

Government of Nepal

Ministry of Physical Infrastructure and Transport Department of Roads

Development Cooperation Implementation Division (DCID)

**STRATEGIC ROAD CONNECTIVITY AND TRADE IMPROVEMENT PRO-
JECT (SRCTIP)**

Kamala-Dhalkebar- Pathlaiya (KDP) Road

Resettlement Action Plan

Final Draft

June, 2023

EXECUTIVE SUMMARY

1. Project Description

The Government of Nepal (GoN) has requested financial support from the World Bank (WB) to prepare and implement the Nepal Strategic Road Connectivity and Trade Improvement Project (SRCTIP). The proposed project will support the widening and improvement of the existing 130km Kamala-Dhalkebar-Pathlaiya (KDP) Road along the East-West Highway from 2-lane to 4-lane.

The KDP road passes through Dhanusha, Mahottari, Sarlahi, Rautahat and Bara districts, which is a major access link to Birgunj in the south-west, Kathmandu in the north and other different parts of the country in the west via this Highway. High daily traffic and narrow bridges present unsafe road conditions for freight and passengers. The proposed improvements include 76 additional bridges as well as 2 flyovers and some underpasses at different locations along this road section.

2. Aims and Objectives of RAP

This RAP has been developed to mitigate adverse impacts on land acquisition, compensate for losses, and provide development benefits to persons and communities affected by the Project. The RAP is developed to ensure that economic or physical displacement resulting from the Project, whether permanent or temporary, is undertaken in a socially responsible manner in line with the Land Acquisition Act (1977) of Nepal and the World Bank's Environmental and Social Framework (ESF), specifically the Environment and Social Standard 5. The specific objectives of this RAP are to;

- Mitigate adverse impacts of involuntary resettlement resulting from the construction of the KDP road.
- Compensate for losses, including land and structures
- Restore and/or improve the living conditions and livelihoods of project affected households
- Promote transparency in the development and implementation of the resettlement activities.

3. Methodology for Resettlement Action Plan

An extensive reconnaissance survey marked the beginning of the field work for the KDP road project. This survey aimed to observe the entire project area, critically assess the feasibility report and gather valuable input from the potentially affected persons (PAPs).

The methodology also included the administration of questionnaire Focus Group Discussion (FGD), Key Informant Interviews (KIIs), an inventory of all affected assets, and a socio-economic census of Project Affected Households (PAHs). For this project, 100% inventory and enumeration of PAH in the project areas was undertaken in accordance with the WB ESF. The cut-off date is the date after which no further enumeration or claims can be made to affected land

and/or associated assets. The enumeration exercise included an assessment of all losses to households, businesses/enterprises and the community as a result of the project development.

4. Socio-Economic Information and Profile

A socio-economic census survey was conducted to identify the impact of the informal settlers living in the ROW or already acquired government land. In this regard, the Resettlement Action Plan has been prepared to address the impact of the KDP road project on the 64 affected households. The total number of direct Project Affected Persons (PAPs) are 330, where 53.6% are male and 46.4% are female, with an average household size is 5.1.

- 35.5% belong to Terai castes, 24.9% are Indigenous peoples, 25% are Dalits, 10.9% are Chhetris, and only 1.6% are Muslim by caste.
- The age breakdown of the population shows that 26.4% are below 14 years, 64.5% are between the ages of 15-59 years, and 9% are above 60 years.
- The literacy rate among the affected population is 77%, with 15.8% being illiterate and 7.3% not currently in school.
- The economically active portion of the population is divided into those engaged in business (37%), household work (14%), wage labour (10.3%), foreign employment (6.2%), and agriculture (4.4%). Likewise, none schooling and inactive populations age groups make up 15.6% and 7.8%, respectively.
- With regards to assets, 62.5% of the households have both land and structures, while 37.5% have structures only. The majority of the affected persons (82%) have less than 0.5ha of land holdings; however, 18% of land holdings are between 0.5 to 2ha. Small land holdings are the characteristic of the project affected area, with a 47 percentage of female landholding attributed to male migration in foreign employment and considerable government policies regarding with land registration for women. The food sufficiency status by their own agricultural production is low. The small land holdings and low dependency on agriculture envisaged low food managing by their own agri production however remaining of food stuffs will be managed by other sources like business, wage labor and foreign employment for coping food insufficiency against their own production.

5. Summary of Project Impacts

This RAP accounts for project impacts within the ROW of the KDP road populated by informal settlers who established sheds and housing units for business and residential purposes, respectively. Other structures that may be impacted include public structures like waiting sheds, small temples and *Bar-Pipal Chautara*- the traditional waiting sheds constructed by different agencies and communities. In total, 66 private structures, 204 extended housing structures (Sheds), 4 petrol pumps, 32 Public Structures, and 168 community structures are located within the RoW, which need to be removed to make way for construction. Among the 64 project affected HHs, 25 will lose residence structures, 35 will lose business structures, and 4 HHs will lose both residential and business structures.

Additionally, there are utility lines within the RoW which include 140 solar poles, and 2361 electric poles. In addition, the drinking water supply system will impact on 33,160 pipelines at the main settlement areas. The removal and/or relocation of these utility lines are outside the scope of this RAP and will be managed as an operational contract execution activity based on a memorandum of understanding between the Department of Roads and the Nepal Electricity Authority. Similarly, displacement impacts on government-owned infrastructure and facilities will be repaired or relocated in consultation with the relevant government officials and authorities. During construction, contractors will acquire and use land temporarily to host labour camps, material stock piling and quarry sites. Such temporary acquisitions will be conducted by contractors on a ‘willing buyer-willing seller’¹ basis.

5.1 Construction Induced Impacts

6. Additional impacts may occur during the project implementation phase from construction-related activities, i.e., construction-induced impacts. This may result from the vibration of heavy machinery works, causing impacts to or loss of structures, land, and/or crops along the project site. *Resettlement Activities and Income Restoration*

The RAP presents two main strategies to mitigate adverse impacts resulting from involuntary resettlement related to the project. They include cash compensation for impacted structures and, in some cases, livelihood restoration support. Prior to the commencement of works, a joint verification survey will be conducted before compensation of the affected assets. Cash compensation for the loss of assets will be determined at replacement cost, which includes the current market value plus necessary transaction costs as endorsed by the respective District Compensation Determination Committees (CDC) along the project RoW. Other monetary payments include displacement allowance, business disruption allowance and transportation allowance. Cash compensation payments will be disbursed in two tranches: 50% upfront payment to eligible PAPs and groups prior to dismantling and removal of structures, followed by an additional 50% after dismantling. The Entitlement Framework (table 6.1) specifies compensation and/or rehabilitation measures for two units of entitlement individuals, including affected individuals and their households. Rehabilitation and livelihood support training will be provided for vulnerable households as per their demand.

7. Information Disclosure, Consultation and Participation

As part of the RAP preparation, a total of 12 formal public consultations with local ward authorities and representatives of PAHs were conducted. Government organizations and officials from the concerned government organizations, such as Road Project/Division

¹ This is a voluntary transaction where the owner (the seller) of the asset agrees to sell their property to the buyer who is willing to purchase it at an agreed price

Office, District Administration Office and Local Government Institutions, including Municipality were also consulted September, 2022.. Different groups of people were consulted in the project area with the representation of women, Dalits, ethnic group, ethnic minority group, local level authorities' social leaders, and traders during field study in different settlements. Consultations with project-affected households were specifically undertaken. During individual and group consultation meetings, the major concern was for the improvement of road with considering the possible impacts on either side. People are ready to cooperate to the KDP Road project with agreeing to shifting their structures from the ROW. They are prepared to receive compensation of their affected structures, recognizing that they are largely occupying government-owned land. People living in the project area have shown their commitment to support the project implementation. Key Informant Interviews (KIIs) with traffic personnel and army officers, traders, respective representative of IPs and hoteliers were utilized to seeking views and suggestions to prepare RAP. Project-affected family members, IPs, Dalits, and vulnerable people with Ward Chair persons were participated in those formal consultations. Consultations were also held separately with women and business groups so that their preferences in regards to relocation and rehabilitation were raised and addressed. They are ready to evacuate their structures from the ROW after getting compensation as planned.

Institutional Arrangements

As the project authority, the Department of Roads (DOR), under the Ministry of Physical Infrastructure and Transport (MoPIT), has the overall responsibility for implementing this RAP, in close coordination with relevant local authorities such as the CDCs. The Project Coordinator, heading the Project Management Unit of the DoR will be responsible for overall project coordination and management of RAP implementation. The Project Office headed by a Project In-Charge (PIC) will be established at the project level. The PIC will work with respective Chief District Officers to constitute the Compensation Determination Committees (CDC). A grievance redress mechanism (GRM) will be established to allow project affected persons (PAPs) to raise their concerns about the RAP and any-project related concerns.

8. Monitoring and Reporting

Internal monitoring will be the responsibility of GESU, PCU and PMU and will be undertaken on a regular basis with the help of a Social Safeguard Specialist in the Development Cooperation and Implementation Division (DCID), GESU and Social Development and Resettlement Specialist from supervision consultant. Internal monitoring will focus on the verification of property valuation and rehabilitation in accordance with the provision of the plan. Information dissemination, consultation, timely payments of compensation, payments for loss of income and relocation of affected persons, among others, will come under the jurisdiction of internal monitoring. External monitoring will be carried out by the Department of Roads. The external monitoring focuses on RAP implementation, review of internal monitoring reports, review of compensation status, rehabilitation supports, information dissemination, process and mechanism of compliance redress and livelihood restoration.

9. Resettlement Budget and Financing Plan

The summary of the RAP implementation cost includes all the expenses required to compensate for affected assets, including the provision of rehabilitation costs and other financial assistance. Compensation for lost assets will be provided at replacement cost, which is based on market value and as agreed during public consultations. The overall estimated resettlement cost is NRs.31424707.4.

कार्यकारी सारांश

१. आयोजनाको विवरण

राष्ट्रिय सडक संञ्जाल नै नेपालको यातायातको प्रमुखमाध्यम हो । त्यसै अनुरूप पर्ने यो कमला-ढल्केवर-पथलैया खण्ड महेन्द्र राजमार्गको अति महत्वपूर्ण सडक खण्ड मध्येको एक हो । यस सडक खण्डले मेचीदेखि महाकालीसम्म, काठमाण्डौ देखि बिरगञ्जहुदै नेपालका महत्वपूर्ण पर्यटकिय तथा औद्योगिक शहरहरू जस्तै: पोखरा, सौराहा (चितवन) लुम्बिनी र बिराटनगरलाई जोडदछ । कमला- ढल्केवर- पथलैया सडक खण्ड यसै अन्तर्गत विकास गर्न लागिएको महेन्द्र राजमार्गको (चेनेज २३६+६९८ कमलानदी देखि ३६६+६६७पथलैया घुम्ती सम्म) एक सडक खण्ड हो जुन सडक विभाग अन्तर्गत रणनीतिक सडक संञ्जाल एवं बाणिज्य विकास परियोजना (Strategic Road Connectivity and Trade Improvement Project-SRCTIP)-विकास सहायता कार्यान्वयन महाशाखा (DCID) द्वारा सञ्चालित छ ।

यस सडक खण्डले पूर्वतर्फका धनुषा, महोत्तरी, सर्लाही, रौतहट हुँदै वारा जिल्लालाई छोएर जान्छ, भने दक्षिणमा बिरगञ्जउत्तरमा काठमाडौँ र पश्चिमतर्फ महेन्द्र राजमार्गले भरतपुर, बुटवल, नेपालगञ्ज, धनगढी एवं महेन्द्रनगरलाई जोड्छ । यसले नेपालको पूर्व र पश्चिमतर्फका दुवै अन्तरराष्ट्रिय सिमानालाई नै छोएको छ । यसले व्यापार-वाणिज्यको विकासमा महत्वपूर्ण भूमिका खेलेको छ । त्यसैले यस्तो महत्वपूर्ण सडकको स्तरोन्नती अति आवश्यक बन्न पुगेको छ, जहाँ साघुरा र असुरक्षित पुलहुनुको साथै सडकको दुरावस्थाले बढ्दो सवारी चापलाई धान्न सकिरहेको छैन । यसका साथै तिव्र गतिमा हुँदै गरेको शहरीकरणले बजार क्षेत्रमा चार लेनको सडक तथा दुवैतर्फ सर्भिस लेन समेतको आवश्यकता श्रृजना गरेको छ । यस अर्न्तगत ७६ पुलहरु, २ वटा फ्लाई ओभर साथै केहि अन्डर पासहरु निर्माण गरिनेछ । यो सडक खण्डको लम्वाई १३० कि.मी. रहेको छ भने यसै अर्न्तगत पर्सा राष्ट्रिय निकुञ्जको संवेदनशिल जैविकमार्ग समेत पर्ने भएकोले वन्यजन्तु सुरक्षाकालागि आवश्यक संरचनाहरु निर्माण गरिनेछ ।

२. पुनर्वास कार्य योजनाको लक्ष र उद्देश्य

पुनर्वास कार्य योजनाको लक्षआयोजनाबाट पर्ने नकारात्मक प्रभावहरुको न्यूनिकरण गर्नु र विकासको लाभप्रभावितव्यक्ती र समुदायसम्म पुऱ्याउनु रहेको छ । पुनर्वास कार्य योजनाआयोजनाको कारण हुने आर्थिक तथाभौतिकविस्थापनआदिलाई सामाजिकउत्तरदायित्वतथाविश्व बैंकको वातावरणिय तथा सामाजिक संरचनातथावातावरण तथा सामाजिकव्यवस्थापन संरचनाले तय गरेको प्रावधानलाई आधार मानिगरिएको छ । आयोजनाबाट प्रभावित घर-परिवार र तिनका सम्पत्तिको क्षति एवं सहयोगकालागि क्षतिपूर्ती निर्धारण समितिवा सडक विभागद्वारा जारि सूचनामा उल्लेखित अवधिलाई मानिने छ । पुनर्वास कार्य योजनाको उद्देश्य अस्वेच्छिक पुनर्वासलाई हटाउनु अथवा न्यूनिकरण गर्नु वा क्षतिपूर्ती गर्नु रहेको छ, यदि सामाजिकतथावातावरणिय प्रभावलाई हटाउन नसकिने अवस्थामा गरिव तथाविपन्न परिवार एवं आयोजनाप्रभावितव्यक्तीहरुको जिविकोपार्जनमा सुधार गर्न विश्व बैंकको वातावरण तथा सामाजिक संरचनातथा सडक विभागको वातावरण तथा सामाजिकव्यवस्थापन संरचनामा आधारित पुनर्वास योजनातथापुनर्स्थापन सहायता योजनातयार गर्नु रहेको छ ।

३. पुनर्वास कार्य योजनाको दायरा (Scope) एवं अध्ययनविधि

यसको अध्ययनविधिमा आयोजना क्षेत्रको जानकारी, सम्भाव्यताअध्ययन एवं नागदुङ्गा-नौविसे-मुङ्गलिन सडकसँग सम्बन्धित पुनर्वास कार्य योजना (Resettlement Action Plan) समेतको विवेचना गरिएको छ । प्रस्तावित सडक आयोजनाले प्रभावपार्ने क्षतिको मात्राएकिन गर्न सम्पूण आयोजना क्षेत्रको सर्वेक्षण गरिएको थियो जस अर्न्तगत प्रश्नावलीको निर्माण, गणकको लागि अभिमुखिकरण तालिम, लक्षित समूहछलफल, जानिफकार व्यक्तीसँग अन्तरवार्ता, आयोजनाबाट प्रभावित घरधुरीको सामाजिकतथाआर्थिक सर्वेक्षण साथै सार्वजनिक छलफल आदिप्रकृया अवलम्बन गरिएको थियो । सडक आयोजनाले प्रभावपार्ने सडक अधिकार क्षेत्र भित्रका घरधुरी र सम्पत्तिको नोक्सानीवारे लगत तयार गरिएको थियो । यो पुनर्वास कार्य योजना विश्व बैंकको ई एस एम एफ र ई एस एफ नीति तथा नेपाल सरकारको संम्बन्धित नीतिनियम अनुसार तयार गरिएको छ ।

४. सामाजिक आर्थिक अवस्थाको विश्लेषण

पुनर्वास कार्य योजनाले सडक-अधिकार-क्षेत्रभित्र (दायाँबायाँ २५/२५ मिटर गरि जम्मा ५० मिटर) अवस्थित सम्पूर्ण ६४ घरधुरीको जनगणना (Census survey) गरिएको छ । जहाँ ३३० जनसंख्या रहेकामध्ये ५३.५% पुरुष र ४६.४% महिला छन् । औषतपारिवारीक संख्या ५.१ रहेको छ । सम्पूर्ण सर्वेक्षण गरिएका घरधुरी मध्ये ३३.५% तराईका जातजाती, २४.९% आदिवासी/जनजाती, २५% दलित, १०.९% क्षेत्री र १.६% मुस्लीम जनसंख्या रहेका छन् । १४वर्ष मुनीको जनसंख्या २६.४%, १५-५९ वर्ष समूहको जनसंख्या ६४.५% र ६० वर्ष भन्दा माथिको जनसंख्या ९% रहेको छ । आयोजनाबाट प्रभावित ७७% जनसंख्या साक्षर रहेको छैन, १५.८% निरक्षर र ७.३% विद्यालयजाने उमेर समूह भन्दा कमका रहेका छन् । ३७% आर्थिक रूपले सक्रिय

जनसंख्याव्यापारमालागेको छ, १४% घरायसीकाममा, १०.३% ज्यालादारी मजदुरी, ७.२% वैदेशिक रोजगारी र केवल ४.४% कृषि पेशामा आवद्ध रहेका छन्। सर्वेक्षण गरिएकोमध्ये ४० घरधुरी (६२.५%) को आफ्नो छुट्टै घरजग्गा रहेको छ भने २४ घरधुरी (३७.५%) को केवल घर मात्र रहेको छ। ०.५ हेक्टर भन्दा कम जग्गाको स्वामित्वहुने घरधुरी १८% रहेका छन्। न्यूनजग्गाको स्वामित्व एउटा विशेषता रहेको छ भने महिलाको नाममा ४७.१% जग्गाको स्वामित्व रहेको बताईएकोछ, जुनमहिलाको नाममाजग्गा रजिष्ट्रेशनगर्दा दिइएको छुट र धेरैजसो पुरुषवैदेशिक रोजगारमाजानेकुराले निर्धारण गरेको छ। त्यसैगरि१५ परिवार संख्या निम्छरो परिवारमा पर्दछन् जुनमहिला घरमूली, अपाङ्गता, जेष्ठ नागरीक, गरिवीको रेखामुनी रहेका परिवार, दलित, तथाअल्पसंख्यक जातिय समूहहरु पर्दछन्। जग्गाको स्वामित्वको कमी रहेकाहरु यहि सार्वजनिक स्थलमाव्यापार व्यवसायमा नै बढि संलग्न रहेका, जग्गाको स्वामित्वमाकमितथा कृषिमाथिको न्यूननिर्भरताले गर्दा आफ्नो उत्पादनले ३ महिनाभन्दाकम समय मात्रखाद्यान्नले धान्ने परिवार संख्या ८२% रहेको, ६ महिना सम्म खाद्यान्नपुग्ने केवल १८% मात्र रहेको पाइन्छ।

५. आयोजनाको प्रभावको सारंश

यो पुनर्वास कार्य योजनाले कमला-ढल्केवर-पथलैया सडक खण्डको सडक अधिकार क्षेत्र भित्रआवास तथा व्यापार गरिजिविकोपार्जन गरिरहेका अनौपचारिक बसोवासी (Informal Settlers) एवं तिनकानिजि संरचना साथै अन्य सार्वजनिकतथा सामुदायिकसंरचनाहरु समेतमाप्रभाव पर्नेछ। विभिन्न सार्वजनिक संरचनाहरु जस्तै:प्रतिकालय, सानामन्दिर तथा वर-पिपल चौतारा जुनपहिलेको २ लेनको सडक खण्डमा विभिन्न संस्था, व्यक्तीवा समुदायद्वारा सडकको अधिकार क्षेत्र भित्रको खालीस्थानमापहिले नैनिर्माण गरिएका संरचनाहरु हुन्। यो पुनर्वास कार्य योजनाले कुल ६६ निजि संरचना,२०४ अन्यघरका बिस्तारित संरचनार चारवटा व्यापारिक पेट्रोल पम्पमाथि पर्नेप्रभावसाथै, ३२सार्वजनिक संरचनाहरु, १६८ सामुदायिक संरचनाहरु आयोजनाबाट प्रभाव पर्ने देखिन्छ। यस संगै बिजुलीका पोल २३६१ वटा (१४० सोलार सहित) र १६.५८/१६.५८कि.मि.सडकको दुबैतर्फ गरि ३३१६० मिटर भूमिगत खानेपानीका पाइप लाइनलाई असर पर्नेछ। आयोजनाबाटप्रभावितपरिवार मध्ये २५ परिवारले आवास, ३५ परिवारले व्यापारिक टहरा, ४ परिवारले बसोवास तथाव्यापार सम्बन्धीकार्य गर्ने गरेको र २ वटा अन्य संरचनाहरु पर्दछन्। आयोजनानिर्माणकोलागि अस्थाई रुपमाकामदार क्याम्प, निर्माण सामाग्रीथुपार्ने स्थलतथाक्वारी उत्खनन् गर्न जमिनको आवश्यकता पर्नेछ। यो आयोजनानिर्माण तथा संचालन ईएसएमएफतथाविश्व बैंकको ईएसएफनीतिको आधारमागरिनेछ।

५.१ निर्माण चरणका प्रभाव

आयोजनाकार्यान्वयनको दौरानअतिरिक्तप्रभाव पर्ने हुन्छ जहाँआयोजनानिर्माण गर्दा हेवी मेशीनरी कार्यले अग्लो होचो भू-भागको व्यवस्थापन गर्नु पर्दा नजिकका घरहरू चर्किने तथाभत्किने, वालीनालीको नोक्सानी साथै सडक क्षेत्रकाआसपासकाअन्य घर बस्तीमा पहुँचको कठिनाई तथा डुवान समस्याआदिभएमानिम्नप्रक्रियाअवलम्बन गरी समाधानगरिनेछ । निर्माण कार्य दौरानमागरिएको सामाजिकअध्ययन अनुरुपको उक्तव्यक्तिगत सम्पत्तिनिजी संरचना, जग्गा, वालिको अध्ययनगरिनेछ । गुनासो व्यवस्थापनवारे जानकारी गराइने छ । यदिक्षति सम्बन्धिगुनासो आएमा परामर्शदाताको सहयोगमा अनुसन्धान, नापतथा लेखाजोखागरिने छ । साथै ठेकेदारले कार्यान्वयन गरेको व्यवस्थापनको आवश्यकजाँचगरि सदर गर्नेछ । ठेकेदारले परामर्शदाताको नापतथालेखाजोखाअनुरुपहर्जना दिनुपर्ने छ ।

६. कानुनीव्यवस्थाको खाका

सडक आयोजनानिर्माणकोलागिविभिन्नकानूनहरू अवलम्बन गर्नु पर्ने हुन्छ जस्तै सावजनिक सडक ऐन, वन ऐन, २०७२ को संविधानको सम्पत्ति सम्बन्धिअधिकार जस्ता प्रावधानहरू आकर्षित हुनेछन् । त्यसैगरि पुनर्वास कार्य योजनाविश्व बैंकको वातावरणीय तथा सामाजिक संरचना (ESF), सडक विभागको वातावरण तथा सामाजिकव्यवस्थापन संरचना(ESMF)लगायतपुनर्वास कार्य योजनासँग सम्बन्धितअन्यनितिनिर्देशिकातथा ऐनमा रहेको प्रावधानको आधारमाकार्यान्वयनहुनेछ ।

७. सूचनाप्रवाह, परामर्श एवं सहभागिता

परामर्श छलफल मुख्यतया, आयोजनासँग सम्बन्धितनिकायहरू जस्तै: सडक आयोजनाकार्यालय, नगरपालिकाहरू, स्थानीय सरोकारवाला र प्रभावितव्यक्तिहरूसँग छुट्टा छुट्टै गरिएकाथिए । पुनर्वास कार्य योजनातयारी क्रममा स्थानिय स्तरमाकुल १२ स्थानहरूमाऔपचारिक परामर्श, छलफल कार्यक्रम संचालन गरिएको थियो । उक्त संचालीत परामर्श, छलफल कार्यक्रममाआयोजनाप्रभावित परिवार सदस्य, दलित, जनजाति, जोखिमयुक्त समुदायकाव्यक्तिहरू र विविधक्षेत्रका स्थानियव्यक्तित्वहरूको सहभागिता रहेको थियो । सार्वजनिक परामर्श बैठकमा आयोजनाबाट प्रभावितहुने सम्पत्तिको उचितमूल्याङ्कन र क्षतिपूर्ति वितरणको विषयप्रमुख रूपमा छलफल भएको थियो । चलनचल्तीको दरमाप्रभावित सम्पत्तिको क्षतिपूर्ति दिएमा सवैजसो प्रभावितव्यक्तिहरू आफ्नो घरसंरचनाआयोजना स्थलबाट हटाउन राजीखुसी रहेका पाइन्छन् । सरकारी जग्गामाबनेका संरचनाको समेत क्षतिपूर्ती पाउने कुरालेउनिहरू खुसी देखिन्छन् । त्यसकारण सडक निर्माण तथा सुधारमा स्थानीयको सहयोग तथा समर्थन रहेको पाईन्छ । विशेषतःआयोजनाको निर्माणको कारण सडकको ५० मिटर क्षेत्रभित्र १६ आदिवासि जनजाति घरधुरी रहेकाभएतापनित्यहाँकुनै आदिवासिसँग सम्बन्धितविशेष महत्वको सम्पदानपर्ने भएकोले अग्रिमजानकारी सहितको मन्जुरीनामाको प्रकृत्यामाभने जानु पर्ने देखिदैन ।

८. पुनर्वास कार्य योजनाकार्यान्वयनतथाव्यवस्थापन

भौतिकपूर्वाधार तथायातायातमन्त्रालयले यस पुनर्वास कार्य योजनाको लागीआवश्यक पर्ने बजेट व्यवस्थापन र निकासामाजिम्मेवारी वहन गर्नेछ । सडक विभागअन्तर्गत विकास सहायताकार्यान्वयनमहाशाखाले भु-वातावरण तथा सामाजिकशाखासंग सामान्जस्य गरी पुनर्वास कार्ययोजनाको पुनःअध्ययन, प्रमाणिकरण, स्वीकृति र अन्य सामाजिक मुद्दाहरूको समाधानकालागीजिम्मेवारी वहन गर्नेछ । सडक विभागको आयोजना समन्वयइकाईले केन्द्रियतहमानीतिनिर्माण तथापुनर्वास कार्य योजनाकार्यान्वयनमाजिम्मेवारी वहन गर्नेछ । स्थानीयतहमा रहेको आयोजनाकार्यालयले पुनर्वास कार्य योजनाको कार्यान्वयनको जिम्मेवारी वहन गर्नेछ र

सो कार्यको लागि परामर्शदाताको तर्फबाट सामाजिकविकास तथापुनर्वास विशेषज्ञ र सामाजिक परिचालकले सडक विभागअन्तर्गत विकास सहायताकार्यान्वयनमहाशाखाले भू-वातावरण तथा सामाजिकशाखाको सामाजिकविकास तथापुनर्वास विशेषज्ञसंग सामान्जस्य गरी पुनर्वास कार्ययोजनाको कार्यान्वयन गर्नुपर्ने हुन्छ । पुनर्वास कार्य योजनाकार्यान्वयनमावहन गर्नुपर्ने सम्पूर्ण दायित्वआयोजनाको हुनेछ ।

९ पुनर्वास योजना सम्बन्धिक्रियाकलापहरु

आयोजनाप्रभावित सम्पत्तिको मुल्याङ्कन, क्षतिपूर्ति तथाजिविका-पुनर्स्थापन सम्बन्धिप्रकृयागतक्रियाकलाप यस अन्तर्गत पर्दछन् । प्रभावित सम्पत्तिको संयुक्तपुनर्मुल्याङ्कनकमिटिद्वारा सर्भे गरिन्छ । प्रभावित सम्पत्तिको बजार मूल्य बराबरको रकमनगदमाक्षतिपूर्ति वितरण गरिन्छ । यसका साथै मुआब्जानिर्धारण कमिटिले निर्णय गरि स्थानान्तरणखर्च, विस्थापन राहत, व्यापार प्रतिस्थापन सहायताआदीवितरण गरिन्छ । यसकालागि २ किस्ताकाआधारमा परिवारका श्रीमानश्रीमतीलाई संयुक्तरूपमावितरण गरिन्छ । त्यसै गरि सार्वजनिकतथा सामुदायिक संरचनाहरुकोपुनर्मुल्याङ्कन पछि सम्बन्धितनिकायतथा समुदायसँग छलफल गरि पुनर्स्थापनगरिनेछ ।

१०. आयआर्जन वहाली र पुनर्स्थापना

आयोजनाका कारणले हुने क्षतिको प्रकृतिकाआधारमा घर संरचनाको क्षतिहुने परिवारहरु र विस्थापितहुने परिवारहरुले पुनर्वास कार्य योजनाले प्रस्ताव गरेको क्षतिपूर्ति, विस्थापन सहायता, पुनर्वास तथापुनर्स्थापना सहायतापाउन योग्य ठहरिने छन् । यसका साथै आयोजनाबाट प्रभावित जोखिमयुक्त समुदायका परिवारले जीविकोपार्जन सहायतासम्बन्धिजीविकोपार्जन तालिमपाउनेछन् । उक्ततालिमउपलब्ध गराउनकालागिकमला-ढल्केवर-पथलैया सडक खण्डमा आयोजनाप्रभावित१५जोखिमयुक्तपारिवारिक समुहका सदस्यहरु (महिला घरमूली, दलित, जनजाती, जेष्ठ नागरिक, विपन्न र अपाङ्गताभएकाआदि) घरधुरीहरु तथा८०व्यापार-व्यवसायी समेतप्रभाव पर्ने कुरा पहिचानगरिएका छन् । यसका साथै उक्तव्यापार विस्थापितघरपरीवार समेतलाई व्यापार विस्थापनवापतजीविकोपार्जन सहायतादिईनेछ ।

११. पुनर्वास लागतएवंआर्थिक योजना

पुनर्वास कार्य योजनालागतअन्तर्गत प्रभावितनिजि घर-टहरा, सार्वजनिक संरचनाको पुनर्स्थापनतथापुनर्स्थापन सहायता, जोखिमयुक्त समुदाय सहायता, निम्छरो समूहलाई क्षमताविकासतालिम, विस्थापन सहायता, जीविकोपार्जन तालिम सन्चालनको लागिखर्च लगायतपुनर्वास कार्य योजनाकार्यान्वयनतथाअनुगमनकालागिलागने खर्चहरु समावेश गरिएको छ । सार्वजनिक तथा सामुदायिक संरचना पुनर्निर्माण खर्च बिओक्यु तथा प्रोविजन्ल फन्ड मार्फत खर्च हुनेछ । अतःयस पुनर्वास कार्य योजनामाक्षतिपूर्ति, पुनर्निर्माण तथा योजनाकार्यान्वयनको लागिक्लअनुमानितलागत रु. ३,१८१३५७५ प्रस्तावगरिएको छ ।

१२. अनुगमनतथाप्रतिवेदन

पुनर्वास कार्य योजनाकार्यान्वयनको लागिआन्तरिक मुल्याङ्कन गर्ने कार्य आयोजनाव्यवस्थापनविकास सहायताकार्यान्वयनमहाशाखा र भू- वातावरण तथा सामाजिकइकाईको हुनेछ । यस कार्यमा भू- वातावरण तथा सामाजिकइकाई र परामर्शदाताका सामाजिकविकास तथापुनर्वास विशेषज्ञको पूर्ण सहयोग रहनेछ । यसरी गरिने आन्तरिक मुल्याङ्कनले पुनर्वास कार्य योजनामाउल्लेख भएबमोजिम सम्पत्तीमुल्याङ्कनको रुजु, पुनर्वास तथापुनर्स्थापना सहायताकार्यान्वयन, सूचनाको संप्रेषण तथाप्रवाहप्रभावित परिवारसँग नियमित परामर्श, समयमानै मुआब्जावितरण, प्रभावित परिवारको पुनर्स्थापना, आयोजनाप्रभावितलाई उचित सहयोग, गुनासो निदान संयन्त्रको प्रभावकारी सन्चालन, गुनासो दर्ता प्रक्रिया, प्रभावित परिवारको रोजगारीको स्थिति, जिविकोपार्जनको अवस्था जस्ता विषयहरुलाई केन्द्रित गर्नेछ । वाट्यअनुगमन, एक स्वतन्त्रअनुगमननिकयद्वारा

गरिनेछ । वाह्यअनुगमनपुनर्वास कार्य योजनाकार्यान्वयनको अवस्थामा केन्द्रितहुनेछ । साथै पुनर्वास र पुनर्स्थापनाका उद्देश्यहरू कुनहदसम्महासिलभएका छन् भनिमूल्याङ्कनगरिनेछ ।

ACRONYMS AND ABBREVIATIONS

AH	Asian Highway
AIDS	Acquired Immune Deficiency Syndrome
CBS	Central Bureau of Statistics
CDC	Compensation Determination Committee
CDO	Chief District Officer
COI	Corridor of Impact
CSC	Construction Supervision Consultant
DAO	District Administration Office
DCC	District Coordination Committee
DCID	Development Cooperation Implementation Divisions
DIA	Direct Impact Area
DLRO	District Land Revenue Office
DoR	Department of Road
EIA	Environmental Impact Assessment
ESF	Environmental and Social Framework
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESS	Environmental and Social Standard
FPIC	Free Prior and Informed Consent Formation Width
FW	
GESU	Geo-Environment and Social Unit
GoN	Government of Nepal
GRM	Grievance Redress Mechanism
HHs	Households
HIV	Human Immune Deficiency Virus
HW	Highway
IIA	Indirect Impact Area
IPs	Indigenous Peoples
KDP	Kamala DhalkebarPathlaiya
LCF	Local Consultative Forum

LRO	Land Revenue Office
MOPIT	Ministry of Physical Infrastructure and Transport
NEFIN	Nepal Federation of Indigenous Nationalities
NGO	Non-Governmental Organization
NHDR	Nepal Human Development Report
NLSS	Nepal Living Standard Survey
NNM	Nagdhunga-Naubise-Mugling
NRs	Nepalese Rupees
OHS	Occupational Health Safety
PAPs	Project Affected Persons
PCU	Project Coordination Unit
PIC	Project In-Charge
PIP	Priority Investment Plan
PLI	Poverty Line Income
PMU	Project Management Unit
R&R	Resettlement and Rehabilitation
RAP	Resettlement Action Plan
RCC	Reinforced Cement Concrete
RF	Resettlement Framework
RoW	Right of Way
SRCTIP	Strategic Road Connectivity and Trade Improvement Project
SRN	Strategic Road Network
ToR	Term of Reference
WB	World Bank
ZoI	Zone of Influence

GLOSSARY OF TERMS

S.N.	Description
Compensation	Compensation is the payment to the PAPs in cash or kind for private property acquired by the project, based on replacement value as defined by the Compensation Determination Committee (CDC). However, the depreciation and salvage value will not be deducted while computing the compensation with respect to the replacement value.
Compensation Determination Committee	The district-level committee will be established in each road district under Section 13(2) of the Land Acquisition Act, 203 4B.S. (1977), to determine replacement value and compensation rates against the property acquired under the Act.
Cultural heritage	Resources with which people identify as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions.
Cut-off Date for Eligibility to Entitlement	The cut-off date is the date after which no further enumeration or claims can be made to affected land and/or associated assets.
Entitled Person	Any person who is entitled to get compensation due to loss of privately owned Assets and other rehabilitation assistance.
Forced Eviction	The permanent or temporary removal against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection, including all applicable procedures and principles.
Involuntary resettlement	<p>Project related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both.</p> <p>The term involuntary resettlement refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refusal and acquisition nor Restrictions on land use that result in displacement.</p>
Land acquisition	All methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the land holder relies up on such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. Land includes anything growing on or permanently affixed to land such as crops, buildings and other improvement, and appurtenant water bodies.

S.N.	Description
Livelihood	Livelihood refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, and other natural resource-based livelihoods, petty trade, and bartering.
Project Affected Person	Any person directly affected by the project through the acquisition of assets belonging to him/her or his/her household or community. This includes any person whose rights, standard of living, subsistence and income-generating capacity are adversely affected through the acquisition of assets, whether full/partial, or permanent/temporary.
Project Affected Household	The group of people residing in one house and operating as a single economic unit, who are affected by the project. The project affected families are included widow or unmarried daughters (biological or adopted), matured son, adopted son over the age of 18 years who is looking personal business as livelihood management and or acting as household head in absence of parents, will be entitled to rehabilitation measures.
Restrictions on land use	Limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on Land use within utility easements or safety zones.
Rehabilitation	The measures taken to mitigate identified social impacts, including compensation, displacement assistance, rental stipend, trade disturbance allowance and support allowance
Replacement Cost	A method of valuation yielding compensation sufficient to replace assets. This constitutes the current market value of the asset plus transactional costs.
Titleholders	The person who owns the project-affected land and/or building and has ownership certificate and the person who is authorized by law to receive the compensation Granted for the acquisition of land.
Non-Titleholders	Individuals residing on rented or encroached land.
Tenant	A person who does not have legal ownership of a property and is occupying/using the property of a titleholder according to the stipulations of the Land Act, 2021 (1964).
Vulnerable Groups	Vulnerable groups refer to individuals who, due to existing challenges, may be disproportionately affected by the project and could potentially face increased hardship. These individuals often have special needs and their circumstances may worsen as a result of the project.

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CHAPTER 1: INTRODUCTION

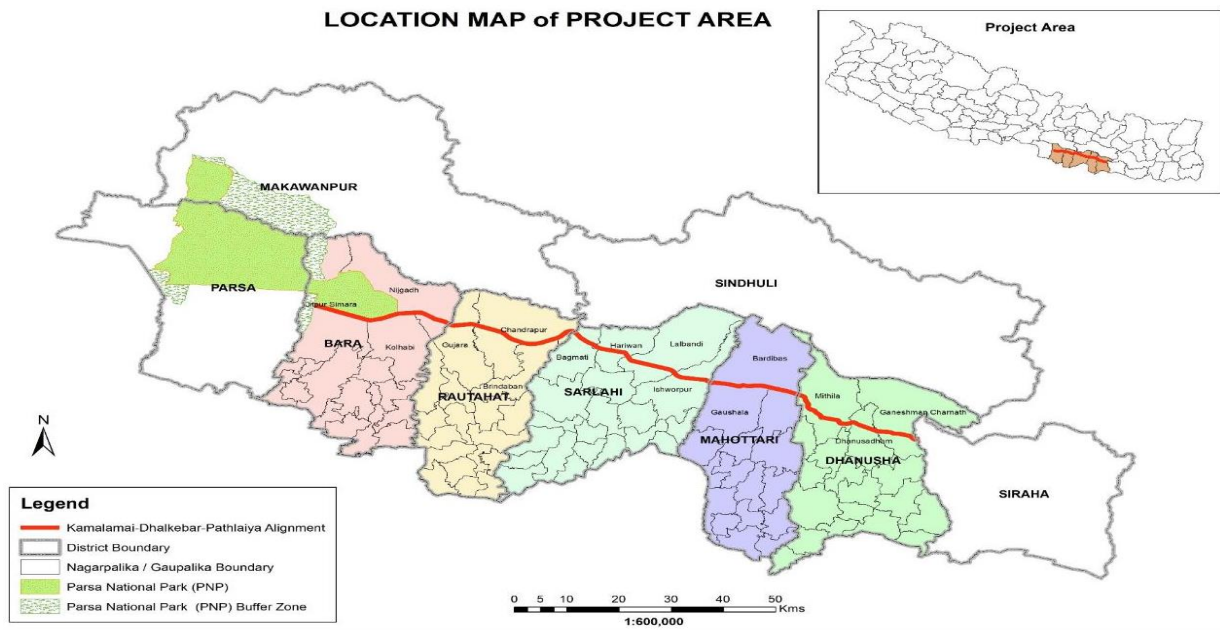
1.1 Project Background

The proposed road project under the Strategic Road Connectivity and Trade Improvement Project (SRCTIP) is aimed at upgrading the Kamala-Dhalkebar-Pathlaiya (KDP) section of the Mahendra Highway¹. This section is a vital component in the national road network of Nepal, linking major tourist and industrial cities such as Pokhara, Sauraha (Chitwan), Lumbini, and Biratnagar. It is also an integral part of the Asian Highway 2 (AH2). The KDP road section spanning 130km, begins at the Kamala River and ends at the Pathlaiya junction of Bara district. More specifically, the KDP roadcrosses the Dhanusha, Mahottari, Sarlahi, Rautahat and Bara districts, is a major access route to Birgunj in the south-west, Kathmandu in the north and the various other parts of the west via this Mahendra Highway

The proposed project seeks to transform the KDP section from a two-lane to a four-lane road, thus enhancing efficiency and safety. The Government of Nepal (GON) has allocated a 50-meter Right of Way (ROW) for this section, all of which is under government ownership. It is important to note that the road development will be confined within this ROW, ensuring that no additional private land is required for the project. The project also encompasses significant road improvement works. These include the construction of an additional 76 bridges, 2 flyovers, and an interchange at the Fast-track junction. Another T-Junction, 16 four-legged intersections, and several underpasses are also proposed in the design. Given that the proposed project route passes through the Parsa National Wildlife Reserve, specific measures are being taken to ensure wildlife safety in this area. Overall, the project is designed to address the current challenges of high traffic, narrow and unsafe bridges, and insufficient facilities. It also considers the rapid urbanization along the project section, with plans to widen the road to 4 to 6 lanes in urban locations. The proposed road project is expected to significantly enhance road capacity and efficiency, improve safety, and facilitate regional trade and connectivity. The Project location, along with the proposed road alignment, is shown in **Figure 1-1**

¹The KDP road is being upgraded under the Development Corporation Implementation Division (DCID) of the Department of Roads (DOR).

Figure 1-1: Location Map of Project Area



(Source: Inception Report of KDP, 2022)

1.2 Salient Features of the Project and Components

The proposal is to upgrade the 130 km road section from its current two lanes to four lanes, along the project sections. In densely populated areas, extra service lanes will also be constructed on each side of the road. The salient features of the Project are detailed in **Table 1-1**.

Table 1-1.1 Salient Features of the Project

Name of the Sub-Project	Upgrading of Kamala-Dhalkebar-Pathlaiya Road section of Mahendra Highway
Location: Kamala- Dhalkebar- Pathlaiya (130km) Section of the Mahendra Highway	
Province	Madhesh
Start Point	Kamala Bridge (Ch: 236+698) 26°52'40.73"N latitude and 86° 8'24.20"E longitude
End Point	Patlaiya Junction (Ch: 366+667) 27°11'57.66"N latitude and 84°58'50.76"E longitude
Name of Districts and Municipalities	Sarlahi district: a) Ishworpur municipality b) Lalbandi municipality c) Hariwon municipality d) Bagmati municipality Rautahat district: a) Brindaban municipality b) Chandrapur municipality c) Gujara municipality Bara district: a) Nijgadh municipality b) Kolhabi municipality and c) JitpurSimara sub- metropolitan city.
Major Settlements	Godar Bazar, Birendra Bazar, Dharapani, Puspapur, Dhakebar, Badahari, Lalgadh, Bardibas, Phuljor, Ranigunj, Lalbandi, Nawalpur, Hariwon, Bagmati, Chandranigahpur, Nijagadh and Pathalaiya.
Geographical Feature	
Terrain	Plain

Name of the Sub-Project	Upgrading of Kamala-Dhalkebar-Pathlaiya Road section of Mahendra Highway
Geology	Alluvial deposit with deep to very deep, poorly drained, high-water table, and silt to silt loam textures
Altitude (maximum and minimum)	Maximum 227 at Ch 266+300, Bardibas and minimum 105 at start (Kamala River)

Table 1-1.2: Technical Specifications of the Project

Technical Specification	Existing	Proposed
Classification	Class II	Class II as per NRS 2070 and Class I as per AHDS
Length of Road	130km	130.290 km
Right of Way	50 m	50 m
Carriageway Width	7.0m (Average)	18 m (7.0 m on either side with 4 m center median), further 6.5 m service road width on either side of roads in urban areas.
Formation Width	(10 – 12) m	24 m
Shoulder Width	1.2 m	2.5 m
Side Drain (width)	Side Drains are available at Dense settlement area	U-shape drain provision is given in the proposed design.
Design Standard		
Standard		NRS-2070
Design Speed		100 kmph
Gradient (Maximum and Minimum)		5%
Minimum Radius of the Horizontal Curve		Maximum as per design and minimum should be at least 870 m as per NRS-2070.
Camber		2.50%
Super Elevation		7%
Crossings		
Bridges	76nos.	
Culverts	122 nos	
Causeway	23nos.	
Traffic Data (January 2022, Base Year Traffic)		
AADT, Vehicle/day	13249 at the Kamala-Dhalkebar section and 8306 at the Nijgadh-Pathlaiya section	
AADT, PCU/day	15386 at the Kamala-Dhalkebar section and 12067 at the Nijgadh-Pathlaiya section	

Source: DraftDesign Report

1.3 Objectives of RAP

This RAP has been prepared following ESS5 of the World Bank's ESF and relevant regulations of the Government of Nepal (GoN). The specific objectives of this RAP are as follows:

- To avoid forced eviction
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by
 - (a) providing timely compensation for loss of assets at replacement cost
 - (b) assisting displaced persons to improve, or at least restore¹, their livelihoods and living standards.
- To improve living conditions of poor or vulnerable persons who are physically displaced through the provision of adequate housing, access to services and facilities, and security of tenure
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant
- To ensure resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected entities.

1.4 Methodology for Resettlement Action Plan (RAP)

The methodology for this RAP encompasses the preparation of questionnaires, Focus Group Discussions (FGD), Key Informant Interviews (KII), inventory of affected assets and socio economic census of PAPs, among others.

1.4.1 Consultative Meetings and Orientation Training to Field Team

A detailed plan was developed to conduct engagements and surveys for the proposed project. The field team was carefully selected to ensure each member had the necessary technical expertise and experience to carry out the study effectively. During the start-up meeting, the team was briefed on the objectives of the surveys and consultations, the scope of work, the study methodology, data collection techniques, and quality control measures. In addition, a consultative meeting was held with the DCID team, with the following objectives.

- 1) The first objective was to introduce the team personnel to the client and vice versa, and to provide an overview of the assignment and how to conduct the field study in an effective and efficient manner.
- 2) The second objective was to share and discuss the methodology and study tools, and to solicit feedback and suggestions from the DCID team.

¹in real terms, to pre displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher

1.4.2 Asset Inventory

A Census of affected households was carried out and the loss of inventory assessment have also been conducted in September, 2022 by the help of paper based structural questionnairesurvey. The objective of census was to record the profile of project affected people and record of the asset's loss. Census helped to prepare a complete inventory of affected persons and their assets as per compensation in this RAP. The template of Inventory Survey of Assets loss is given in **Annexure-I**

1.4.3 Socio-Economic Survey

Socio-economic census survey was conducted in order to establish the socio-economic profile of people living in project area. On the basis of Socio-economic survey plan for resettlement of affected persons,their income restoration, relocation options, plan for vulnerable groups has been prepared. Furthermore, this survey helped to assess household income, identify productive assets and income generating activities of the people living in the project area.The Questionnaire of Socio-Economic Survey is given in **Annexure-II**.

1.4.4 Key Informants Survey

Key informants survey was conducted in all settlements of the project areas. Key informants like social leaders, communities, local traders, government officers,Officers of the Army, Traffic personnel, Local level authorities etc., were consulted to generateinformation regarding their perception towards project to compensate project affected assets and recommend the mitigation measures within the ROW of the project section.

1.4.5 Cut-off Date

An important part of the RAP process is establishing a cut-off date. The cut-off date is a date after which no further enumeration or claims can be made to affected land and/or affected assets. The cut-off date for the KDP road project was established as September, 2022. . The cut-off date was communicated to the people before the start and at the end of the enumeration exercise through community meetings, Asoj , and Kartik 2079 in Nepali and September- October 2022.

The cut-off date for eligibility for compensation and assistance allowanceshave been considered as publish cut-off date notice after joint verification survey by the CDC.The record of the inventory loss assessment will be verified by the Compensation Determination Committee/DoR for the structure's compensation and other affected assets.Public consultations especially PAPs have been held for verifications of the asset lost and to be compensated.

CHAPTER 2: LEGAL FRAMEWORK

This chapter analyses the applicable Nepalese national laws on land acquisition, compensation and involuntary resettlement. This RAP has been prepared in compliance with all relevant legislation and policies governing land expropriation, compensation, and involuntary resettlement.

2.1 Laws and Regulations of the Government of Nepal

The Government of Nepal (GON) has promulgated different laws and legislations for different sectors as prescribed by the constitution of Nepal. For the construction of roads, there are various relevant acts and policies, including the *Public Road Act 1974*, *Forest Act 2019*, *Land Acquisition Act 1977*, *Land Acquisition, Rehabilitation and Resettlement Policy 2015* and property rights mentioned in the Constitution and some guidelines entertained for this RAP. Only the relevant Acts and Regulations have been reviewed in this study.

2.1.1 Land Acquisition Act 1977

The Land Acquisition Act 1977 will be the main instrument for land and other physical asset acquisition. The Act guides the compulsory acquisition of land in the country. Under this Act, the 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 operation of any development project initiated by government institutions. The Act further stipulates that the formal process for private asset acquisition and compensation shall proceed through a series of steps, which include preliminary investigation, acquisition notification, and compensation notification, with provision for appeals. A Compensation Determination Committee (CDC) shall be instituted at the district level to establish compensation rates. The committee is responsible for acquiring land and assets and providing compensation payments. Compensation, mainly in cash, shall cover any damages from the project. In cases where titleholders lose their entire land holdings, they shall be allocated replacement land, if available. To qualify for compensation, affected parties shall present an official land registration certificate and must file their claims within a specified timeframe. The CDC, taking into account factors like GoN guidelines, market price, and incurred loss, shall determine the compensation amount. Land Acquisition, Rehabilitation and Resettlement Policy 2015

The GoN has recently formulated *Land Acquisition, Rehabilitation and Resettlement Policy 2071(2015)* to facilitate the land acquisition process for infrastructure projects. The policy outlines the need to conduct an Environment and Social Impact Assessment (ESIA) of the development project, which was not required under the Land Acquisition Act 1977. Based on this assessment, projects will be categorized as high, medium, or low-risk. According to this policy, high-risk projects are those that displace 50 or more households in the mountainous region, 75 or more households in the hilly region and 100 or more households in the Terai. Medium-risk projects, on the other hand, are those that force the relocation of fewer than 50 households in the mountainous region, less than 75 households in the hilly region and less than 100 households in the Terai. Low-risk projects refer to those which cause productive property to reduce by up to 10 percent.

The policy also provisions for PAHs to be entitled to compensation if works such as the installation of transmission, telephone and underground drinking water pipelines affect livelihoods. In addition, in case the project-affected yields of registered commercial crops, fruit or flower producers, compensation equivalent to five years of revenue must be given in cash.

2.1.2 Forest Act 2019

The *Forest Act 2019* contains several provisions to ensure the development, conservation, management and sustainable use of forest resources categorized into national forest, community forest, leasehold forest, private forest, religious forest and protected forest with scientific and cultural importance. The Act prohibits reclaiming land, setting fire, grazing cattle, removing and damaging forest products, felling trees, wild life hunting and extracting boulders, sand and soil from the national forest without prior approval.

2.1.3 Public Road Act 1974

The *Public Road Act 1974* prohibits the construction of permanent structures (buildings) within a defined distance from a rural road, i.e., the road agency has the authority over everything within the Right of Way. The Act makes provision for cases where the road projects temporarily require land and/or other properties during construction, rehabilitation and maintenance. A CDC determines compensation in case of loss of assets, business or production. The Act empowers DOR to acquire any land on a temporary basis during construction and upgrading. The Act does not provide for the leasing of land. DOR is required to pay compensation for any damages caused to buildings, crops and trees, where the farming activities of the land owner are interrupted, and where the land owner has to incur costs to restore the land after its return. Compensation is determined between DOR and the titleholder or through mediation involving officials from the relevant VDC and district.

2.1.4 Land Reform Act-1964

The *Land Reform Act of 1964* is also relevant as it establishes the rights of tillers and tenants over the land. As per the Act, a landowner may not be compensated for more land than he is entitled to under the law. The Act additionally specifies the compensation entitlements of registered tenants on land sold by the owner or acquired for development purposes. The Act, amended in 2001, has established a rule that when the state acquires land under tenancy, the tenant and the landlord will each be entitled to 50% of the total compensation amount.

2.1.5 Land Revenue Act 1977

The *Land Revenue Act 1977* is also applicable, as the land acquisition involves a change of ownership of land. Article 8 of the Act states that registration, change in ownership, termination of ownership rights and maintenance of land records are done by Land Revenue Office (LRO). Article 16 provides that if the concerned owner does not pay land revenue for an extended period, the revenue can be collected by auctioning the parcel of the land for which revenue has been due.

2.1.6 MalpotAyn or Land Revenue) Act- 2034

This Act is the principal Act to carry out land administration, including maintenance and updating records, collection of land revenue and settlement of the disputes after completion of a survey and handing over the records to LRO by the survey Parties. It authorizes the LRO to undertake registration, ownership transfer and deed transfer of land. This Act also authorizes the LRO to transfer ownership and deeds of individually owned land, if any person applied for the ownership and deeds of individual land, if any person applied for the ownership transfer of his/her land with mutual understanding for public use with the recommendation of the relevant committee.

2.1.7 Land Use Policy 2015

The *Land Use Policy 2015* is a policy document of the GoN relating to limits and protection of land and land resources (LLRs), optimum use and effective management. This policy shall bring about benefits of using lands and land resources by creating a situation of distributing land in a just manner.

2.1.8 Road Board Act 2002

This Act has been established to carry out regular, occasional, periodic and casual repair and maintenance works of roads and levy tolls on, and collect tolls from, motor vehicles plying on the road.

2.2 Applicable World Bank policies

2.2.1 World Bank Environmental and Social Standards

The World Bank's Environmental and Social Framework (ESF), approved in 2016, is a set of ten Environmental and Social Standards (ESSs) that guide sustainable development by strengthening protections for people and the environment. It emphasizes strengthening national systems and institutions, enhancing transparency, and fostering stakeholder engagement through information disclosure, consultations, and grievance mechanisms. In the context of this RAP, ESS5 (Land acquisition, restrictions on land use and involuntary resettlement) is applicable.

2.3 Gaps between GoN Laws and ESS-5

A detailed comparison of World Bank ESS-5 and relevant country legislations and gaps vis-à-vis WB ESS-5 is presented below.

Table 4-2.1 Comparison of WB's ESS5 and Land Acquisition Act 1977 Requirements for RAP

Theme	Provision within the <i>Land Acquisition Act (LAA), 1977</i>	Requirements under WBG ESS 5	Gaps and how it is to be addressed
Avoidance or impact minimization	The LAA allows land acquisition for "public purposes." It does not specify avoiding or minimizing resettlement.	ESS 5 mandates avoiding/minimizing involuntary resettlement by exploring project design alternatives	The Project will avoid and minimize impacts wherever possible. An alternative analysis was carried out as a part of ESIA.
Impact Mitigation	The LAA provides for the compensation of land and assets and, in some instances of landlessness, for the provision of replacement land. The CDC chaired by the Chief District Officer (CDO) determines criteria.	Provision of compensation at replacement cost along with rehabilitation assistance and commitment to improve and/or restore livelihoods to pre-project levels.	A negotiation process will be conducted with PAHs with oversight from the CDC to agree on a mutually acceptable compensation. If this negotiation does not yield an agreement, an independent evaluation of the replacement cost will be carried out. The resulting report will then be submitted to the CDC for consideration.
Timing of Compensation	Executing agency may acquire land by depositing money with the competent authority for compensation determination.	Possession of acquired land and related assets will be taken up by the project only after compensation has been made available and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons in addition to compensation.	Land access will be initiated only after payment of full compensation (except in legally disputed cases, if any). Forced evictions will not be carried out. PAFs will be given reasonable time (up to 12 months) to identify temporary accommodation within the project area until they are able to build their new replacement houses.
Eligibility	Legally, provisions are made for land owners and registered tenants under the Constitution and the LAA. However, there are no provisions for informal rights holders, unregistered land owners, squatters, undocumented tenants, other family members or landless.	Includes: those with formal legal rights to the land/assets; those with no legal rights but with a claim to land recognized under national or customary law; or those with no recognizable legal right to land or assets	This RAP considers all PAFs, including those without any recognizable legal titles (for compensation of affected structures and livelihood restoration support).

Theme	Provision within the <i>Land Acquisition Act (LAA), 1977</i>	Requirements under WBG ESS 5	Gaps and how it is to be addressed
Informed Consultation and Participation	During the LA process, the CDO is the appellate authority. Otherwise, the LAA does not require on-going consultations with affected persons and other stakeholders.	Disclosure of relevant information; meaningful consultations with affected persons communities, and other stakeholders; consultations must be on-going and inclusive	PAFs were informed about the intended acquisition of their land and consulted multiple times throughout the development of the RAP. Their preferences for resettlement and rehabilitation options were incorporated in this RAP.
Livelihood Restoration	The legal frameworks for resettlement provide for the rehabilitation of displaced settlements and compensation to affected persons through land-based resettlement strategies. However, land-based livelihood is not used as a criterion for the application of such land-based resettlement strategies wherever possible.	Provision of compensation at replacement cost along with rehabilitation assistance and commitment to improve and/or restore livelihoods and standard of living to pre-project levels.	Both land and non-land-based livelihood restoration strategies are considered in this RAP.
Grievance Redress Mechanism	The affected entities may approach the CDO and/or the Ministry of Home Affairs within a defined period for compulsory expropriation. Under Clause 25.7, appeal against the compensation may be directly filed with the Ministry of Home Affairs. However, entities other than legally registered land owners and tenants are not considered.	The project is required to establish a grievance redress mechanism, which should seek to resolve concerns promptly, using an understandable and transparent consultative process that is culturally appropriate and readily accessible.	The project has established a GRM with the necessary uptake points.
Special assistance for vulnerable households	The landless families with legal ownership can get additional compensation at the discretion of the CDC.	Particular attention should be paid to the needs of the poor and the vulnerable as a part of the resettlement process, however no specific package or entitlement for vulnerable groups.	Vulnerable persons have been identified in this RAP, and specific benefits have been tailored to their needs.

Resettlement Action Plan- KDP Road section of Mahendra Highway

Theme	Provision within the <i>Land Acquisition Act</i> (LAA), 1977	Requirements under WBG ESS 5	Gaps and how it is to be addressed
Support during transition	No such provision in the LAA.	Transitional support should be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.	The RAP makes provisions for transitional support for all PAHs who are physically displaced.

CHAPTER 3: STAKEHOLDER ENGAGEMENT

3.1 Identification of stakeholders

Different types of stakeholders, both projects affected parties and other interested parties such as local communities, national and local authorities (All the concerned Municipalities), local business groups and suppliers (Curser plants) and non-governmental organizations, Community Forest User Groups were identified through the stakeholder mapping processes. More specifically, affected parties (individuals or groups) who, because of their particular circumstances, may be disadvantaged or vulnerable were also identified.

3.2 Stakeholder Engagement Methodology

The following are the methods employed for engaging the various stakeholders during the preparation of this RAP.

3.2.1 *Community Entry Meetings*

These are introductory meetings with community members and their leaders, undertaken before any other activity in the communities. The surveys and proposed engagement meetings are explained during these meetings, along with how PAPs will be involved in the RAP process.

3.2.2 *Key Informant Interviews (KIIs)*

Key informant interviews are one-on-one in-depth engagements with individuals who are knowledgeable about the community or particular subject matters, e.g., ward chairperson in October 2022. The minutes of public consultation meetings are presented in **Annexure-IV**.

3.2.3 *Focus Group Discussions (FGDs)*

These are informal, small group discussions with people that have similar characteristics – these may be gender, age or livelihood orientated, depending on the topic of the discussion. The aim is to understand the different perspectives of different sectors of the community.

3.2.4 *Socio-economic Surveys*

In each of the impacted communities, PAPs were engaged at the household level through socio-economic surveys to collect detailed socio-economic baseline information on PAHs such as demography, socio-economic characteristics, social infrastructure and local resources, vulnerability and livelihoods in the project area.

3.2.5 *Asset Inventory and Valuation*

The PAHs were engaged during the asset inventory process to ensure that the impacted assets within the RoW were accurately marked, enumerated and documented. It is important to note that all impacted assets and their claimants were duly documented.

3.2.6 Timings and Language Requirements

While holding consultations, the stakeholders were provided with timely, relevant, understandable and accessible information and consulted in a culturally appropriate manner, free of manipulation, interference, coercion, discrimination and intimidation. The consultations were carried out in the National language (Nepali) of the affected persons.

3.2.7 Discussions with women

Separate consultations were undertaken specifically with project-affected women. During the consultations, the women group involved in CFUGs raised several concerns, including the use of forest resources and product as usual they used, and requested to give project works in during implementation...

Table 5-3.1: Project Affected Groups and their Concerns

Date	Meeting Location and Stakeholders	Attendance	Key Suggestions and Issues Raised by Stakeholders
9/08/2022 (2079/5/23B.S.)	GaneshmanCharnathPortaha	13	Stakeholders suggested minimizing the impact on SahleshPokhari of GaneshmanCharnath, which is nearby RoW. They also proposed an upgrade to the playground in Portaha of GaneshmanCharnath. The community showed a commitment to supporting project implementation activities and suggested the relocation of public utilities and cultural assets, such as shrines, small temples, and religious trees.
9/16/2022 (2079/5/31 B.S.)	Mithila 6	14	Stakeholders in this meeting echoed the need for the relocation of public utilities and cultural assets, including shrines and small temples. They highlighted their commitment to supporting project activities. Moreover, they requested bus stops, zebra crossings, lights, public toilets, a refresh centre, cycle lane, and other facilities. There was also a call for road improvement and widening works to start rapidly.
9/19/2022 (2079/6/3 B.S.)	Bardibas 1	7	The main concerns were about maintaining the environment. They suggested planting roadside show plants to maintain greenery. Construction works should be done with attention to minimize negative impacts on environmental issues. There was also a call for river training works to control flooding and water logging in heavy rainfall at the settlement area.
10/17/2022 (2079/6/31 B.S.)	GaneshmanCharnathPortaha	17	The stakeholders suggested rebuilding all public infrastructures, such as temples, shrines, local water supply pipelines, electric poles, waiting sheds and taps, in cooperation with the local government. They proposed the construction of a 6-lane road in the settlement area, the installation of bus stops, zebra crossings, lights, public toilets, a refresh centre, cycle lane, and other facilities, and rapid improvement and widening of roads. A separate parking place in a fixed location was also proposed.
10/17/2022 (2079/6/31 B.S.)	Mithila 4	8	At this meeting, stakeholders raised the issue of relocating public utilities and cultural assets like shrines and small temples. They reiterated their commitment to supporting project activities. They also requested facilities like bus stops, zebra crossings, lights, public toilets, a refresh centre, cycle lane, and others.
10/18/2022 (2079/7/1 B.S.)	Mithila 9	15	Stakeholders requested the construction of a bridge and other physical works based on the old road and bridge in the Badahari settlement of Mithila Municipality. They also proposed facilities such as bus stops, zebra crossings, lights, public toilets, a refresh center, a

Resettlement Action Plan- KDP Road section of Mahendra Highway

Date	Meeting Location and Stakeholders	Attendance	Key Suggestions and Issues Raised by Stakeholders
			cycle lane, and others, as well as the rapid improvement and widening of roads. Road improvement/widening works should start rapidly.
10/19/2022 (2079/7/2 B.S.)	Gaushal 1 Gaushala Chowk	6	Community members voiced their commitment to supporting project activities and suggested the addition of bus stops, zebra crossings, lights, public toilets, a refresh centre, cycle lane, and other facilities. They also called for rapid road improvement and widening.
10/19/2022 (2079/7/2 B.S.)	Bardibas Municipality Tuteshwar	6	community members voiced their commitment to supporting project activities. They suggested the addition of facilities such as bus stops, zebra crossings, lights, public toilets, a refresh centre, and a cycle lane, as well as the rapid improvement and widening of roads.
10/19/2022 (2079/7/2 B.S.)	Gaushal -1 Laxmaniya Chowk	8	In this meeting, community members expressed commitment to supporting project activities, and suggested the addition of facilities such as bus stops, zebra crossings, lights, public toilets, a refresh centre, cycle lane, and others. They also called for rapid improvement and widening of roads.
10/20/2022 (2079/7/3 B.S.)	Ishwarpur -5	5	Community members reiterated their commitment to support project activities. They suggested the rebuilding of all public & private infrastructures, such as temples, shrines, local water supply pipelines, electric poles, waiting sheds, and taps, with the cooperation of the local government. They also proposed facilities like bus stops, zebra crossings, lights, public toilets, a refresh centre, a cycle lane, and others, along with the rapid improvement and widening of roads.
10/22/2022 (2079/7/5 B.S.)	Bagmati 11	11	Community members expressed commitment to support project activities. They demanded for bathing stairs along Bagmati River for religious baths during festivals like Chhat, and a parking space for visitors and pilgrims. They suggested the rebuilding of all public and private infrastructures such as temples, shrines, local water supply pipelines, electric poles, waiting sheds, and taps with the cooperation of local government, along with the installation of facilities like bus stops, zebra crossings, lights, public toilets, a refresh centre, cycle lane, and others, and rapid improvement and widening of roads.
10/22/2022 (2079/7/5 B.S.)	Chandrapur 1	12	Community members expressed commitment to support project activities. They suggested rebuilding all the public and private infrastructures, such as temples, shrines, local water supply pipelines, electric poles, waiting sheds, and taps with the cooperation of the local

Resettlement Action Plan- KDP Road section of Mahendra Highway

Date	Meeting Location and Stakeholders	Attendance	Key Suggestions and Issues Raised by Stakeholders
			government. They requested the addition of facilities like bus stops, zebra crossings, lights, public toilets, a refresh centre, cycle lane, and others, and emphasized that employment priority should be given to the project affected households among them vulnerable, disadvantaged groups and females. They also called for rapid improvement and widening of roads.Road improvement/widening works should start rapidly

The photographs of stakeholder consultations are detailed in **Annexure-VIII**.

CHAPTER 4: SOCIO-ECONOMIC BASELINE

This chapter presents the socio-economic profile of the directly impacted households. The chapter discusses the demography and cultural context, land use and ownership, resources and infrastructure, livelihood, economy and income, and vulnerability within the project communities. This baseline study provides a high-level understanding of the social profile of the Project Area and informs the resettlement activities for the project.

4.1 Demography

4.1.1 Population and Household

Within the project area, a total of 64 households consisting of 330 project-affected households, have been identified. Among these affected persons, males represent 53.6%, while females make up 46.4%, a figure slightly under the national average of 51%. The average family size in these project-affected households stands at 5.1, which is higher than the national average of 4.8. Details are presented in **Table 4-1**.

Table 4.1 Population Distribution of the project affected surveyed HHs

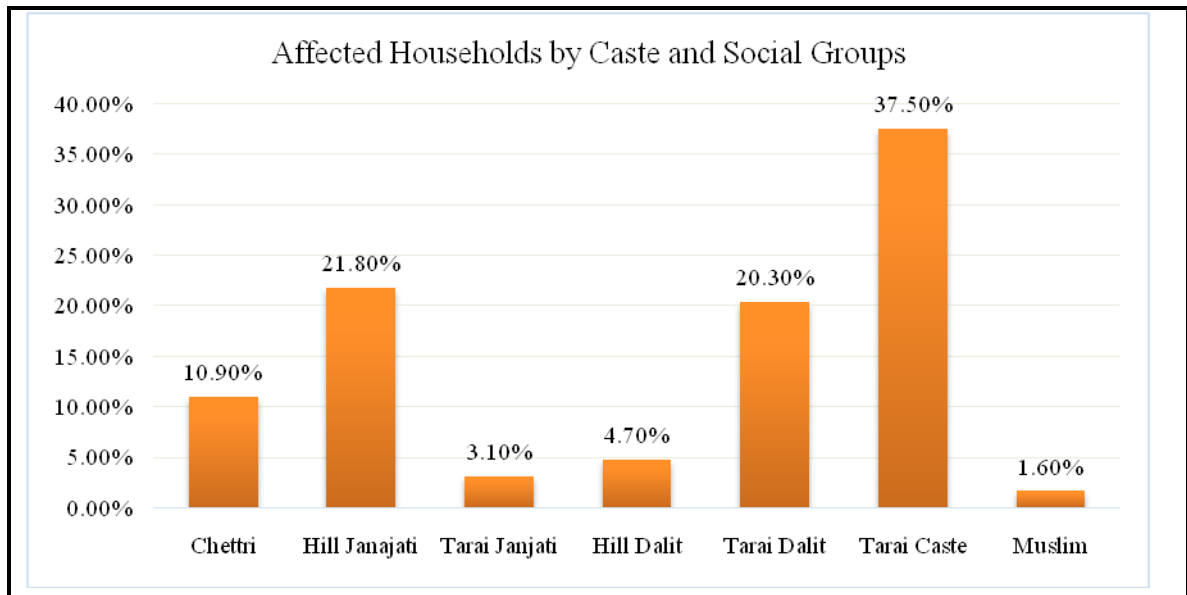
District	Municipality	Household	Population			Family Size
			Male	Female	Total	
Danusha	GaneshmanCharanath Municipality	17	59	52	111	6.5
	Dhanusadham Municipality	2	3	5	8	4
	Mithila Municipality	20	58	46	104	5.2
	Bardibas Municipality	7	21	15	36	5.1
Mahottari	GaushalaMunicipality	6	15	8	23	2.9
	Ishworpur Municipality	3	4	7	11	3.7
Sarlahi	Hariwon Municipality	3	5	6	11	2.8
	Bagmati Municipality	3	8	6	14	3.5
	Chandrapur Municipality	2	3	5	8	4
Rautahat	Nijgadh Municipality	1	1	3	4	4
Bara						
Total		64	177	153	330	5.1
Percentage			53.6	46.4	100	

Source: Census Survey 2022

4.1.2 Caste and ethnic composition of PAHs

Altogether, 64 households within the ROW are impacted by the KDP road project. Terai Castes make up the largest ethnic and caste group at 37.5%, followed by Hill Janajati at 21.8%. Chhetri represents 10.9% of the affected households, while Terai Janajati accounts for 3.1%. The Hill Dalit make up 4.7%, and the Terai Dalit and Muslim populations each constitute 1.6% of the households within the ROW. The composition of affected households by caste group is presented in **Table 4-2**.

Figure 4-1 Distribution of project affected households by caste and social groups

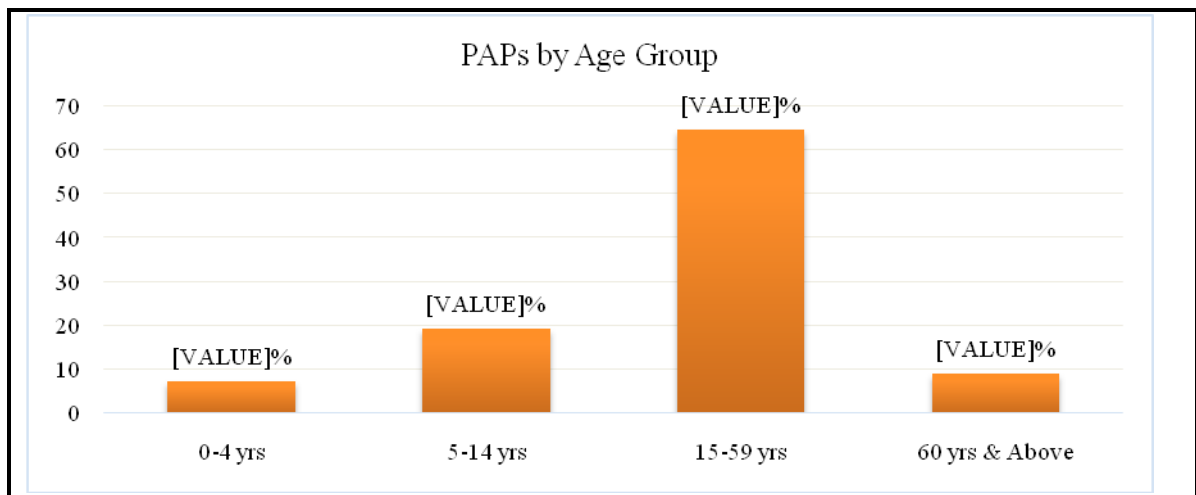


Source: Census Survey September, 2022

4.1.3 Aged Group

26.4% of the surveyed populations are minors, aged between 0- 14 yrs. The working-class population (15-59yrs) constitute 64.5% while 9.1% are 60 yrs and above. Figure 4-2 below shows a distribution of the project affected persons by age group.

Figure 4-2: Distribution of the project affected Population by Aged group

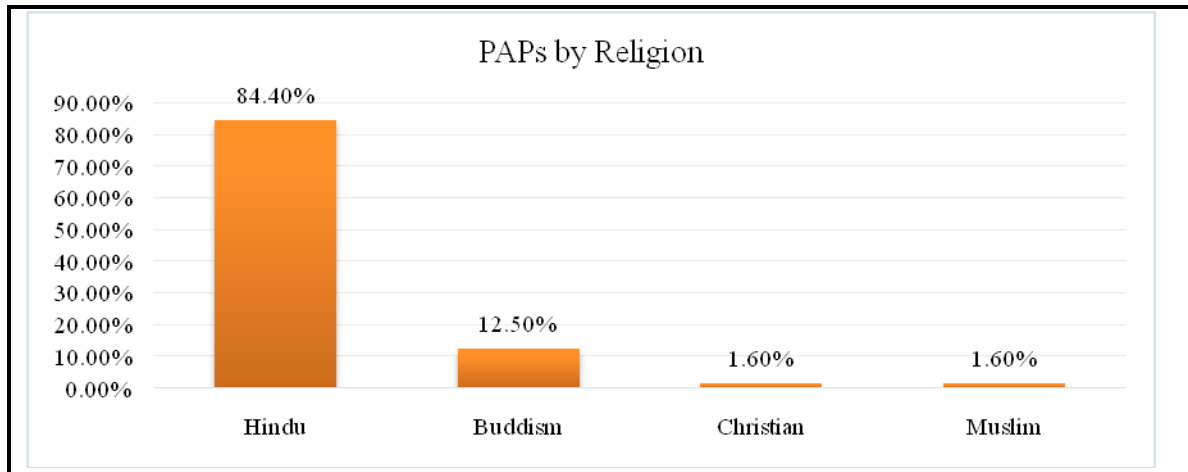


Source: Census Survey September, 2022

4.1.4 Religion

The major religions in the project area are Hindu, Buddhist, Islam and Christian. In the project area, 84.4% of the surveyed households are Hindu, 12.5% are Buddhist, 1.6% are Muslim and 1.6% are Christians. See Figure 4-3 below.

Figure 4-4: Distribution of PAPs by Religion



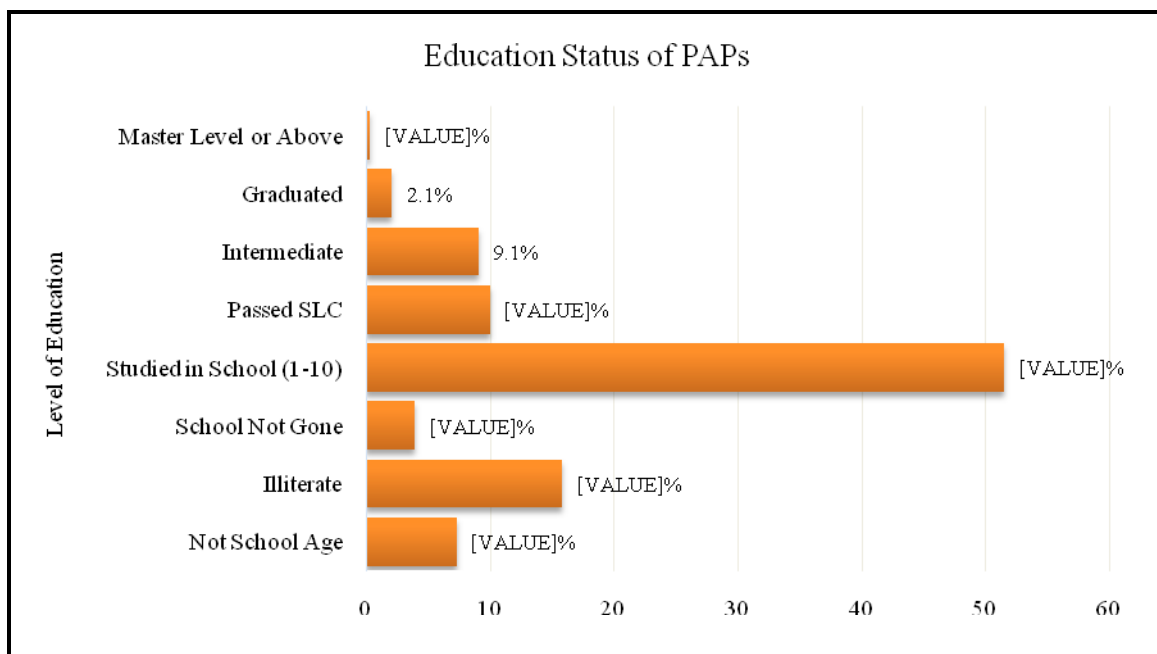
Source: Census Survey September, 2022

4.1.5 Education and Literacy

The educational status of the surveyed population varies significantly.

The total project affected surveyed population is 330. Out of this, 24 persons are below school age. Excluding the below school age children, other population of the project affected surveyed household are 306. The literacy percent of the surveyed HHs is 88 and the educational status of 1-10 class is 51.3%, educational status of S.L.C. passed 10%, 12 or Intermediate passed 9.1%, the graduate and above are 2.4% while illiterate populations are (15.8%) that indicating varying degree of educational status of the project affected surveyed population along the KDP road alignment. Educational status of school going age and above population of project affected surveyed households are given in **Table 3-6**.

Table-4.4: Educational Status



Source: Census Survey September 2022

4.2 Land Use and Ownership

In Nepal, owning land often mirrors socioeconomic status. The survey revealed that 62.5% of the households own land for both agriculture and housing purposes, while 37.5% own only residences. 37.5 percent do not own any land. The complexity of land ownership in Nepal arises from a blend of legal, cultural, and traditional factors. Individuals acquire land through inheritance, purchase, or allocations from community/state entities. From the surveys, 52.9% of small landholders are male, while 47.1% are female. Also, the survey revealed a trend where households, especially those running residential businesses, buy small parcels near the ROW. This trend is significant as it suggests a transformation in how land is used and owned within the project area. In particular, the increasing preference for land parcels near the ROW indicates a growing recognition of their strategic value for residential and commercial purposes.

4.3 Livelihood, Income & Expenditure

4.3.1 Livelihoods/occupation status

The main occupation of the project affected populations are trade and business followed by household chores, wage labor and, foreign employment respectively. The baseline survey of the percent of the HHs engaged into trade and business while 37.03 percent in ROW. The main purpose of residing into the ROW seems as business. Similarly, 13.9 percent populations are engaged in household works, while 15.63 percent are students, alone, 10.28 percent engaged into labor, 6.17 percent foreign employment, 4.5 percent agriculture, 3.29 percent services and 1.23 percent by pension, 7.81% as economically inactive population. According to the nature of aged group and division of works different percentage of occupation distribution is as shown in **Table 4-5**.

Table-4.5: Distribution of Occupation for livelihood

District	Municipality	Agriculture	Trade and Business	Service	Student	Household work	Inactive (Child and Old)	Labour	Foreign Employment	Pension	Total
Danusha	Ganeshman Charanath	5	23	3	9	14	7	7	8	1	77
	Dhanusadham Municipality		2	3	1						6
	Mithila Municipality	4	30		20	10	5	4	4		77
Mahottari	Bardibas Municipality		13	1	2	2	3	4	2		27
	Gaushala Municipality		12		1			4	1	1	19
Sarlahi	Ishworpur Municipality		3		3			2			8
	Hariyon Municipality		1	1		3		3			8
	Bagmati Municipality	2	3		2	3	2	1		1	14
Rautahat	Chandrapur Municipality		2			2					4
Bara	Nijgadh Municipality		1				2				3
Total Population		11	90	8	38	34	19	25	15	3	243

Percentage	4.52	37.03	3.29	15.63	13.99	7.81	10.28	6.17	1.23	100
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Source: Census Survey September, 2022

4.3.2 Household Income and Sources

According to the Nepal Living Standard Survey - 2021, the per capita income of Nepal is 170651(\$ 1300). If an individual is considered poor, his/her per capita is below than this (\$ 1300) in terms of annual income. The socio-economic survey of the households shows that there are 7 households falls below poverty level as per above criteria. Detail of the household's income level of the project area is given in **Table 4-6**.

Table 4-6: Income level of the Households

Municipality	<170651	170651 to 200000	200001 to 300000	300001 to 400000	400001 to 500000	>500001	Total
GaneshmanCharanathM.			4	4	2	7	17
DhanusadhamM.				1		1	2
Mithila M.	2	2	3	3	3	7	20
BardibasM.	1	1	1	2	1	1	7
GaushalaM.	1		3	1	1		6
Ishworpur M.	1		1	1			3
Hariwon M.		1	1			1	3
Bagmati M.	1			2			3
Chandrapur M.			2				2
NijgadhM.	1						1
Total	7	4	15	14	7	17	64

4.4 Vulnerability and Vulnerable Groups

Vulnerability is a pre-existing condition independent of the project that describes the susceptibility of an individual or group to the impacts of a project. Vulnerability is determined by the physical, social, environmental, or mental state of such individuals or groups. Vulnerable groups can be described as groups or persons who are more susceptible to being disproportionately impacted by a project. Vulnerable groups in this project context are persons, households, or groups who, due to their existing challenges, may become unable to meet their daily needs as a result of project impacts. This is mainly because they do not have the capacity to withstand the shocks that may result from the project development impacts.

Out of the 64 impacted HHs, 15 HHs representing 23.43% were identified as vulnerable. These vulnerable groups have been considered as women headed households, household having disabled member, household having senior citizen, below poverty level, Indigenous groups, Dalit and ethnic minorities group. As these vulnerable HHs will be physically displaced, they will require compensation for structures and relocation assistances and rehabilitation to restore their livelihoods. Likewise, business displaced group is another unique group in this project section

who were depend on ROW area for doing their business. Due to cover of all the ROW area by design structures, the number of 80 such business people mainly women will be displaced from the market areas from Bardibas, Lalbandi and Bagmati also consider as vulnerable group and assisted their livelihood (Annexure-VII)

4.4.1 Food Security

Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life. The status of food security is not that high in the project area because most of the affected HHs do not have their land for farming and own production, they have to depend other sources of income for food security. About 49 HHs (76.57%) have only food sufficiency less than 3 months by their own production. Among the 64 HHs surveyed households, only 15 HHs (23.43%) have entertained up to 6 months of food sufficiency by their own product. So they managed remaining of food stuffs by other sources like business, wage labor and foreign employment for coping food insufficiency against their own production

Land Tenure and access to natural resources

Through construction of the road, the tenurial arrangements of the land may undergo substantial changes. The trends of leasing land will substantially increase for commercial farming, establishing and operating home stays, developing business centres, running hotel enterprises, installing market centres, establishing crushing industries and other types of industries and others along the road corridor. There will be increased depletion and degradation of locally available natural resources such as land, forest, water bodies and others due to construction of the road resulting from overexploitation, use of/demand for natural resources at local levels. The risks of increased deforestation, ecosystem degradation and species loss along the road alignment are likely to occur during the construction phase of the road. This will result from the felling of trees along the forest and private lands, many crop species will be destroyed and ultimately the ecosystem will be degraded at local levels causing many ecological and environmental problems. The inflow of labourers in the camp site will create pressure on deforestation of the jungle while collecting firewood for cooking purposes. Also, there will be increased pressure on and competition for resources and infrastructure along the road alignment. The regular incomes coming from the rents of the building and shopping complexes will be positive impact for people at local levels.

4.4.2 Labour and production systems

The construction of road requires numbers of workers (skilled, semi-skilled and unskilled labourers). The major positive socio-economic impact will be in the sphere of temporary employment generation to very substantial numbers for the local community. The upgrading and improvement of KDP road project is likely to foster opportunities to local labourers in the construction works. The technical skills and know-how of labourers are likely to be enhanced thereby helping the labourers earn more daily wages. The direct economic opportunities are likely to pertain to the employment in the project as semi-skilled or unskilled workers. The indirect eco-

conomic opportunities are likely to result from the creation of markets for small shops and businesses to cater to the project and its workforce.

The local community is also likely to create disputes, conflicts, public oppositions, instable social disturbances, and even the fierce social confrontation during construction if they are bypassed and ignored in providing job opportunities to them. The construction stage of the project should provide an incentive to the local community, especially the younger population, to return to their original settlements. This may be done through the creation of direct and indirect economic opportunities for the local community. The risk of social unrest and conflict due to increased presence of migrant population in the construction sites of the project causing threats to human security in local levels during the construction stage. There will be complaints by the local community if the interface between the outsider laborers (workers) and local community appears due to inter-cultural differences between them (migrated workers may have social, racial and religious conflict with the local community).

Through upgrading of KDP road, there is possibility of undergoing substantial change in the existing production systems. Due to increased access to road, transportation and market facilities through improvement and upgrading of KDP road, the existing agricultural production systems is likely to undergo substantial changes. The subsistence nature of agricultural production system is likely to shift to modern and commercial production systems. The sole crop production system is likely to be changed into intensive cropping systems. The traditional farming system is envisaged to shift into modern farming systems. The traditional system of growing staple foods (cereal crops) is likely to market oriented commercial systems like off season vegetable production, mushroom farming, poultry and dairy farming etc.

4.4.3 Access to Public Services

The major markets in Madhesh province are Birgunj, Janakpur, Rajbiraj, Lahan, Mirchaiya, Jaleshwar, Bardibas, Malangwa, Kailaiya, Chandranigahapur and Simara. The main production of this state is mango, sugarcane, wheat and many other seasonal crops and vegetables. The cement is main industrial product. Bus, mini bus, jeep, car, taxi, tempo, Rickshaw, bike and motor bike are means of transportation for travelling and the truck, mini truck and tractor are available for transportation of goods in the project area. Heavy vehicles like trucks and buses run for long distance on the highway. Tippers and tractors are used for transporting construction materials in the project area. Public services available in the project area include schools, college, hospital/health posts/centers, local hatbazars, market and ward/municipality offices and district headquarters.

CHAPTER 5: SOCIO-ECONOMIC IMPACTS AND MITIGATION MEASURES

The proposed road project is expected to result in the displacement of residential homes and small businesses, leading to the loss of livelihoods and disruption to daily activities. As mitigation measures, affected parties will receive compensation at replacement cost, two-month Poverty Line Income as resettlement and rehabilitation assistance, and they will also benefit from a livelihood restoration program.

Public and community structures such as waiting sheds, temples, community buildings, and *Bar/pipal Chautara* (as resting places) will also be affected. These will need to be relocated as required number in possible site during road construction phase in resettlement activities, causing temporary disruption in daily life activities. In some *Bar -Pipal* tree and even at *Bar- Pipal Chautara*, people are found worshipping with religious faith therefore, necessary ritual process will be performed with considering concern community while removing these from the project site.

Table-5-1: Details of the Project Affected Structures

S.N.	Descriptions	No.	Remarks
Private Structure			
1	Private Structures	66	64 HHs among this 25 residence, 35 business and 4 both trade and residence
2	Extended Hosing Structures	204	204 (Structure Owners)
3	Petrol Pumps	4	4 owners
Public/Community Structures			
4	Public Structures	32	Police Post-4, Removal Part of RCC Structures-5, Public Toilets-3, Wall-11, other structures-4 and Gate-5
5	Community Structures	168	Waiting Sheds-69, <i>Bar/Pipal Chautara</i> -55 Small Temples/shrines-35, Wells-8, and Structure of a Park
6	Electric Poles and solar Poles	2221 electric poles (including 140 solar poles)	959 left side and 1262 right sides of road (140 are Solar Poles)
7	Drinking Water supply system	16.58/16.58 km (33.16 both sides)	Main Settlement Areas (Birendra Bazar, Dhalkebar, Bardibas, Lalbandhi, Hariwon, Chapur and Nijgadh etc.)

5.1 Project Affected Private Structures

Among 64 projects affected HHs, 66 private structures will be affected by the project. 25 out of 66 structures losing their residence, 35 losing business huts, 4 losing both residential and business structures and 2 HHs losing other kind of structures. Three petrol pump stations will also be

required remove from the ROW. In addition, 204 extended structures parts and three petrol pumps are also located within the ROW. These all-extended structures will be demolished and shifted from the ROW. Among these structures, 70 such structures are by 25- 100 Sqft in size, the 59 are of 101- 200 Sqft in size and the remaining 75 structures are by 200 Sqft size. Advance notice will be given to remove their structures from the project site after receiving compensation and R&R as determined by the concerned CDCs and as prescribed by the RAP.

5.2 Impact on small business

Out of the 64 project-impacted households, 35 will experience a loss of small business structures, with 4 of these structures serving both residential and commercial purposes. The majority of the impacted businesses are small-scale operations, including grocery stores, tea shops, and hotels. Some temporary business structures, such as movable kiosks, are located across market areas, but these can be easily relocated to setback areas or the remaining sections of the Right of Way (ROW). In market settlement zones, the project design will cover the entirety of the ROW, leading to the displacement of around 80 individual business owners. Despite this, all owners of affected structures and displaced businesses will receive allowances to compensate for business disruption.

5.3 Construction-Induced Impacts

Addition impacts may occur during the project implementation phase from construction-related activities as like construction-induced impacts. This may result from the vibration of heavy machinery works, causing impacts to, or loss of, structures land, and/or crops. The procedure which will be followed to address construction-induced impacts is as follows:

- A baseline survey of structures will be undertaken by the contractors before construction commences
- Awareness raising on how households can access the project level GRM will be undertaken
- In the case that construction damage-related complaints are received, the CSC will investigate and will determine the damage caused from the construction.
- The CSC will propose an action plan to address these impacts, based on principles provided in this RAP
- The contractors will implement the action plan proposed by CSC
- CSC will verify the implementation of the action plan of the contractors.

5.4 Project Affected Public and Community Structures

A total of 32 public structures, such as police posts (4), removable parts of structures (5), public toilet (3), walls (11), other structures 4 and gate (6) of different structures have been identified by the inventory survey. Likewise, 168 community structures such as waiting sheds⁶⁹, 55 *Bar-Pipal Chautara*, 35 small temples, 8 well and a park were also assessed in inventory survey within the ROW. The information of existing RoW is given in **Annexure-III**. The project affected public/community structures which are made by different agencies/communities in different periods of their needs. All those public/community structures that will be relocated and rehabilitated consulting with the concerned stakeholders by DoR as required.

Some of the temples have less cultural significance, value or importance in locality, and also not constitute cultural heritage under ESS8 of the ESF. The widening of the road did not give space to relocate all affected public utilities within the ROW as before however most of the public utilities will be relocated out from the ROW according to community giving consent. All those *Bar/papal Chautara* will not be replaced as previous form but waiting shedswill be constructed as in required areas. The communities and local authorities have agreed to relocate and rehabilitate the possible numbersin nearbyareas.

5.5 Temporary use of land

As mentioned in chapter-I, all developmental activities will carry out within exiting RoW, however some project activities also require temporary use of land for labour camps, construction camps, storage of materials, vehicles/equipment parking base, and borrow & quarries sites. The contractors will make a lease agreement with the land owners for these requirements of land.

CHAPTER 6: ENTITLEMENT MATRIX AND COMPENSATION FRAMEWORK

6.1 Entitlement Matrix

The Entitlement Matrix for the KDP Road is outlined below

Table 6-1 Entitlement Matrix

Type of Loss	Entitlement Unit	Description of Entitlements	Implementation Measures
1. House and Other Structure			
[1.1] Loss of residential house	Title holder	<p>Compensation for full or partial loss of house/structure at full replacement cost of materials and labor according to structure type, with no deduction for depreciation</p> <p>Every displaced household is entitled to a housing displacement allowance based on the established rates per house hold income and/or below poverty level income</p>	<p>Notice to vacate will be served at least 35 days prior to acquisition date.</p> <p>Compensation rates of land and structure will be determined by CDC taking reference of 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)</p> <p>Material may be salvaged with no deduction from compensation.</p> <p>Displaced households will receive a housing displacement allowance.</p> <p>An appropriate compensation advance and housing displacement allowance will be paid at the time of notice to vacate.</p> <p>To ensure fair compensation, determination of rates will be done not more than one year prior to property acquisition.</p>
	Landless Squatter Encroachers	<p>Every household will receive transportation allowance on actual cost basis</p> <p>Resettlement assistance to altogether</p> <p>35 vulnerable households including ethnic minorities, Dalits, women-headed, aged member, Indigenous HHs, Disabled HHs and BPL will be provided livelihood support trainings as per training cost.</p>	
[1.2] Loss of other private structures; and the extended part of structures	Titleholder Land less- squatter Encroachers	<p>Compensation for full or partial loss of house/structure at full replacement cost of materials and labor according to structure type, with no deduction for depreciation</p> <p>Structures other than residential and commercial structure (i.e., toilet and animal shed which are attached to house) will not receive displacement allowance.</p> <p>The extended part of the residential or commercial structures which are dominantly located across the project settlements section that have fallen under the ROW made by</p>	<p>Other structures include: animal sheds, watermills, toilet, tap etc. Notice to vacate will be served at least 35 days prior to acquisition date. Compensation rates of structures will be determined by CDC taking reference of district rate by project authorities. Loss of structures other than houses and commercial establishments does not entail payment of a displacement allowance.</p> <p>Removable parts of the extended structures will be evaluated as of shifting structures from the ROW hence shifting allowance will be paid by the CDC according to size and the nature of structures. It has categorized as: small, medium and large. While shifting allowances will also be provided as per category Rs. 5,000, 10,000 and 15,000 respectively. The verification will be made by the</p>

Type of Loss	Entitlement Unit	Description of Entitlements	Implementation Measures
		Iron or wooden/bamboo pillar with Zink Roof and steers like structures however their main structures are in the setback area or mostly out from the ROW.	technical team of CDC.
2. Community Structures and Resources			
[2.1] Community buildings and Structures	· Local Community	Restoration of affected community structures to at least previous condition, or replacement in areas identified in consultation with affected communities.	Community structures include: waiting sheds (<i>Bar-Pipal Chautara</i>), temples, etc. The affected community structures will be rehabilitated or relocated nearby as suggested the consultation with local community.
3. Resettlement and Rehabilitation Assistance			
[3.1] Displacement of household	· Titleholder · Non-Titleholder	Housing displacement allowance for loss of own residential accommodation Rental stipend for loss of rented accommodation. Assistance in re-establishment and improvement of livelihood	The housing displacement allowance will be based on two months Poverty Level Income (PLI), as established by the Nepal Living Standards Survey, for a household of 5 members. The value of the allowance will be adjusted annually for price escalation. Displaced households living on rent will receive 35 days' notice or rental stipend equivalent to one-month PLI as defined above. One-time economic rehabilitation grant of one month's PLI as established by Nepal Living Standard Survey will be provided.
[3.2] Displacement of commercial enterprise	· Titleholder · Non-Titleholder	Business displacement allowance for loss of commercial establishment.	The business displacement allowance will be based on two months PLI, as established by the Nepal Living Standards Survey. Displacement allowances will be paid at the time of serving the notice to vacate. The business displaced people (80) from the main urban settlements in which 50 meter ROW will covered by the design structures get business displacement allowances equally.
[3.3] Dismantling and transportation	· Titleholder · Non-Titleholder	Each displaced household will be entitled to dismantling and transportation assistance to dismantle structure and transport of their belongings.	Structure dismantling and transportation assistance will be provided based on the type of structure on actual cost basis.
[3.4] Vulnerable social categories	Adults 16 years and older in the vicinity of the corridor of impact	· Assistance in re-establishment and improvement of livelihood. Preferential employment on road construction and maintenance to the extent possible. Vulnerable support allowances	Vulnerable social categories actually affected by the project will identify aso Marginalized <i>Janajati</i> groups, Dalit groups so Women headed households so Indigenous groups so Independent handicapped and or old age households etc. One-time economic rehabilitation grant of two-month's PLI as established by Nepal Living Standard Survey will be provided.
4. Government Property			
[4.1] Loss of infrastructure	· Relevant agency	Facilities will be repaired.	To be undertaken in consultation with the relevant department or ministry. An assessment for maintaining that kind of

Type of Loss	Entitlement Unit	Description of Entitlements	Implementation Measures
			vegetation will be under taken. Consultation will be carried out with Department of Forestry.
[4.2] Loss of forest areas	Department of Forest	Mitigation by means of plantation	
[4.3] Loss of Government land	·Relevant agency	·No provision of compensation.	Consultation with relevant government agencies will be carried out.
5. General Counseling			
[5.1] All project impacts	Persons within and adjacent to the road corridor	General counseling on project impacts; construction schedules and acquisition dates; valuation, compensation and grievance Resolution mechanisms; construction	This will be achieved through the periodic distribution of information sheets and consultation with local officials.

6.2 Compensation and Livelihood Restoration

The impact analysis indicated that the land loss impact on household level is not required because upgrading works is confined within ROW. During consultation, they have shown their interest to receive cash compensation for their loss assets. Besides, project will give priority to them in construction works as well as livelihood restoration training during project implementation phase. It is also found that roadside vendors (about 80 in number) will also be displaced so all of them will be included such type of training to restore their livelihoods.

6.3 Relocation Needs and Approach

Altogether 64 HHs will lose structures by way of losing residence, residence cum business, business only need to relocate and build new houses or businesses in nearby locations. A package of cash compensation will be provided to these affected households. The package includes cash compensation for the loss assets at replacement cost associated with asset replacement which could be current market value plus necessary transaction costs associated with asset lost. The project affected groups including displacement allowance, business disruption allowance (where the households are also losing their business) and transportation allowance. The total package of compensation for relocation will be provided in two tranches, 50 percent prior to dismantling of structures, and 50 percent after dismantling. In addition to that, some rehabilitation assistance is also recommended to be provided to vulnerable groups to improve their present living condition.

During the time of relocation of businesses, households may lose their income due to disturbance in their business, accordingly a disturbance allowance will be provided to the household based on estimated rate of household income (as has been determined during consultations with the affected households). Additional rehabilitation allowance, apart from displacement allowance and compensation, will be provided to the vulnerable households. Loss of private asset will be valued and compensated at replacement value, based on the entitlement policy matrix given in 8.1 in succeeding section.

6.4 Rehabilitation assistance to vulnerable households

Altogether 35 vulnerable households comprising ethnic minorities, dalits, indigenous households, senior citizens, disabled, below poverty level HHs and women-headed households. These

vulnerable households are recommended to receive livelihood support training. These households are eligible for livelihood support training as other projects. Livelihood support training will be provided to these vulnerable households, and will be given priority for employment in the construction work if they wish to work. Besides these households some roadside vendors (about 80 in number) will also receive such type of training to restore their livelihoods.

6.5 Shifting and Dismantling Allowance

Altogether 66 private structures of 64 households will be affected by the project. The shifting and dismantling allowance will be provided based on the structure type. The affected private structures have been categorized into four types namely: Modern (RCC), semi-modern (Brick/cement with Zink roof), Traditional (Mud/stone with Zink or *Khapata* roof) and Tahara/Jupra (Mud/Justa/wood with Zink roof) by types. Consultation with PAHs revealed that the shifting and removing the affected structures as per structure types and labor cost. It has been proposed to provide NRs. 15,000 to small types of structures, NRs. 25,000 to the hut/shed like structures, NRs. 50,000 to the traditional type of structures, NRs. 100,000 to the semi-modern types of structure and NRs. 200,000 to the modern RCC structures as dismantling and shifting allowance.

6.6 Temporary Acquisition of Land

In case of temporary acquisition for establishment of campsite, stockpiling sites is may required. As mentioned in ESIA about 7 ha. govt. is required for this purpose. Contractors will be responsible permission, the rental payment and the restoration of land to its previous productive status after construction.

6.7 Compensation Disbursement

6.7.1 Entitlement Framework

Through the acquisition of private and community assets, the project will provide the affected property owners, their dependents, 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.

6.7.2 Compensation

Compensation will be provided to the affected households for the loss of their private property. During consultations, project-affected households show their preference for cash compensation. Replacement cost is determined based on market values as agreed during consultations and also including other assistance to be confirmed by the CDC. The CDC uses the process below to determine compensation.

As outlined about compensation, CDC will form under the chairmanship of the Chief District Officer (CDO) of the district for the purpose of determining the compensation amount. The CDC is formed to undertake the actual verification of affected assets, review and fix compensation rate, identify actual owners, disburse compensation, provide necessary administrative support for addressing associated issues. However, formally the implementation process of CDC begins once Government of Nepal (GON) grants approval for the land acquisition.

In determining the compensation, the Committee must consider the loss incurred by persons due to assets loss, shifting of residential and business structures.

Compensation to be paid for (a) damages caused as a result of land investigations during the preliminary process, (b) affected property permanently acquired (including standing crops, trees and houses); and

Compensation to be paid in-cash (lump sum), although structure-owners who have lost their entire structures may require cash compensation, depending upon joint decision of PAP.

As noted, the replacement value of a project affected assets will be decided by the CDC having specific decision and consultation meetings with project affected groups. The higher of market value or replacement is taken as the compensation value. If there is disagreement of the replacement value, the DOR will decide that an independent assessment of replacement cost will be undertaken, which will be provided for the CDC's consideration. Compensation payments will be made into the joint accounts (that is, husband and wife) of the project-affected households.

6.7 Resettlement and Rehabilitation Assistance (R&R)

The ESF has pointed out the need of arranging to provide displaced persons with sufficient opportunities to improve, or to at least restore livelihoods if land acquisition or restrictions on use of, or access to, land or natural resources causing significant economic displacement. In this connection, following resettlement and resettlement assistances have been planned to be provided to the project affected and displaced HHs along the road corridor.

6.8 Shifting and Displacement Allowance

In addition to compensation for assets loss, some households who are losing houses will be qualified for the displacement allowances. Households, which require relocation will receive a housing displacement allowance equal to two-month poverty line income (PLI) based on the calculation for a household of 5.1 members. The Living Standard Survey report of CBS-2021 declares that the nominal household income is \$ 1300, NRs. 170651 where the nominal monthly income comes to NRs.14220. Considering the price escalation for 2-years period, the monthly nominal income has been assumed NRs.15000 which is the nominal wages rate of Nepal Government. All 64 affected households are entitled of two months displacement allowance. The provision of displacement allowance is that the houseowners 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. 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. It is therefore equal to two-month allowance that is a sufficient amount to be settled after displacement. Owners of commercial enterprises, who require to be relocated, will receive a Business Displacement Allowance equal to two months PLI for a household of 3 members, paid in discriminately at the time of compensation payment. Due to project implementation work, a total of 39 businesses will be affected in the KDP Road project. Most of the affected businesses/commercial enterprises are small-scale in size and investment. Besides, a typical vegetable market is functioning in the ROW of Lalbandi,

Bardibas and Dhalkebar Bazar where the existing business area will be covered by the 4 carriageways and 2 service lanes as well. In this situation, the small business group will be affected adversely therefore, Resettlement Action Plan has planned to address 80 such individual business peoples to provide displacement allowances coordination with concern Ward office and Industry and Trade Association of the areas.

6.9 Livelihood Restoration

Apart from the provision of displacement allowances, the rehabilitation of PAPs will include additional support through preferential access to employment as per their willingness and capabilities to work in road construction. The highest priority in employment opportunities in project construction works, will be given to PAPs. The project in addition will provide some support allowances to the vulnerable or marginalized and severely project affected households. There is some presence of vulnerable groups like, ethnic minorities (Muslim), Dalits, women-headed households and aged-member households in the project area. Dalits, ethnic minorities, women headed households, below poverty level income households and senior citizen categorized under vulnerable group. Moreover, livelihood support training will be organized to the vulnerable households as per their demand.

6.10 Government and Community Property

Government infrastructure and facilities affected by the project will be repaired or relocated in consultation with the relevant departmental authorities. In the case of community property, the displaced property will be relocated or rehabilitated at possible sites during project implementation in consultation with local communities. However, the required community properties like waiting sheds, *Chautara*, temples will be relocated in consultation with the respective communities.

CHAPTER 7: GRIEVANCE REDRESS MECHANISM

The process for resolving complaints related to resettlement arising in the project will be handled by the project-level Grievance Redress Mechanism (GRM), as required under ESS10 and detailed in the SEP. There are four types of grievances which may be submitted to the GRM. Project-affected households will be able to access the GRM for any issues, or questions in relation to compensation for land or assets, or in regards to resettlement and rehabilitation.

A Grievance Redress Committee (GRC) will be established to manage grievances received, and will be comprised of a Social Safeguard/Public Relation and Resettlement Specialist, Environment Safeguard Specialist, RE from CSC; Representative from Proponent/project office; Contractor; CBOs, Representatives from Local Authorities and GBV service provider.

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 the 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 specialist and environmental specialist will be helpful in this regard. GRC will be established as mentioned in SEP, and the responsibility of the GRC 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 is reached or no response from the project office, the PAP can appeal to the CDC and project proponent/DOR. 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 and project proponent 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.

The process for managing grievances related to resettlement within the project will be facilitated by the project-level Grievance Redress Mechanism (GRM), as mandated by ESS10 and detailed in the SEP. Four types of grievances may be submitted to the GRM. Affected households will have the ability to use the GRM to voice any concerns or queries regarding compensation for land or assets, as well as matters pertaining to resettlement and rehabilitation.

A Grievance Redress Committee (GRC) will be established to handle received grievances. The GRC will consist of a variety of roles such as a Social Safeguard/Public Relation and Resettlement Specialist, an Environment Safeguard Specialist, a Resident Engineer from the Construction Supervision Consultant (CSC), a representative from the project proponent's office, the contractor, Community-Based Organizations (CBOs), and representatives from Local Authorities.

CHAPTER 8: INSTITUTIONAL FRAMEWORK

This chapter provides details on the relevant institutions and stakeholders that will be involved in the implementation and monitoring of the RAP, including their roles and responsibilities.

8.1 Institutions

This section describes the institutions relevant to the design, implementation and monitoring and evaluation of the RAP. The roles of these institutions/organisations during the RAP is detailed in the Table 8.1

Table 8.1: Institutional Framework for KDP RAP Implementation

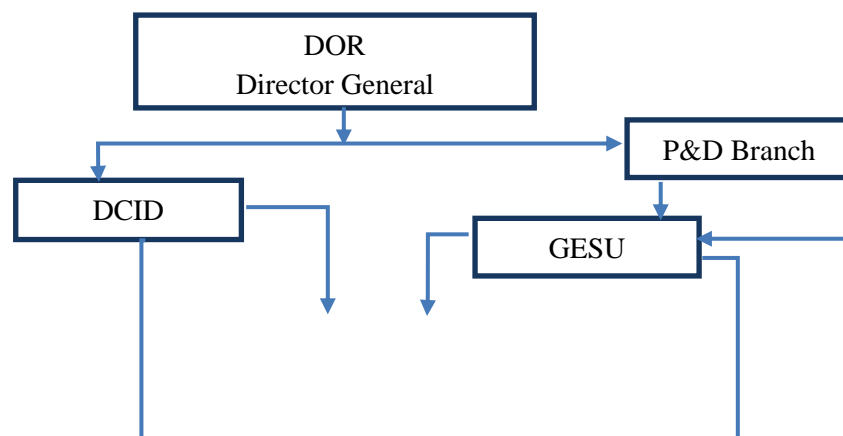
Designation	Institution	Roles and Responsibilities on RAP
Project In-Charge	KDP Road Project	To inspect over all activities
Social Development Expert	DCID	Facilitate incopensation payments pe- riodic monitoring of social safeguard
Social expert	CSC	Facilitate incopensation payments and regularly monitoring of social safeguard
Social mobilizer	CSC	coordination work between line agency , project and local people

8.2 Disclosure of RAP

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. 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.

8.3 Organizational Chart

An organizational set up for the implementation of the RAP is necessary for effective coordination to ensure compliance with policies and procedures, 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.



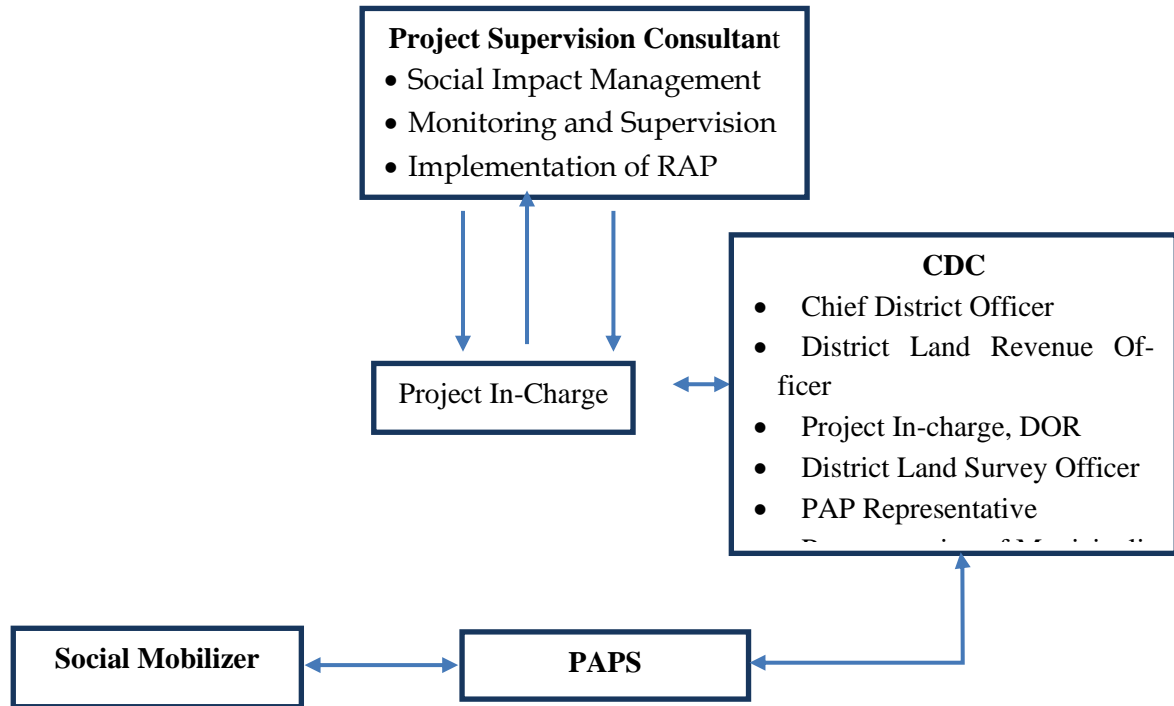


Figure 9-8-1 Organizational Framework for RAP Implementation

8.3.1 Central Level Arrangement

The central level arrangement of resettlement starts from the financial management for land acquisition and compensation from the Ministry of Physical Infrastructure and Transport (MoPIT).

The money goes to the Project Implementation Unit (PIU) through DOR. The DOR program coordination unit is responsible for drafting policy documents and project implementation strategies. The project coordinator, with his team from the project coordination unit, will be responsible for overall project coordination and management of RAP implementation. 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 the RAP.

8.3.2 Project Level Arrangement

While central-level arrangements are necessary for the coordination of RAP activities, project-level arrangements are required for effective RAP implementation. The project office headed by a Project In-Charge (PIC) will be established at the project level. The PIC is responsible for forming the CDC in consultation with the Chief District Officer (CDO) of concerned districts. The CDC will be chaired by the CDO. CDC determines the rate of compensation in consultation with PAPS and local stakeholders, categorizing land and structures. The PIC will have a road section support team. Other relevant district officials will be deputed to the project team during the land and assets acquisition process when required. As the project authority, Project Management Unit (PMU) will resume overall responsibility for RAP implementation.

8.3.3 Coordination With Other Government Agencies and NGOs

The Department of Roads (DoR) will implement the program, using its Environmental and Social Management Framework. However, the Geo-Environmental Services Unit (GESU), responsible for managing these areas, faces challenges such as staff turnover and limited resources. Therefore, a capacity-building plan is in place, focusing on minimal disruption and lean staffing, to ensure competent project management and prepare GESU for future responsibilities within the program.

CHAPTER 9: MONITORING AND EVALUATION

9.1 Monitoring and Evaluation (M&E) procedures for the RAP are designed to assess the performance and establish the effectiveness of the RAP implementation. The project will employ a robust monitoring and evaluation mechanism to maintain and/or improve the socio-economic conditions of affected households. This regular monitoring will be internal and external, covering process, output, and impact levels, with a focus on assessing project inputs, compensations, and restoration of living standards. The M&E mechanism aims to offer valuable feedback, detect issues early, and maintain consistent communication with the impacted households about the monitoring results.

9.2 Internal Monitoring

Internal monitoring is the responsibility of GESU. PCU- DCID on a regular basis, with the help of a Social Safeguard Expert of DCID and a Social Development and Resettlement Specialist will oversee the resettlement activities, providing monthly and trimester RAP implementation reports to DOR. The PIC office will maintain records of all transactions in its resettlement database, followed by entitlement records signed by the affected persons and survey-based monitoring of resettlement and land acquisition progress. The key indicators include the following:

- Verification that there are no outstanding or unresolved land acquisition issues with respect to the period and that property valuation and economic rehabilitation are in accordance with the provision of plan;
- Information campaign, dissemination 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 structure acquired;
- Use of entitlement and check its misuse;
- Compensation for affected structures and other assets;
- Payment for loss of income;
- Support provided for vulnerable persons
- Relocation of affected persons and supports provided;
- Implementation of economic rehabilitation and income restoration measures;
- Effective operation of the GRCs, and
Funds for implementing land acquisition and economic rehabilitation activities in a timely manner and sufficient for the purposes and spent in accordance with the plan.

9.3 External Monitoring

External monitoring will be conducted by an independent agency to complement the internal monitoring efforts. This agency, familiar with infrastructure development and resettlement aspects, will assess the social and economic consequences of land acquisition and whether the project has been effective in enhancing or restoring the income levels and living standards of affected people. In particular, the external monitor will review the status of compensation, the support provided for rehabilitation, the disclosure of information, compliance redress mechanisms, and the employment status of the affected persons. The external monitor will also con-

duct a household survey to gauge progress compared to pre-project standards and assess the effectiveness of consultation and grievance redress procedures.

9.4 Evaluation

Evaluation is necessary to assess the compliance of RAP activities and outcomes with the stated RAP objectives and international standards guided by the World Bank ESF. An external consultant, independently appointed through a competitive bidding process, will carry out this evaluation periodically, ensuring they understand the project context. This evaluation seeks to determine whether mitigation and other RAP implementation actions have achieved the intended effects. The evaluation process includes a completion audit following the implementation to confirm whether all mitigation measures and resettlement initiatives have been executed as planned in the RAP. Any gaps in RAP implementation revealed by the audit will necessitate recommended additional measures, subject to follow-up evaluations. The external consultant will finalize the key indicators for this evaluation. This process will include conducting sample surveys among 25% of the Project Affected Families (PAFs) to assess the degree to which the project's resettlement objectives have been met. Baseline data for these indicators will come from the socio-economic survey conducted during RAP preparation. A similar survey at the project's end will assess the project's impact on all PAFs.

CHAPTER 10: IMPLEMENTATION SCHEDULE

This chapter provides an indicative schedule and budget for the implementation of the RAP. The schedule for implementing the RAP is provided as **Table 10-1**. It is important to note that the implementation of this RAP shall be funded by the government of Nepal and WB.

10.1 Implementation Schedule

The schedule for implementing the RAP is provided below:

Table 10-1: RAP Implementation Schedule

SN	Tasks	Time Frame											
		Year-1				Year-2				Year-3			
		Quarters											
		I	II	III	IV	I	II	III	IV	I	II	III	IV
1	Submission of RAP to DCID & WB for approval												
2	Verification of affected assets and people												
3	Submit final report to CDO for compensation												
4	Notice publication of affected land												
5	Consultation and grievance resolution												
6	CDC meeting and compensation Decision												
7	Inform PAPs for the compensation claim												
8	Collect application from the PAPs												
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												
13	Internal Monitoring of RAP implementation												
14	External monitoring of RAP implementation												

10.2 Budget

The RAP budget presented in this document is indicative and subject to change based on prevailing economic realities at the time of implementation and negotiations with PAHs.

This section explains the required resettlement budget. There is no any private land acquisition needed in this KDP road project because of already acquired government land. The Mahendra Highway is being a National Highway that declared through publishing notice in Gazette 2034

BS (1977AD) as of 50 meter right of way. Therefore, land acquisition is not needed in this KDP road improvement project. However, there are other assets like privately established various structures and so many public/community structures are located within the ROW need to be compensated and rehabilitated.

10.3 Cost Estimation Overview

This section outlines the estimated costs for implementing the RAP activities described in previous chapters. The compensation cost is allocated based on standard norms of building construction code. The replacement cost of the affected structures is based on compensation sufficient to replace assets, plus necessary transaction costs as associated. For houses and other structures, this includes reference to the market price of materials and labour cost of transporting materials from the ROW. The project affected structures and their compensation cost estimation is given in **Annexure-V**.

10.4 Cost Estimation of Project Affected Private Structure

In the KDP road improvement project, a total of 66 private structures which are located within the ROW will be compensated. The total compensation or rehabilitation cost is NRs. **14016477.2**. It is proposed to evacuate all illegal occupancy from the ROW by giving replacement cost of their affected structures. Cost estimation of the project affected private structures is given in **Table 10-1** below.

Table 10-2: Compensation Cost of the Project Affected Private Structures

Type of Structure	No.	Area (sqf)	Rate per/ (sqf)	Amount (NRs.)
Jhupra/Tahara (with zink sheet/ Khapada)	49	15503	462.17	7,165,089.65
Jhupra/Tahara (Hey Roof)	4	1142	384.34	438,917.93
Jhupra/Tahara (Tarpaulin Roof)	2	663	335.83	222,658.34
Semi Modern (Stone wall with Zink Roof)	8	2529	1,851.08	4681381.32
RCC (Modern)	3	600	2,514.05	1,508,430.00
Total	66			14016477.2

10.5 Cost Estimation of the Project Affected Public/Community Structures

The KDP road will improve in 4 lanes in general and service lanes in urban settlements area. On the basis of the proposed lanes, it requires different formation width and the impacts upon various structures located in the ROW has also been occurred accordingly. Altogether, 200 different public/community structures and objects are located within the ROW. The total compensation/rehabilitation cost is estimated NRs. 96305185.83. It has presented the whole compensation cost of all the affected public and community structures within the ROW. However, it may not replace all *Bar- Pipal Chautara* at the nearby ROW area but possible number will be rehabilitated as of community consultation. The estimated cost covers the demolishing and compensating of the public/community structures and objects that is given in **Table 10-3**. The rate of individual

structures cost by district is presented in **Annexure-V&VI**. The local authorities will help in demolishing and compensation process as their commitments which is given in **Annexure-VIII**.

Table 10.3: Compensating/rehabilitation cost for the affected Public and Community Structures

Structures	Sub- types	No.	Area (Sqf)	Rehabilitation Rate /Sqf (NRs.)	Cost for Compensation (NRs.)
Community Structures	RCC with large Dom Temples	13	3770	10,731.00	40455870
	RCC Temples	22	2975	2,551.45	7590563.75
	Well	8	8	285,207.63	2281661.04
	Chautara with tree	55	15530	732.14	11370134.2
	RCC Roof(Waiting Sheds)	31	4995	1,515.84	7571620.8
	Zink/KhapataRoof(Waiting Sheds)	38	6974	1,217.80	8492937.2
Public Structures	Gate	5	5	300,000.00	1500000
	Boundary Wall	12	810	3,622.20	2933982
	Police Post with zinc roof	4	2050	1,832.44	3756502
	RCC frame structure house	5	3163	2,491.63	7881025.69
	Public toilet	3	315	4,737.41	1492284.15
	Other Structures	4	500	1,957.21	978605
Total		200			96305185.83

10.6: Cost estimation for relocation of electric pole:

As mentioned in ESIA, total 2221 (including 140 solar) need to relocate during upgrading works. The tentative cost of electric pole and transfermer relocation is given below the table no. 10.4

Table 10.3: Cost Estimation of Affected Electric Poles and Transfermer

No. of Affected Poles	Relocation Cost (NRs.)	Total Relocation Cost
2221 (including 140 Solar poles)	70,000	155470000

10.7: Cost estimation for rehabilitation of drinking water pipeline:

As mentioned in ESIA total length 33160 (meters) drinking water supply pipeline will damage during project implementation. The tentative cost of drinking water supply pipeline rehabilitation is given below the table no. 10.5. Details is in **Annexure-VI** regarding section.

Table 10-5: Cost Estimation of the Affected Drinking Water System along the KDP project

Name of Settlement	Length (on each side) (m)	Cost per meter	Cost (NRs.)	Name of Concerned Authority
Nijgadh	2050	2,479.68	5,083,343.43	Water Supply and Sanitation Consumer Organization, Nijgadh-9
Bardibas	1850	2,479.68	4,587,407.48	Small City Water Supply and Sanitation Consumer Committee, Bardibas
Lalbandi	2000	2,479.68	4,959,359.44	Water Supply and Sanitation Organization, Lalbandi
Pathlaiya	150	2,479.68	371,951.96	Water Supply and Sanitation Consumer Committee, Pathlaiya
Chandranigahpur	1650	2,479.68	4,091,471.54	Water Supply and Sanitation Consumer Committee, Chandranigahpur
Dhalkebar	2480	2,479.68	6,149,605.71	Water Supply and Sanitation Consumer Committee, Dhalkebar
Bagmati	1420	2,479.68	3,521,145.20	Karmaiya Watersupply and Sanitation Consumer Committee
Hariban	450	2,479.68	1,115,855.87	Sukepokhari Watersupply and Sanitation Consumer Committee, Hariban
	1000	2,479.68	2,479,679.72	Water Supply and Sanitation Consumer Committee, Hariban
Godar, Biren-drabazar, Dharapani	3530	2,479.68	8,753,269.41	The main settlement areas have found different Water Supply and Sanitation Consumer Committees.
Total (one side)	16580		41,113,089.76	
Total Two sides	33160		82,226,179.52	

10.6 Cost Estimation of Shifting and Displacement Assistance

The Shifting and displacement assistance covers the housing displacement allowance and business displacement assistance on the basis of two months poverty line income (PLI) for the both type of displacement. Besides, the 204 extended structures which are adjoining with their main structures buildings and occupied in the ROW. These structures are classified as small, medium and large by size and dismantling and shifting cost were carried out by consultation. The demolishing and shifting allowance (cost) of those extended structures as: small, medium and large size are allocated by Rs.5,000, Rs. 10,000 and 15,000 respectively. The four petrol stations are also located within the ROW and will be affected, that has also managed cost for displacement assistance. The total estimated cost for shifting and displacement allowances of all 274- structures (66 private, 4 petrol pump & 204 extended part) is Rs. 5,111,439 that is presented in **Table 10-6**.

Table 10-6: Cost Estimation for shifting and Displacement Assistance

Road Section	Types and size of Structures	Number	Average Rate (NRs.)	Amount (NRs.)
Extended Structures				
	Physical and Economic Displacement of private structures	66	40,000	26,40,000
Extended part in front of houses				
KDP	Shifting Allowances for the average 25- 100 Sq. ft structures (small)	70	5,000	350,000
	Shifting Allowances for the average 101- 200 Sq. ft structures (Medium)	59	10,000	590,000
	Shifting Allowances for the Average 201-above structures (Large)	75	15,000	1,125,000
	Petrol Pumps	4	As per size	4,06,439
	Total	274		5,111,439

10.7 Cost Estimation of Livelihood Support Program

As a part of income restoration program for rehabilitation of the severely project affected households and vulnerable households, livelihood support training will be conducted during project implementation. During census and consultation, different types of trainings have been identified. The livelihood trainings such as vegetable cultivation, livestock farming, poultry farming, beauty parlor, sewing and cutting, electronics, auto mechanics, hotel management, goat farming etc. Before implementation of training, training need assessment will be carried out. The training program will be conducted with coordination of district level training providing institutions. The rate per household is based on previous livelihood support training programs under comparable road projects. Likewise, the number of 80 business displaced people who are depending on business activities in the market settlements area like Bardibas, Dhalkebar and Lalbandi will be distributed livelihood support allowances to manage temporary business before adjustment in the reestablished market places. The estimated cost for the implementation of livelihood trainings is given in **Table 10-7**

Table 10 -7: Cost Estimation for the Livelihood Support Trainings and Allowances

Road Section	Type of HHs	Number	Rate (NRs.)	Amount (NRs.)
KDP	Project Affected Vulnerable Households	35	60,000	2,100,000
	Project Affected Business Displacement Households	39	60,000	2,340,000
	Number of roadside vendors People	80	30,000 (Per/ Person)	2400000
	Total	154		6840000

10.8 Resettlement Plan Implementation Cost

There are also several RAP implementation activities that need to be carried out whilst implementing the RAP. Some of such activities include public consultation and information dissemination, organizing CDC meetings, organizing and mobilizing (each meeting every 2 months ie.) verification of affected assets, GRM and so on. In order to ensure such expenses, the RAP implementation cost has also been calculated and incorporated into the resettlement budget. Costs are estimated based on previous implementation of RAP activities under comparable roads projects as shown in the **Table 10-8**.

Table 10-8 Estimated Cost for Resettlement Plan Implementation Activities

Road Section	Type of Project Affected	Quantity	Rate (NRs.)	Amount (NRs.)
KDP	Information dissemination campaign	LS	-	500,000
	Organizing CDC meetings	10	25,000	250,000
	Public consultation meetings	LS	-	150,000
	Grievance Redress Mechanism	LS	LS	200,000
	Total		-	1,100,000

10.9 External Monitoring Cost Estimation

Effective RAP implementation requires social monitoring and supervision by the Social Development and Resettlement Expert. The Social Development and Resettlement Expert will be employed as a fulltime from Supervision Consultant, assisted by Social Mobilizers. Moreover, external monitoring will be required to evaluate the overall monitoring activities carried out under the internal monitoring. External monitoring will be carried out through outside Researcher or Consulting Agency or through Independent Consultants. An independent consult will carry out external monitoring by annually. The estimated cost for the external monitoring is given in **Table-10.9**

Table 10-9: Cost Estimate for External Monitoring

Items	Unit	Quantity	Rate (NRs.)	Amount (NRs.)
Remuneration	Person/Month	4	175,000	700,000
Daily allowance	Days	50	5,000	250,000
Transportation including				
Air and vehicle	Lump-sum	-	-	400,000
Logistics and accessories	Lump-sum	-	-	150,000
Total				1,500,000

10.10 Summary of Compensation and Resettlement Cost

The summary of resettlement cost includes all the expenses required to compensate for the affected private assets including resettlement and rehabilitation costs and other financial assis-

tance. The summary cost contains additional 10 percent contingency. The summary cost for the compensation, resettlement and rehabilitation and Resettlement Action Plan implementation is given in **Table 10-10**.

Table 10-10: Summary of Compensation /rehabilitation Costs

S.N.	Cost Items	Amount (NRs.)
1	Cost Estimation for Project Affected Private Structures (66)	14016477.2
2	Cost for Displacement and Shifting Assistance	5,111,439
3	Cost of Livelihood Support Training and business disruption Allowances	6840000
4	Estimated Cost for Resettlement Plan Implementation	1,100,000
5	Estimated Cost for External Monitoring	1,500,000
6	Sub-Total of all costs (1+2+3+4+5)	28567916.2
7	Contingency 10% of the Total Cost	2856791.62
8	Grand Total	31424707.4