with tree cutting has been paid by DoR to the Divisional Forest Office.

5.2 Progress on Shifting the Electric Poles

14. The Nepal Electricity Authority (NEA) has shifted 11 electric poles on the approach road right of way. DoR paid the required amount associated with shifting the poles to the DoR Office in Damak.

5.3 Progress on Shifting the Water Supply Pipes

15. DoR transferred the allocated budget for relocating the water supply pipes and other associated structures to the Water Supply Users Committee in Kakarvitta after completion of all relocation works.

5.4 Progress on shifting the Temple

16. The temple on the approach road right of way has been relocated with full support of local government and contractor. The Customs Office of Kakarvitta provided the land for construction of the new temple. The new temple has opened devotees after completion of construction work.

5.5 Progress on Shifting Police Post Compound Wall

17. The wall bordering the Police Post's compound has been demolished and it is agreed that the compound wall will be reconstructed by District Police Authority. The contractor has provided CGI roofing sheets for temporary fencing in the interim.

5.6 Progress on relocation of new house

18. Out of total 43 affected structures more than 60% structures owners have already constructed new houses after receiving compensation for structures.

VI. Observations and Recommendations

19. All entitlements have been paid to 43 households affected by loss of land and residential structures and no dues remain pending. However, temporary kiosk owners in the area of the temple whose incomes had been affected by civil works and who require compensation for such impacts as per the entitlement matrix have yet to be addressed by DoR.

Annex-1: Cost of Structure and Allowance Decided by Compensation Determination Committee

SN	Structure Owners Name	Area	Unit	Type of house	Rate	Total Amount (NRs) decided by CDC	House Rent	Transportation allowances	Grand Total	Payment status
1	Chhatramaya Rai	46.44	m ²	Concrete floor, cemented wall using bricks and CGI Sheet roofing.	17,100	794,124.00	10,000	5,000	809,124.00	Paid
2	Soly Khatun	12.32	m ²	Mud floor, Bamboo wall and CGI sheet roof	10,700	131,824.00	10,000	5,000	146,824.00	Paid
3	Tika Bhandari	16.64	m ²	Mud floor, plain CGI wall and CGI roof	10,700	178,048.00	10,000	5,000	193,048.00	Paid
4	Hem Chandra Dhungel	8.4	m ²	Mud floor, plain CGI wall and CGI roof	10,700	89,880.00	10,000	5,000	104,880.00	Paid
5	Bhumikala Dhakal	29.58	m ²	Mud floor, plain CGI wall and CGI roof	10,700	316,506.00	10,000	5,000	331,506.00	Paid
6	Udayram Bhandari	23.36	m ²	Mud floor, Bamboo wall and CGI roof	10700	249,952.00	10,000	5,000	264,952.00	Paid
7	Dilip Bhattra	15.9	m ²	Mud floor, Bamboo wall and CGI roof	10,700	170,130.00	10,000	5,000	185,130.00	Paid
8	Apsara Adhikari	24.6	m ²	Mud floor, Bamboo wall and CGI roof	10,700	263,220.00	10,000	5,000	278,220.00	Paid
9	Rudra Rai	13.2	m ²	Mud floor, Bamboo wall and CGI roof	10,700	141,240.00	10,000	5,000	156,240.00	Paid
10	Dilip Mohamad	31.5	m ²	Concrete floor, bamboo wall CGI roof	10,700	337,050.00	10,000	5,000	352,050.00	Paid
11	Raj Kumar Giri	12.21	m ²	Mud floor, plain tin wall and CGI roof	10,700	130,647.00	10,000	5,000	145,647.00	Paid
12	Thekpa Sherpa	10.24	m ²	Mud floor, Bamboo wall and CGI roof	10,700	109,568.00	10,000	5,000	124,568.00	Paid
13	PhulmayaPathak	35.7	m ²	Mud floor, Bamboo wall and CGI roof	10,700	382,525.00	10,000	5,000	397,525.00	Paid
14	Kumar Gurung	22.5	m ²	Mud floor, Bamboo	10,700	240,750.00	10,000	5,000	255,750.00	Paid

SN	Structure Owners Name	Area	Unit	Type of house	Rate	Total Amount (NRs) decided by CDC	House Rent	Transportation allowances	Grand Total	Payment status
				wall and CGI roof						
15	Arjun Shedai	62.64	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	1,071,144.00	10,000	5,000	1,086,144.00	Paid
16	Shankar Dhakal	38	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	649,800.00	10,000	5,000	664,800.00	Paid
17	Bhim Prasad Tiwari	63.75	m ²	Concrete floor, bamboo wall CGI roof	10,700	682,125.00	10,000	5,000	697,125.00	Paid
18	Shardha Kafle	79.9	m ²	Concrete floor, bamboo wall CGI roof	10,700	854,930.00	10,000	5,000	869,930.00	Paid
19	Liladhar Kafle	67.84	m ²	Concrete floor, bamboo wall CGI roof	10,700	725,888.00	10,000	5,000	740,888.00	Paid
20	Durga Bdr, Rai	51.78	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	885,438.00	10,000	5,000	1,606,638.00	Paid
		66.00	m ²	Mud floor, Bamboo wall and CGI roof	10,700	706,200.00				
21	Gelj Sherpa	52.20	m ²	Concrete floor, bamboo wall CGI roof	10,700	558,540.00	10,000	5,000	573,540.00	Paid
22	Gan Bahadur Tamang	47.62 5	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	814,387.50	10,000	5,000	829,387.00	Paid
23	Ram Kumar Limbu	48.02	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	821,142.00	10,000	5,000	836,142.00	Paid
24	Bal Krishna	54.20	m ²	Concrete floor,	17,100	926,820.00	10,000	5,000	941,820.00	Paid

SN	Structure Owners Name	Area	Unit	Type of house	Rate	Total Amount (NRs) decided by CDC	House Rent	Transportation allowances	Grand Total	Payment status
	Adhikari			cemented wall using bricks CGI roof						
25	Bhupadhoj Dahal Chettri	36.10	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	617,310.00	10,000	5,000	632,310.00	Paid
26	Nawaraj Dahal Chettri	16.74	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	286,254.00	10,000	5,000	301,254.00	Paid
27	Khadga Pd. Kadaria/Goma Limbu	41.60	m ²	Concrete floor, bamboo wall plain CGI roof	10,700	445,120.00	10,000	5,000	460,120.00	Paid
28	Meya Basnet	43.71	m ²	Concrete floor, bamboo wall and CGI roof	10,700	467,697.00	10,000	5,000	482,697.00	Paid
29	Chiranjibi Tiwari	29.20	m ²	Concrete floor, cemented wall using bricks and plain tin roof	17,100	499,320.00	10,000	5,000	514,320.00	Paid
30	Kul Prasad Sharma	49.50	m ²	Concrete floor, bamboo wall and CGI roof	10,700	529,650.00	10,000	5,000	544,650.00	Paid
31	Sushil Koirala	29.67	m ²	Concrete floor, bamboo wall and CGI roof	10,700	317,469.00	10,000	5,000	332,469.00	Paid
32	Govinda Dhungana	38.70	m ²	Concrete floor, bamboo wall and CGI roof	10,700	414,090.00	10,000	5,000	429,090.00	Paid
33	Kopila Khattri/Amar Khattri	33.03 25	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	564,855.75	10,000	5,000	579,885.75	Paid
34	Pabitra Pathak	25.46	m ²	Concrete floor, cemented wall	17,100	435,366.00	10,000	5,000	450,366.00	Paid

SN	Structure Owners Name	Area	Unit	Type of house	Rate	Total Amount (NRs) decided by CDC	House Rent	Transportation allowances	Grand Total	Payment status
				using bricks and CGI roof						
35	Kumar Pathak	61.94	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	1,059,774.00	10,000	5,000	1,074,774.00	paid
36	Prakash Poudel/Amas Mahammad	20.46	m ²	Mud floor, Bamboo wall and CGI roof	10,700	218,922.00	10,000	5,000	233,922.00	Paid
37	Kumar Gautam	31.155	m ²	Mud floor, Bamboo wall and plain tin roof	10,700	333,358.50	10,000	5,000	348,358.00	Paid
38	Govinda Guragain	31.32	m ²	Mud floor, Bamboo wall and CGI roof	10,700	335,124.00	10,000	5,000	350,124.00	Paid
39	Bhimkala Niraula	24.07	m ²	Concrete floor, bamboo wall and CGI roof	10,700	257,549.00	10,000	5,000	272,549.00	Paid
40	Milan Praheri Shrestha	30.24	m ²	Concrete floor, bamboo wall plain tin roof	10,700	323,568.00	10,000	5,000	338,568.00	Paid
41	Netra Upreti	41.73	m ²	Concrete floor, bamboo wall and CGI roof	10,700	446,511.00	10,000	5,000	2,120,211.00	Paid
		97.00	m ²	Concrete floor, cemented wall using bricks and CGI roof	17,100	1,658,700.00				
42	Bakash Bahadur Khatri	37.80	m ²	Concrete floor, bamboo wall and CGI roof	10,700	404,460.00	10,000	5,000	419,460.00	Paid
43	Janaki Lama (Haal Lalita Paneru)	14.63	m ²	Mud floor, Bamboo wall and CGI roof	10,700	156,541.00	10,000	5,000	171,541.00	Paid
				Total amount (NRs)		22,002,917.55	430,000.00	215,000.00	22,647,917.75	