



**Government of Nepal
Ministry of Physical Infrastructure and Transport
Department of Roads**

**NEPAL INDIA TRADE AND TRANSPORT FACILITATION PROJECT
(NITTFP)**

RESETTLEMENT ACTION PLAN

Narayanghat- Mugling Road



MMM Group Ltd. (Canada)
in JV with
SAI Consulting Engineers (P) Ltd. (India)
in association with
ITECO Nepal (P) Ltd. (Nepal) &
Total Management Services (Nepal)

January, 2013

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1. PROJECT INTRODUCTION

1. The Government of Nepal has given high priority to the expansion of the country's road transportation facility in remote areas. In this context, the Ministry of Physical Planning, Works and Transport Management, Department of Roads (DOR) is implementing a number of road projects in various parts of the country.

2. Expansion and upgrading of Naryanghat - Mugling road section is a part of activities under the NESR-T and TFP. This is a road section along the East - West highway between Kathmandu and Birgunj. The proposed road project has been designed for upgrading and expansion of 33.275km of the existing road between Naryanghat to Mugling in Chitwan district as per **Asian Highway Standard**. The starting point of the road alignment is from the junction at Anptari, Naryanghat, a commercial hub and nodal point of highway going to different parts of the country in Bharatpur Municipality to Mugling in Dahakhani VDC in Chitwan district. Mugling is another important business centre and nodal point from where the Naryanghat- Mugling Highway (H - 05) ends, connecting with the Prithvi Highway (H - 04). The road is of bituminous surface.

3. The Narayanghat-Mugling road is a part of **Nepal India Trade and Transport Facilitation Project**, for which the social impact assessment and census survey was carried out during March 2011. This RAP report is an update of the previous year RAP to fulfill the requirement of present Sub-Regional Trade and Transport Project, which is guided by PIP recommendations.

Table 1: Sailable Features of NM Road

No.	Road section	Km	Design Standard	District
1	Narayanghat-Mugling	33+275	Double lane asphalt concrete	Chitawan

1.1 Project Background

4. Narayanghat-Mugling road project is classified as National Highway (H-05), which starts at Aanptari (bypass road to Bharatpur) and ends at Mugling Bazar in Chitwan district. The road was constructed 30 years ago under Chinese assistance as a single lane road. Later it was widened to intermediate lane with additional structures passing along the left bank of Trishuli River. The road is located in the hills of the central development region of Nepal.

5. This road is one of the most important highways connecting the capital city Kathmandu, and other parts of the country and outside the country via Terai to India at Birgunj. Over 90 percent of daily consumption goods, industrial raw materials and petroleum required in Kathmandu are being transported through this highway. Import and export of the country heavily depends on it, as it connects major Indian Industrial cities at the central point of Nepal.

6. After the last rehabilitation during 2007 the condition of this road is fair but with narrow road carriageway (6m) and sharp curves. Considering the present traffic pressure, the GoN intended to upgrade and widen the road to two-lane highway compatible to Asian Highway Standard.

7. The Narayanghat-Mugling road gradually ascends from Narayanghat (Pulchok) (km 0+000) to Ramnagar (km 5+500) along northern face of the hilly terrain. From Narayanghat, the road alignment runs nearly on the flat land of the old river deposits. After Ramnagar (km 5+500), the road runs along the Trishuli (Narayani) River and the alignment gradually ascends towards Bhateri (km 8+00). After crossing Bhateri, the road alignment passes gradually toward Mugling (km 35+677; 1250m msl). The road is aligned on the left bank of the Trishuli River from Ramnagar (km 5+500) to Mugling (km 36+000).

8. The road links with Bharatpur Municipality with Kabilash, Dahakhani, Chandibhanjyang, and Darechok VDCs of Chitwan district. The road alignment passes through a number of built-up areas namely Ramnagar, Jugedi, Simaltal, Gaighat, Ghumaune, Khahare, Syauli and Mugling are major settlements located in this road alignment.

9. The proposed road designed for upgrading works include widening and adjustments to the alignment as necessary, asphalt pavement, cantilever slab, anchorage blocks, retaining walls, concrete cover drain, drainage structures etc.

10. The right of way (ROW) of 50m (25m on either side of the centre line) for this road was declared by His Majesty, Government of Nepal (Now Government of Nepal) in 1977 through a gazette notification. The name of road was Gorkha - Mugling Highway which was changed through an amendment to Naryanghat - Mugling Highway (Madan - Asrit Highway) in (2054/4/27) and entire ROW was deemed to be acquired and owned by the government (Annex-1) and subsequently all private land was transferred to the Government of Nepal except for 8 land parcels. All the road improvement work is confined within the declared ROW and therefore additional land is not required for the upgrading works. As the present detailed design requires 11m widening up to km (16+400) where the road passes through flat land. Where the rocky hill area begins where widening is limited to 9m (16+400 to 35+000). Since government has declared 50m as ROW and DOR legally cannot pay compensation for the land, eight land parcels owners will be compensated through various assistances.

1.2 Aims of the Resettlement Action Plan

11. The aim for the preparation of this Resettlement Action Plan (RAP) is to provide the policy direction and guidance for land acquisition, compensation and resettlement of affected persons. It has been prepared based on the findings of social assessment conducted during project design period. The Resettlement Action Plan aims to improve or at least restore the standard of living of the PAPs as per the present condition during post construction period, identifying the impact on property and income sources with documentation of loss of assets. The RAP provides mitigation measures for the loss assets and livelihood and implementation mechanisms. Specifically RAP accounts for the following;

- Private and community resources affected by the project and the entitlements required for affected households reestablishment,
- The likely number of individuals and households affected by the project and the number of households that may be displaced,
- Organizational and institutional requirement for the implementation of compensation, resettlement and rehabilitation activities,
- Implementation schedules and monitoring mechanisms and
- Cost estimation for compensation, resettlement and rehabilitation.

12. This RAP identifies safeguard measures including compensation, resettlement and rehabilitation assistances to the affected persons consistent with the findings of social assessment. The mitigation measures are drawn from the Road Sector Wide Environmental and Social Management Framework (ESMF). This RAP particularly addresses the adverse impacts associated with road improvement and upgrading works.

13. The aim for the preparation of this Resettlement Action Plan (RAP) is to provide the policy and procedures of land acquisition, compensation and resettlement of affected persons. It has been prepared based on the findings of resettlement impact assessment which had carried out during project design. This assessment aimed to improve the socio-economic condition of the PAPs in future or if not possible to improve, this action plan aims to resume the socio-economic condition of the PAPs as per the present condition during post construction period, identifying the impact on property and income sources of affected persons with documentation of loss of land, houses, trees etc. This document recommends

the mitigation measures of the loss assets providing compensation of each lost items, employing monitoring mechanisms within the corridor of impact (COI) of the road.

14. This RAP identifies safeguard measures including compensation for physical asset lost, resettlement and rehabilitation assistances, rental allowance, support allowance to the affected persons consistent with the provisions of the **Environmental and Social Management Framework (ESMF)**. This RAP particularly addresses the following adverse impacts associated with road improvement and upgrading works. The social considerations have been incorporated into road design. However, geological and topographical factors, as well as land use and settlement patterns, make the acquisition of private property for road construction inevitable.

- Private and community resources affected by the project and the entitlements required for affected households reestablishment;
- The likely number of individuals and households affected by the project and the number of households that may be displaced;
- Organizational and institutional requirement for the implementation of compensation, resettlement and rehabilitation activities;
- Implementation schedules and monitoring mechanisms; and
- Compensation, resettlement and rehabilitation cost estimate.

1.3 Policy, Principles of Resettlement Action Plan

15. This RAP has been prepared based on the policy and principles of the DoR's sectorwide Environmental and Social Management Framework (ESMF) which is in harmony with the Acts of Government of Nepal (GoN) and World Bank Policy on Indigenous Peoples and Involuntary Resettlement (**OP/BP 4.10 and OP 4.12**). Both WB policy and ESMF emphasize on avoiding or minimizing involuntary resettlement. Where the acquisition of private property is unavoidable, involuntary resettlement should be an integral part of project design and preparation. The principles followed for the preparation of RAP are as under:

- The acquisition of private assets and the displacement of people will be avoided or minimized to the extent possible, through the incorporation of social considerations into alignment selection and road design. Where asset acquisition and population displacement are unavoidable, efforts will be made either to improve the standard of living of project affected persons or the pre-project living standards will be restored.
- Community consultations will be carried out to incorporate people's views; concerns and suggestions in the Resettlement Action Plan.
- An institutional framework will be developed as an integral part of the project to ensure that appropriate social impact management mechanisms are set up and maintained during implementation. These mechanisms and arrangements will ensure that compensation, resettlement and rehabilitation are carried out timely and effectively.
- Construction work will commence on road sections only after acquisition procedures are completed.

1.4 Scope of RAP

16. Most of the highways and feeder roads in Nepal have a legal right of way of either 50m or 30m. The Naryanghat-Mugling Road Project has legal ROW of 25m on either side from the centerline. The road widening and rehabilitation will not require entire width of RoW of the road. The upgrading works will be restricted to corridor of impacts that varies from 9m to 11m including drainage facility. The influence of the road in terms of direct impact is limited to the formation width of road surface, which is defined as Corridor of Impact (COI). For the NITTFP/ NM Road, the COI is defined as the road formation plus a safety zone where necessary. Asset acquisition will only take place where land is required for upgrading purposes or safety zone. Other assets outside the COI will be left undisturbed.

17. Compensation is applicable only to persons who are directly affected by the loss of privately owned structure or community property within the COI. However other rehabilitation and mitigation measures will be extended to include persons outside the COI who may also be affected indirectly.

18. Total of 74 project affected households, deed transfer is required only for 8 plots (these plots falls under the project road alignment)¹. The private land owners will be paid the value of land through resettlement assistances. In total 80 structures will be affected due to upgrading works.

¹On the demand of people, His Majesty, Government of Nepal agreed to construct roads provided people voluntarily donate land for the purpose of road. As people agreed to donate land, the right of way (ROW) of 50m (25m on either side of the centre line) for this road was declared by His Majesty, Government of Nepal (Now Government of Nepal) in 1977 through a gazette notification. The name of road was Gorkha - Mugling Highway which was changed through an amendment to Naryanghat - Mugling Highway (Madan - Asrit Highway) in (2054/4/27) and entire ROW was deemed to be acquired and owned by the government (Annex-1) and subsequently all private land was transferred to the Government of Nepal except for 8 land parcels (see annex 1 for Government notification).

1 METHODOLOGY OF RAP PREPARATION

1.1 Methodology

19. This chapter describes the approach followed, tools and techniques used for the preparation of Resettlement Action Plan (RAP).

1.1.1 Cadastral Survey

20. With the representative of cadastral surveyor from the District Land Survey Office, cadastral survey was carried out. The project team collected cadastral maps of the project area were collected from the District Land Survey Office (Chitwan) and the team, using the detailed engineering designs, marked the central line of the road, the road width, carriage width, required COI and the land areas to be acquired on the cadastral maps. The cadastral survey work was conducted in March, 2012.

21. The survey team then took the marked cadastral maps to the field. The team marked the alignment and impact boundaries on the ground and verified the affected land areas, assets and structures. The affected lands were measured at the site and the cadastral surveyors enumerated the premises. The social survey team then conducted the census of affected households. The identified landowners and the plot number of the affected land was further verified in the land revenue office at the district headquarter to confirm the land ownership status.

1.1.2 Assets Inventory

22. As part of census, the inventory survey was conducted in March 2011 (and during March 2012 for updating). The survey team deputed, consisted of Civil Engineer, Research Supervisor, Cadastral Surveyors, and Enumerators. The engineering staff identified upgrading requirements for proposed road. The affected households also participated in the survey. A detailed inventory of affected private assets and public properties was made and verified with the owners and related persons on site. The photograph of the affected houses and structures was also taken to record and also to discourage further encroachment after census of PAPs. The date of census survey is considered as cut off date for defining the entitlement of the affected households.

1.1.3 Census, Socio-economic Survey to Identify Impacts

23. Census of affected households and socio-economic survey was carried out in March 2011 (and updated in March 2012). The enumeration and census of safety zone residents were added during 2012. Complete enumeration of all affected households was carried out. The objective of census was to record the impact categories and degree of impact. Census also helped in quantifying the impacts.

24. The socio-economic survey (SES) of the affected households was conducted to prepare resettlement plan, plan for income restoration, and develop relocation options. The information generated through SES included socio-economic details such as household size, age structure, marital status, literacy level, occupation, household income and expenditure, skill base, household assets and income generating activities. A group of social team including social development and resettlement experts, social researchers, and enumerators were involved in socio-economic survey.

2 SOCIO-ECONOMIC PROFILE

25. This section presents the socio-economic profile of the study area and project affected households due to the road upgrading works.

2.1 Demography of the Study Area

26. According to the National Population and Housing Census - 2011, the total population of the Chitwan district is 5,79,984. The population distribution between male and female is 48.12 percent and 51.88 percent respectively. The average household size is 4.78.

27. A small portion of Bharatpur Municipality and four VDCs are affected by the project. The total population of the project-affected area is 1,69,039 where the population of male and female is 50.55 percent and 49.45 percent respectively. Population composition of the project affected VDCs are given in Table 2.

Table 2: Household and Population of Project Area

S.No.	VDC/Municipality	Total HH	Male	Female	Total	Ave. HH Size
1	Bharatpur Municipality	36939	71175	72661	143836	3.89
2	Kabilash	1164	2818	2997	5815	5.00
3	Dahakhani	939	2304	2499	4803	5.12
4	Chandibhanjyang	887	2460	2518	4978	5.61
5	Darechok	2029	4836	4771	9607	4.73
Total:		41958	83593	85446	169039	4.03

Source: National Population and Housing Census, 2011: Volume 02, NPHC 2011

28. In this road section, none of the households will be affected in Bharatpur municipality areas because the road starts from Aanptari which lies within the Municipality areas but there is no settlement. So far as Ramnagar is concerned it also lies within the Municipality but the settlement is away from the road. All structures are situated at least 20 meters to thirty meters away from the central line of the road. In the rural hilly parts 74 households will be affected by this project (List and PAPs information sheet has attached as **Annex-3**). Among the total affected households, the population of male is 48.07 percent where the population of female is 51.93 percent. The average household size is 5.52. The population composition of affected household is presented in Table 3.

Table 3: Population Distribution of Project Affected Household

VDCs	Total HHs	Male	Female	Total	Ave. HH Size
Kabilash	45	132	140	272	5.66
Dahakhani	6	12	12	24	4.00
Chandibhanjyang	20	47	58	105	5.25
Darechok	3	8	5	13	4.33
Total:	74	199	215	414	5.52

Source: Field Study, 2011 (Update March 2012)

2.2 Age Group of Affected People

29. About 40.58 percent of the populations among PAPs are in active age² group. The age distribution of PAPs shows that 141 persons are < 16 years, that includes children below school going age and children attending school, 168 persons are in the age group of

² Priority will be given to the age group between 16 - 45 years while planning LEST for APs.

16-45 years and are eligible for Livelihood Enhancement Skill Training (LEST), 64 persons are in 46-60 years age group and 41 persons are above the age of 60 years.

Table 4: Age Category of Project Affected Population

Age Group	Male	Percent	Female	Percent	Total	Percent
0-6	21	5.07	24	5.80	45	10.87
6 - 15	41	9.90	55	13.29	96	23.19
16-45	79	19.08	89	21.50	168	40.58
46-60	35	8.45	29	7.00	64	15.46
Above 60	23	5.56	18	4.35	41	9.90
Total:	199	48.07	215	51.93	414	100.00

Source: Field Study 2011(Update March 2012)

2.3 Cast Ethnicity

30. Multi- cast ethnic groups live in the project area. Brahmin, Chhetri, Janajati and Dalit are major ethnic groups in the district. The project area is dominated by Janjatis accounting for three fourth of the total population. Among other affected ethnic households, Brahmins are 4.05 percent, Dalit and Chhettris are 8.11 percent each, and population of Chepang is 5.41 percent. Table 5 shows the ethnic composition of project-affected households.

Table 5: Cast Ethnic Composition of Affected Household

VDCs	Brahmin		Chhetri		Dalit		Janajati		Chepang		Total
	No.	%	No	%	No.	%	No.	%	No.	%	
Kabilash	0	0.00	1	1.35	4	5.41	39	52.70	1	1.35	45
Dahakhani	0	0.00	0	0.00	0	0.00	6	8.11	0	0.00	6
Chandibhanjyang	1	1.35	4	5.41	2	2.70	10	13.51	3	4.05	20
Darechok	2	2.70	1	1.35	0	0.00	0	0.00	0	0.00	3
Total:	3	4.05	6	8.11	6	8.11	55	74.32	4	5.41	74

Source: Field Study 2011(Update March 2012)

2.4 Education and Literacy

31. The total number of academic institutions in Chitwan district is 987 including 511 primary schools, 238 lower secondary schools, 163 secondary schools, 53 higher secondary schools and 22 campuses. The overall literacy rate of the Chitwan district is 80 percent, which is higher than the national literacy rate of 54 percent.

32. The literacy rate of affected population is about 73 percent which is much higher than the national literacy rate of 54 percent. Educational status of school going age and above of affected population is given in Table 6.

Table 6: Educational Status of Affected Population

VDCs	Illiterate		Informally Literate		Primary		Secondary		SLC & +2		Graduate & +		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
Kabilash	64	15.46	51	12.32	66	15.94	63	15.22	17	4.11	11	2.66	272
Dahakhani	16	3.86	2	0.48	4	0.97	2	0.48	0	0.00	0	0.00	24
Chandibhanjyang	31	7.49	34	8.21	17	4.11	12	2.90	9	2.17	2	0.48	105
Darechok	2	0.48	2	0.48	0	0.00	3	0.72	5	1.21	1	0.24	13
Total:	113	27.29	89	21.50	87	21.01	80	19.32	31	7.49	14	3.38	414

Source: Field Study, 2011(Update March 2012)

2.5 Occupational Status

33. Agriculture is the major occupation of the district. Among the economically active population of the district, majority are engaged in agriculture, which is about 57 percent. Besides this, service and trade are other main occupations of the households.

34. Among the economically active population of the affected households, majority are engaged in trade, which is about 66 percent of the total population. Most of the affected households have roadside small eateries and tea stalls. About 9 percent population is engaged in agriculture in contrast to 57 percent in the district. Fifteen percent of the population is engaged as wage labour (see table 7 below for details).

Table 7: Occupational Status of Affected Population

VDCs	Agriculture		Service		Trade		Labor		Foreign Job		Others		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
Kabilash	10	7.14	5	3.57	98	70.0	20	14.28	6	4.28	1	0.71	140
Dahakhani	3	23.07	0	0.00	10	76.93	0	0.00	0	0.00	0	0.00	13
Chandibhanjyang	4	6.66	6	10.0	35	58.33	13	21.66	1	1.66	1	1.66	60
Darechok	3	42.85	1	14.28	2	28.57	0	0.00	0	0.00	1	14.28	7
Total:	20	9.09	12	5.45	145	65.90	33	15.0	7	3.18	3	1.36	220

Source: Field Study, 2011(Update March 2012)

2.6 Land Holding Size

35. Majority of the affected households have settled in a marginal land. The role of agriculture is not significant for their livelihood earning. The affected households are dependent on trade, labor and livestock farming in the area. Most of the households have less than 0.25 hectare of land whether it is private or encroached fallow land. Land holding size of the project-affected household is given in Table 8.

Table 8: Distribution of Households by Land Holding Size

VDCs	< 0.25 ha		0.25-0.5 ha		0.5-0.75 ha		0.75-1 ha		> 1 ha		Total HHs
	HHs	%	HHs	%	HHs	%	HHs	%	HHs	%	
Kabilash	44	59.46	0	0.00	0	0.00	0	0.00	1	1.35	45
Dahakhani	6	8.11	0	0.00	0	0.00	0	0.00	0	0.00	6
Chandibhanjyang	19	25.68	1	1.35	0	0.00	0	0.00	0	0.00	20
Darechok	1	1.35	2	2.70	0	0.00	0	0.00	0	0.00	3
Total:	70	94.59	3	4.05	0	0.00	0	0.00	1	1.35	74

Source: Field Study, 2011(Update March 2012)

36. The area itself is not suitable for agricultural practices being narrow river valley with a steep dry land, thus the average land holding size is less than 0.25 hectare. People preferred this area for business enterprises rather than agriculture, for which a small patch of land is enough.

2.7 Households Income

37. The average annual household income of the affected household is NRs.2,95,892.57 whereas the total per capita income is NRs. 52,889.01. Table 9 presents the annual household income of the affected households.

Table 9: Annual Household Income (NRs.)

VDCs	Affected HHs	Total Income	Average HH Income	Per Capita Income
Kabilash	45	14866000.00	330355.56	54654.41
Dahakhani	6	1079000.00	179833.33	44958.33
Chandibhanjyang	20	5176000.00	258800.00	49295.24
Darechok	3	775050.00	258350.00	59619.23
Total:	74	21896050.00	295892.57	52889.01

Source: Field Study, 2011(Update December 2012)

38. According to the survey data, over 70 percent of the households reported their income above NRs. 1,60,000.00. Household income in the project area is comparatively higher than the district as most of them are involved in small business and trade where as in rest of the district agriculture is the main occupation (see table 11 below). Table 10 below summarizes the income range of the affected households³.

Table 10: Income Range of Affected Household (NRs.)

VDCs	< 100000		100000 - 150000		150000 - 200000		200000 - 300000		>300000		Total HHs
	No.	%	No.	%	No.	%	No.	%	No.	%	
Kabilash	5	6.76	4	5.41	36	48.65	0	0	0	0	45
Dahakhani	2	2.70	0	0.00	4	5.41	0	0	0	0	6
Chandibhanjyang	7	9.46	2	2.70	11	14.86	0	0	0	0	20
Darechok	1	1.35	0	0.00	2	2.70	0	0	0	0	3
Total	15	20.27	6	8.11	53	71.62	0	0	0	0	74

Source: Field Study, 2011(Update March 2012)

2.8 Income Sources

39. Sources of income of the households are limited to different agriculture production, service, wage labor, livestock and livestock products, trade and pension. The contribution of agricultural sector in household income is negligible in this road section.

40. The gross income from the non-agricultural sector (trade, labor, service and pension) seems to be about 97 percent, which covers the total expenditure, calculated for throughout the year for daily needs such as clothing, health, education, and other household affairs. The off-farm income is must for the population for their survival. The major portion of the agriculture produce is essentially consumed at the household level. The table 11 below shows the various sources of household income.

Table 11: Income by Different Sources

Descriptions	Total Income	Average Income	% Contribution of Income from Different Sources	Cash Income	% of Cash Income
Trade	17067600.00	230643.24	77.95	17067600.00	87.31
Service	1790000.00	24189.19	8.17	1790000.00	9.16

³The 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 2011 for Chitwan District is NRs. 16525.25, calculated based on CBS, NLSS data and inflation rate of NRB (2011) from the base year 2007/08.

Wage labor	1705000.00	23040.54	7.79	51666.00	0.26
Pension/rent	132000.00	1783.78	0.60	132000.00	0.68
Livestock & livestock product	1005000.00	13581.08	4.59	311000.00	1.59
Cereal crops	196450.00	2654.73	0.90	196450.00	1.00
Total:	21896050.00	295892.57	100.00	19548716.00	100.00

Source: Field Study, 2011(Update March 2012)

2.9 Food Sufficiency Status

41. Food grain crisis in the project area is common because majority household are living in small encroached and fragmented government land. Over 93 percent of the households have less than three months of food security from their agriculture produce. Table 12 presents the food security status of the affected households.

Table 12: Food Sufficiency from Own Agricultural Production

VDCs	>12 Month		9-12 Month		6-9 Month		3-6 Month		<3 Month		Total HHs
	HHs	%	HHs	%	HHs	%	HHs	%	HHs	%	
Kabilash	2	4.44	0	0.00	0	0.00	0	0.00	43	95.55	45
Dahakhani	0	0.00	0	0.00	0	0.00	0	0.00	6	100.00	6
Chandibhanjyang	0	0.00	0	0.00	0	0.00	1	5.00	19	95.00	20
Darechok	0	0.00	1	33.33	0	0.00	1	33.33	1	33.33	3
Total	2	2.70	1	1.35	0	0.00	2	2.70	69	93.24	74

Source: Field Study, 2011(Update March 2012)

3 PROJECT IMPACTS AND ASSESSMENT

42. This section describes the details of affected assets due to project implementation. On demand from the community for road construction and voluntary donation of land for road, the government declared 50 m RoW for this road in 1977. Hence, the land acquisition is not required for the proposed upgrading works. The major impacts are on small businesses who depends on the road traffic.

3.1 Loss of Assets

43. Altogether 80 private structures are going to be affected by the project. The upgrading works will affect 11 public structures.

3.1.1 Loss of Private Land

44. The right of way (ROW) of 50 m (25m on either side of the centre line) for this road was declared by His Majesty, Government of Nepal (Now Government of Nepal) in 1977 through a gazette notification. The name of road was Gorkha - Mugling Highway which was changed through an amendment to Naryanghat - Mugling Highway (Madan - Asrit Highway) in (2054/4/27) and entire ROW was deemed to be acquired and owned by the government (Annex-1) and subsequently all private land was transferred to the Government of Nepal except for 8 land parcel. All the road improvement work is confined within the declared ROW and therefore additional land is not required for the upgrading works. As per the present detailed design requires 11m widening up to km 16+4000 where the road passes through flat land. Where the rocky hill area begins where widening is limited to 9m (16+400 to 35+000). The detail sheet is attached as Annex - 4. Since government has declared 50m as ROW and DOR legally cannot pay compensation for the land, eight land parcels owners will be compensated through various assistances. This was agreed with the land owners during consultation process. Each land owner was consulted in a group as well as individually and they all agreed to donate the land to the project voluntarily. Project will take written consent from the land owners.

3.1.2 Loss of Private Structures

45. The road upgrading work affects altogether 80 private structures owned by 74 households. Most of the affected private structures are residential cum commercial premises. Encroachment is main problem in this road. There is high probability to make the structure within ROW by the peoples, so DOR should monitor regularly. The detail of affected structures is attached as Annex- 5.

3.1.3 Loss of Public Structures

46. Proposed road upgrading works will affect a total of 11 community structures. The community structures include public toilet, temple, park with a statue of political leader (National), a chautara, waiting hall, and youth club. Annex-6 and Annex-7 shows the detail loss of public structures by this project and costing norms.

47. The local communities are operating public toilets in public lands for public use. Local people plus the travelers use the toilets because this is a road head where the passengers stop for food and drink. The club house and public platform are community properties which has cultural value as well. All public structures will be relocated by the project in consultation with the local community.

3.2 Temporary Use of Land

49. Temporary use of land will be required during road construction to operate contractor's campsites, labor camps, quarry and tipping site, crusher plant and stock piling yard etc. While public land will be used to operate contractor's campsites, labor force campsites, crusher plant and stock piling yard, contractor shall use legally approved quarry

sites /tipping site. In addition, the contractor shall not deposit excavated material on land with government or private ownership except as mentioned in the contract or directed by the Project Manager in writing or by permission in writing of the authority responsible for such land in government ownership or of the owner or responsible representative of the owner of such land in private ownership and only then in those places and under such condition as the authority, owner or responsible representative may prescribe and or agree with. This impact will only be known when the contractors develop their operation plans during the project implementation. However, site specific Environment Management Plan covers potential adverse impacts because of these activities and also provides for mitigation measures.

50. In the case of private land use, written agreement will be made between the land and asset owner and contractors specifying period of occupancy, market value of crops normally produced on the land (in case of agricultural land), mode of compensation payment, land protection and proper rehabilitation measures after the withdrawal of contractor or expiry of lease period.

3.3 Impact Assessment

51. Altogether 74 households are going to be affected by this project. The loss of assets of the affected households includes 80 private structures. Moreover, 11 public structures will be affected by this project.

3.3.1 Affected Population

52. In total 74 HHs comprising 414 peoples will be affected by this project. Among the total population; male is 48.07 percent and the population of female is about 51.93 percent.

3.3.2 Affected Private Structure

53. A total 80 private structures will be affected due to road upgrading works. Most of the affected structures are in multiple uses. The house owners use it for residential purpose and they have operated small hotels, grocery shops, animal sheds and tea stalls. The affected households have migrated from nearby areas (from the same VDC), and the adjoining parts of Dhading, Tanahun and Gorkha districts for business purposes and seasonal employment and gradually settled here mostly in public land. Hence all of them except 8 land owners are squatters. They have farmland in the place of origin. Eight households have owned private land within the ROW of this road section. Altogether 74 households come within the COI thus their houses will be dismantled as there is no space to shift their houses within the ROW. Hence all 74 households will be displaced.

3.3.3 Vulnerable Household

54. In the context of Nepal, vulnerable community means communities who are landless, marginal farmers living below subsistence level. Moreover, these groups have no or limited access to public resources. Formal and informal studies reveal that most of the Adhibasi, Janajati, and Dalit fall under the category of vulnerable persons in Nepal. This is also reflected in the Government's Tenth Plan which recognizes women, disabled, ethnic minorities and Dalit groups as the prominent poor and marginalized and vulnerable groups. In the project road, there are total 65 vulnerable households which includes 55 janjati households which is nearly three fourth of the total affected households, 6 dalit households (8 percent) and 4 households from chepang community (5.41 percent). All these households are squatters depends on small businesses and trade and wage labour for their livelihood. As per the ESMF, a separate vulnerable community development plan has been prepared for these households.

3.3.4 Public Structures

55. In this road section, 11 public structures required to be demolished for the road upgrading works. The project will replace or relocate in consultation with the local community. During the consultations, local communities agreed to identify appropriate site to

relocate the affected public structures and will also participate in planning and relocation of such structures.

3.4 Associated Social Issues & Action during Construction

56. Major social issues related with construction activities are: campsite management, health and safety measures, wage rate and use of child labor. The social officer of supervision consultants will carry out close monitoring to ensure that child labour are not employed by the contractor.

3.4.1 Campsite Management

57. Major components⁴ related to campsite management include lodging facility, drinking water and sanitation and legal source of fuel wood for cooking purpose. The contractor is fully responsible for making these facilities available to the labour force. In order to monitor the campsite facilities the road project office especially the construction supervision team including social development expert and supervisors will make regular campsite visits and provide guidance to the contractor as appropriate.

3.4.2 Health and Safety Measures

58. The contractors will arrange adequate health services for the construction workers on the site. Each labour camp shall be equipped with first aid facilities for minor injuries. Contractor will ensure that all workers have access to medical services in the event of injuries and sickness.

59. Health awareness programs are mandatory to organize on a regular basis to provide information or instructions about health including the dangers and consequences of STD and HIV/AIDS. Additional training will be given on health aspects of HIV/AIDS, trafficking, drinking and gambling. Contraceptives will be made available to the construction workers free of cost. The contractors are responsible to organize health awareness program for the construction workers and local people as well, with a facilitation and help of the Social Development and Resettlement Expert.

60. The contractors will provide adequate protective clothing and safety accessories such as gloves, safety belts, helmets and other required equipments for each group of

⁴Campsite Management Components are;

Lodging Facilities: For non-local workers, the contractor will provide adequate accommodation facility. Separate accommodations needed to be arranged for different caste and ethnic groups. A distinct location of accommodation is required for men and women considering social security. Temporary campsite will not be located at roadside in order to avoid/ minimize danger of road accident.

Drinking Water: The availability and proper storage of potable water is also the responsibility of the contractor. The quality of water must be maintained by proper treatment and testing periodically. Water consumption by the site workers should not endanger the water right of the local population.

Sanitation and Waste Disposal: The contractor is supposed to provide adequate sanitary facilities to the workers on site. There must be adequate number of toilet and bathing facilities for all workers. Separate toilet and bathing facility for the women workers is mandatory. The proper outlet of wastewater is required to maintain the hygiene of the camp as well as workers. The camp should have treatment facility of the wastewater to maintain public health.

Fuel Wood Use: The contractor will make fuel arrangement for cooking, lighting and heating. Fuel usage from a public supply source should not affect its availability or cost to the local population. For environmental reasons, the contractor shall not use firewood for cooking and heating except from legally authorized sources.

workers respecting provision of contract agreement. Training on safety measures will also be given to skilled and unskilled labors in all aspects of works.

4.4.3 Wage Rate

61. The eligible PAPs will be given preference over the outsiders for both skilled and unskilled jobs during the project implementation. The prevailing market wage rate is to be provided to the construction workers, without discriminating male and female for the same work and equal hours of work.

4.4.4 Child Labor Use

62. There are numerous studies that reported high rate of child labor in Nepal. Labeled as one of the poorest and most underdeveloped nations in the world, Nepal's poor economic status contributes to the high rate of child labor and poverty. When families face with monetary hardships, they often forced to send their children to work, sometimes in extremely hazardous conditions, merely to attain basic subsistence. However, government policy and child act define child labor below 16 years of age in risk-prone sectors and are not allowed to work. Construction and public transportation are defined as risk-prone sectors. The social officer of the supervision consultants will be responsible for ensuring that child labour is not hired for road construction and associated works.

4 GENDER IMPACT AND MITIGATING MEASURES

63. Illiteracy, lack of ownership of property, lack of decision making authority, extensive involvement in household activities are some of the basic indicators of female's socio-economic status in the project area. With a view to assess different gender related issues and impacts associated with the project, special focus was made during the social impact analysis in the subproject to look into the gender status in the project districts. Based on literature review and the findings of focus group discussions during Social Impact Assessment, some of the key gender indicators and status is discussed below:

4.1 Compliance with World Bank OP 4.20

64. Operational Policy 4.20 draws on integrating gender into the World Bank's work, and requires development of a Gender Plan for all infrastructure projects and suggests that all plans and policies relating to the development and betterment of women touch the grass root level. An attempt has been made to study the gender profile along the corridor.

4.2 Profile overview of the Gender (Status of Women in Nepal)

65. Regarding, the data from National Population and Housing Census 2011(NPHC2011), overview of the gender (status of women in Nepal) are describe as;

- **Female ownership of fixed assets:** Altogether, 19.71 percent of households reported the ownership of land or house or both in the name of female member of the household. In urban areas, 26.77 percent of the households show female-ownership of fixed assets while the percentage stands for 18.02 in rural areas.
- **Sex Ratio:** Sex ratio (number of males per 100 females) at the national level has decreased from 99.8 in 2001 to 91.6 in 2011. In abstract number, there are 796,422 more females than males in the country.
- **Household Head:** Female-headed households in the country have increased by about 11 percent from 14.87 percent in 2001 to 25.73 percent in 2011.

4.3 Profile headed Household of Women

66. There are 12 women headed households likely to be impacted along the project corridor.

4.3.1 Education Status of Women

67. Female illiteracy has also been identified to be higher than national figure in project district. Table 13 shows literacy status between male and female populations in the country and project district.

Table 13: Literacy Rate (5 years and above) in project District by Sex (in %)

District	Total	Male	Female
Chitwan	76.9	83.9	70.7
All Nepal	65.9	75.1	57.4

Source: National Population and Housing Census, 2011.

68. Overall literacy rate (for population aged 5 years and above) has increased from 54.1 percent in 2001 to 65.9 percent in 2011. Male literacy rate is 75.1 percent compared to female literacy rate of 57.4 percent.

4.3.2 Ownership of Property

69. As Nepal is basically a patriarchal society, household property is mainly owned by male members. However, there are some variations within the country, which is mainly because of the cultural reasons. For instance, the empowerment of women within the family is considered high among the indigenous people compared to other caste groups.

4.3.3 Women's Work Participation

70. Women in the project 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 and dairy products, mobile traders and settled traders, operating tea and other small shops.

4.3.4 Mobility Pattern

71. In Nepalese society, especially in the rural areas women's mobility is limited to household work, agricultural activities and visiting the relatives. However, the mobility of ethnic (Janajati) and the indigenous group's women are more free primarily due to the higher position of women in these groups. But the recent trend has been that, irrespective of caste and ethnic group, women in the Subproject districts have reported visiting district headquarters and nearby markets to process grain in the mills and to sell fruits, vegetables, dairy products and buy things required in the household. In addition, in the Subproject districts, it has been reported that women's mobility has been gradually increasing due to provision of their involvement in several development and social service related activities, like; to serve as Female Community Health Volunteers for the health centres, for the formation and mobilization of women's user committee like; community forest users' group. The project construction is further being seen as a factor that will also enhance the mobility pattern of women.

4.3.5 Decision-making Status

72. The interactions and discussions held in the project area revealed that usually in rural areas, women are given responsibility to take some decisions in farming, trade and household affairs. But, the same needs to be agreed to by the head of household or other male counterparts or senior family members. However, some changes are also seen in recent times as a result of the social organizations of women. With increasing number of women groups being formed, women are slowly gaining a say in community level decision making. The presence of a number of saving and credit groups and self-help groups of women was noticed in the project area which is providing a collective decision-making strength to women.

4.3.6 Project's Impact on Women

73. One of the most important benefits as perceived by women with regard to the project is that the improvement of road will provide easy access to reach health facilities particularly during child-bearing. Besides, discussions among the women revealed that the improved transport facilities will greatly benefit their mobility by reducing the travel time. Similarly, improvement of the road has been as an opportunity by women engaged in small trade for selling and purchasing goods. Likewise, they were also of the opinion that commencement of Subproject may also provide them employment opportunity during construction phase.

74. Some of the possible negative impacts of the project as voiced by women in the Subproject area are - (i) speeding vehicles might lead to traffic accidents (ii) women's mobility may be disturbed due to visit of outsiders in the villages during construction phase. However, the Census brought forth that the project construction will affect 12 female headed households. Women as a vulnerable group has been addressed in the RAP but to give RAP a proper shape, this group should be considered with special emphasis as they constitute half of the society's population and they are found to be the worst affected in most of the

development projects in our country. Women are involved in the project anyway. However, most of the times, they are on the negatively impacted side. Following is the account of the ways women are affected and/or involved in the project:

- Women constitute about half of the PAPs.
- The RAP reveals that 12 women headed households are affected by the project.
- Women face hardship and continue to suffer in silence during the transition period till the time the families are able to regain the previous living standard. The duration of this process is often lengthened due to delays in payment of compensation, rehabilitation assistance and implementing the R&R, reconstructing the livelihood systems. Longer the transition period, more are the miseries.

75. As per the R&R Policy as well as looking into the need of the day, women are required to be involved in the process of sustainable development. They have to be integrated in the project as full-fledged participants taking part in all the stages of the project starting from planning through Implementation and even in the post-project stages. Only then the process of development is going to help this section of vulnerable people.

4.3.7 Participation of women in the Project

76. The Gender Development Index value for Nepal is very low and the socio-economic profile of the project area shows much lower socio-economic standing for women. It is imperative to bring the issue of women's development in the process of socioeconomic uplift within the scope of the RAP. For this, conscious effort should be made towards integrating the ongoing development and poverty alleviation programme with the RAP.

4.3.8 Women involvement in development process

77. The development experience shows that it is equally necessary to consult women and offer them choices in enabling them to make informed choices and decide for their own development. Participation of women has been envisaged specifically in the following areas:

- In the pre-planning and planning stages, participation from women could be sought through allowing them taking part in the consultation process. For this, the local level agencies of implementation i.e. the NGOs have an important role to play.
- Field team of the NGO shall include at least-one women investigator/facilitator.
- Compensation for land and assets lost being same for all the affected or displaced families, special care should be taken by the NGOs for women group while implementing the process of acquisition and compensation as well.
- It is imperative that the PWD ensures that the women are consulted and invited to participate in group-based activities, to gain access and control over the resource as a part of the RAP Additionally.
- The NGOs should make sure that women are actually taking part in issuance of identify cards, opening accounts in the bank, receiving compensation amounts through cheque in their name or not, etc. This will further widen the perspective of participation by the women in the project implementation.
- Under the entitlement framework there are a number of provisions kept for compensation and assistances towards the losses incurred upon the impacted women headed households by the project. On the other hand, some provisions, mostly those of the assistances have been created towards reducing the probable hardship to be experienced by them in the process side by side creating scope for their sustainable socioeconomic development.
- The assistances to be provided to women as a vulnerable group is creating alternative livelihood for them to ensure their sustainable socio-economic upliftment.

- The implementing agencies should provide trainings for upgrading the skill in the alternative livelihoods and assist throughout till the beneficiaries start up with production and business.
- Women's participation should be initiated through Self-Help Group formation in each of the villages affected by the project. These groups can then be linked to special development schemes of the Government, like DWCRA.
- For monitoring and evaluation, there should be scope for women's participation. Monitoring of project inputs concerning benefit to women should invite their participation that will make the process more transparent to them. Women should be encouraged to evaluate the project outputs from their point of view and their useful suggestions should be noted for taking necessary actions for further modifications in the project creating better and congenial situation for increasing participation from women. All these are done in a participatory way which is likely to bring fruit to this vulnerable group in an expected way.

4.3.9 Involvement of women in construction activities

78. The construction works for widening and strengthening the project corridor will start after the R&R activities are over and the ROW is clear of any encroachment and land is temporarily acquired for borrow areas and construction camps. The construction contractors will set up their construction camps on identified locations where labour force required for the construction activities will be provided with temporary residential accommodation and other necessary infrastructure facilities. The labour force required for the construction activities will be mostly of high-skill nature since a lot of machine work will be involved in the construction of the highway. In addition, there will be requirement of unskilled labour where women will certainly contribute significantly. Apart from this, women as family members of the skilled and semi-skilled labourers will also stay in the construction camps and will be indirectly involved during the construction phase.

79. The families of labourer will include their children also. The construction contractors are expected to bring along their labour force. Thus, in most cases the labourers, both male and female, will be migratory labourers. But, the involvement of local labour force, especially for unskilled activities cannot be fully ruled out. Moreover, the RAP suggests the provision of creation of man-days for local affected people. Hence, there will be involvement of local women also in the local labour force. Foreseeing the involvement of women both directly and indirectly in the construction activities, certain measures are required to be taken towards welfare and well being of women and children in particular during the construction phase.

4.4 Specific Provision for Women in the Construction Camp

80. It needs to be pointed out that a significant number of women and child workers along with the male member of the family are engaged in the construction work and they stay in temporary construction camps in a subhuman condition. They are likely to face many adverse conditions and realizing this, a number of welfare provisions mentioned under this section have been planned under the fold of this RAP specifically directed to cover all the women and children living in the construction camp.

4.4.1 Temporary Housing

81. During the construction work phase, the families of labourers/workers should be provided with residential accommodation suitable to nuclear families.

4.4.2 Health Centre

82. Health problems of the workers should be taken care of by providing basic health-care facilities through health centres temporarily set up for the construction camp. The health centre should have at least a visiting doctor, nurses, general duty staff, free medicines and minimum medical facilities to tackle first-aid requirements or minor accidental cases,

linkage with nearest higher order hospital to refer patients of major illnesses and critical cases. The health centre should have MCW (Mother and Child Welfare) units for treating mothers and children in the camp. Apart from this, the health centre should be provided with regular vaccinations required for children.

4.4.3 Day Crèche Facilities

83. It is expected that among the women workers there will be mothers with infants and small children. Provision of a day crèche may solve the problems of such women who can leave behind their children in such crèche and work for the day in the construction activities. The crèche should be provided with at least a trained ICDS (Integrated Child Development Scheme) worker with 'ayahs' to look after the children. The ICDS worker, preferably women, may take care of the children in a better way and can manage to provide nutritional food (as prescribed in ICDS and provided free of cost by the government) to them. In cases of emergency, she, being trained, can tackle the health problems of the children and can organize treatment linking the nearest health centre.

4.4.4 Proper Scheduling of Construction Works

84. Owing to the demand of a fast construction work it is expected that a 24 hours long work schedule would be in operation. Women should be exempted from night shifts as far as possible.

4.4.5 Education Facilities

85. The construction workers are mainly mobile groups of people. They are found to move from one place to another taking along their families with them. Thus there is a need for educating their children at the place of their work. For this at least primary schools are required to be planned near the construction camps. Wherever feasible, day crèche facilities could be extended with primary educational facilities.

4.4.6 Special Measures for Controlling STD and AIDS

86. Solitary adult males usually dominate the labour force of construction camps. They play a significant role in spreading sexually transmitted diseases. In the construction camps as well as in the neighbouring areas they are found to indulge in physical relations with different women. This unhealthy sexual behaviour gives rise to STDs and AIDS. While it is difficult to stop such activities, it is wise to make provisions for means of controlling the spread of such diseases. Awareness camps for the target people, both in the construction camp and neighbouring villages as well, and supply of condoms at concession rate to the male workers may help to a large extent in this respect for controlling the deadly disease.

4.4.7 Possible areas of Women Involvement

87. The entitlement Framework includes provisions for participation of and consultation with women during implementation of the RAP. These provisions are already in place. Without doubt, women need to be involved in the implementation of the RAP. The other areas of concern for the women and more readily addressed by them will be in managing health and hygiene issues at the construction camps (where there are possibilities of exploitation of women workforce, or children), and in managing the spread of highway related diseases. However, involvement of women is seen to be more important and as part of the long-term strategy than symbolic in HPSRP. Therefore, certain positions will need to be occupied by the women in this project. The following proposals are made to involve women at various levels of the project.

4.4.8 Women as Managers in the NGOs

88. The services of NGOs may be procured to implement the RAP. It is proposed that the quality to be considered and/or selected for such contracts, the NGOs must fulfil the following conditions.

- That the NGOs must propose at least one woman as part of the key personnel. The proposed women key person shall be available to work at site for at least 50% of the duration of the contract.
- That the women key persons, if selected for the contract, may be replaced during the period of contract, only with women key persons of equivalent qualifications and experience.
- That the NGOs will depute a 'technical/professional' team to work at the site, which will consist at least 33% of women members. Junior support personnel and administrative staff will not be considered as technical/professional.

4.5 Mitigating Measure

89. Women in the project area are extensively involved in farming, cattle rearing and household activities. However, few women 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. The project is anticipated to have direct adverse impacts on total of 12 women headed households, so adequate provisions have been made in VCDP. Following table 14 shows the mitigating measure

Table 14: Mitigating Measure for Woman headed HHs

S.No.	Issue	Measure
1	House and Structure Loss	Compensation will be provided as per entitlement matrix.
2	Business Loss	Business Allowance.
3	Other Assistance	Support Allowance.
4	Works	Preference will be given for local women (construction works).
5	Wage	The prevailing market wage rate is to be provided to the construction workers, without discriminating male and female for the same work and equal hours of work.
6	Health and Sanitation	Separate toilet and bathing facility for the women workers is mandatory in construction period.
7	Livelihood Enhancement Skills Training (LEST)	Training package has design for women headed HHs (see heading no 8.8)
8	Women participation in LCF	At least 33 percent women participation in LCF.

4.6 Women Self help group (SHG)

90. The NGO selected for the implementation of R&R will initiate the process of identifying the interested women PAPs for forming the SHGs. The women SHGs will be formed among the PAPs as per the norms formulated by the Government. The SHG will be formed among the PAPs from same village wherever possible. The places where the number of persons are less than the minimum number required for forming a group, they will be merged with nearest women group. The skill development programme and financial assistance will be distributed through the SHGs.

4.7 Gender Consultations

91. Consultations with women were conducted with two major objectives including, a) identifying women specific issues in the project, and b) securing participation of women in project activities. At every consultation meeting, women were encouraged to participate and their views and opinions were heard. Table below presents the issues discussed. The women participants raised several issues related to the project. Responses were given to them.

Table 15: Issues Discussed by the Women during Consultation

Issues Raised	Response to the Issues Raised
Lack of employment opportunities for women especially ones belonging to the BPL category	Local people will be employed in the construction activities as much as possible. Eligible women PAPs will also be provided training for skill development.
Compensation for the loss of assets	Entitlement packages have been worked out based on R&R policy. Compensation and assistances will be provided based on that. Additional assistance shall be provided to the women headed households.

4.8 Gender Development Plan

92. A Gender Development Plan (Table 16) has been prepared for implementation for this project. The plan seeks to address the various gender related issues through a set of activities and programmes. The implementation mechanism specifying the roles of different institutional players, the indicators for further assessment and the means of verification have been specified. To make the gender development plan a time bound initiative, a time frame for implementation of each activity has also been specified.

Table 16: Gender Development Plan

S.No.	Issue	Activities	Implementation	Indicators	Means of verification	Time frame
Subproject Planning phase						
1	Women in the project area informed about the Project	Information campaign about the Project (Public Consultation, written materials, and newspapers) reaches the women/clients at all levels	PIU, and District Administration office, Village and other local level organizations	Women/clients familiar with main elements of the Project	PIU M&E Feedback through local media	Second quarter of the project implementation
2	Women at all levels participate in the Project planning process	Gender specialist employed in the PIU Formation and training of Project "monitoring groups" at the District Commissioners office and at the local self-government level. Project "monitoring groups" meet quarterly. Women member/s in District level grievance redressal committees.	PIU, CDO's Office local self-government, NGOs, media	Clients/women understand and participate in the planning process. Clients' / women's comments and suggestions are reflected in the plans and designs or they understand reasons why suggestions not incorporated. 25% of the participants are women	Records from meetings of Project "monitoring groups" Publicly displayed information Feedback thru local media Information from the PIU M&E system	During preparation of detailed designs
	Key stakeholders fully aware of important roles women play in the Project	Gender awareness / sensitization of key stakeholders. Qualified women employed in PIU / GESU	CDO's office, NGO staff, PIU	Adequate number of women in PIU / GESU staff	Records from training sessions and "Round table" meetings. Reviews by PIU	During preparation of detailed designs
Subproject rehabilitation phase						

S.No.	Issue	Activities	Implementation	Indicators	Means of verification	Time frame
1	Women participate in management and monitoring of implementation and are equal partners in solving issues	Information desks at villages with information on: contractor, persons responsible for supervision, those responsible in Project "monitoring groups", work schedule, and where to raise issues.	PIU, Project "monitoring groups" supported by PIU	Women's issues addressed in satisfactory manner	PIU M&E feedback from Project "monitoring groups" Records from round table meetings Feed-back thru local	Starts at the beginning of rehabilitation and continues through the construction Phase
2	Improved competence in Road management with focus on women	IEC materials on water distribution Training of women as trainers and Implementation of IEC in pilot subprojects. Monitoring changes	PIU, Department of Revenue, in close cooperation with the Project "monitoring groups".	Relevant training materials available in district / villages Improved road management.	PIU M&E reports by Project "monitoring groups"	At the beginning of rehabilitation to the completion of construction.
3	Assessment of socio-economic impacts	Develop simple monitoring format based on the household survey Gather gender disaggregated information on Project impacts	PIU M&E	Proposed indicators: Level of services, capacity to respond to clients, consultation, livelihoods, standard of living and gender	Impact assessment reports by PIU M&E	Baseline after signing Loan Agreement. Subsequent assessments at agreed intervals
After completion of Subproject						
1	Assessment of socio-economic impacts	Gather gender disaggregated information on Project impacts	PIU M&E.	Proposed indicators: Level of services, capacity to respond to clients, consultation, livelihoods, standard of living & gender	Impact assessment reports by PIU M&E PCR	Final impact assessment after Project completion

IEC = Information Education Communication, M&E = Monitoring and Evaluation, NGO = Non Government Organization, PCR = Project Completion Report, PIU = Project Implementation Unit

6 PUBLIC CONSULTATION

5.1 Introduction

93. The project organized community consultation meetings with PAPs and the other stakeholders and informed them about the project. They were informed on project component, stages, resettlement principles, strategies, safeguard provisions, Entitlement Framework etc. These meetings were used to get wider public input from both the primary and secondary stakeholders. The disclosure and consultation process is aimed to:

- Relevant details of the project scope and schedule,
- Potential impacts and degrees of project impact,
- Details of the entitlements as per the ESMF and the eligibility for R&R benefits ,
- Implementation Schedule with a timetable for the delivery of entitlements,
- Compensation process and set out compensation rates for the structures,
- Detailed explanation of the grievance process and other support in arbitration,
- Role of LCF and other community officials to encourage the APs in RAP implementation, and
- Special consideration and assistance of all vulnerable groups.

94. These meeting were conducted at Ramnagar Bazar, Jugedi, Debitar, Dasdhunga, Simaltal, Santibazar and Mugling with land and structure owners under the existing alignment. People have demanded for Life Skill Enhancement Training (LEST) and employment opportunities. Based on the consultations, RAP has the provisions of LEST, income generating activities, and preferential employment of PAPs in the construction works.

5.2 Stakeholders Consulted

95. The project consulted both primary and secondary stakeholders during the RAP preparation. The government organizations and officials from the concerned government organizations such as Road Project Office, District Administration Office, District Land Survey Office, District Land Revenue Office, District Development Committee (DDC) Office, District Forest Office and District Agriculture Office were consulted in the District Headquarters and later the study team visited the project road where other stakeholders were consulted such as:

- Village Development Committee (VDC) representatives: though there are no elected VDC representatives at present, and the VDC secretary has been deputed as VDC chief or office-in-charge by law, so the VDC secretary was included as a responsible person and also as source of information and major stakeholders in the area.
- The group of women in different sections were consulted to understand and to assess the access to development infrastructures as well as the pattern of economic subsistence. The women were selected from different sections of the society such as poor, rich, literate, pre-literate and from different caste groups.
- Political party representatives from different political ideologies were consulted to facilitate the discussion and with an objective to neutralize the local conflict during the disbursement of compensation for the structures and R&R assistances.

5.3 Methods of Public Consultation

96. The task of public consultation was carried out in different settlements during the project preparation. In fact, from the earlier stage of the reconnaissance survey to the period of census, the team consulted the community at every stage. Individual consultations with district level government authorities in the district head quarters were conducted to understand the administrative structure for implementation of RAP and monitoring.

97. Several rounds of consultations were carried out along the project road. The last round of consultation was carried out in 1st December 2012 to 4th December 2012 at all major

settlements along the corridor. The number of participants in each consultation and issues raised by the participants is mentioned in the the Table 18 and 18A.

Table 17: Methods Employed During the Course of Consultations

Stakeholders	Purpose	Method
Department of Roads at central level	To collect government's policy, guidelines priorities on theSubproject, and to seek advice forInitiating work.	Frequent individual meetings with the officials of DOR and Project Directorate.
Local Community in thedifferent locations of the project area.	To assess overall social perception about the importance of Subproject road and local peoples felt needforimprovement	Consultation and discussionwith local people at differentSubproject locations duringreconnaissance survey, social survey and Survey of affectedHouseholds.
District level line agencies(Divisional Roads Office, LandRevenue Office, LandMeasurementOffice)	To assess the existing operationalstatus of roads, to verify the landlikely to be acquired based ondesign drawings, to collectcadastral maps and to collect landprice fixed by District LandRevenueOffice.	Individual meetings with theofficials of respective offices.
Project affected people based on thedesign drawing	To prepare inventory of the affectedassets and get measurement andconduct interview with the affectedfamilies about the affected assetsand on the household matters	Individual interview of theaffected households bymeans of a structuredquestionnaire

5.4 Scope of Consultations

98. The scope of consultations, especially with the local people and Subproject affectedpopulation was focused to inform them about the nature of project and its activities.During the consultations they were also informed about the possibilities of acquisition ofprivate land and other physical assets by the project at replacement/compensationcosts. Likewise, the people were also made aware about the acquisition of communityproperties like public taps at rebuilding or replacing cost. Options of relocating, shifting andloss of employment cost as per need and provision of livelihood support to the vulnerablegroups were some of the other issues discussed during consultations. In addition, along withinformation dissemination the consultations also aimed at taking peoples opinion and suggestions on the Subproject and its benefits and impacts.

5.5 Issues Raised in Public Consultation and feed back from the Consultations

99. Some of the major feedbacks derived from the consultations of affected and local people are:

- **Involvement of local people in project design finalization:** Being the major stakeholders and the population directly affected by the project, the local people voiced that they must be kept informed and consulted with regard to the project design.
- **Employment opportunity for local people** should be ensured during project construction by hiring of locals as skilled and unskilled labors.
- **Fair and timely compensation rate:** There was complete willingness on the part of the population to cooperate in all matters related to the project. The community was very positive towards the project and had no reservations regarding the project provided they

are adequately compensated for all their losses whether partial, complete, agricultural, residential or commercial.

- **Special consideration** should be made either by changing the technical design or through supplementary compensation **for the vulnerable households** affected by the project.
- **Regular monitoring of the Subproject** during implementation by the project office to ensure the technical quality of work and environmental conservation (land slides).
- There should be provision of a separate unit in the project to listen to the suggestions and grievances of the local people.

100. Most of the issues are related to appropriate valuation and compensation of land and other assets of project affected peoples. People are ready to provide their assets with reasonable cash compensation. The local stakeholders are willing to support the project providing land for road construction. Issues raised in Public Consultation are summarized in consultation matrix Table 16 below. The consultation sheets have been attached as Annex-9.

Table 18: Public Consultation Matrix (March, 2012)

VDC/ Municipality	Settlement	Date	Participants	Issues Raised in Consultation	Measures to Resolve the Issues	Responsible Agency
Bharatpur	Ramnagar	2067-11-13 and 2068-11-23	32+	<ul style="list-style-type: none"> ROW of this road section should declare only 30 meter as of Mugling-Naubise road. Reasonable compensation should be provided for the affected structure. The land within ROW was acquired by the government so people asking for compensation in any form of payment Community services 	<ul style="list-style-type: none"> Department of road will take necessary action against definition of RoW of this road section. Appropriate compensation will be provided to the affected persons. Community services support and income restoration plan as given in RAP will be implemented. 	DOR, CDC, Project
Kabilash	Jugedi	2067-11-13	11	<ul style="list-style-type: none"> Affected public utilities should be relocating with the participation of local community. Consideration should be given for the appropriate management of drainage. Consultation and participation of local people during construction period is necessary. Local community will have full support to the project during the construction. Loss of electric polls, drinking water taps and public resting places from one Kilo to Jugedi bridge 	<ul style="list-style-type: none"> Consideration will be given to relocate the public utilities with the consultation of local people. Attention will be given to maintain the appropriate drainage during construction. Consideration will be given to participate and involve local people during construction period. Local support will be appreciated for smooth construction of road. Proper rehabilitation of all these loses prior to the construction of road. 	Project, Contractor
Kabilas	Simaltal	2068-11-23	27	<ul style="list-style-type: none"> Notification to the people before commencement of upgrading the Road. Demanded declaration of 15 meter ROW in hill side Local community will have full support to the project during the construction Appropriate compensation to the affected persons. 	<ul style="list-style-type: none"> Update information to the local people at least three months earlier in case of translocation Priority to the local laborers More attention to be given to check human trafficking and HIV/AIDS 	DoR, CDC, Project
Chandibhanjyang	Khaharekhola	2067-11-17	22	<ul style="list-style-type: none"> Road should be constructed reliable and sustainable. Drainage should be properly managed during construction. Employment priority should be given 	<ul style="list-style-type: none"> Efforts will be made to incorporate suggestion of local people. Attention will be given to proper management of drainage. Employment priority will be provided to the 	CDC, Project, Contractor

Road Sector Development Project (AF), (IDA Grant No: H629-NP) (IDA Credit No: 4832-NP)

New Project Preparation & Supervision

VDC/ Municipality	Settlement	Date	Participants	Issues Raised in Consultation	Measures to Resolve the Issues	Responsible Agency
				<p>to the affected family.</p> <ul style="list-style-type: none"> ▪ Appropriate compensation should be given to the affected households. ▪ Affected public structures like toilets should be relocated in the presence of local people. 	<p>affected family.</p> <ul style="list-style-type: none"> ▪ Compensation will be provided to the affected households. ▪ Affected public structure will be relocated with consultation of local people. ▪ Covered drain systems should be maintained in the settlement areas. 	

Table 18A: Public Consultation Matrix (December, 2012)

VDC/ Municipality	Settlement	Date	Participants			Issues Raised in Consultation	Measures to Resolve the Issues	Responsible Agency
			Femal	Male	Total			
Chandibhanjyang	Khaharekhol (Santibazar)	2069-08-15	12	14	26	<ul style="list-style-type: none"> Compensation for loss (Private structure and business). Community services like Public water supply, Public Toilet, Temple will be affected by the project. Suitable location to set culvert outlet. 	<ul style="list-style-type: none"> Appropriate compensation will be provided to the affected persons. Community services like Public water supply, Public Toilet, Temple should reconstruct by the project if damage during construction. Project should set the culvert outlet in suitable location consulting the local people during construction of this project. 	DOR, CDC, Project
Bharatpur Municipality	Ramnagar	2069-08-16	12	25	37	<ul style="list-style-type: none"> Compensation for loss (Private structure and business). Community services like public water supply, Public Toilet, Temple will be affected by the project. Similarly they made request about waiting place /public resting places and guesthouse for YATRU. Appropriate management of drainage. Consultation and participation of local people during construction period is necessary. Local community will have full support to the project during the construction. 	<ul style="list-style-type: none"> Consideration will be given to relocate the public utilities with the consultation of local people. Attention will be given to maintain the appropriate drainage during construction. Consideration will be given to participate and involve local people during construction period. Local support will be appreciated for smooth construction of road. Appropriate compensation will be provided to the affected persons. 	Project, Contractor
Kabilas	Debitar	2069-08-16	18	8	26	<ul style="list-style-type: none"> Notification to the people before commencement of upgrading the Road. Request to reduce RoW Local community will have full support to the project during the construction Appropriate compensation to the affected persons. Community services like public water supply, Public Toilet, Temple will be affected by the project. Similarly they made request about waiting place /public resting places and guesthouse for YATRU. Human Trafficking and HIV/AIDS. 	<ul style="list-style-type: none"> Update information to the local people at least three months earlier in case of translocation Priority to the local laborers Similar types of land should be made available for the resettlement purpose to continue the present occupation More attention to be given to check human trafficking and HIV/AIDS 	DOR, CDC, Project
Kabilas	Simaltal	2069-08-16	13	42	55	<ul style="list-style-type: none"> Compensation for loss (Private structure and business). Community services like public water supply, Public Toilet, Temple will be affected by the project. 	<ul style="list-style-type: none"> Appropriate compensation will be provided to the affected persons. Community services like Public water supply, Public Toilet, Temple should reconstruct by the project if damage during construction. 	CDC, Project, Contractor

Road Sector Development Project (AF), (IDA Grant No: H629-NP) (IDA Credit No: 4832-NP)

New Project Preparation & Supervision

VDC/ Municipality	Settlement	Date	Participants			Issues Raised in Consultation	Measures to Resolve the Issues	Responsible Agency
			Femal	Male	Total			
						<ul style="list-style-type: none"> Drainage should be properly managed during construction. Employment priority. Appropriate compensation. Affected public structures like toilets should be relocated in the presence of local people. 	<ul style="list-style-type: none"> Efforts will be made to incorporate suggestion of local people. Attention will be given to proper management of drainage. Employment priority will be provided to the affected family. Compensation will be provided to the affected households. Affected public structure will be relocated with consultation of local people. Covered drain systems should be maintained in the settlement areas. 	
Kabilas	Dasdhunga	2069-08-17	11	41	54	<ul style="list-style-type: none"> Compensation for loss (Private structure and business). Community services like Public water supply, Public Toilet, Tample will be affected by the project. Drainage should be properly managed during construction. Employment priority. Appropriate compensation. Affected public structures like toilets should be relocated in the presence of local people. Relocation of Madan-Asrit Park. 	<ul style="list-style-type: none"> Appropriate compensation will be provided to the affected persons. Community services like Public water supply, Public Toilet, Tample should reconstruct by the project if damage during construction. Efforts will be made to incorporate suggestion of local people. Attention will be given to proper management of drainage. Employment priority will be provided to the affected family. Compensation will be provided to the affected households. Affected public structure will be relocated with consultation of local people. Covered drain systems should be maintained in the settlement areas. 	DoR, Project
Darechok	Mugling	2069-08-17	7	8	15	<ul style="list-style-type: none"> Compensation for loss (Private structure and business). Community services like Public water supply, Public Toilet, Tample will be affected by the project. Drainage should be properly managed during construction. Employment priority. Appropriate compensation. Affected public structures like toilets should be relocated in the presence of local people. 	<ul style="list-style-type: none"> Appropriate compensation will be provided to the affected persons. Community services like Public water supply, Public Toilet, Tample should reconstruct by the project if damage during construction. Efforts will be made to incorporate suggestion of local people. Attention will be given to proper management of drainage. Employment priority will be provided to the affected family. 	

VDC/ Municipality	Settlement	Date	Participants			Issues Raised in Consultation	Measures to Resolve the Issues	Responsible Agency
			Femal	Male	Total			
							<ul style="list-style-type: none"> Compensation will be provided to the affected households. Affected public structure will be relocated with consultation of local people. Covered drain systems should be maintained in the settlement areas. 	
Kabilas	Jugedi	2069-08-18	27	35	62	<ul style="list-style-type: none"> Compensation for loss (Private structure and business). Community services like Public water supply, Public Toilet, Tample will be affected by the project. Drainage should be properly managed during construction. Employment priority. Appropriate compensation. Affected public structures like toilets should be relocated in the presence of local people. 	<ul style="list-style-type: none"> Appropriate compensation will be provided to the affected persons. Community services like Public water supply, Public Toilet, Tample should reconstruct by the project if damage during construction. Efforts will be made to incorporate suggestion of local people. Attention will be given to proper management of drainage. Employment priority will be provided to the affected family. Compensation will be provided to the affected households. Affected public structure will be relocated with consultation of local people. Covered drain systems should be maintained in the settlement areas. 	

7 RESETTLEMENT POLICY, DEFINITATION AND ENTITLEMENTS

6.1 Legal Acts, Applicable Policies, Legislations & Guidelines

101. The government of Nepal has promulgated different laws and legislations for different sectors as prescribed by the constitution of Nepal. There are different laws interrelated to each other such as for construction of road there are independent acts like road act, forest act, land act and the property right mentioned in the constitution and some guidelines to be entertained for this RAP.

102. Only the relevant Acts and Regulations were reviewed in this RAP as prescribed in ESMF. Some of the acts and regulations are relevant to EIA purpose so they are not repeated here like Environmental Protection Act, Soil and Watershed Conservation Act, National Parks and Wildlife Conservation Act, Aquatic Animal Protection Act, Buffer zone Management Regulations etc. Therefore, the government issued acts and policies guidelines were reviewed. Similarly, the World Bank Guidelines is one of the most important legal documents, so this was also reviewed and summarized hereunder.

6.2 Government of Nepal's Policies

103. **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.

104. **Land Acquisition Act (1977)** will be the main instrument for the land and other physical asset acquisition. The act guides the compulsory acquisition of land in the country. Government can acquire land at any place in any quantity by giving compensation pursuant to the Act for the land acquired for any public purposes or for operation of any development project initiated by government institutions (Section 3 and 4). With respect to the resettlement policy framework, the following legal provisions outlined in the Land Acquisition Act are relevant;

- The acquisition and compensation of privately owned assets will be undertaken according to a formal procedure, consisting of (a) initial procedure, (b) a preliminary investigation process (c) acquisition notification, (d) compensation notification and (e) appeal procedures.
- Compensation Determination Committee (CDC) are established (at district level) to ascertain compensation rates for the land and other assets
- Compensation must be paid (a) for damage caused as a result of investigations during the project (including sanding crops, trees, and houses)
- Compensation must take depreciation for salvage materials into account.
- Compensation must be in cash (lumpsum), although titleholders who have lost all of their landholdings will be provided land for resettlement, if available.
- Compensation against all types of loss will be paid to the person who has the right to claim for the compensation; to be entitled to compensation for land, a person must submit an official land registration certificate at the time of compensation.
- Titleholders are required to submit compensation claims or complaints within a specified period after the land acquisition notice is issued by the Local Authority (Chief District Officer). Compensation for land is paid after the land is valued and the rate is fixed by Compensation Fixation Committee (CFC) if not otherwise it is CDC based on entitled complaints.

- Two separate rates of compensation can be paid i) titleholders who lose all their land, and ii) to titleholders who lose only some part of the land.
- In determining the compensation amount, the committees has to consider relevant periodic guidelines of GON and the loss suffered by persons due to acquisition of land, shift of residence or place of business to another place.
- If the land has to be acquired the CFC has to consider the following in determining the compensation amount: price of the land prevailing at the time of notification of land acquisition, price of standing crops, and structures, and damage incurred by persons being compelled to shift their residence or place of business due to the land acquisition.

105. 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.

106. 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.

107. 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.

108. The **Government Notification/Gazette, (1977)** empowers the Government of Nepal, Ministry of Physical Planning, and Transport Management, Department of Road to declare the RoW. This Gazette had published based on Public Road Act. (1974) article no 3. Regarding the notification the right of way (ROW) of 50m (25m on either side of the centre line) for this road was declared by His Majesty, Government of Nepal (Now Government of Nepal) in 1977 through the notification/gazette and the name of road was Gorkha - Mugling Highway and amendment was made over that notification and the name of highway has been changed into Naryanghat - Mugling Highway (Madan - Asrit Highway) in (2054/4/27) and deemed to be acquired and owned by the government.

109. 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.

110. The act empowers DOR to acquire any land on temporary basis during construction and upgrading. The act does not provide for leasing of land. DOR required paying compensation for any damages caused to buildings, crops and trees, where the farming activities of the landowner is interrupted, and where the landowner has to incur expansions to restore the land after its return. Compensation is determined between DOR and titleholder, or through mediation, involving officials from the relevant VDC and district.

111. Land Acquisition Guidelines provisioned to establish an Acquisition and Rehabilitation Committee (also known as Compensation Fixation or Determination Committee (CFC/CDC) consisting of concerned Chief District Officer (Chair), Land revenue Officer, representative of

the District Development Committee (DDC) and the Project Manager and others as deemed necessary. The committee is responsible for acquire land and paying compensation.

112. Temporary loss of assets will be acquired with the application of Public Road Act 2031. The Act empowers Department of Roads (DOR) to acquire any land on a temporary basis (for storage facilities, construction camps etc.) during road improvement and upgrading. Compensation is determined between DOR and the titleholder, or through mediation, involving officials from the relevant VDC and District.

113. Loss of livelihood and income opportunities was assessed and will be compensated or restored following the provisions of approved Environmental and Social Management Framework (ESMF).

6.3 The World Bank Guidelines

114. The key policy principles of Involuntary Resettlement Policy **OP 4.12** are to avoid, minimize and mitigate the adverse resettlement impacts of the affected people and provide supports to improve or at least restore their livelihood and income earning capacity to pre-project level. The policy also requires payment of compensation for all the assets lost at replacement value and additional assistances to all title holders and also specifies the compensation entitlements of different categories to non-titleholders. Those, with no legal rights at the time of the census and verification exercise, who have a claim to such rights under domestic law (from uninterrupted use of public land with no official eviction orders) should qualify for the full range of entitlements, provided that “such claims become recognized under the laws of the country through a process identified in the resettlement plan.” Other PAPs who occupy land in violation of domestic laws are entitled to compensation for assets such as buildings and standing crops but not to compensation for land losses. Where they have had uninterrupted possession of the land “for at least one year prior to the commencement of census, they are entitled to resettlement assistance in lieu of compensation for land.”

6.4 Disclosure

115. This RAP will be submitted to DOR and the World Bank in a printed as well as electronic version. The first disclosure will take place in these two organizations. The DOR will disseminate this RAP within the Department and in the Ministry for necessary comments and improvements if necessary. At the time of project implementation, this RAP will be translated into Nepali and the summary of this will be disseminated among the stakeholders and PAPs at public places. The electronic version will be published in the website of the World Bank and the DOR to provide access to the interested readers.

6.5 Entitlement Framework

116. Through the acquisition of private and community assets, the project will affect property owners, their dependants and community groups. This Entitlement Framework accordingly specifies compensation and/or rehabilitation measures for two units of entitlement individuals including affected individuals and their households, and groups (Attached Nepali version of entitlement metris in Annex-9).

6.5.1 Compensation

117. Compensation to the affected households for their private property will be provided. Furthermore, displacement allowance will be given to those persons who have another house to live and to operate their business and require few months time period to resettle in a new place. During the time of replacement, the household may lose their income due to disturbance in their business. The affected households those who displaced from the existing place and wants to go to another house either by constructing new house or in an old house, are subject to receive such allowances at lump-sum amount. Additional support allowance, displacement allowance and compensation will be provided to the vulnerable affected household and marginalized group. There are no other marginalized groups presented in this

road section except some *Dalit* households. *Dalits* are always standing as subordinate groups as an agricultural labor of upper caste and class people. They are also an artisan and skilled workers, being low land owing groups since generations. These *Dalits* are recommended to provide additional support of fixed amount as seed money to gear up their income investing in a productive sector. Loss of private asset will be valued and compensated based on the entitlement policy matrix given in Table 19 below.

6.5.2 Displacement Allowance

118. In addition to compensation for asset losses, some households who are losing houses will qualify for the displacement allowances. Households, which require to be relocated, will receive a housing displacement allowance equal to two-month poverty line income (PLI) based on the calculation for a household of 5.5 members. The provision of displacement allowance is that the house owners are free to demolish the affected house and can carry away to reuse the materials for new housing. The displacement allowance is a provisional compensation for facing trouble for the transitional period. It is recommended by the public consultation in different place that two months period is sufficient for replacement of households since they have their another house nearby areas and villages, so they can shift in new residence within two months. So far as the loss of business is concerned due to displacement, there would not be more loss than the PLI of two months from business disturbance in these rural hills. It is therefore equal to two-month allowance is a sufficient amount to be settled after displacement.

119 Owners of commercial enterprises, who required to be relocated, will receive a Business Displacement Allowance paid indiscriminately at the time of compensation payment.

6.5.3 Rehabilitation Measures

120. Apart from the provision of displacement allowances, the rehabilitation of PAPs will be getting additional support through preferential access to employment as per their willingness and capabilities to work in road construction. The PAPs will be employed in a construction project with a high priority. It does not mean that all PAPs are economically weak and willing to work in the construction project. In the consultation meeting, it was reported that very few upper caste people are willing to work as construction labor and majority of *Dalits* are the construction as well as agricultural labor in this area. The project in addition, will provide some support allowances to the vulnerable or marginalized and seriously, project affected households. Social Development and Resettlement Expert will monitor the whole rehabilitation activities throughout construction period.

6.5.4 Government & Public Property

121. Government infrastructure and facilities affected by the project will be repaired or replaced in consultation with the relevant departmental authorities. Affected public structures will be relocated or reinstated with the consultation of local stakeholders. The acquired government land and forest for the road project will be acquired in line with the prevailing laws in coordination with the relevant government agencies.

Table 19: Entitlement Policy Matrix

Type of Loss	Entitlement Unit	Description of Entitlements	Implementation Measures
1. House and Other Structure			
1.1 Loss of own house and residential plot	<ul style="list-style-type: none"> Titleholder 	<ul style="list-style-type: none"> Cash compensation for full or partial loss of house at replacement cost, according to house type. Where displaced, cash compensation (at replacement value) for residential plot, or provision of suitable replacement residential plot in the vicinity, if available. 	<ul style="list-style-type: none"> Compensation rates of land and structures negotiated by Compensation Determination Committee (CDC) taking reference to succeeding bullet 2 and 3 (which is legal authority), Land valuation undertaken by DLRO (mostly negotiated) on the reference of local market price and government rate fixed for land registration; Building valuation undertaken by project authorities (on the basis of standard norms of Department of Urban Development and Building Construction and existing local market price) ; Material may be salvaged with no deduction from compensation. Displaced households will receive a housing displacement allowance. Notice to vacate will be served at least 35 days prior to acquisition An appropriate compensation advance and housing displacement allowance to be paid at time of notice to vacate; balance payable prior to possession of property. Compensation for partial losses payable prior to acquisition To ensure fair compensation, determination of rates will be done not more than one year prior to property acquisition.
1.2 Loss of commercial establishment	<ul style="list-style-type: none"> Titleholder Non-titleholder 	<ul style="list-style-type: none"> Cash compensation for full or partial loss at replacement cost, according to building type. 	<ul style="list-style-type: none"> Compensation determination, notice to vacate and compensation payment as for 1.1. Owners of displaced commercial establishments will receive a business displacement allowance
1.3 Loss of other private structures	<ul style="list-style-type: none"> Titleholder 	<ul style="list-style-type: none"> Cash compensation for full or partial loss at replacement cost, according to structure type. 	<ul style="list-style-type: none"> Other structures include: sheds, water mills, etc Loss of structures other than houses and commercial establishments does not entail payment of a displacement allowance. Compensation determination, notice to vacate.
2. Land			
2.1 Loss of private land	<ul style="list-style-type: none"> Titleholder 	<ul style="list-style-type: none"> Provide compensation at full replacement cost, or Provide full title to land of equal area and productivity acceptable to owner in the vicinity. Provide cash compensation at full replacement cost based on current market rate or Government rate which ever is higher. Resettlement assistance in lieu of compensation for land occupied (land, other assets, employment) at least restore their livelihoods and standards of living to pre-displacement levels. In the case of farmland, the PAP will be entitled the cultivation disruption allowance equal to one-year production. 	<ul style="list-style-type: none"> A list of affected and entitled persons and the area of land loss is required. Notice to vacate will be served at least 35 days prior to acquisition date. Case-wise compensation will be either by cash or cheque, depending on the owner's preferences. To ensure fair compensation, determination of rates will be established not more than one year prior to property acquisition.
2.2 Temporary loss of private land	<ul style="list-style-type: none"> Titleholder 	<ul style="list-style-type: none"> Compensation for crop, land productivity and other property losses for the duration of temporary occupation. Compensation for other disturbances and damages caused to property. 	<ul style="list-style-type: none"> A temporary occupation contract will be signed with the affected landowner, specifying. <ul style="list-style-type: none"> Period of occupancy Formula for the calculation of production losses (the market value of

Type of Loss	Entitlement Unit	Description of Entitlements	Implementation Measures
		<ul style="list-style-type: none"> Contractor to negotiate a contract agreement on the rental rate with the owner for temporary acquisition of land. Land should be returned to the owner at the end of temporary acquisition period, restored to its original condition or improved as agreed with owner. 	<ul style="list-style-type: none"> crops normally produced on the land) and annual inflation adjustments; Frequency of compensation payment; and Land protection and rehabilitation measures. The land will be returned to the owner at the end of temporary acquisition, restored to its original condition.
3. Other Privately Owned Resources			
3.1 Loss of non perennial crops	<ul style="list-style-type: none"> Titleholder; other evidence of ownership 	<ul style="list-style-type: none"> Advance notice to harvest crops. Net value of crops where harvesting is not possible. 	<ul style="list-style-type: none"> Crop market values will be determined by the CDCs.
3.2 Loss of privately-owned trees and perennial crops	<ul style="list-style-type: none"> Titleholder; other evidence of ownership 	<ul style="list-style-type: none"> Advance notice to harvest crops. Net value of crops where harvesting is not possible. Compensation for future production losses, based on 5 years annual net production for fruit/fodder trees and 3 years annual net production for timber/fuelwood trees and other perennial crops. Right to all other resources from privately owned trees 	<ul style="list-style-type: none"> Crop market values and production losses will be determined by the CDCs with assistance from a local resource specialist. The Department of Agriculture and Forestry will be requested to assist affected owners and communities with the reestablishment of new trees and other perennial crops.
4. Community Structures and Resources			
4.1 Community buildings and Structures	<ul style="list-style-type: none"> Local Community 	<ul style="list-style-type: none"> Restoration of affected community structures to at least previous condition, or replacement in areas identified in consultation with affected communities. 	<ul style="list-style-type: none"> Community buildings and structures include: schools, temples, health posts, water points, irrigation canals, water mills, trails and bridges.
4.2 Land and trees	<ul style="list-style-type: none"> Local community or user groups 	<ul style="list-style-type: none"> Assistance with improvement of remaining grazing areas. Restoration of access to community resources. 	<ul style="list-style-type: none"> The Department of Agriculture and Forestry will requested to assist communities so that benefits from grazing areas are adequately mitigated.
5. Rehabilitation Assistance			
5.1 Displacement of household	<ul style="list-style-type: none"> Titleholder Non-titleholder 	<ul style="list-style-type: none"> Housing displacement allowance for loss of own residential accommodation. Rental stipend for loss of rented accommodation. 	<ul style="list-style-type: none"> The housing displacement allowance will be based on two months per capita poverty level income (PLI), as established by the Nepal Living Standards Survey, for a household of 5.5 members. The value of the allowance will be adjusted annually for price escalation. The rental stipend will be based on 0.5 months PLI as defined above. Allowances will be paid at the time of serving the notice to vacate. Displacement allowances (housing, business and cultivation) will be paid severally.
5.2 Displacement of commercial enterprise	<ul style="list-style-type: none"> Titleholder Non-titleholder 	<ul style="list-style-type: none"> Business displacement allowance for loss of commercial establishment. 	<ul style="list-style-type: none"> Calculation as for housing displacement allowance. Payment as detailed in 5.1.
5.3 Severe disruption to cultivation	<ul style="list-style-type: none"> Titleholder Tenant 	<ul style="list-style-type: none"> Cultivation disruption allowance for severe disruption to household cultivation levels. 	<ul style="list-style-type: none"> The following cultivation disruption allowances will apply to <ul style="list-style-type: none"> Households with total landholdings of 0.25 ha and smaller who lose more than 10 percent of their landholdings; Households with total landholdings above 0.25 ha who lose more than 25 percent of their landholdings; Households whose production levels are to be severely affected. The cultivation disruption allowance will be equal to one season's

Type of Loss	Entitlement Unit	Description of Entitlements	Implementation Measures
			production on the area of land lost, based on published District/VDC production figures, land type and crop market prices for the year of acquisition.
5.4 Vulnerable social categories	<ul style="list-style-type: none"> Adults 18 years and older in the vicinity of the COI 	<ul style="list-style-type: none"> Vulnerable social categories actually affected by the project will be identified. <ul style="list-style-type: none"> Janajati groups Dalit groups Women headed households Landless households 	<ul style="list-style-type: none"> Assistance in reestablishment and improvement of livelihood. Preferential employment on road construction and maintenance to the extent possible. Support allowances
6. Government Property			
6.1 Loss of infrastructure	<ul style="list-style-type: none"> Relevant agency 	<ul style="list-style-type: none"> Facilities will be repaired or replaced. 	<ul style="list-style-type: none"> To be undertaken in consultation with the relevant department or ministry.
6.2 Loss of forest areas	<ul style="list-style-type: none"> Department of Forest 	<ul style="list-style-type: none"> Mitigation by means of afforestation. 	<ul style="list-style-type: none"> An assessment for maintaining that kind of vegetation. To be undertaken in consultation with Department of Forestry.
6.3 Loss of Government land	<ul style="list-style-type: none"> Relevant agency 	<ul style="list-style-type: none"> No provision of compensation. 	<ul style="list-style-type: none"> Consultation with relevant government agencies.
7. General Counseling			
7.1 All project impacts	<ul style="list-style-type: none"> Persons within and adjacent to the road corriDoR 	<ul style="list-style-type: none"> General counseling on project impacts; construction schedules and acquisition dates; valuation, compensation and grievance resolution mechanisms; construction employment procedures; and local development initiatives. 	<ul style="list-style-type: none"> This will be achieved through the periodic distribution of information sheets and consultation with local officials. Cooperation with GoN ministries and departments such as Department of Agriculture, Forest Local Development to support effective resource utilization and community development.
8. Additional Assistance			
8.1 Preference in employment in wage labour in project activities	<ul style="list-style-type: none"> All APs 	<ul style="list-style-type: none"> Vulnerable HH due to loss of physical assest. 	<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
8.2 Skill training and income generation support	<ul style="list-style-type: none"> One member of each PAF belonging to vulnerable group/below poverty line. 	<ul style="list-style-type: none"> Vulnerable HH due to loss of physical assest. 	<ul style="list-style-type: none"> Skill training and income generation support financed by project RAP to include a need assessment and skill training program for APs.
8.3 Priority in poverty reduction/social development programs	<ul style="list-style-type: none"> All APs 	<ul style="list-style-type: none"> Vulnerable HH due to loss of physical assest. 	<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.

8 RESETTLEMENT AND REHABILITATION

7.1 Compensation and Livelihood Restoration

122. Key impacts on affected households are loss of structure and business. As indicated in the impact analysis, the land loss impact on household impact level is very insignificant. During consultation with the affected owner, all preferred cash compensation for their affected property. Besides compensation, each project affected household will receive R&R assistances and all eligible PAPs will get preference over others in employment opportunities generated during road construction.

7.2 Relocation Needs and Approach

123. Altogether 74 households will loss 80 structures due to road upgrading works. All households need to be relocated and built new houses. Majority of the affected households don't have their house nearby settlement and few of them have in a distant location but they need new structures close to the road for business purpose. Consultations with the affected households show that there is no need of group resettlement as all the affected households preferred cash compensation. Since they have been residing in a government land and have houses to resettle, PAPs informed during consultation that they want to buy land out of compensation amount in the nearby areas and continue their business.

124. A package of cash compensation will be provided to the affected households. This package includes cash compensation for the structure at replacement cost, and allowances, including displacement allowance, business disruption allowance, rental stipend allowance and transportation allowance to improve their present living condition considering the cost trouble to relocate business and time for new set up. The project will also provide livelihood enhancement training to the eligible PAPs. Furthermore, employment priority will be given to the displaced household during construction to sustain their immediate loss.

7.3 Support Allowance

125. Altogether 66 households categorized as marginalized group will be provided support allowances at the rate of NRs. 10000.00 for their livelihood support. The households who lose their resident and need to reconstruct the new house are eligible to get full compensation of lost assets and support allowance. All these severely affected households and marginalized households will be given priority for employment in the construction work if they wish to work.

7.4 Livelihood Enhancement Skills Training (LEST)

126. One member of each affected households will be provided income restoration measures under the **Livelihood Enhancement Skills Training (LEST)** program according to the requirements of the ESMF. LEST will include trainings on income generating activities which will be delivered through trainings and other supplementary investments (seed grants). These programs are expected to re-establish PAPs' lost livelihood options and uplift of new income generating opportunities. Regarding the information from the consultation some list of training are listed below and this trainings will deliver as per their need basis during construction phase.

127. Analysis of the census socio-economic and loss assessment survey of the subproject reveals that among the 74 HHs; 12 women headed HHs, 6 HHs of Dalits, and 55 HHs of Janajati, 4 HHs of Chepang which will be considered in LEST. The training program has been designed for the one person from these household of 16-45 years age group. The cost of NRs. 26,50000.00 for the training program is included in the RAP. Details of the training cost (projected) are given in the table 20.

Table 20: Livelihood Enhancement Skills Training for Affected Persons

S.No	Trainings Name	Targeted Trainee			Duration	Estimated Budget (NRs.)	Starting Date	Remarks
		Male	Female	Total				
1	Hotel Management Training	10	10	20	1 week	300000.00	During Constructuin	
2	Mobile Repairing Training	8	10	18	45 days	700000.00	" " "	
3	Pickal Making Training	10	10	20	7 days	400000.00	" " "	
4	Motor Rewinding	10	10	20	1 Month	500000.00		
5	Vermi composting Training	10	10	20	1 days	250000.00	" " "	
6	Motorcycle Repairing Training	10	10	20	45 days	500000.00	" " "	
Total:		58	60	118		2650000.00		
Note: The proposed date and training may change as per need of the APs during implementation.								

128. Project Office (PO) will deliver the skills training through training institutions/professional, which are available locally and in neighboring districts. The supervision consultant's social team will identify and employ professional experts/institutions to impart this special package. Preference will be given to locally based resource persons/institutions having expertise in the subject area towards building local-base resource network and continuity of support services even after the project completion. The district level sector-wise line agencies of the government, especially the Cottage and Small Industry Office, District Agricultural Office, Department of Animal Husbandry Services, Department of Horticulture, District Forest Office, District Soil Conservation Services available in the districts will be mobilized by project.

7.5 Temporary Use of Land

129. In case of temporary use of private land, compensation will be provided to the owners as a rental payment. The rental payment will be equal to the cost of standing crop loss during the acquisition period. Contractors will be responsible for the rental payment and the restoration of the land to its previous productive status after construction⁵. There will be an agreement between the land owner and the contractor. The social officer of supervision consultant will be responsible for ensuring that such a contract is in place before the land parcel is physically taken by the contractor.

7.6 Public Health

130. Health awareness programs for the local people as well construction labors will be organized by the project on a regular basis(prior to construction commencement and every sixth month during construction) to provide knowledgeto construction workers and local people on health including the dangers and consequences of STD and HIV/AIDS. Additional training will be given by the professional health workers in association with social officer of supervision consultant on health aspects of STD and HIV/AIDS, human trafficking.

131. The awareness program related to public health, HIV/AIDS and human trafficking will be organized inviting public health expert (specially a medical practitioner of the concerned districts and concern district police officer). The Social Development and Resettlement Expert will highlight the social impacts of the STD and HIV/AIDS plus human trafficking in traditional societies for social safety.

⁵ In implementation phase the detail of temporary use of land and its data base shall be collected and regularly updated.

9 IMPLEMENTATION ARRANGEMENT

132. This section outlines the organizational framework to be established for RAP implementation. It also discusses monitoring requirements, before concluding an overview of the major planning, administrative and logistical requirements for the successful implementation of the RAP.

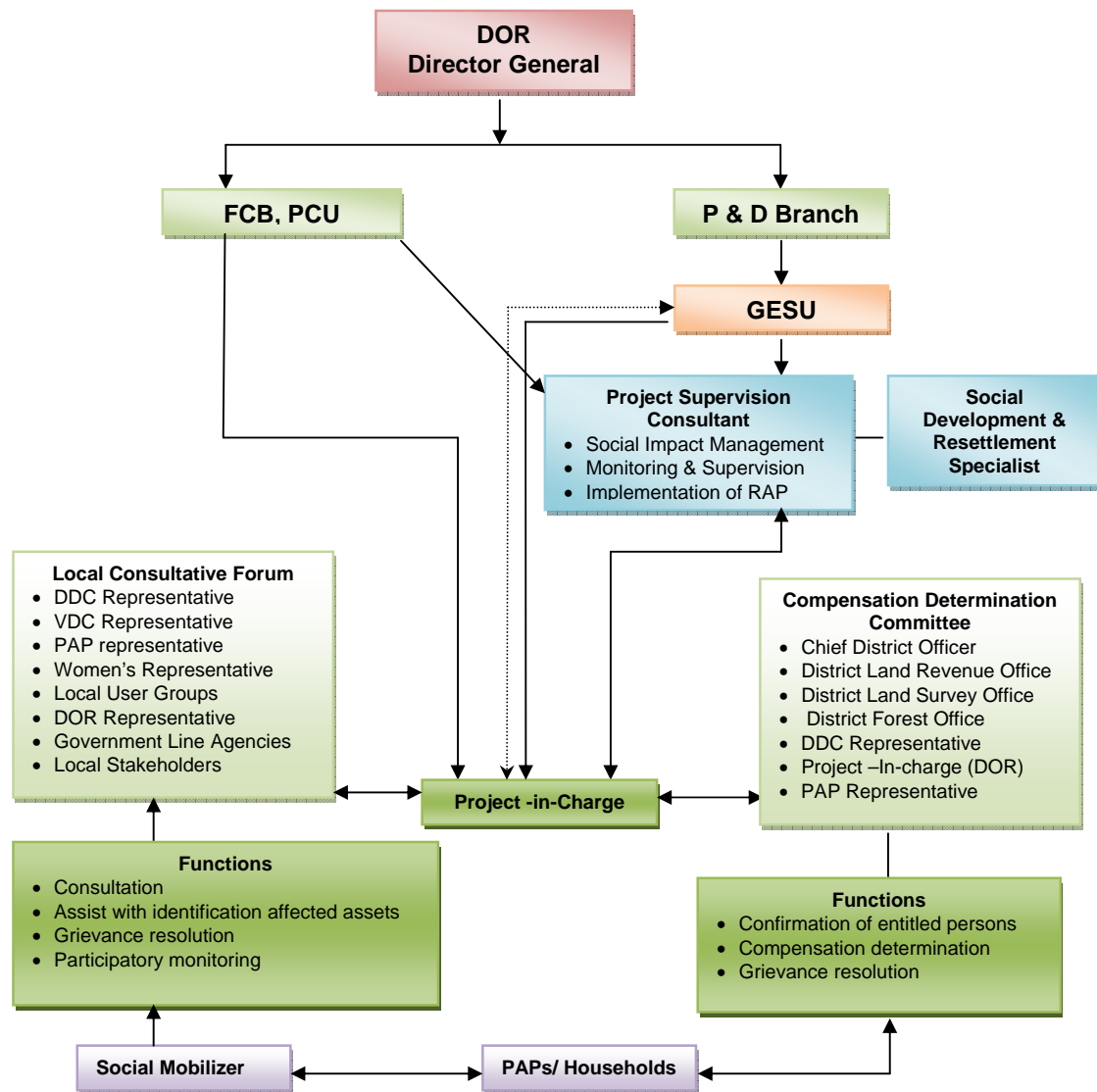
133. As the project authority, DOR will retain overall responsibility for the management procedures as mentioned in the RAP. Key activities to be undertaken to ensure effective implementation of resettlement, compensation and rehabilitation activities are:

- Implementation of RAP to (i) minimize adverse social impacts including acquisition of land and assets throughout the planning, design and implementation phases and (ii) accurate recording of all project-affected persons, by means of census and asset verification and quantification exercises, and the issuing of identification;
- Establishment of systems and procedure for the co-ordination of resettlement and compensation activities;
- Establishment of Local Consultative Forum (LCF) at VDC level or package level where it is appropriate and practicable to address the social issues associated with the project. The objectives of this participation program will be to: (a) ensure ongoing dissemination of project information to affected households, (b) structure, regulate and strengthen communication between roadside communities, (c) involve affected communities and local government structures in social impact management, grievance resolution and monitoring.
- Distribution of copies of the approved **Entitlement Policy**, and follow-up community meetings to ensure full comprehension of its contents;
- Capacity-building initiatives to create a supportive environment for the implementation of RAP activities, including training on accepted resettlement and rehabilitation practices, training in the establishment of compensation plans for affected household;
- Co-ordination with other government line agencies like Department of Forestry and Ministry of Local Development to ensure effective delivery of mitigation and rehabilitation support measures; and
- Collaboration with non-governmental agencies to provide grassroots expertise and local human resources in areas such as project information campaigns, poverty alleviation and income-generation activities, and impact monitoring.
- Disclosure of RAP will be at two levels:
 - a) At the first level this report will be submitted to the DOR and the World Bank preparing both hard copy and electronic version. The electronic version will be attached in the website of DOR and World Bank.
 - b) At the second level this report will be summarized and translated into Nepali and distributed among the concerned stakeholders at national as well as local level, especially focusing to the Project Affected Households.

8.1 Organizational Framework

134. An organizational setup for RAP implementation is necessary for effective coordination to ensure compliance with policies and procedures, land acquisition and resettlement activities and implementation of mitigation measures. To ensure the achievement of these activities, organization for RAP implementation and management will occur at both central and project level.

Organizational Framework for RAP Implementation



135. Various agencies and different tiers of institutional arrangements have been considered for implementation of this sub project. The key agencies involved in the implementation of this sub project are as follows:

8.1.1 Central Level Arrangement

136. At central level, the Ministry of Physical Infrastructure & Transport will be the executing agency and department of roads will be the implementing agency. A Project Coordination Unit (PCU) will be established in DOR headed by a project manager. The PCU in close consultation with Geo - Environment and Social Unit (GESU) will be responsible for overall planning, coordination and implementation of RAP.

137. The Geo-Environment and Social Unit (GESU) will lead the overall management of social issues, review and approval of RAP and monitoring of timely and successful implementation of RAP. The Supervision Consultant (SC) will support PCU in effective planning and implementation of the resettlement, compensation and rehabilitation measures outlined in the RAP. The Social Development and Resettlement Specialist (SDRS) under

PCU/SC will look after the policy compliance and monitoring of the proper implementation of the RAP and its recommendations.

8.1.2 Project Level Arrangement

138. In project level there will be the Project Office headed by a Project In-Charge (PIC). As per the request by PIC, Chief District Officer (CDO) will arrange the Compensation Determination (Fixation) Committee's (CDC)⁶ meeting to determine the rate of compensation for the affected structures in consultation with PAPs and local stakeholders, (refer annex 8). The PIC will have a road section support team. The project supervision consultant will hire Social Development and Resettlement Specialist (SDRS) and Social Mobilizer (SM) at local level and he/she will be first level of contact for implementation of social safeguard measures. The PIC will coordinate with the Chief District Officer, District Land Revenue Office (DLRO), District Land Survey Office (DLSO), District Agriculture Development Office (DADO), District Forest Office (DFO), District Soil Conservation Office (DSCO) and Drinking Water and Sanitation Office and other concerned line agencies as per the requirement. PIC will be responsible for;

- Implementation of procedures to minimize adverse social impacts throughout the planning, design and implementation phases;
- Implementation of procedures for the recording of all project affected persons by means of census and asset verification and quantification exercises;
- Establishment of procedures for the coordination of resettlement and compensation activities;
- Implementation of information dissemination campaigns;
- Coordination with other government line agencies and NGOs to ensure effective delivery of mitigation and rehabilitation support measures.

139. Following table shows the role and responsibilities of Social Development and Resettlement Specialist (SDRS) and Social Mobilizer.

Table 21: Role and Responsibilities of SDRS and SM

S.No.	Activities	Responsibility
1	Assist to verify the loss in construction phase, Brief Project personnel, stakeholders and communities on ESMF, Supervise ESMF requirements as embodied in the contract documents to ensure full compliance, Carry out Social Audits at required interval, Assist Client in Implementation and Monitoring of RAP and VCDP, Assist Client, PAPs and PAFs in acquisition processes, Maintain records, correspondence and field and site diaries and facilitate weekly meetings with the Contractors, Social & Environmental Issues, Ensure compliance with environmental and social impact mitigation requirements of civil works contracts, including the EMAP, RAP, Monitor process of resettlement of PAPs and report in the Progress Reports (monthly) to the client. Contribute in preparation of Inception Report, and monthly progress reports, Contribute to the Trimester Project Management Report with status of social activities, Contribute to preparation of confidential report for each contract, Based on base line socio- economic survey, after project completion prepare socio-economic impact study report for each road section, and Prepare contract wise completion reports on social safeguard works implemented, provide technical backstopping support to conduct LEST training, Support to mobilize LCF and guide to SM for the effective implementation of RAP and overall coordination with concerning stakeholders, Support the Project	SDRS

⁶The Land Acquisition Act, 2034 (1977), article no 13, provides for the establishment of Compensation Determination Committee (CDC). As per the provision of this act, Chief District Officer (CDO) as a chairman of the CDC. The district land revenue officer a representative of the DDC is member of CDC and the PIC as a member secretary. CDC under the Land Acquisition Act, (1977) plays a major role in deciding rates of compensation in the sub project. The committee also listen grievance of the APs if s/he is not satisfied from the response of LCF.

S.No.	Activities	Responsibility
	Office in further minimizing the resettlement impacts and updating the RAP based on detailed design and assist in supervision and coordination of all activities related to resettlement implementation, Support to the project and SM to resolve social disputes etc.	
2	Regular field visit to monitor social safeguard implementation in field level, LCF mobilization, Supervise camp site management, assist to PIC for compensation distribution, Assist to conduct LEST training, and Social disputes resolution, reporting, etc.	SM

8.2 Grievance Redress Mechanism

140. At project level a grievance redress mechanism will be established allow project affected persons (PAPs) to appeal any disagreeable decisions, practices and activities arising compensation for assets, and technical and general project-related disputes. As specified in ESMF the PAPs will be made fully aware of their rights and the procedures for doing so verbally and in writing during compensation, survey, and time of compensation.

141. There is potentiality of two types of grievances: grievances related to resettlement requirements, and grievances related to compensation or entitlement.

142. The PAPs will have access to both locally constructed grievances redress committees specified under ESMF i.e. Local Consultative Forum (LCF)⁷ and formal courts of appeal system. Under the latter system, every PAP can appeal to the court if they feel that they were not compensated appropriately. They may appeal to appellate court within 35 days of the public notice given to them.

143. Grievance recording register will be established at PIC office and Consultant's RE office as well. Project affected people as well as local people can lodge their complaints at these offices related to assets acquisition and construction related activities.

144. Special project grievance mechanisms such as on site provision of complain hearings allows project affected persons to get fair treatment on time. In this sub project eight LCF will be formed in road covering affected VDCs to handle initial grievances of the project-affected people. The PAPs will have unhindered access to the grievance redress office to forward and file their complains without being intimidated or being deterred by excessive bureaucratic hurdles. The provision of Local Community Liaison Assistant (LCLA) in the project implementation is good practices in this regard. LCLA can be mobilized in order to help PAPs to file the complaints to the concerned agency. APs will be exempted from all administrative fees incurred, pursuant to the grievance redressal procedures except for cases filed in court Proposed mechanism for grievance resolution is given below:

Box: 1 Stage of Grievance Machinasm

- Stage 1:** Complaints of PAPs on any aspect of compensation, relocation, or unaddressed losses will be settled in first instance verbally or in written form in field based project office. The concerned personnel to settle the issues at local level can discuss the complaint in an informal meeting with the PAP. The community consultation, involvement of social and resettlement experts will be helpful in this regard. It will be the responsibility of the LCF and Project In-charge to resolve the issue within 15 days from the date of the complaint received.
- Stage 2:** If no understanding or amicable solution reached or no response from the project office, the PAP can appeal to the CDC. While lodging the complaint, the PAP must produce documents to support his/her claim. The CDC will provide the decision within 15 days of registering the appeal.
- Stage 3:** If the PAP is not satisfied with the decision of CDC or in absence of any response of its representatives, within 35 days of the complaint, the PAP, in his/her last resort, may submit its case to the court.

⁷As per the provision in ESMF, LCF will be formed prior to the project implementation consisting of the representative of effective local NGO, Community Based Organizations like mother group or any social worker's group and local political representatives. In case of absent of elected political institutions the VDC or Municipality administrator (the secretary) will be the representative of local level political institutions. The LCF will be responsible to assist the project during compensation determination, distribution of compensation and compliance monitoring.

8.3 Implementation Schedule

145. The project authority will ensure that funds are delivered on time to CDC and the implementing consultants for timely preparation and implementation of RAP, as applicable. The compensation issues and rehabilitation measures will be completed before civil work starts. Civil works contracts will not be awarded unless required compensation payment has been completed. RAP implementation schedule is given in Table 22.

Table 22: Implementation Schedule for RAP

S.N.	Tasks	2013						2014											
		Ju	A	S	O	N	D	J	F	M	O	M	J	J	A	S	O	N	D
1	Submission of RAP to WB and GESU for approval	♦																	
2	Finalize list of affected people consultation with PAPs		♦																
3	Submit final report to CDO for compensation determination		♦																
4	Notice publication of affected land			♦															
5	Consultation, and grievance resolution*			♦	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
6	CDC meeting and compensation determination			♦															
7	Inform PAPs for the compensation claim			♦															
8	Collect application from the PAPs for compensation			♦															
9	Verify the application and prepare final list of PAPs				♦														
10	Pay compensation for eligible PAPs**				♦														
11	Contract agreement with Contractors				♦	.	.	.	.	.	.	.	.	.	.	.	.	.	.
12	Transferring the land ownership (8 land plots falls on existing track)				♦														
13	Internal Monitoring of RAP implementation progress				♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
14	External monitoring of RAP implementation										♦								♦

*Grievance appealing may take time and again in different slices of the project, so it will be a continuous process at least for initial one or two years of project implementation.

** The payment of compensation is one of the prerequisites of project implementation but sometimes in case of absentee PAPs it may go for some years also.

10 COST ESTIMATION

146. This section provides the estimated cost for the implementation of this Resettlement Action Plan activities described in preceding chapters under the following items. The cost of affected assets is assessed based on the consultation with local people and key informants. Government of Nepal is responsible to pay the money for land acquisition.

9.1 Cost Estimation of Privat Land

147. The right of way (ROW) of 50m (25m on either side of the centre line) for this road was declared by His Majesty, Government of Nepal (Now Government of Nepal) in 1977 through the notification/gazette and the name of road was Gorkha - Mugling Highway and amendment was made over that notification and the name of highway has been changed into Naryanghat - Mugling Highway (Madan - Asri Highway) in (2054/4/27) and deemed to be acquired and owned by the government (Annex-1). All the road improvement work is confined within the existing RoW and therefore additional land acquisition is not required for the upgrading works. Among the total: 74 project affected households, and no need to acquire additional land except 8 plots for deed transfer (these plots fall under existing track). Hence no need to pay the money for land acquisition.

9.2 Compensation for Private Structures

148. The compensation rate was developed based on market survey. The social survey team held consultation with local construction contractors and the community key stakeholders those who have constructed new houses within one year, to investigate the market rate of the construction work like private housing and other structures. Furthermore, District Technical Office (Chitwan) provided technical ideas to estimate cost of affected structures (**Annex-7**). The structures were valued without deducting any depreciation in material use. The estimated cost for the private structure is presented in Table 23.

Table 23: Cost Estimation for Affected Private Structure

S.No.	Name of VDCs	No of Structures	Total Cost	Remarks
1	Bharatpur Municipality	0	0.00	
2	Kabilash	50	12326937.00	
3	Dahakhani	7	1977417.00	
4	Chandibhanjyang	20	5405974.00	
5	Darechok	3	1456104.00	
Grand Total:		80	21166432.00	
Note: This cost has been calculated as per the Norms of DDC, Chitwan (Fiscal Year: 68/69). If norms can change then cost will be calculated as per the norms.				

9.3 Cost Estimation for Public Structures

149. Total of eleven public structures has been identified likely to be demolished due to road construction during field survey in March 2012. These structures are toilets in majority have sanitary value associated with public health. Others are public resting platform (Chautara) and club house has cultural values so all structures required to be reconstructed. The estimated cost is given in the following table 24.

Table 24: Cost Estimation for Public Structures

S.No.	Name of VDCs	No of Structures	Total Cost	Remarks
1	Bharatpur Municipality	0	0.00	
2	Kabilash	4	4644688.00	
3	Dahakhani	0	0	
4	Chandibhanjyang	7	715609.13	
5	Darechok	0	0	
Total:		11	5360297.13	

9.4 Displacement and Rehabilitation Allowance

150. The displacement and rehabilitation allowance covers the housing displacement and business displacement allowance⁸. Households whose houses need to be relocated will receive a housing displacement allowance. Owners of commercial enterprises who are required to relocate will receive a business displacement allowance. Estimated cost for the displacement and rehabilitation allowances is presented below.

Table 25: Displacement and Rehabilitation Allowances

S.No.	Allowances	Unit	Quantity	Rate	Amount (NRs.)
1	House displacement allowance	Households	74	20000	1480000
2	Transportation allowance	Number	74	10000	740000
3	Business displacement	Number	62	20000	1240000
4	Rental stipend (A) Structure owner	Number	74	10000	2220000
5	Rental stipend (A) who lives in the same house paying rent	Number	5	10000	150000
	Total:	Number			5830000

9.5 Support Allowance

151. Among the total affected households, 66 are from vulnerable i.e; 6 HHs from Dalit group, 55 HHs from Janajati, 4 HHs from Chepang and 1 HH from women headed (widow). Hence, support allowance will be provided to the affected vulnerable and severely project affected households. Proposed support allowance is given in Table 26.

Table 26: Support Allowance

S.No.	VDCs	Number of Marginalized Household	Allowance/ HHs	Amount (NRs.)
1	Kabilas	44	10000.00	440000.00
2	Dahakhani	6	10000.00	60000.00
3	Chandibhanjyang	15	10000.00	150000.00
4	Darechok	1	10000.00	10000.00
	Total:	66	10000.00	660000.00

9.6 Cost of Compensation for Standing Crops

152. During the loss assessment survey, standing crops were not found on the affected plots. No valuation is included here. If crops are damaged during the construction the compensation for the lost will be paid in the field with the help of District Agriculture Development office.

9.7 Cost of VCDP

153. Regarding the information collection during consultation meeting public raised the social demand in different locations and these demands have been clearly written in VCDP. As per the VCDP, NRs. 7200000.00 has been proposed.

8

NRs. 20000 (Per HH): Displacement or movement allowance and transportation allowances for residential structures owners (for the transfer of household goods from old house to rented house and then to new house to new place)

NRs. 10000 (Per HH): Rental stipend equivalent of 3 months for tenants who have to relocate.

NRs. 10000 (Per HH): Business allowance and transportation allowances for transfer of shop goods from old shop to rented shop and then to new shop and to support income loss due to closing of business because of project and transfer the business stock to new place.

9.8 Social Monitoring Support for RAP Implementation

154. Effective RAP implementation requires social monitoring and supervision by Social Development and Resettlement Expert (SDRS). The Social Development and Resettlement Expert will be employed as a full time Supervision Consultant, assisted by a Social Mobilizer. The task of Social Development and Resettlement Expert will be to coordinate between PAPs and the CDC during Land Acquisition, monitoring and supervision during compensation payment. The supervision consultant conducts monitoring of RAP, its implementation process and the process of social management such as distribution of support allowance for the vulnerable people, use of child labor during construction, helping to conduct social safety measures like awareness program against HIV/AIDS and human trafficking, mediation of grievances of the PAPs if raised during compensation period, and help to neutralize the conflict between local people and outside labors regarding local resource use and distribution. Conducts due diligent study if there are any missing (absentee) PAPs, helping them to identify, and invite to receive compensation. The consultant plays a catalytic role to solve local problems rose if any between CDC, contractors and other concerned stakeholders in project related issues. Finally, the supervision consultant (Social Development and Resettlement Expert) prepares social auditing report biannually.

9.9 Total Cost Estimate

155. The total estimated cost for the compensation payment for private assets including structure, land, displacement, and rehabilitation and support allowances is NRs. 43 millions which is given in Table 27.

Table 27: Summary of Cost Estimation

1. Direct Cost			
A. Compensation & Rehabilitation			
I) Estimated compensation for private structures (including dismantling cost)	Number	80	21166432
II) House displacement allowance	Number	74	1480000
III) Transportation allowance	Number	74	740000
IV) Business displacement	Number	62	1240000
V) A. Rental stipend (A) Structure owner	Number	74	2220000
V) B. Rental stipend (A) who lives in the same house paying rent	Number	5	150000
VI) Support Allowance	Number	66	660000
VII) Cost for Public Structure	Number	11	5360297
Sub Total of 1			33016729
2. Indirect Cost			
I) LEST Cost	Lumsum		2650000
5% provisional sum of heading 2 (I)			132500
II) VCDP Cost	Lomsum		7200000
Sub Total of 2			9982500
Total (1+2)			42999229

11 MONITORING AND EVALUATION

156. The project has a monitoring and supervision mechanism to ensure that the economic condition of affected households shall not be worse than that of their situation without the project intervention. Regular monitoring is essential and only an instrument to understand the socio-economic condition of the affected household. Two types of monitoring, internal and external will be administered in three levels: (i) process level (ii) output level and (iii) impact level of: *(a) record and assess project inputs and the number of persons affected and compensated and (b) confirm that former subsistence levels and living standards are being reestablished.*

10.1 Internal Monitoring

157. The internal monitoring is the job of GESU, PCU in regular basis with the help of Social Officer in GESU and SDRS from monitoring and supervision consultant. A quarterly report of internal monitoring will be prepared by Social Officer of GESU in consultation with SDRS. The PIC office will maintain a record of all transaction in their resettlement database, followed by entitlement records signed by the affected persons and survey based monitoring of resettlement and land acquisition progress. The Local Consultative Forums will play an important role in monitoring providing feedback on community concerns, grievances and requests. Internal monitoring focuses and ensures the followings:

- Verification that there are not outstanding or unresolved land acquisition issues with respect to the project and that property valuation and economic rehabilitation in accordance with the provision of plan,
- Information campaign, discrimination and consultation with affected persons,
- Status of land acquisition and timely payments on land compensation,
- Value of entitlement received equal to that of actual land and structure acquired,
- Use of entitlement and check its misuse,
- Compensation for affected structures and other assets,
- Payments for loss of income,
- Relocation of affected persons and supports provided,
- Implementation of economic rehabilitation and income restoration measures,
- Effective operation of the Grievance Redress Committees, and
- Funds for implementing land acquisition and economic rehabilitation activities as timely manner and sufficient for the purposes and spent in accordance with the plan.

158. The Social Development & Resettlement Specialist (SDRS) through its resettlement team will submit reports to GESU on a monthly and quarterly basis. The Social Mobilizer submits the monthly progress report to (SDRS). Project field offices will be responsible for day-to-day monitoring of resettlement activities. The social mobilizer will play an important role to assist the project field office in course of regular monitoring. Socio-economic census and assets acquisition data provides the necessary benchmark for field level monitoring. Field level monitoring will be carried out through:

- Review of census information for project affected persons
- Consultation and informal interview with project affected persons
- Informal sample survey of project affected persons
- Key informants interview
- Public consultation meeting

159. A performance data sheet will be developed to monitor the project at the field level. Resettlement Specialist will monitor the RAP implementation and proceeds quarterly reports to DOR and the World Bank, received from the Social Mobilizers from the field offices.

Table 28: Frameworks for Internal Monitoring

Type	Indicators	Issue	Procedure	Timing	Responsibility
Process level monitoring	RAP implementation in project works	Employment of local labor including women and children	Site observation, attendance record, interaction with laborers and contractors	Monthly	Project/social mobilizer /SDRS
		Campsite management including lodging arrangement and campsite facilities	Site observation, interaction with laborers, contractors	Monthly	Project/ social mobilizer/SDRS
		Use of health and safety measures	Site observation, interaction with laborers, contractors	Quarterly	Project/ SDRS
		Temporary leasing of private land and house	Site observation, contractors, check contract agreement	Monthly	Project/social mobilizer/SDRS
		Discrimination of wage rate between male and female workers	Interaction with laborers, labor survey, record of wage payment	Monthly	Project/social mobilizer/SDRS
Output level	Land Acquisition	Encroachment into public land like grazing land, temples etc	Visit the identified public land interact with local people, take photographs	Biannually	Project/social mobilizer /SDRS
		Development of new settlements/slum along the roadside	Observation, recording of sites, photograph	Quarterly	Project/social mobilizers/SDRS
		Migration to the road side/displacement of local people	Review of land holding records, discussion with local people	Quarterly	Project/social mobilizer/SDRS
		Incidence of road accidents	Discuss with local people, health institutions' records	Biannually	Project/SDRS
		Incidence of communicable diseases like respiratory, STD, HIV/AIDS etc.	Discuss with local people, health workers/ health post/ center records	Annually	Project/social mobilizer/SDRS
Impact level	Change in household level income and economic activities	Changes in the land price, land use and agricultural practices, productivity and crop export	Discuss with farmers and extension workers, agricultural statistics of District Agriculture Office	Annually	Project/social mobilize/SDRS
	Social safety	State of social harmony and social security like alcoholism, narcotism etc.	Police records, discussion with local residents	Annually	Project/SDRS
		Changes in the living standard of people	Interview with families, VDC records, discussion with local leaders, CBOs	Annually	Project/SDRS
	Cultural impact	Condition of cultural and historical areas and aesthetic qualities	Visit the area, discuss with people, observation and photographs	Annually	Project/SDRS

10.2 External Monitoring and Evaluation

160. The implementation activities will be evaluated externally during mid-term and end term through an independently appointed agency, consultant not involved with any aspects of the Project, which will provide report to both PCU and to World Bank. The PCU will hire such external agency. A sample survey (10 percent among the PAFs) 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 during RAP preparation will form a baseline data, from which many of the indicators can be measured. A sample survey at the end of the sub-project period will cover all the categories of PAPs and assess changes caused by the project. The aim of the sample monitoring survey will be to measure the extent to which PAPs living standards have been restored/improved.

161. External monitoring will also be conducted to assess the Resettlement Action Plan implementation and its impacts, verify internal monitoring and suggest adjustment of delivery mechanisms and procedures. Additional monitoring surveys of a sample of affected households will be undertaken as a part of this activity. The socio-economic baseline surveys conducted during resettlement planning will be a part of this monitoring activity. This activity will be undertaken by an external independent agency trained in monitoring and evaluation and familiar with resettlement aspect of the infrastructure development, which will provide feedback on RAP implementation. The cost needed for such procurement will be borne by the project cost.

162. The external monitor will review the resettlement implementation. The external monitoring involves on:

- Review of RAP Implementation,
- Review of internal monitoring Reports,
- Review of compensation status,
- Rehabilitation supports,
- Information disclosure,
- Process and mechanism of compliance redress,
- Employment status of the PAPs,
- Livelihood restoration, and
- Awareness in HIV/AIDS and human trafficking.

163. Based on the above mentioned activities the external monitor will focus on:

- Evaluation of social and economic impact of land acquisition and economic rehabilitation of the project affected persons.
- Verify the objectives of enhancement of economic condition PAPs, or at least restoration of income levels and standard of living of the affected persons.
- Furnishing creative suggestions and modifications in land acquisition and economic rehabilitation, if necessary.
- Making ex-post evaluation to ensure all resettlement and land acquisition activities are properly conducted.

164.

- Verification of internal monitoring to ensure the appropriateness of activities carried out by program implementation unit in the field.
- Conduct household survey of PAPs to monitor progress comparing with pre-project, pre-resettlement standard.
- Evaluation of delivery system to the PAPs and assess impacts of entitlements to determine the approved resettlement action plan.
- Evaluation of consultation and grievance redress procedures to identify the levels of public awareness of grievance-redressed procedures, accessed by project affected persons and households for information and rapid conflict resolution.
- Evaluation of actual operations of grievance committee to assist project affected persons as required and to act as observers.

- Declaration of successful implementation for summing up of activities related to entitlements, distribution and resettlement.
- Recommend follow up action relating to outstanding actions required to complete achievement of objectives of the RAP and resettlement policies, additional mitigation measures for project affected persons.

Table 29: Frameworks for External Monitoring

Indicators	Procedure	Timing	Responsibility
Employment of local labor including women and children	Site observation, attendance record, interaction with laborers and contractors	Annually	External Consultant
Campsite management including lodging arrangement and campsite facilities	Site observation, interaction with laborers, contractors	Annually	External Consultant
Use of health and safety measures	Site observation, interaction with laborers, contractors	Annually	External Consultant
Temporary leasing of private land and house	Site observation, contractors, check contract agreement	Annually	External Consultant
Discrimination of wage rate between male and female workers	Interaction with laborers, labor survey, record of wage payment	Annually	External Consultant
Encroachment into public land like grazing land, temples etc	Visit the identified public land interact with local people, take photographs	Annually	External Consultant
Development of new settlements/slum along the roadside	Observation, recording of sites, photograph	Annually	External Consultant
Migration to the road side/displacement of local people	Review of land holding records, discussion with local people	Annually	External Consultant
Incidence of road accidents	Discuss with local people, health institutions' records	Annually	External Consultant
Incidence of communicable diseases like respiratory, STD, HIV/AIDS etc.	Discuss with local people, health workers/ health post/ center records	Annually	External Consultant
Changes in the land price, land use and agricultural practices, productivity and crop export	Discuss with farmers and extension workers, agricultural statistics of District Agriculture Office	Annually	External Consultant
State of social harmony and social security like alcoholism, narcotics etc.	Police records, discussion with local residents	Annually	External Consultant
Changes in the living standard of people	Interview with families, VDC records, discussion with local leaders, CBOs	Annually	External Consultant
Condition of cultural and historical areas and aesthetic qualities	Visit the area, discuss with people, observation and photographs	Annually	External Consultant

