

Appendix - 6

CONSULTANCY FOR MONITORING AND EVALUATION OF IMPLEMENTATION OF RESETTLEMENT PLAN

TERMS OF REFERENCE

BACKGROUND OF THE PROJECT

The Department of Roads (DoR) / Ministry of Physical Planning and Works (MPPW) under the ADB Loan No. 2097-NEP (SF) is implementing the Sub-regional Transport Facilitation Project (STFP) comprising the following three sub-projects:

a) Birganj ICD Access Road Sub-project

The Birganj – ICD access road includes the improvement and construction of 12.34 km of road involving 54.94 hectares of land to be acquired. This sub-project consists of the following three components:

- i) Upgrading construction of 0.6 km length of existing Padam road starting from the ICD include the widening of road which involves 1.23 hectares of land including 1.08 hectares of lands for 30 meter width and adding 0.15 hectares of lands for fill batter slopes: The road is two-lane sealed road with 7 m wide carriageway with 4.2 meters of walkways along either side of the road.
- ii) Construction of new bypass road from Padam road is approximately 10.19 km in length and passes through the agricultural lands to the Tribhuvan Highway in Parwanipur. This section will have 50 m right-of-way (ROW) involving 50.93 hectares of lands. Two new structures are required over Gandak canal and Sirsuwa River in this section.
- iii) Improvement and widening of Tribhuvan Highway through Jeetpur township section of about approximately 1.55 km of length is designed to be of 30 meters width.

b) Bhairahawa - Bhumahi Road Upgrading Sub-project

This consists of upgrading construction of an existing 29 km gravel road of 7 – 12 m wide requiring 71.1256 ha of land from zero chainage at Devkota Chowk Bhairahawa to Bhumahi on the East-West Highway via Parasi to sealed two-lane standard with 7 m wide carriageway with 30m ROW in VDCs areas and 20.34 m ROW in the municipal area. The road links two districts; Rupandehi and Nawalparasi. The alignment passes through two Municipalities and 7 Village Development Committees (VDCs) of both districts. The bypass road is designed wherever the road alignment cannot be adjusted with the existing road curves and wherever the minimisation of resettlement is applicable. The right of way in municipal area is based on the municipal by-laws of Sidharthanagar Municipality.

c) Kakarbhita ICD Component

Kakarbhita ICD component is the construction of a road based ICD at Kakarbhita in the eastern Nepal / India border, in an area of about 7.5 hectares with all necessary facilities such as covered goods sheds, administration building, customs accommodation quarters, weighbridge, guard posts, lighting,

fencing etc. Separate immigration office and facilities will be provided under the project to facilitate the passenger immigration.

Scope of Land Acquisition and Resettlement

A significant number of lands and structures will be partially or totally affected by the project requiring the relocation and resettlements of affected households. Birgunj ICD Access Road Sub-project and Bhairahawa - Bhumahi Road Upgrading Sub-project require the land acquisition and resettlement. The Kakarbhita ICD project will occupy the existing customs yard and other government land.

Birgunj Sub-project is upgrading of 600m lengths of existing Padam Road, construction of 10.185 km of new bypass road starting from 0+600 chainage in Padam Road to Tribhuvan Highway in Parwanipur, and widening of 1.6 km of existing Jitpur section of highway starting from the chainage no. 0+300 from Kalka bridge to 1.550 km. The proposed activities and total length of access roads and land acquisition requirements in the Birgunj ICD sub-project is given in the Table 1.

Table 1: Road Length and Land Requirement in Birgunj ICD Sub-project

VDCs coming under alignment	Proposed Activities	Road Length (km)	Land Required (ha)
1. Bhawanipur/Jitpur	New alignment – bypass (50 m. ROW)	10.185	50.925
2. Lipnibirta			
3. Maniyari	Upgrading existing Padam road	0.600	1.23
4. Lalparsa			(1.08 + 0.15)
5. Harpatgunj	Widening of existing Jitpur section	1.550	2.79
6. Ramgadhwa			
7. Srisiya			
Total		12.34	54.95

Source: Detail Technical Design, 2006

The Birgunj ICD Access Road Sub-project is in Parsa and Bara districts of central region of Nepal.

Table 1 provides the length of project road passing through each district. It is 12.34 km.

Table 2: Project Roads Length (km)

District	From	To	Chainage (From)	Chainage (To)	Length in
Parsa	ICD Port	Padam Road	0+000	0+600	0.600
	Padam Road	Parwanipur	0+600	10+785	10.185
Bara	Kalka Bridge	Jeetpur market end	0+300	1+850	1.550
Total					12.34

The proposed road aims both the upgrading and widening of Padam road and Jeetpur section of Tribhuvan highway, and the construction of new bypass road from from the diversion point of Padam road at 0+600 chainage to Parwanipur of highway. The road is designed for the vehicle at 80 km / hour speed. The right-of-ways (ROW) of the existing Padam road is not defined and protected. The current width of the road is 12m. The Jeetpur section being a part of Tribhuvan highway has 50m ROW. The bypass section is designed for 50m ROW.

The detail existing ROW and road width with the current land use pattern of the affected lands is presented in the **Table 3**.

Table 1.1.3: Details of Existing ROW and Road Width in Birgunj Sub-project

Chainage	Existing ROW and Road Width	Remarks – Land Use
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Chainage	Existing ROW and Road Width	Remarks – Land Use
Parsa		
0+000 – 0+600	Existing road width 12m	Existing road, private and public residential, commercial and official structures and lands.
0+600 – 10+785	No existing road Proposed ROW 50m	Agriculture lands with Gandak river bridge and canal
Bara		
0+300 – 1+850	50m	Existing road and built-up market area with private residential and commercial structures, and public lands

The road is designed for an average speed of 80 km/h. Additional land for 30m design width on existing width of 12m will be required along the existing 600m alignment in Padam road section. The construction of bypasses requires 50.93 ha of lands. The structures in the Jeetpur market area are built on government land within 50m ROW of Tribhuvan highway. Currently, the construction width in Jeetpur widening is 30m. The current plan is to clear the structures located within 30m width.

A significant number of lands and structures will get partially or totally affected by the project requiring the relocation and resettlements of affected households. Birgunj ICD Access Road Sub-project and Bhairahawa - Bhumahi Road Upgrading Sub-project require the land acquisition and resettlement. The Kakarbhita ICD project will occupy the existing customs yard and other government land.

The Bhairahawa – Bhumahi Sub-project is in Rupandehi and Nawalparasi districts of western region of Nepal. **Table 4** provides the length of the project road passing through each district. It is 14.900 km in Rupandehi and 14.252 km in Nawalparasi.

Table 4.: Project Roads Length (km)

District	From	To	Chainage	Chainage (To)	Length in
Rupandehi	Devkota Chowk	Mahau	0+000	14+900	14.900
Nawalparasi	Mahau	Bhumahi	14+900	29+152	14.252
Total					29.152

The proposed road aims both the upgrading of existing Hulaki road and the construction of new bypass road. New bypass road is proposed wherever the alignment in the existing Hulaki road could not be adjusted due to the inappropriate and non-standard curves for the speed of vehicle at 80 km/hour and wherever the minimisation of resettlement is applicable. The right-of-ways (ROW) of the existing road is not defined and protected. The existing road width varies in different sections of the road. It generally ranges 7 – 12 meters and in few places like Basantapur and Dhakdhai upto 20 meters.

The road is designed for an average speed of 80 km/h. The improvement work cannot be carried out within the existing width. Additional land will be required along the existing alignment and at places where the construction of bypasses and realignment has been proposed.

All possible steps have been taken to minimize land acquisition and demolition of structures so as to reduce adverse affect on people settled along the road. The DOR has formulated a Land Acquisition and Resettlement Plan (LARP). The consultants engaged for preparing the LARP conducted baseline socio-economic surveys and a census of the affected land and structures. The implementation of RP include the support of NGO/s, CFCs, GRCs, affected families and other stakeholders. Among others, the RP stipulates involvement of a consulting agency for evaluation of implementation of the RP. The overall project is implemented by the Project Implementation Unit (PIU)/ Project Directorate (ADB) of

Department of Road, headed by the Project Director. The DOR has a separate SPIU in the PIU consisting of the Project Manager/s as Sub-project Resettlement Officer (CRRO) to implement the RP.

It is in the background that the PIU/Project Directorate (ADB) intends to hire the services of an independent consultant to monitor and evaluate the implementation of the RP.

Scope of work

- Concurrent monitoring of R&R implementation progress as laid out in the Resettlement Action Plan.
- Evaluation of R&R progress and achievement of projected R&R objectives
- Formulation of necessary measures to resolve problems and improve R&R implementation
- Development of monitoring formats and computerized monitoring system
- Development of detailed list of specific and measurable indicators to indicate achievement of physical targets and fulfilment of program objectives.

These indicators should cover:

- Organization performance
- Community mobilization and participation
- Financial progress
- Grievance redress
- Performance of rehabilitation activities
- Women's development
- Impacts of training programs
- The progress of LA and adequacy of compensation
- Availability of support services
- Determine whether the goals of R&R and restoration or increase of PAP living standards are achieved through monitoring and evaluating:
 - (a) The application of R&R policy
 - (b) The functioning of the R&R institutional set-up
 - (c) The timely delivery of entitlements under the Resettlement Plan
 - (d) The functioning of consultative and participatory arrangements
 - (e) The operation of designed economic activities, and
 - (f) The functioning of the grievance redress mechanism.

Tasks to be Carried out by the M&E Consultants

The firm selected for the assignments shall be responsible to,

- Submit an inception report within three weeks; on signing up of the contract, including a work plan for the whole contract period, staffing and personnel deployment plan.
- Prepare quarterly progress reports to be submitted to the PIU, with weekly progress and work charts as against the scheduled timeframe for RAP implementation.
- Prepare and submit quarterly reports on a regular basis, to be submitted to the PIU.
- Submit a completion report at the end of the contract period.

Reporting in writing as well as photographs, videotapes, etc., taken during the assignment shall be submitted in support of the reports. Accounts reports both on expenditure on administration as well as training and other heads shall be submitted with the quarterly and the completion reports.

In addition, the firm shall prepare and submit separate descriptive reports on participatory micro-plans with full details of the Participatory Rapid Appraisal exercises conducted.

Conditions of Services

The firm shall ensure that the LARP is implemented in an effective and proper manner. The prime responsibility of the firm shall be to assess whether each and every eligible PAP has received appropriate and justified entitlement and that, at the end of the project R&R services, the eligible PAPs have improved (or at least restored) their previous standard of living.

All documents created, generated or collected during the period of contract, in carrying out the services under this assignment will be the property of the DOR. The firm without explicit permission of the DOR shall disclose no information gathered or generated during and in carrying out this assignment.

Timeframe

The firm will be initially contracted for a period of one year from the date of commencement. Agreement may be extended depending upon the services provided by the firm.

Payment Schedule

Sl. No.	Payment Schedule	Percentage of the Contract Value
1	On award of the assignment	10%
2	On submission of inception report	15%
3	On submission of half yearly report	25%
4	On submission of draft final report	30%
5	On submission of final report	20%

Team for the Assignment

The consultants are free to recommend a team commensurate with the requirements of the project, subject to the following conditions,

- That the proposal should accompany a personnel deployment schedule, clearly indicating whether the deployment is home-office based or in the field.
- That the consultants must propose at least one woman as part of the key personnel. The person-month deployment of the woman key personnel shall constitute at least 33% of the person-month deployment of all key professionals in the assignment. The proposed woman key person shall be available to work at site for at least 50% of the duration of the contract.
- That the woman key persons, if selected for the contract, may be replaced during the period of contract, only with woman key persons of equivalent qualifications and experience, with the prior approval of the Project Director / Project Managers of the project.
- That the consultants will depute a technical/professional team to work at the site, which will consist at least 33% of women members. Junior support personnel and administrative staff will not be considered as technical/professional members.

Data to be provided by the client

Client will provide to the Consultants the copies of census data, Resettlement Action Plan, Land Acquisition Plan etc. collected/prepared by the design Consultants/ Resettlement Experts.

