

Resettlement and Indigenous Peoples Plan (Draft)

December 2012

NEP: Tanahu Hydropower Project

Prepared by Nepal Electricity Authority and Tanahu Hydropower Limited of the Government of Nepal

This resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or ADB staff.

ABBREVIATIONS

ADB	:	Asian Development Bank
AP	:	Affected Person
CBO	:	Community-based Organizations
CDC	:	Compensation Determination (Fixation) Committee
CDO	:	Chief District Officer
DDC	:	District Development Committee
EIA	:	Environment Impact Assessment
EMP	:	Environment Management Plan
ESSD	:	Environmental and Social Study Department
GRC	:	Grievance Redressal Committee
HIV/AIDS	:	Human Immune Virus / Acquired Immune Deficiency Syndrome
LA Act	:	Land Acquisition Act
NEA	:	Nepal Electricity Authority
NGO	:	Non-Governmental Organization
RIPP	:	Resettlement and Indigenous Peoples Plan
ISA	:	Initial Social Assessment
PIC	:	Public Information Centre
RE	:	Rural Electrification
RP	:	Resettlement Plan
SPS	:	Safeguards Policy Statement
SPV	:	Special purpose vehicle
THL	:	Tanahu Hydropower Limited
TL	:	Transmission line
VDC	:	Village Development Committee

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Executive Summary

A. Project Description

1. The Tanahu Hydropower Project (referred to as “the Project” or “THPP” herein) is located on the Seti River banks, in the Bhimad Village Development Committee¹ (VDC) and Kahun Shivapur VDC areas, near Damauli, the District Capital of Tanahu District. The project is a storage type 140 MW hydropower project with an estimated average annual energy generation of 587.7 GWh (Years 1-10) and 489.9 GWh (Year 11 onwards). The Project is designed to supply power to the Nepalese national grid. The main components of the Project are a 140 m high concrete gravity dam wall with a crest length of 175m on the Seti River and a reservoir with a total surface area of 7.26 km² at FSL (EL 415m). The waterway consists of a 7.4 m by 1,203 m diameter long headrace tunnel which will be built on the right bank for the river. A 190 m long tailrace tunnel will be constructed to discharge the water flow used to generate power back into the Seti River. An underground powerhouse will be built 6 km downstream of the dam. Two permanent and primary access roads (totalling 7.3 km) and several temporary and secondary access roads will provide access to the Project area. Temporary facilities include workforce camps, work areas and project management staff camp. To handle the Project mainly, the Tanahu Hydropower Limited (THL) was established in March 2012.

2. The project will also include rural electrification (RE) and transmission lines (TL) component. A new 220 kV Tanahu HPP - Bharatpur Transmission Line (TL), with double circuits, will evacuate power generated by the THPP to the Bharatpur Substation. The length of the transmission line corridor is 37 km. The Nepal Electricity Authority (NEA) has already acquired land for the substation under a World Bank funded Project. Additionally, the Project intends to electrify villages through its Rural Electrification (RE) Program. The RE will provide power to households in 17 VDC areas. The proposed RE component involves the construction of distribution lines 33/11 kV sub-stations at Dharmapani and Maghkot.

3. The NEA will carry out social impact assessments and a census survey in the TL and RE component areas of the project. In doing so, the NEA will follow the guidelines outlined in the approved Resettlement Framework (RF). The Resettlement/Indigenous Peoples Plan (RIPP) will be revised, or a separate RP or RIIP will be prepared, based on the findings of the survey and assessment of TL and RE project components. The new or updated RIPP or RP will be submitted to ADB and JICA for approval. No civil work activities will commence in the RE and TL components until the RIPP/RP has been approved by ADB and JICA and full compensation has been paid at replacement cost to the project affected persons (APs).

4. The THPP area consists of 8 Village Development Committee areas (VDCs) and a Municipality area. The VDCs are (i) Chhang, (ii) Majhkot, (iii) Bhimad, (iv) Jamune Bhanjyang, (v) Kotdarbar, (vi) Rishing Ranipokhari, (vii) Sabhung Bhagawatipur, and (viii) Kahu Shivapur. The Byas Municipality, with Damauli Town as its capital, is a major urban settlement. The reservoir will extend about 25 km upstream submerging low-lying lands along the Seti River. Implementation of the Tanahu Hydropower Project is a part of the strategy to meet peak and increasing power demand in an efficient manner.

B. Objectives of the Combined Plan for Involuntary Resettlement and Indigenous Peoples

5. The main objective of the RIPP is to identify adverse social impacts and to plan measures to mitigate them. The RIPP describes the (i) types and the extent of losses of assets

¹ A VDC is the lowest tier in district administration. The Tanahu District comprises of a total of nine VDCs.

including land and physical structures; (ii) policy and legal framework for mitigating losses; (iii) an entitlement matrix, (iii) a budget, (iv) institutional framework for the implementation of the plan, including monitoring and evaluation.

6. This RIPP combines involuntary resettlement planning with indigenous peoples planning. The key reason for combining the two is the majority of project-affected persons (75%) are *janajatis* and project impacts on them arise from land losses which are mutually negotiated between EA and project-affected households. During socioeconomic surveys and census and consultations, *janajati* populations in the project areas were directly consulted by the EA and consultants to check whether they claim any project-affected land or their own land or the land they cultivate without title as their ancestral domain. None of the land that will be acquired for the Project falls under this category; The interviews indicated that the Project will have no impact on their cultural identity, survival and cultural resources. The surveys further found that sources of livelihood, family types and educational attainment among *Janajati* and non-*janajati* households are similar, and the former do not display any significant social or economic trait that would distinguish them from the latter, except in their cultural identity and national identification as *janajatis*. Those *Janajati* households who will have to physically relocate because of the Project, have opted for receiving cash compensation at replacement cost through negotiated settlement. No physically displaced household (including affected *janajati* households) wanted land-for-land that they lose to the Project. The Project will benefit both *Janajati* households other affected households. They will be the beneficiaries of the Community Development Strategy, a component of the Project, which will invest in developing education and health facilities in project areas and income and livelihood sources of affected households. The Strategy will focus on vulnerable households who are predominantly *Janajatis*. However, if during project implementation, any significant impact on *janajati* populations is found, and if it cannot be addressed through the entitlements and the procedures listed in RIPP, the EA will prepare an IPP, closely following the guidelines given in IPPF of the Project, and submit it to ADB and JICA for review and approval before embarking on any physical work of the project component.

C. Scope of Land Acquisition and Resettlement

7. The Project involves loss of private land, public infrastructure and resources (trails, suspension bridges, loss of forest, and grazing lands). 758 households (HHs) will be affected by the Project excluding the Rural Electrification and Transmission Line components. The implementation of the Project will result in the acquisition of 93 ha and leasing of 19 ha of private land. However, in case of leased land, if lease agreements fail to be signed with the landowners, the EA will consider acquiring it through negotiations at replacement cost of land. The census survey covered a total of 608 households comprising of 4,257 affected persons. The remaining 150 HHs consists of absentee HHs who were not available in the area during the census survey. The socio-economic data provided in the RIPP only applies for the 608 HHs surveyed and consulted. However, while calculating the resettlement budget, the affected assets of the 150 absentee HHs were also accounted for. Table S-1 summarizes the scope of land acquisition and affected households by components.

Table S-1 Tanahu Hydropower Project: Loss of land, houses affected households and population

Description	No.
Total number of affected HHs	758
Number of Households covered in census survey	608
Number of absentee affected households	150

Total Affected private Land (in ha)	112 ha
Number of Affected Persons (covered in census survey)	4257
Number of vulnerable HHs	502
Number of Affected Persons of the HHs with Vulnerabilities	3652
Number of affected <i>Janajati</i> HHs	453
Number of Affected Persons of the Janajati HHs	3345
Number of affected HHs losing more than one type of asset	245
Number of APs at HHs losing more than one type of asset	1647
Number of affected HHs who would be Physically Displaced	86
Number of physically displaced IP Households	60
Number of Persons of the HH who would be Physically Displaced	538
Number of physically displaced IP persons	376
Number of Affected Trees	4776
Number of Community Property Resources	15
Suspension bridges	7

Source: Census Survey, 2011-2012

8. In terms of loss of structures other than residential houses, a total of 111 sheds including kitchen, toilet, cattle sheds will be affected by the Project. With respect to community resources, two temples and two water springs will be adversely affected. Likewise, nine cremation sites and six *Thanti*² will also be affected in the reservoir site. Additionally, seven bridges (including one temporary wooden bridge) will be affected at the reservoir site. Some sections of two fair-weather road and eleven foot trails will be affected by the Project.

D. Socioeconomic Profile of the Affected Households

9. The Census shows that about 75% of affected households belong to *janajatis* (indigenous groups). They are nationally identified as *Janajatis*. Caste groups (high and middle castes) are the second social group affected by the Project with 21% of the total affected households. Dalits (low caste) and Muslim households constitute 3% and 1% respectively of the affected households. 56% of the affected household are nuclear households, and others are joint households. 77% of the heads of the household are literate. Agriculture is the primary source of income of almost two-thirds of the total affected households.

Table S-2. Caste and Ethnic/Religious Minorities in the Project Area

Ethnic/Caste/Religious Groups	Project-affected Households		Number of persons	
	Number	Percent	Number	Percent
<i>Janajatis</i>	453	75	3345	79
High/middle Caste Group	127	21	736	17
<i>Dalit</i>	21	3	130	3
Muslim	7	1	46	1

² *Thanti* are places in the hilly areas, which are used for sitting and relaxing by travelers.

Total	608	100	4257	100
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Source: Project Census Survey, 2012.

10. The socioeconomic surveys and the project census (2012) indicate that PAHs are predominantly *Janajatis* (about 75% of APs) who share similar socioeconomic status with other affected PAHs. As a result, they are not noted to be any different from other hill population groups living in the Project areas in terms of livelihood patterns, and social, economic, health and educational statuses and also in accessing public utilities and programs. Both affected *janajati* households and non-*janajati* households are engaged predominantly in farming as their main source of income. Under the Project they will be the predominant beneficiaries of the Community Development Strategy which aims at improving health and education facilities and sources of income for vulnerable groups.

11. The project surveys and census confirmed that the lands that will be affected as a result of the Project are not traditional lands or ancestral domains of any *Janajati* community. The surveys and census also confirmed that in project affected areas, that no shrines, temples or other religious structures or location, regarded as traditionally sacred by *Janajatis*, will be affected as a result of the Project. In addition, no specific forestland or water body is linked with their rituals, ancestries or spiritual realms. Each affected land plot is either individually owned or non-titled and cultivated. The affected *janajati* households are willing to hand over the land required for the Project if they can agree on an appropriate compensation with the EA. These compensation rates are already mutually agreed between *janajati* landowners and the EA through a process of discussion and agreement.

12. During consultations with affected households, the main concern voiced was regarding loss of assets and incomes as a result of the Project. Most affected households were concerned regarding the impact of displacement (physical and economic) on their lives. Some of the households were particularly concerned about the influx of outsiders in their areas.

13. In order to address these impacts, the affected households also voiced the need for fair and timely compensation. Additionally, affected households also indicated that they expect the Project to open up new development and employment opportunities in the area. The affected households also expect to benefit from the anticipated increase in land value in the area as a result of Project construction.

E. Information Disclosure, Community Consultation and Participation

14. The Public Information Centre (PIC) established by the Executing agency (EA) will facilitate easy access to project information. RIPP has been translated into Nepalese to distribute among Aps. The full entitlement matrix is already available to APs in Nepali language, at accessible locations in the project area. The approved RIPP will be disclosed on EA and ADB websites. The EA will continue to provide project information to all APs and other stakeholders throughout the life of the Project.

F. Grievance Redress Mechanisms

15. A grievance redress mechanism at the Project level will be established to allow APs/affected HHs to appeal against any disagreeable decisions, practices, activities or grievances arising from compensation for land and assets. The APs will be made fully aware of their rights and the grievance redress procedure by the NEA/THL. The APs will have access to grievances redress committees, (i.e. Local Consultative Forum, Compensation Determination

Committee) and to courts regarding their grievances. Under the latter system, every AP can appeal to the Court of Law if they feel that they have not been appropriately compensated without going through the process of GRM. The affected households may appeal against the GRM decision to an appellate court within 35 days of receiving the notice.

G. Policy Framework: Entitlements, Assistance and Benefits

16. All APs in the project area on the cut-off date³ (June 2012) are entitled to receive compensation for all losses and affected assets, and rehabilitation assistance to help improve or at least to restore pre-project living standards, income-earning capacities, and production levels. A detailed entitlement matrix has been prepared for the Project, which summarizes the main types of losses and the corresponding entitlements.

H. Income Restoration and Rehabilitation

17. The livelihood restoration strategy will focus on non-land based programs aiming at preventing impoverishment, restoring incomes and building viable community. These programs include activities such as employment, occupational training, direct credit, financial literacy and management, small business and enterprise development for job creation. A special Community Development Strategy as part of the Project will be launched to provide health and education facilities and income-generation assistance to affected vulnerable people. The project-affected *janajati* households will be predominant beneficiaries of the strategy.

I. Institutional Framework

18. Both THL and NEA will be the executing agencies (EAs). While THL will construct the hydropower plant, NEA will be responsible to implement transmission and rural electrification components. NEA has established THL as a Special Purpose Vehicle (SPV). The THL has a dedicated Environment and Social Safeguard Management Unit (ESMU) to attend to social and environment safeguard issues and the NEA has the Environmental and Social Study Department (ESSD). The ESMU/ESSD will have a full time, qualified, and experienced staff to handle social and environmental safeguard issues of the Project and to ensure that all safeguard plans are diligently implemented. NGOs/consulting firms with local presence/partnership will also be engaged by EA to implement RIPP. The ESMU/ESSD will manage and supervise the activities and evaluate implementation of RIPP. THL will also engage a specialist firm with extensive experience and track record with the supervision of similar hydropower projects, including the civil works and actual plant erection and commissioning to support overall project implementation.

J. Resettlement Budget and Financing

19. The budget estimate for resettlement is **NRs 2,553,603,572 or US\$30,017,675** inclusive of both direct and indirect costs. While budget estimate includes social cost for transmission line and rural electrification, the same will be revised based on the detailed impact assessment and the census undertaken in these two components, if any.

³The cutoff date for titleholders is based on the Land Acquisition Act, and for non-titleholders, the date of the census survey. Those who encroach into the subproject area after the cutoff date will not be entitled to compensation or any other assistance.

K. Implementation Schedule

20. The implementation schedule of the Resettlement Plan will closely follow civil works schedule of the Project. The land acquisition process has already been initiated by the EA. The EA is in the process of negotiations with the affected households on the compensation amount for the campsite and the access roads. Further, negotiations are underway to finalize the compensation and move on to similar activities on other components. The Project will ensure payment of full compensation to each AP, at least three months prior to the initiation of construction work.

L. Monitoring and Reporting

21. Internal monitoring will focus on consultation, timely payment of compensation, livelihood restoration, and effectiveness of the grievance redressal system. It will be done on a six monthly basis. Annual monitoring and post resettlement evaluation will be carried out by an external monitoring specialist/agency. The Project has also provisioned for independent panel of experts for project review and feedback.

I. PROJECT DESCRIPTION

A. Background

1. This resettlement and indigenous peoples plan (RIPP) addresses project's involuntary resettlement impacts, and its impacts on indigenous peoples who live in the project area. The RIPP is guided by the Safeguard Policy Statement (SPS) 2009 of Asian Development Bank (ADB), Safeguards requirements of⁴ Japan International Cooperation Agency (JICA) and safeguard policies, laws and regulations of the Government of Nepal (GoN). The main objective of the RIPP is to identify adverse social impacts on project-affected persons (Aps) and provide mitigation measures to address them. The RIPP outlines the (i) types and the extent of losses of assets including land and physical structures suffered by project-affected persons including *janajatis* (indigenous peoples); (ii) policy and legal framework for mitigating losses; (iii) an entitlement matrix, (iv) a budget, and (v) institutional framework for the implementation of the plan, including monitoring and evaluation.

2. The main project components include the reservoir area, campsite, access road and temporary facilities. These components would entail adverse impacts on the local community by way of loss of assets. However, the other project components such as sites for Switchyards, Power House, Quarry sites do not entail loss of private land and assets. The Tanahu Hydropower Limited (THL) will be responsible as the executing agency (EA) for these components. THL was established in March 2012 under the Nepal Electricity Authority (NEA) as a special purpose vehicle to implement the Project.

3. The project components will also include rural electrification (RE) and transmission lines (TL). At this stage, NEA, the another EA for these components has not undertaken any social impact assessment and census survey for the TL and RE components and will carry out social impact assessments and a census survey for both these components. In doing so, the NEA will follow the Project's guidelines given in the Resettlement Framework (RF) and IPPF. The Project's RIPP will be revised, or a separate RIPP or a RP will be prepared to address involuntary resettlement impacts of each component of RE and TL, based on the findings obtained from the survey and assessment work. The new or updated RIPP or RP will be submitted to ADB and JICA for review and approval. No civil work activities shall commence in the RE and TL components until the revises RIPP or new RP is approved by ADB and JICA and full compensation at replacement cot has been paid to each affected person.

4. 758 households (HHs) will be affected by the Project excluding the RE and TL components.⁵ This will result in the acquisition of 93 ha and leasing of 19 ha of private land. The majority of project-affected persons (76%) are nationally identified *janajatis* (indigenous peoples). During socioeconomic surveys and census, *janajati* populations in the project area were directly consulted to ascertain whether they claim any project-affected land as their ancestral domain. None of their land that will be acquired for the project falls under this category of land. The interviews indicated that the proposed project will not have any impacts on their cultural identity, survival and resources. The sources of livelihood, family types and educational attainment of the *Janajati* and non-*janajati* households are similar. Those who will have to physically relocate because of the project opted for receiving cash compensation at

⁴ For the Project, "JBIC Guidelines for Confirmation of Environmental and Social Considerations, (April 2002)" is applied. However, as JICA updated the Guidelines in 2010, "Guidelines for Environmental and Social Considerations (April 2010)" is also be referred.

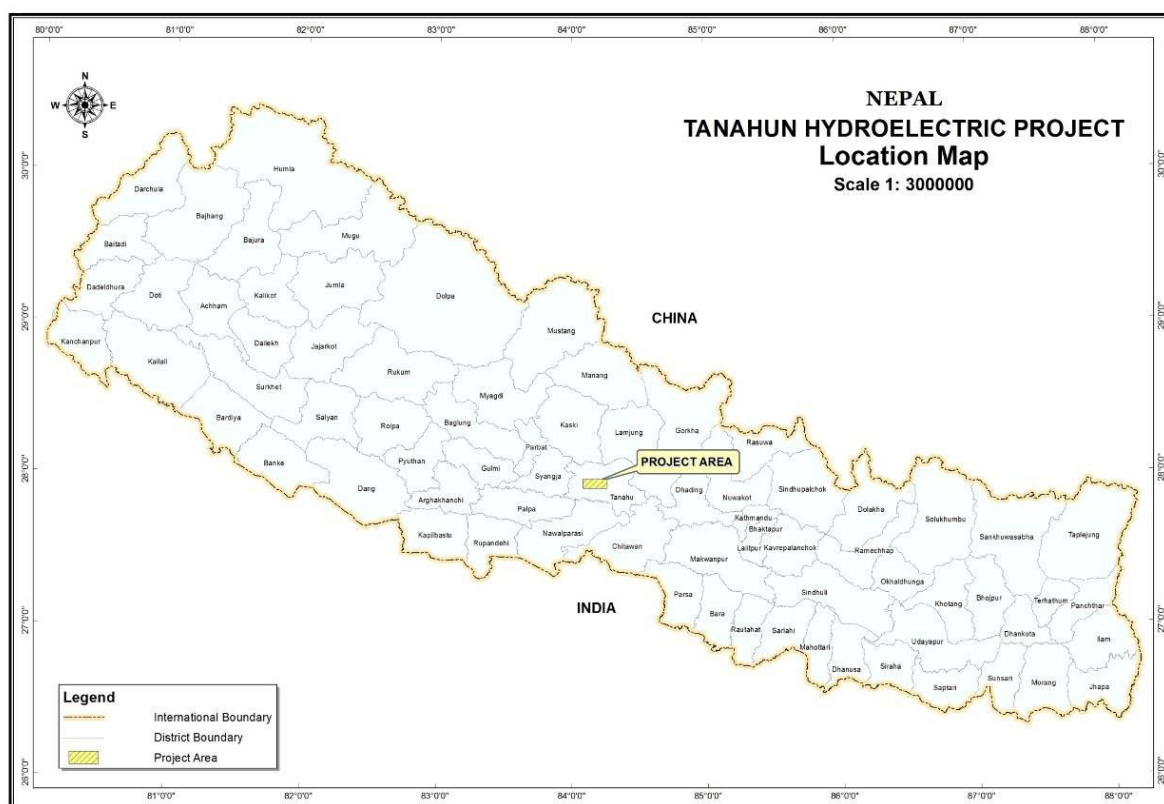
⁵ The census survey covered a total of 608 households comprising of 4,257 affected persons. The remaining 150 HHs consists of absentee HHs were not available in the area during the census survey. The EA will continue to search them and their cash entitlements will be kept for future disbursement.

replacement cost based on negotiated settlement. No physically displaced household wanted land-for-the land lost to the Project. The Project will benefit both affected *janajati* and non-*janajati* households. However, during project implementation, if significant impacts (other than land losses) on *janajati* population are found, and if they cannot be addressed through the entitlements listed in IRPP, EA will prepare an IPP, closely following the guidelines given in approved IPPF to address such issues. The EA will submit it to ADB and JICA for review and approval before embarking on any physical work of the project component.

B. Project Description

5. The Project site for THL will be located on the Seti River near Damauli City, the headquarters of Tanahu district. Tanahu is one of the 75 districts of Nepal and geographically located in the Western Development Region of the country. The Project area is easily accessible and connected to the other parts of the country through the Prithivi Highway. The Reservoir area has a road access of about 15 km that connects Bhimad with Khaireni at Prithivi Highway.

Figure 1: Project Location



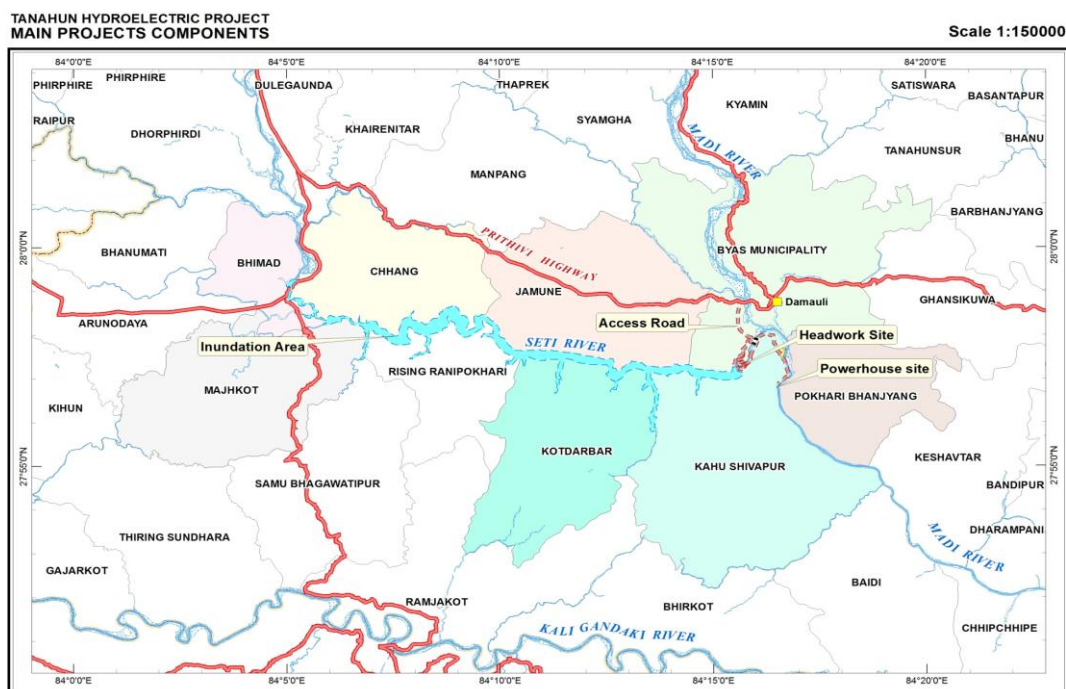
6. The project is a storage type 140 MW hydropower project with an estimated average annual energy generation of 587.7 GWh (Years 1-10) and 489.9 GWh (Year 11 onwards). The Project is designed to supply power to the Nepalese national grid.

7. The main components of the Project are a 140 m high concrete gravity dam wall with a crest length of 175m on the Seti River and a reservoir with a total surface area of 7.26 km² at FSL (EL 415m). The waterway consists of a 7.4 m by 1,203 m diameter long headrace tunnel which will be built on the right bank for the reservoir. A 190 m long tailrace tunnel will be

constructed to discharge the water flow used to generate power back into the Seti River. An underground powerhouse will be built 6 km downstream of the dam. Two permanent and primary access roads (totalling 7.3 km) and several temporary access roads will provide access to the Project. Temporary facilities include workforce camps, work areas, project components and project management staff camp.

8. The Project area consists of 8 Village Development Committee (VDC) and one municipality. The VDCs include (i) Chhang, (ii) Majhkot, (iii) Bhimad, (iv) Jamunebhanjyang, (v) Kot Durbar, (vi) Rishing Ranipokhari, (vii) Sabumbhagawatipur, and (viii) Kahun Shivapur. Byas municipality with Damauli as its major urban settlement also forms part of the project area directly affected by the project facilities such as dam, access road and other associated features. Figure 2 shows the Project VDCs and municipality and the main project components. The map also shows the reservoir/inundation area, major highways (Prithvi highway) plus two rivers (Seti and Madi).

Figure 2



9. Table 1.1 provides a component-wise overview of the project-affected area. Majority of the Project construction activities are confined to Kahun Shivpur VDC and Byas municipality with the remaining VDCs primarily getting affected as a result of reservoir formation.

Table 1.1: Project Component-wise list of Affected VDCs and settlements

Project Component	Project affected areas by land acquisition			Remarks
	Affected VDCs	Wards	Affected Villages/settlements	
Access Road	Kahun Shivpur	1	Beltar, Hoksetar, Jhaputar, Malinga	This access road links main highway with Camp site, Power House Site and Dam site on the right bank of Seti river.
	Byas Municipality	7	Patan (Gunadi Mahendrapur)	

			Betini	
Camp Site	Kahun Shivpur	1	Jaruwa, Jhaputar Beltar	Located close to Power house site at Kahun Shivpur
Reservoir Area	Bhimad	1	Birtakhet	Bhimad, Chhang, Jamune Bhanjyang and Byas (Beteni area) are located on the left bank. Majkot, Sabung Bhagawati, Rising Ranipokhari, Kot Durbar and Kahu Shivpur are located on the right bank of the Seti river. The dam site is located at Dulepahara. Byas municipality is located on the left bank of the dam site and Kahu Shivpur VDC on the right bank.
	Chhang	2	Kuduletar	
		4	Chokretar	
		7	Jhakas Fulbari,	
		8	Narayantar,	
	Majhkot	9	Buduwa Phant, Chhore Patan, Shaune	
	Sabhung Bhagawatipur	2	Kapradi	
	Rising Ranipookhari	9	Rising Patan, Bandarkuna, Bhainsikile, Dablang, Phedi khola Malang, Wantang khola	
	Jamune Bhanjyang	1	Gunadi Mahendrapur	
		3	Birpur, Pakhokhola	
		4	Gunadi, Jhape Bhabar	
		5,	Tuni bote	
		6	Tunibote, Nebodi	
		7	Tuni bote	
	Kotdarbar,	7	Korlang Khola, Lima Khola, Machadang,	
	Kahun Shivapur	3	Lima Khola, Lokma Seti bagar	
		4	Lima Khola,	
Access Road to Dam Site	Byas Municipality	7	Beni Patan, Beteni	This access road links dam Site on left bank of Seti River and Camp Facilities.
Temporary Facilities	Kahun Shivapur	1	Hoksetar	The proposed temporary facility in Hoksetar overlaps with the access road to Camp Site and Dam Site
Other Facilities (Spoil disposal sites)	Kahun Shivpur	1	Waste land (At the right bank of Seti below Jaruwa and Beltar village)	The proposed disposal sites are located along the river bank.
	Byas Municipality		Waste land (At the left bank of Seti right after it joins Madi river)	
	Pokhari Bhanjyang	1	Waste land (left bank of Seti below Belbas bazaar)	

Note: 1. The Powerhouse site is located in the public (government) land of Kahu Shivpur VDC. Since it does not entail acquisition of private land, it has not been entered separately in this Table. A small piece of wasteland, on the left bank of Seti River downstream from Damauli, has been proposed for one of the muck (spoil) disposal sites. Geographically it falls under Pokhari Bhanjyang VDC. As no private land, and/or other structures and community assets except this wasteland are affected in this VDC, no further discussion about this VDC is done in this document.

10. The reservoir and other project components namely the campsite, access road and temporary facilities will physically displace households and adversely affect land, public infrastructure and resources (road, trails, irrigation, and suspension bridges) and common grazing lands. The sites for Switchyards, Power House, Quarry sites will not entail loss of private land and houses and/or structures.

11. The new 220 kV Tanahu HPP - Bharatpur transmission line with double circuits, will evacuate power generated by the THPP to the new Bharatpur Substation. The length of the transmission line corridor is 37 km. The Nepal Electricity Authority (NEA) has already acquired land for the substation. Therefore, the resettlement impacts are likely to be limited due to the transmission towers' footprint. Their resettlement cost estimates are included in the RIPP.

12. Additionally, the Project intends to electrify villages through its rural electrification program. The program will cover non-electrified households (17,636 households) across 17 VDC areas.⁶ The proposed RE component includes the construction of 33 kV sub-transmission lines, bay extension work at existing substation, construction of two completely new 33/11 kV substations, extension of 11 kV switchyard at one sub-station, construction of 11 kV distribution feeders and low voltage distributors. The construction of the new 33/11 kV sub-station will entail limited land acquisition at Dharmapani and Maghkot. The preliminary assessments from THL's and NEA's engineering surveys indicated that the resettlement impacts would be limited to rural electrification related facilities, and their resettlement cost estimates are included in the RIPP.

13. At this stage, the EA has not undertaken any social impact assessment and census for the TL and RE components and will carry out social impact assessments and a census for both these components. In doing so, the NEA will follow the approach outlined in the RF. A separate RP/RIPP or an updated RIPP will be prepared for each component, based on the findings obtained from the survey and assessment work. The new or updated RIPP will be submitted to ADB and JICA for approval. No civil work activities shall commence on the RE and TL components until their RIPP/RP has been approved by ADB and JICA and full compensation has been paid to all affected HHs.

C. Project Impacts

14. 758 HHs will be affected by the Project excluding the RE and TL components. This will result in the acquisition of 93 ha and leasing of 19 ha of private land. However, in case of leased land, if lease agreements fail to be signed with the landowners, the EA will consider acquiring it through negotiations at replacement cost of land. The census survey covered a total of 608 households comprising of 4,257 affected persons. The remaining 150 HHs consists of absentee HHs who were not available in the area during the census survey. The socio-economic data provided in the RIPP only applies for the 608 HHs surveyed and consulted. However, while calculating the resettlement budget, the affected assets of the 150 absentee HHs were also accounted for. Table 1.2 below presents the Project impacts in terms of affected households, affected persons including IP HHs and persons, and other project impacts (trees, community property resources (CPR)).

Table 1.2: Loss of land, houses affected households and population by the Project

Description	No.
Total number of affected HHs	758
Number of Households covered in census survey	608
Number of absentee affected households	150
Total Affected private Land (in ha)	112 ha
Number of Affected Persons (covered in census survey)	4257
Number of vulnerable HHs	502
Number of Affected Persons of the HH with Vulnerabilities	3652

⁶ Includes 17 VDCs of Majhkot, Kotdarbar, Rishing Ranipokhari, Sabhung Bhagawatipur, Kahu Shivapur, Baidi, Bhirkot, Chhipchhipe, Kota, Ramjakot, Chhimkeshwari, Deurali, Dharampani, Gajarkot, Surdhara Thiring, Kihun, and, Arunodaya.

Description	No.
Number of affected <i>Janajati</i> HHs	453
Number of Affected Persons of the Janajati HH	3345
Number of affected HHs losing more than one type of asset	245
Number of APs at HHs losing more than one type of asset	1647
Number of affected HHs who would be Physically Displaced	86
Number of affected IP HHs who would be physically displaced	65
Number of Persons of the HH who would be Physically Displaced	538
Number of affected IP persons who would be physically displaced	400
Number of Affected Trees	4776
Number of Community Property Resources	15
Suspension bridges	7

Source: Census Survey, 2011-2012

15. Altogether, 86 households will physically be displaced by the project. In addition, they will lose up to 40% of their agricultural land. Of the 86 households who would be physically displaced are 65 IP HH and each IP household would lose about 40% of their landholdings in the project area to the project.

16. Table 1.3 indicates the number of IP households and caste households who would fully lose both residential and commercial assets to the project.

Table 1.3: Project Wise and Caste Wise Distribution of HH Losing Residential cum Commercial Assets

Project Component	Caste	Caste (Detailed)	In Numb
Reservoir Area	Indigenous People	Magar	3
	High/Middle Caste	-	3
Grand Total			6

Source: Census Survey, 2011-2012.

D. Minimization of Resettlement Impacts

17. Utmost care has been taken in finalising the project sites so as to avoid or minimize impact on local community and households. During project preparation, the engineering team and social safeguard team consulted each other and made all efforts to minimise impacts on people and assets. Joint field visits were undertaken by the two teams for site finalisation for temporary facilities and spoil disposal so as to ensure minimal adverse impacts on the local communities.

18. During land identification for the project sites, all efforts were made to identify a suitable plot of government land free of encumbrances and impacts instead of acquiring private land. In case of private land acquisition, care was taken that the land/location selected for dam and powerhouse site does not comprise of cultivable or grazing land. As a result, while the dam is located at Dulepahara, which translates as a gorge with steep rocky slope, the power house (underground) site is physically characterized by rocky area.

II. SCOPE OF LAND ACQUISITION

A. Impacts of Land Acquisition

19. The Project involves loss of lands, loss of public infrastructure and resources (trails, suspension bridges, loss of forest, grazing lands etc) and common grazing land. Land acquisition is mainly confined to the reservoir and other project components namely the campsite, access road and temporary facilities. Table 2.1 below provides details of the total land to be acquired and number of households being affected by the same.

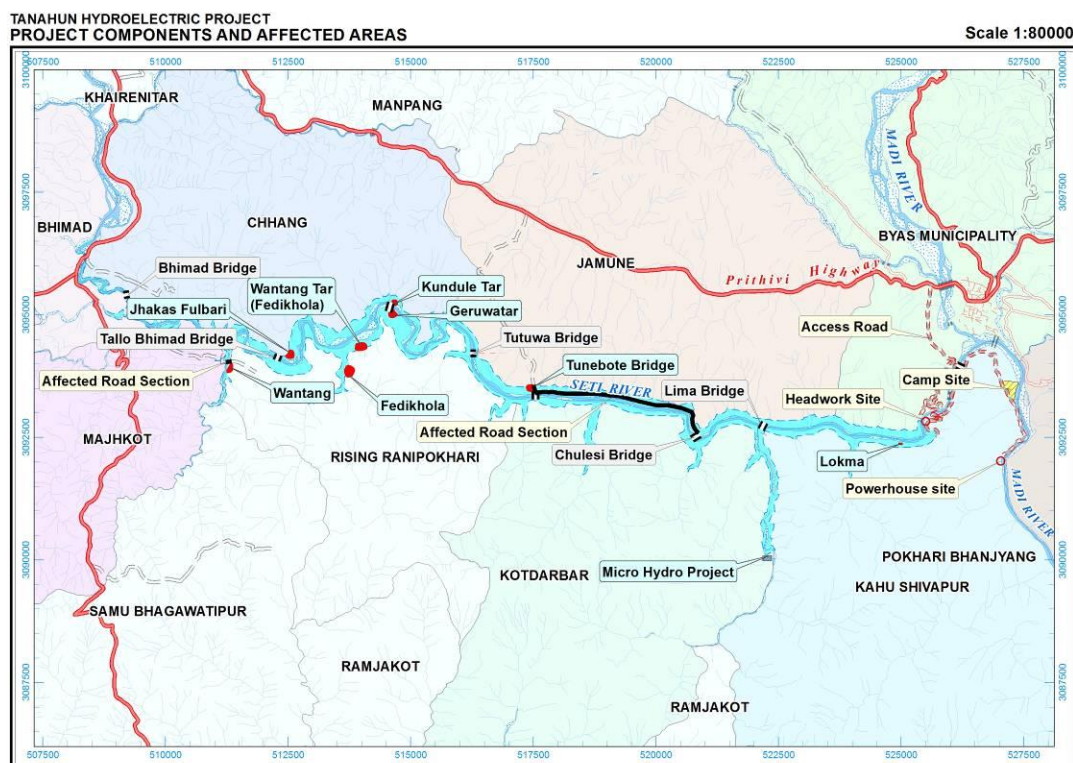
Table 2.1: Project Components Requiring Land Acquisition and Affected HHs

Project components	Extent of Impact			Land use situation
	Hectare	Affected HH	Physically displaced HH out of Affected HH	
Reservoir area	76	336	37	Large proportion characterized by steep slope, degraded forest. A small proportion is cultivated land.
Camp site	8	102	16	Mostly cultivated area
Access Road	7	165	28	Cultivated land and private land
Spoil Disposal site	19	122	0	Largely river banks and waste land and a small portion consists of cultivated khet land
Temporary construction road area	2	33	5	A mix of cultivated land and degraded forest area.
Total Area	112	758	86	

Source: Census Survey, 2011-2012

20. The overall land in the Project affected VDCs mainly comprises of forest and cultivable land. While the land use in the highlands is dominated by forest, the gentle slope and river basin areas are mainly being used for cultivation. Most VDCs have a dispersed settlement pattern. The market centres and built up areas in the municipality are the only exceptions to the dispersed settlement pattern. Damauli, as part of Byas municipality, is the largest settlement, followed by Bhimad, which is another market centre. Figure 3 below represents the area to be acquired for the reservoir alongwith the locations (blocks in red) to be inundated.

Figure 3: Area Affected by the Reservoir



21. Table 2.2 presents the component wise distribution of affected households and population covered in census survey (out of total 758 affected HH only 608 were covered in census and remaining 150 were absentee landlord). The largest proportion of households and population will be affected as a result of the reservoir construction. All the data tables therefore report about the 608 households affected.

Table 2.2: Project Component-wise Affected Households & Population*

Project component	Number of Affected Households (HHs)	Number of Affected Persons (APs)
Camp site	96	627
Access road	146	944
Reservoir area	270	2018
Spoil disposal site	78	553
Temporary facilities	18	115
Total	608	4257

Source: Census Survey, 2011-2012 * Interviewed HHs and Persons. 150 HHs were not interviewed as EA could not locate them.

B. Common Property Resources and Facilities

22. Apart from private assets, the project construction will lead to impacts on the Common Property Resources (CPR) such as cremation grounds, wells, bridges, *tanthi* etc. Table 2.3 lists the different types of community assets that will be affected.

Table 2.3: Common Property Resources Affected by the Project

Type of community asset	Location	Main user community
A. Temple		
A.1: Barahi	Byas Municipality, 7 Betini	Local residents (Magar) of Betini
A.2: Nag	Byas Municipality 7, Beni Patan	Individual/ Hem Paudel
B. Sources of Drinking water		
B.1: Spring water source with storage tank	Byas Municipality 7, Beni Patan	Local residents (a mixed community)
B.2: Small well	Kahushivapur 1, Beltar	Local residents (Magar and Dalits)
C. Ghats (cremation site)		
1. Bhimad VDC		
C.1: Ghat (Bhimad 1)	Near the confluence of Seti and Jyadi khola	Muslim Community
C.2: Ghat(Bhimad 1)	Near the confluence of of Seti and Jyadi khola	Gurung Community
C.3: Ghat (Bhimad 1)	Near the confluence of Seti and Jyadi khola	Mixed Community
2. Majhkot VDC		
C.4: Bhutaha Ghat (Majhkot 9)	Near the confluence of Seti and Buduwa khola	Mixed Community
3. Rising Ranipokhari VDC		
C.5: Shera Ghat (RR 9)	Near the confluence of Seti and Wangtang khola	Mixed Community
C.6: Dublang Ghat (RR 9)	Right bank of Seti River at Dublang	Mixed Community
4. Chhang		
C.7: Jhakas Fulbari (Chhang 7)	Left bank of Seti River	Gurung and other Community
C.8: Korlang (Kotdarbar 7)	Near Seti-Korlang confluence	Magar Community
C.9: Lima Khola (Kotdarbar 2)	Near Seti-Lima khola confluence	Magar Community
D. Thati (Resting places with/without structures)		
1. Bhimad VDC		
D. 1: Bhimad 1	Near the ghat (mixed community)	Magar
2. Rising Ranipokhari VDC		
D.2: Kundule (RR9)	Near the bridge on	Local community

Type of community asset	Location	Main user community
	the right bank of Seti	
D.3: Tutuwa (RR 9)	Near the bridge on the right bank of Seti	Local community
D.4: Bhainsikile (RR 7)	Near Kamale khola	Local community
3. Kotdarbar VDC		
D.5: Tunibote (Kotdarbar 7)	Near Tunibote bridge, right bank of Seti	Local community
4. Kahun Shivpur VDC		
D.6: Lima khola (Kahun Shivpur 1)	Near Seti-Lima khola confluence	Local community

Source: Census Survey, 2011-2012

23. As enumerated in the Table 2.5, a total of nine cremation sites (ghats) used by local community (some exclusively by a particular community group) will be affected as a result of the Project. six Thanti are also likely to be affected in the reservoir area. Additionally, a total of seven bridges - one temporary wooden bridge and six suspension bridges will also be adversely affected. Table 2.4 enumerates these affected bridges by their respective locations. All seven bridges will be rebuilt and their budget allocation for the same has been included in the RIPP. The feasibility designs of the bridges have already been completed by THL.

Table 2.4 Suspension Bridges Affected by the Project

S.No.	Bridge	Links
1.	Dablang bridge	Rising Ranipokhari 9 with Chhang 7
2.	Kundule bridge	Rising Ranipokhari 9 with Chhang 2 Badarkuna
3.	Tutuwa bridge	Rising Ranipokhari 9 with Jamune Bahnjyang 6)
4.	Tunibote bridge	Kotdarbar 7 with Jamune Bhanjyang 5
5.	Chulesi bridge	Kotdarbar 2 with Jamune Bhanjyang 3
6.	Lima bridge	Jamune Bhanjyang 1 with Kahun Shivpur 1)
7.	Phedi khola bridge (temporary wooden)	Kharkhare with Bandarkuna, Rising Ranipokhari)

Source: Census Survey, 2011-2012

24. The reservoir will also affect some sections of the fair weather roads in the area. These affected road sections are : i) About 4 km section (gravel) of Kilchok to Seti bagar road (Jamune Bhanjyang 4,5,6); ii) About 250 meter section of Bhimad - Rising Ranipokhari Road at Wantang khola (Majhkot 9 with Rising Ranipokhari 9). The reservoir is also likely to inundate as many as eleven foot trails thereby affecting local people. Table 2.5 lists the affected foot trails in the project area. The access to communities will be restored in consultation with the affected communities either through finding alternative paths or though providing motorable roads.

Table 2.5: Foot Trails Affected by the Project

S.No.	Location	Nature and linkage
1.	Dam site (Byas municipality 7) to Jamune Bhanjyang 1	Narrow foot trails on the left bank of Seti River.
2.	Lima khola (Kahushivapur 1) to Kotdarbar 1	Narrow foot trail.

S.No.	Location	Nature and linkage
3.	Chelma Khola to Banjhgara (Kotdarbar - 2)	Narrow foot trail from Chulesi bridge to Banjhgara/Daghiban.
4.	Tunebote bridge to Korlang village (Kotdarbar 7)	Foot trail from Korlang Khola to Korlang village which is used by the local residents.
5.	Kamle khola to Bhaisekile (Rising Ranipokhari 7)	Narrow foot trail used by the local residents.
6.	Kundule to Kharkhare (Rising Ranipokhari 9)	Narrow foot trails on the right bank of Seti River mainly used by the local residents.
7.	Tutuwa to Tunibote Bridge	Narrow foot trail on the right bank of Seti.
8.	Jhakas/Dablyang to Kundule bridge (Chhang 7)	Occasionally used narrow foot trail on left bank of Seti river.
9.	Damsite to Lokma (Kahushivapur 1)	Narrow foot trail on the right bank of Seti river.
10.	Beni Patan to Damsite (Byas 7)	Widely used narrow foot trail uphill from Betini to Beni Patan.
11.	Jhaputar to PH site (Kahushivpur 1)	Narrow foot trail along right bank of Seti river.

Source: Census Survey, 2011-2012

III. FINDINGS OF THE CENSUS SURVEY

25. A detailed census survey was conducted in the project area from August 2011 to June 2012. The objective of the census survey was to identify the affected persons and generate an inventory of social and economic impacts on the project affected persons, the structures affected, socio-economic profile of the project affected people, their perceptions about the project and rehabilitation and resettlement options. A survey questionnaire was prepared to collect detailed information on the socio-economic status of the displaced persons and households and their ensuing losses.

26. The survey identified that a total of 753 households will be affected by the Project excluding the RE and TL components. The census survey covered a total of 608 households comprising of 4,257 affected persons. The remaining 150 HHs consists of absentee HHs who were not available in the area during the census survey. Therefore, the socio-economic data provided in the RIPP only applies for the 608 HHs surveyed and consulted.⁷ Socioeconomic information of the 150 HH will be obtained once the detailed design of the project is completed, but before project implementation is commenced. If any HH is not available for consultation, the compensation calculated at replacement cost will be kept in a special account to pay when EA contacts the HH.

27. The following section presents the analysis of the key field data collected during the census survey.

⁷ However, while calculating the resettlement budget, the affected assets of the 150 absentee HHs were also accounted for.

A. Socio-Economic Profile of the Affected Households

1. Social Stratification of Affected Households

28. The local population in the project area can be categorized into three main cultural groups, namely, Castes, *Janajati* (indigenous population), and others including Muslims, Bengalis, Marwaris and Sikh/Panjabis. According to the census survey, 75% of the affected households in the Project area are *Janajatis*, followed by 21% high/middle caste groups. The remaining affected households comprises of *Dalit* and Muslim households.

Table 3.1: Distribution of Affected Households by Caste/ethnicity

Caste/ethnic groups	Distribution	
	Number	%
Dalits	21	3.45%
High/middle castes	127	20.89%
Indigenous Peoples	453	74.51%
Muslims	7	1.15%
Grand Total	608	100%

Source: Census survey 2011-2012

29. The table 3.2 further elaborate the composition of each ethnic/caste/religious group in the project area with number of persons of each category. The project-affected households (PAHs) fall into four main categories: i) *Janajatis*; ii) high/middle caste group, iii) *Dalit* (low castes), and iv) Muslims (a religious minority). Table 2 presents their composition. Of the four categories, *Janajati* consists of 75 percent of the total affected households (79 percent of the total number of persons).

Table 3.2. Caste and Ethnic/Religious Minorities Affected by the Project

Ethnic/Caste/Religious Groups	Project-affected Households		Number of persons	
	Number	Percent	Number	Percent
<i>Janajatis</i>	453	75	3345	79
High/middle Caste Group	127	21	736	17
<i>Dalit</i>	21	3	130	3
Muslim	7	1	46	1
Total	608	100	4257	100

Source: Project Census Survey, 2012.

30. The socioeconomic surveys and the project census (2012) indicate that project-affected persons (APs) are predominantly *Janajatis* who share similar socioeconomic status with non-*janajatis* who are the minority (25%) of the total affected HHs. They are not different from other hill population groups living in the project area in terms of livelihood patterns, and social, economic, health and educational statuses. The affected *janajati* and non-*Janajati* households are engaged predominantly in farming.

B. Indigenous People in Nepal

31. In Nepal, indigenous/tribal communities are popularly known as *Janajati*. Out of 100-ethnic/caste groups listed by the Central Bureau of Statistics, Nepal (2001 Census), 59 are

Janajatis. In terms of ecological zones, 18 of them are in mountain areas, 23 in hill areas, 07 in inner Terai region and 11 in Terai region. A Technical Committee (2010) established by the Government of Nepal updated the number of *Janajati* groups to 81. Among the key characteristics of these tribal communities are: distinct collective identity, own language (other than Nepali), distinct traditions and cultures, traditional egalitarian social structure (which is distinct from mainstream *varna* or caste system), and their written or oral histories.

32. Acknowledging the diversity in livelihood patterns, income sources and socioeconomic development status among *Janajati* groups, National Foundation for Development of Indigenous Nationalities (NFDIN) (2005) has classified them into five broad categories based on the level of their socioeconomic development status or the degree of marginalization (see Table 3.4 below).

Table 3.4: Distribution of Indigenous Groups /Nationalities by Ecological Zones and Levels of Vulnerability

Ecological zones	Categories of Indigenous Groups/Nationalities				
	Endangered	Highly marginalized	Marginalized	Disadvantaged	Advantaged
Mountain	-	Siya, Shingsawa (Lhomi), Thudam	Bhote, Dolpo, Larke, Lhopa, Mugali, Topkegola, Walung	Bara Gaunle, Byanshi, Chhairrotan, Marpahali-Thakali, Sherpa, Tangbe, Tingaule	Thakali
Hill	Bankariya, Hayu, Kushbadiya, Lepcha, Surel	Baramu, Thami, Chepang	Bhujel, Pahari, Phree, Sunuwar, Tamang	Chantyal, Gurung, Jhirel, Limbu, Magar, Rai, Yakha, Hyolmo	Newar
Inner Terai	Raji, Raute, Kusunda	Bote, Danuwar, Majhi	Darai, Kumhal	-	-
Terai	Kisan, Meche	Dhanuk, Jhangad, Satar	Dhimal, Gangai, Rajbanshi, Tajpuriya, Tharu	-	-
Total	10	12	20	15	2

Source: The National Foundation for Development of Indigenous Nationalities (NFDIN) 2005

C. Affected *Janajati* Population in the Project Area

33. The 453 *Janajati* PAHs belong to seven *janajati* as stated in table 3.5. Amongst these, 75 percent of the PAH are Magars followed by Newars (11 percent) and Gurungs (7 percent).

Table 3.5: Description of the Affected *Janajati* population

Janajati Communities	Total Affected households		Total Affected Population	
	Number	Percent	Number	Percent
Magar	342	75	2633	78
Newar	49	11	324	10
Gurung	30	7	164	5

Janajati Communities	Total Affected households		Total Affected Population	
	Number	Percent	Number	Percent
Dura	1	0.5	9	0.5
Bote	15	3	72	2
Darai	15	3	130	4
Tamang	1	0.5	13	0.5
Total	453	100	2823	100

Source: Population Census Survey, 2012.

34. The distribution of IP households by different project components is given below.

Table 3.6 : Project Component Wise Distribution of Janajati HHs

Project Component	No.	%
Access Road	97	21.41%
Camp Site	82	18.10%
Disposal Site	65	14.35%
Reservoir Area	192	42.38%
Temporary Facility	17	3.75%
Grand Total	453	100.00%

Source: Population Census Survey, 2012.

35. The distribution of IP persons affected by project component is given in table 3.7

Table 3.7: Project Component Wise Distribution of Janajati HHs and Number of Persons Affected

Project Component	HH	Number of Persons
Access Road	97	674
Camp Site	82	526
Disposal Site	65	471
Reservoir Area	192	1569
Temporary Facility	17	105
Grand Total	453	3345

Source: Population Census Survey, 2012.

36. The distribution of janajati groups and their households in different project components is given in Table 3.8.

Table 3.8 Project components and Distribution of Affected Janajati HHs

Project Component	IP Group	No	%
Access Road	Magar	96	21.19%
	Newar	1	0.22%
Access Road Total		97	21.41%
Camp Site	Magar	77	17.00%
	Dura	1	0.22%
	Gurung	2	0.44%
	Newar	2	0.44%

Camp Site Total		82	18.10%
Disposal Site	Magar	4	0.88%
	Bote	15	3.31%
	Darai	15	3.31%
	Gurung	6	1.32%
	Newar	24	5.30%
	Tamang	1	0.22%
Disposal Site Total		65	14.35%
Reservoir Area	Magar	148	32.67%
	Gurung	22	4.86%
	Newar	22	4.86%
Reservoir Area Total		192	42.38%
Temporary Facility	Magar	17	3.75%
Temporary Facility Total		17	3.75%
Grand Total		453	100.00%

Source: Population Census Survey, 2012

D. Socio-economic Status of the Indigenous Peoples

37. The Magars are the dominant *Janajati* community in the project area, which belongs to the 'disadvantaged' category in the five-fold (level) categories of indigenous groups. This means that on a scale of "0"- "5", it scores "4", whereas the 'advantaged' group scores "5". As per this scale, 82 percent of the total number of Janajati PAH score "4" on the continuum and are in the disadvantaged category (i.e., *Magar* and *Gurung*). Their socioeconomic status is provided in Table 3.9 below.

Table 3.9: Comparison of Magar *Janajati* Socioeconomic Status with other Social Groups at the National Level

Indicators	Nepal	Hill/ Mountain Janajati	Terai/ Madheshi group	Madhesi dalit
Human development index (HDI)	0.509	0.507	0.448	0.383
Life expectancy at birth	63.69	63.61	61.59	61.26
Under five mortality	68	76	84	81
Adult literacy	52.42	53.81	42.34	27.32
Literacy rate (Male)	81.0	82.4	69.9	48.5
Literacy rate (Female)	54.5	60.0	35.9	17.2
Per capita income (PPP US\$)	1597	1490	1094	743

Source: Nepal Human Development Report, 2009.

38. The project census confirmed that the cultivated lands that will be affected as a result of the Project does not comprise of traditional land or ancestral domains of any *Janajati* community. The census also confirmed that in Project affected areas, no shrines, temples or

other religious structures or locations, regarded as traditionally sacred by the *Janajatis* will be affected as a result of the Project. In addition, no specific forestland or water body is linked with Magars' rituals, ancestries or their spiritual realms. Each affected land plot is either individually owned or non-titled. In case of the agriculture land (owned by *janajatis*) getting affected as a result of the Project, the *Janajati* households are willing to handover the same to the Project if they can agree on an appropriate compensation with the EA. In line with this, the compensation rate will be mutually agreed between *janajati* landowners and the EA through a process of discussion and agreement. Once there is consensus between the two on the rate of compensation, then only land will be acquired.

39. The project surveys and census confirmed that the lands that will be affected as a result of the Project are not traditional lands or ancestral domains of any *Janajati* community. The surveys and census also confirmed that in project affected areas, that ancestral domain, shrines, temples or other religious structures or location, regarded as traditionally sacred by *Janajatis*, will be affected by the Project. In addition, no specific forestland or water body is linked with their' rituals, ancestries or spiritual realms. Each affected land plot is either individually owned or non-titled and cultivated. The affected *janajati* households are willing to hand over the land required for the Project, if they could agree on an appropriate compensation with the EA. These compensation rates are already mutually agreed between *janajati* landowners and the EA through a process of discussion and agreement.

40. In case, if any land is leased in temporarily, the EA will execute a legal agreement with each landowner/user and pay the first year rent before taking the land for project purposes. All of them are additionally entitled to benefits of the Community Development Strategy which will improve health and educational facilities and sources of livelihood and income. The strategy specifically focuses on vulnerable groups including *janajatis*.

E. Vulnerability Status of Affected Households

41. The census survey indicated that 82% of the total affected households are disadvantaged/vulnerable groups. 73% of these vulnerable households are *Janajatis*. About 20% of the affected HHs also suffer from more than one source of vulnerability. (See Table 3.10) A detailed list of different types of disadvantages/vulnerabilities has been provided in **Annex I**.

Table 3.10: Vulnerability Status of Affected Households

Vulnerability Status	In Numbers	In %
Dalit	19	3.13%
Dalit + Below Poverty Line	1	0.16%
Dalit+ Marginal Farmer	1	0.16%
Disabled	1	0.16%
Disabled+ Elderly	1	0.16%
Elderly	14	2.30%
Female headed household+ Elderly	2	0.33%
Female Headed Household	8	1.32%
Female Headed Household + Dalit	1	0.16%
Female headed household + Indigenous People	48	7.89%
Female headed household +Disabled	1	0.16%

Vulnerability Status	In Numbers	In %
Indigenous People	328	53.95%
Indigenous People + Disabled	9	1.48%
Indigenous People + Elderly	45	7.40%
Indigenous People + Marginal Farmer	9	1.48%
More Than Two	14	2.30%
None	106	17.43%
Grand Total	608	100%

Source: Census Survey, 2011-2012

42. Vulnerability status of project-affected *janajatis* is not dissimilar to that of other affected population, as it represents 75% of the total affected population of the project (Table 3.11)

Table 3.11: Vulnerability Status of Janajatis Households

Type(s) of Vulnerability	In Numb	In %
Female headed household + Indigenous People	48	10.60%
Female headed household + Indigenous People + Elderly	9	1.99%
Female Headed Household + Indigenous People + Elderly + Below Poverty Line	1	0.22%
Indigenous People	328	72.41%
Indigenous People + Disabled	9	1.99%
Indigenous People + Elderly	45	9.93%
Indigenous People + Female headed household + Disabled	1	0.22%
Indigenous People + Marginal Farmer + Below Poverty Line	2	0.44%
Indigenous People + Marginal Farmer	9	1.99%
Indigenous People + Marginal Farmer + Below Poverty Line + Elderly	1	0.22%
Grand Total	453	100.00%

Source: Population Census Survey, 2012

F. Affected Households by Family Size and Type

43. The average family size of affected households is 7 persons per household. The analysis of the displaced households data brought forth that of the 608 affected households, a little more than half (i.e. 335 households) comprise of nuclear households, followed by 188 joint family and 85 extended family households.

G. Literacy and Educational Attainment of Affected Households

44. The census survey brought forth a fairly high level of literacy amongst the affected households with almost 80% of the head of the households in the affected HHs comprising of literates (Table 3.12). This literacy status is even better in comparison to the national literacy standard. According to Human Development Report 2009, adult literacy in Nepal was noted to be 52%.

Table 3.12 Educational Attainment among Affected Households

Educational attainment	Number	%
Illiterate	126	20.72%
Primary: Class I-V	118	19.41%
Middle: Class VI-VIII	79	12.99%
Secondary: Class IX-X	98	16.12%
Higher Secondary: Class XI-XII	34	5.59%
Graduate	12	1.97%
Post Graduate	3	0.49%
Functional Literacy	138	22.70%
Grand Total	608	100%

Source: Census Survey, 2011-2012

45. The educational attainment levels among affected IP households are similar to that of the total households affected by the project (Table 3.13).

Table 3.13: Education Status of Janajati HHs

Level	In Numb	In %
Primary: Class I-V	93	20.53%
Middle Class VI-VIII	61	13.47%
Secondary: Class IX-X	53	11.70%
Higher Secondary: Class XI-XII	15	3.31%
Graduate	6	1.32%
Post Graduate	2	0.44%
Functional Literacy	111	24.50%
Illiterate	112	24.72%
Grand Total	453	100.00%

Source: Census Survey, 2011-2012

46. Amongst the literate members, 23% comprise of functionally literate with basic skills of reading, writing and doing simple mathematical calculations. Additionally, 49% of heads of the affected households have studied up till primary and secondary levels. The level of higher educational attainment decreases amongst the affected HHs with only 8% of the households' heads comprising of 2.5% graduates and post graduates. Economic and social realities such as poor income levels, long distance to schools and colleges, poor transportation facilities etc are considered as some key factors responsible for dropouts and discontinuation of schooling and higher education in the area.

H. Occupational Pattern of Affected Households

47. Agriculture is the primary source of income for an overwhelming majority of the households in the project area. During the surveys and census no difference between occupational patterns between *janajatis* and non-*janajathis* were found. Almost two-thirds of the total affected households reported agriculture as their primary source of income (See Table 3.14). Similarly, in case of around 11% of the households trade/business constituted the primary source of household income. Remittance also came forth as a vital source of income for around

8% of the affected households whereas around 5% of the affected households reported government employment as their primary income source. The census findings brought forth that 58% of the 608 affected households have more than one source of income.

Table 3.14: Distribution of APs by Their Primary Source of Income

Primary source of income	Affected Households	
	Number	%
Agriculture	406	66.78%
Agriculture Labour	4	0.66%
Business/Trade	64	10.53%
Remittance	46	7.57%
Government Job	30	4.93%
Pension	18	2.96%
Non-Agricultural Labour	14	2.30%
Private Service	11	1.81%
Livestock	7	1.15%
Cottage Industries	4	0.66%
Skilled Labour	2	0.33%
No Response ⁸	2	0.33%
Grand Total	608	100%

Source: Census Survey, 2011-2012

I. Annual Income Levels

48. Apart from the occupational pattern, data related to the income levels of the affected households was also collected and analyzed. Table 3.6 presents the income wise distribution of affected households as reported during census survey. Of all the income categories, those earning more than NRs. 200,000 per annum constituted 25% of the affected households followed by an equal proportion of households earning between NRs 150,000 to 200,000. In contrast, 4% of the affected households reported earning less than NRs. 25,000 a year putting them in an economically vulnerable category. The surveys conducted in the project area did not show any variation between the annual household income distribution among income categories listed below in table 3.15.

Table 3.15: Distribution of Households by Total Annual Income

Income Categories (in NRs)	Affected Households	
	Number	%
Less Than 25,000	25	4.11%
25,001-50,000	46	7.57%
50,001-75,000	44	7.24%
75,001-100,000	70	11.51%
100,001-125,000	72	11.84%
125,001-150,000	45	7.40%
150,001-175,000	86	14.14%

⁸ Two of the total households interviewed were reluctant to specify their income source.

Income Categories (in NRs)	Affected Households	
	Number	%
175,001-200,000	66	10.86%
More than 200,000	152	25.00%
No Response	2	0.33%
Grand Total	608	100%

Source: Census survey 2011-2012

J. Level of Awareness of the Affected Households regarding the Project

49. During the census survey, attempt was also made to understand the level of initial awareness amongst the community about the Project. Community perceptions on the Project benefits and impacts were also sought. The survey brought forth that all except 4 affected HHs in the area reported being aware of the Project. In majority of the cases, the households shared that they got to know about the Project from the technical surveyors who were undertaking engineering surveys in the area. Table 3.16 enumerates the other information sources from where the affected households got to know about the Project.

Table 3.16: Sources of Project Information

Sources of Project Information	Affected Households	
	Number	%
Friends/ Neighbour	55	9.05%
Government Department	9	1.48%
Government Department + Technical Surveyors	3	0.49%
Newspapers	43	7.07%
Technical Surveyors	494	81.25%
Did not know about the Project	4	0.66%
Grand Total	608	100%

Source: Census Survey 2011-2012

K. Perception of Affected Households towards Project Benefits and Impacts

50. Attempt was also made to understand the community perception on the Project benefits and impacts. Interactions with the affected HHs brought forth that households perceived the Project both positively and negatively. The main positive impacts of the Project voiced by the affected HHs included increase in employment and income opportunities, increase in the value of land and assets in the area, higher mobility, better education facilities and increase in farm income. (See tables 3.17 and 3.18)

Table 3.17: Positive Impacts of the Project as Perceived by Affected Households

Positive Impacts of the Project as Perceived by Affected HHs	Affected Households	
	Number	%
Access to resources	3	0.49%
Better Education	3	0.49%
Better mobility	10	1.64%
Don't Know	1	0.16%

Positive Impacts of the Project as Perceived by Affected HHs	Affected Households	
	Number	%
Employment and income	171	28.13%
Increase in agricultural production and sales	1	0.16%
Increase in farm production	3	0.49%
More Than One	369	60.69%
No Response	7	1.15%
Price increase in assets value	40	6.58%
Grand Total	608	100%

Source: Census Survey 2011-2012

Table 3.18: Positive Impacts of the Project as Perceived by Affected Janajati Households

Positive Impact-More Than One	No	%
Access to resources	2	0.44%
Better Education	2	0.44%
Better Mobility	9	1.99%
Don't Know	1	0.22%
Employment and income	142	31.35%
Increase in agricultural production and sales	4	0.88%
More Than One	254	56.07%
No Response	4	0.88%
Price increase in assets value	35	7.73%
Grand Total	453	100.00%

51. On the other hand, the affected households also voiced some negative impacts and concern regarding the Project. One of the key negative impacts of the Project, as voiced by 56% of the affected households, is the adverse impact on land, assets and income sources in the area. Disruption of social/cultural ties due to displacement also came forth as another negative impact of the Project. (See Table 3.19 and 3.20). As Janajati households are the majority of affected households both positive and negative impacts of the project as perceived by them are similar to that of others.

Table 3.19: Negative Impacts of the Project as Perceived by Affected Households

Negative Impacts of the Project as Perceived by Affected HHs	Affected Households	
	Number	%
Break in cultural & social ties	49	8.06%
Loss of access to resources/facilities	1	0.16%
Loss of agricultural production and sale	11	1.81%
Loss of assets and income	194	31.91%
More Than One	339	55.76%
No Response	7	1.15%
Relocation	2	0.33%
Shifting of assets and belongings	5	0.82%
Grand Total	608	100%

Source: Census survey 2011-2012

Table 3.20: Negative Impacts of the Project as Perceived by Affected *Janajati* Households

Negative Impact-More Than One	In Numb	In %
Break in cultural & social ties	38	8.39%
Don't Know	1	0.22%
Loss of agricultural production and sale	10	2.21%
Loss of assets and income	143	31.57%
More Than One	250	55.19%
No Response	5	1.10%
Relocation	2	0.44%
Shifting of assets and belongings	4	0.88%
Grand Total	453	100.00%

L. Scope of Land and Asset Acquisition

1. Type of Project Impacts

52. All 608 affected households will experience impact on their agricultural land. Apart from agricultural land, residential assets residential assets (80 HHs), residential-cum-commercial assets (6 HHs), other assets⁹ (111 HHs) and trees (181 HHs) would also be adversely affected in the Project area. The majority of the affected HHs will experience impacts on more than one asset. Table 3.21 below presents the type of losses. There is no significant difference of types of project impacts on *janajati* and non-*janajati* households.

Table 3.21: Component-wise Type of Losses Incurred by Affected Households

Project Component	Type Of Major Loss	Affected Households	
		Number	%
Access Road	Agricultural Land	64	10.53%
	Agricultural Land + Other Assets ¹⁰	9	1.48%
	Agricultural Land + Other Assets+ Tree/s	4	0.66%
	Agricultural Land + Residential Assets	7	1.15%
	Agricultural Land + Residential Assets + Other Assets	13	2.14%
	Agricultural Land + Residential Assets + Other Assets+ Tree/s	7	1.15%
	Agricultural Land + Residential Assets + Tree/s	1	0.16%
	Agricultural Land + Tree/s	41	6.74%
Access Road Total		146	24.01%
Camp Site	Agricultural Land	57	9.38%
	Agricultural Land + Other Assets	2	0.33%
	Agricultural Land + Other Assets + Tree/s	2	0.33%
	Agricultural Land + Residential Assets + Other Assets	1	0.16%
	Agricultural Land + Residential Assets + Other Assets+ Tree/s	13	2.14%
	Agricultural Land + Residential Assets + Tree/s	2	0.33%

⁹ The "Other assets" mainly comprise of boundary walls, livestock sheds, toilets, water tank etc.

¹⁰ The "Other assets" mainly comprise of boundary walls, livestock sheds, toilets, water tank etc

Project Component	Type Of Major Loss	Affected Households	
		Number	%
	Agricultural Land + Tree/s	19	3.13%
Camp Site Total		96	15.79%
Disposal Site	Agricultural Land	78	12.83%
Disposal Site Total		78	12.83%
Reservoir Area	Agricultural Land	158	25.99%
	Agricultural Land + Other Assets	8	1.32%
	Agricultural Land + Other Assets	2	0.33%
	Agricultural Land + Other Assets + Tree/s	12	1.97%
	Agricultural Land + RC + Others	2	0.33%
	Agricultural Land + RC + Others + Tree/s	2	0.33%
	Agricultural Land + RC Assets	1	0.16%
	Agricultural Land + Residential Assets	3	0.49%
	Agricultural Land + Residential Assets + Other Assets	5	0.82%
	Agricultural Land + Residential Assets + Others	1	0.16%
	Agricultural Land + Residential Assets + Other Assets + Tree/s	21	3.45%
	Agricultural Land + Residential Assets + Tree/s	1	0.16%
	Agricultural Land + Tree/s	53	8.72%
	Agricultural Land + RC	1	0.16%
Reservoir Area Total		270	44.41%
Temporary Facility	Agricultural Land	7	1.15%
	Agricultural Land + Other Assets	1	0.16%
	Agricultural Land + Other Assets + Tree/s	3	0.49%
	Agricultural Land + Residential Assets	2	0.33%
	Agricultural Land + Residential Assets + Other Assets	3	0.49%
	Agricultural Land + Tree/s	2	0.33%
Temporary Facility Total		18	2.96%
Grand Total		608	100%

Source: Census Survey, 2011-2012

M. Asset Ownership Patterns

53. Out of the 608 affected households, about 90% of affected households hold titles to their property. 7% of affected households are non-titleholder households, namely, encroachers and squatters. (See Table 3.22)

Table 3.22: Ownership Patterns of the Affected Assets

Type of Ownership	Affected Households	
	Numbers	%
Title Holder	552	90.79%
Encroacher	22	3.62%
Squatter	20	3.29%
Title Holder + Encroacher	14	2.30%
Grand Total	608	100

Source: Census Survey, 2011-2012

54. During the census it was found that there are HH who would lose land that they own (and hence are title owners) and also parcels of land that they have encroached. Such HHs have been termed as “titleholders + encroachers”. Since they are losing both land that they own and encroached land, it will not be possible for them to be categorised as “encroachers”. Their distribution in the project area is given in table 3.23.

Table 3.23: Ownership Patterns of the Affected Assets among Janajatis

Project Component	Category	In Numb	In %
Access Road	Encroacher	4	0.66%
	Squatter	1	0.16%
	Title Holder	136	22.37%
	Title Holder + Encroacher	5	0.82%

N. Extent of Impact on Residential Assets

55. A total of 80 residential households will experience impacts on their residential structures as a result of the project construction.

56. Relocation options were discussed with the displaced households during the census survey. No physically displaced household wanted land-for-land compensation. All of them prefer cash compensation to land-for-land compensation. The type of assets for which cash payment will be made is given in table 3.24. See section P below.

Table 3.24: Part of Residential Asset getting affected

Project Component	Part Of Asset Getting Affected	Affected Households	
		Numbers	%
Access Road	Main Structure	28	35.00%
	Access Road Total	28	35.00%
Camp Site	Garden Area + Main structure + Backyard	1	1.25%
	Main Structure	10	12.50%
	Residential Land + Structure	3	3.75%
	Residential Land + Garden Area + Main structure+ Backyard	2	2.50%
	Camp Site Total	16	20.00%
Reservoir Area	Main Structure	29	36.25%
	Main Structure+ Backyard	2	2.50%

Project Component	Part Of Asset Getting Affected	Affected Households	
		Numbers	%
Reservoir Area Total		31	38.75%
Temporary Facility	Main Structure	5	6.25%
Temporary Facility Total		5	6.25%
Grand Total		80	100.00%

Source: Census Survey, 2011-2012

O. Type of Construction of Residential Assets

57. 50% of the 80 affected residential assets comprise of *kachhi* (thatched houses) construction. Of the remaining 40 affected residential assets, 33 assets are of semi-*pakki* (walls are made of bricks while roof or flooring is of mud/tin etc) construction, 6 of *pakki* (made of concrete cement) construction type and only 1 of *pakki cum kachhi* construction. (See Table 3.25.)

Table 3.25: Construction Type of Asset Getting Affected

Project Component	Construction Type	Affected Households	
		Numbers	%
Access Road	Pakki cum Kachhi	1	1.25%
	Kachhi	6	7.50%
	Pakki	2	2.50%
	Semi Pakki	19	23.75%
Access Road Total		28	35.00%
Camp Site	Kachhi	10	12.50%
	Pakki	3	3.75%
	Semi Pakki	3	3.75%
Camp Site Total		16	20.00%
Reservoir Area	Kachhi	20	25.00%
	Semi Pakki	11	13.75%
Reservoir Area Total		31	38.75%
Temporary Facility	Kachhi	4	5.00%
	Pakki	1	1.25%
Temporary Facility Total		5	6.25%
Grand Total		80	100.00%

Source: Census Survey, 2011-2012

P. Relocation Options

58. In view of the severity of impact on residential structures, relocation options were discussed with the displaced households during the census survey. More than 50% of affected HHs would self-relocate within their VDC area while the remaining HHs would self-relocate to some place outside their current VDC. All HHs emphasised that they need adequate and timely compensation so as to make a smooth relocation to their desired places as soon as possible.

59. The EA will ensure that all compensation for land and structures is paid in timely manner together with relocation assistance, so that the affected HHs could self-relocate and economically rehabilitate themselves using the compensation received.

Q. Impact on Residential-cum-Commercial (RC) Assets

60. In addition to 80 residential households, 6 residential-cum-commercial (RC) assets belonging to 6 HHs would be affected in the reservoir area of the Project. Of these 6 structures, 5 structures would incur impact on the main structure whereas the remaining household will experience impact on both main structure as well as backyard. All these structures will be severely affected making them non-liveable and necessitating relocation.

R. Type of Construction

61. The affected households are using all of the six affected RC structures as shops for small income generation. While 4 of affected RC asset are of the *pakki* construction type, the remaining two are of *kachhi* and semi-*pakki* construction type.

Table 3.26: Construction Type of Asset Getting Affected

Project Component	Construction Type	Affected Households	
		Numbers	%
Reservoir Area	Kachhi	1	16.67%
	Pakki	4	66.67%
	Semi Pakki	1	16.67%
Grand Total		6	100.00%

Source: Census Survey, 2011-2012

S. Relocation Options

62. Due to impact on the main structure, all six-affected RC would become non-liveable necessitating relocation. During the census survey, an attempt was also made to understand the relocation preferences of the affected households. During these interactions, all the six affected HH preferred self-relocation to project-assisted relocation. While 3 of the affected HH shared that they would relocate to another place outside the VDC, 1 HH would shift to an alternate location within the VDC. The remaining 2 HHs were still to decide on their relocation area.

63. Appropriate provisions have been kept in the Resettlement Plan in form of livelihood assistance to ensure restoration of income of the affected commercial establishment. The EA will ensure that all compensation for land and structures is paid in timely manner together with relocation assistance, so that the affected HHs could self-relocate and economically rehabilitate themselves using the compensation received.

T. Impact on Other Assets

64. In addition to agricultural land and structures, a total of 111 “other assets” would also be affected as a result of the different project components (except disposal sites). These “other assets” mainly comprise of boundary walls, livestock sheds, toilets, water tank etc. Table 3.27 below provides a detailed component wise list of such assets affected by the Project.

Table 3.27: Usage of the Other Assets Getting Affected

Project Component	Type of Structure	Affected Households	
		Numbers	%
Access Road	Boundary wall	1	0.90%
	Livestock Shed/s	11	9.91%
	Livestock shed/s+ Toilet	11	9.91%
	Livestock shed/s+ Kitchen	1	0.90%
	Livestock shed/s+ Toilet	2	1.80%
	Sheds + Toilet+ Temple+ Tank	1	0.90%
	Sheds and Toilet	1	0.90%
	Toilet	4	3.60%
Access Road Total		32	28.83%
Camp Site	Livestock shed/s+ Toilet	2	1.80%
	Livestock shed/s+ fuel storage	9	8.11%
	Livestock shed/s+ Toilet	2	1.80%
	Shed	2	1.80%
	Sheds and Toilet	3	2.70%
	Temple+ Water Tank	1	0.90%
Camp Site Total		19	17.12%
Reservoir Area	Kitchen	1	0.90%
	Kitchen + Toilet	1	0.90%
	Livestock Shed/s	39	35.14%
	Livestock shed/s+ Kitchen + Toilet	1	0.90%
	Livestock shed/s+ Toilet	8	7.21%
	Toilet	3	2.70%
Reservoir Area Total		53	47.75%
Temporary Facility	Shed	3	2.70%
	Sheds and Toilet	1	0.90%
	Toilet	1	0.90%
	Toilet +Shed	2	1.80%
Temporary Facility Total		7	6.31%
Grand Total		111	100.00%

Source: Census Survey, 2011-2012

U. Impact on Trees

65. In addition to land and structures, all the project components (except disposal site component) would also entail impact on privately owned fruit and furniture trees. A total of 4776 trees comprising of 2158 fruit trees and 2168 furniture trees would be affected. The maximum number of impact on trees would be in the reservoir area as noted in Table 3.28 below.

Table 3.28: Impact on Trees

Project Component	Type of Affected Tree		Total
	Fruit Trees (In Nos)	Furniture Trees (In Nos)	
Access Road	908	1107	2015
Camp Site	268	577	845
Reservoir Area	966	901	1867
Temporary Facility	16	33	
Grand Total	2158 Trees	2618 Trees	4776 Trees

Source: Census Survey, 2011-2012

IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

A. Meaningful Consultation and Participation of key stakeholders

66. All relevant aspects of project planning and development were discussed with both primary and secondary stakeholders of the Project. Different techniques of consultation with stakeholders during project preparation, viz., in-depth interviews and focus group discussions etc were used. Consultations were held with directly displaced population to understand their concerns and elicit their suggestions on the types of mitigation measures that need to be considered in the Project. Particular attention was paid to the need of the disadvantaged or vulnerable groups, especially those who are below the poverty line, the landless, the elderly, female-headed households, women, and those without legal title to land.

B. Key Stakeholders

67. The Project stakeholders can be divided into the Primary and Secondary stakeholders. The primary stakeholders of the Project comprise of those directly affected by the various components of the Project either as affected by the loss of land, house or other livelihood assets or those who are beneficiaries of the Project. The primary stakeholders in this project include:

- Residents and property owners of project components such as camp sites, the access road, the power house site, the reservoir area, other temporary facilities, and related facilities
- The users of community facilities affected by the project
- Project affected villages, VDCs, and the Municipality
- VDC, their elected representatives, community leaders, and representatives of community-based organizations; and Government agencies and departments

68. Secondary stakeholders are those people and institutions that are not directly affected by the Project but show their concern in one-way or the other in the Project. The Secondary stakeholders include:

- Ministry of Energy and other Ministries and Departments of Government of Nepal (the government)
- District Development Committees of Tanahu
- District Offices of Various Ministries at Damauli
- Local voluntary organizations, NGOs civil society associations
- Local social and cultural institutions in the Project VDCs and in the district

- Donors such as Asian Development Bank (ADB) and Japan International Cooperation Agency (JICA)

C. Consultation and Participation during RIPP/RP Preparation

69. Consultations were held with both primary and secondary stakeholders during the Project and its RIPP/RP preparation to understand their concerns and elicit their suggestions on the Project. A total of 12 consultations in form of informal discussions, meetings and group discussions were conducted in the affected VDCs, the municipality and at district headquarters of Tanahu District with affected households, institutions and representatives of the affected VDCs. On average, in each consultation meeting, about 60% attendees were IPs. Summary of the social consultation records are provided together with photographs of consultation meetings and attendees signature to certify the minutes in **Annex III**.

70. Through consultations, the local people and affected HHs identified increases in local employment and income opportunities, increase in the value of land and assets in the area, higher mobility, better education facilities as positive project impacts. One of the key concerns raised by the community was with regard to the procedure and rates of compensation for their losses. The community stressed on the need for fair and timely compensation irrespective of their title for their affected assets.

71. The APs also stressed that the Project should give preference to APs while selecting workers at the project sites. The community leaders emphasized on providing skill trainings to the community members especially to women and youth, so that they can start their own income generating enterprises. (These interactions have been incorporated in Community Development Strategy prepared for the Project).

72. The EA is encouraged to give priority to affected persons in selecting workers at project construction sites. Special clauses will be put in the construction contractor's document to consider giving priority to affected people during hiring. The vulnerable groups will be further assisted with skill trainings, income generation activities and financial literacy.

73. Further, in order to ensure participation of the community in the decision making process of resettlement implementation, a Local Consultative Forum will be constituted. This group shall comprise of representatives of affected families (one male and one female head from the ward), the VDC and Ward Chair, representatives of local offices, social workers and knowledgeable persons. The group shall ensure prior information and transparency in all resettlement related activities of the project including compensation, relocation, and rehabilitation measures. The staff at PIC will have a key role in ensuring their participation in the decision making process of RIPP implementation. The Project will further pay particular attention to vulnerable groups including the female-headed households, *Dalit*, indigenous people, elderly and disabled during the compensation and rehabilitation process.

74. In addition, the engagement of representatives of Project Affected Households and VDC in Compensation Fixation Committee would be another important mechanism to ensure participation of primary stakeholders in the project activities. This Committee is an improvement over the customary practice as laid down in the Land Acquisition Act (LAA) 2034 (1977). The customary practice as per LAA 1977 does not have provision of participation of representatives from the concerned VDCs or municipality nor that of representatives of project affected families in the Compensation Determination (Fixation) Committee.

75. The consultations and discussions with the project-displaced persons and community will be a continuing activity throughout the implementation of the project. The EA staff involved in the implementation activities will keep the displaced persons informed about the impacts; the compensation and assistances proposed for them and facilitate addressal of any grievances.

D. Information Disclosure and Resettlement Plan Disclosure

76. Information will continue to be disseminated to affected persons at RIPP implementation stage. The EA will be responsible for issuance of public notice to acquire particular land/property for any of the project component. The notice can be published in local newspapers, twice within a week's interval. In addition to the public notification, the project will facilitate with local revenue officials/officials to conduct meetings with affected persons to ensure that the information has reached to all affected persons.

77. On approval of the RIPP, disclosure workshops will be held in the project areas to disclose the same to the affected community. These workshops will disclose in detail Project information including measurement of losses, detailed asset valuations, entitlements and special provisions, grievance procedures, timing of payments and displacement schedules. This will be done through public consultations and made available as brochures, leaflets, or booklets, using local languages.

78. Summary of the RIPP has been translated in Nepali and will be made available to the affected persons. Hard copies of the RIPP will also be made available at accessible locations, as soon as the plans are available and certainly before land is acquired for the project. Accessible locations include VDC offices, schools and other such public places. In all such places, the information would be displayed in local language (Nepali). Also information would be made available through the PIC, youth groups, SHG who can be easily contacted by illiterate persons for want of information. For non-literate people, other communication methods such as verbal communication about their entitlements at public gatherings at places such as village committees and schools will be used.

79. The EA has already established two Public Information Centres (PICs) with full-time staff to provide Project related information to affected HHs and other key stakeholders. The PICs will be responsible for informing potential affected persons and the general public about the project and land acquisition and resettlement-related requirements through local communication means. The EA will also conduct consultations and disseminate information to all APs in order to create awareness regarding the Project. This will enable stakeholders to contribute to the resettlement decision-making process prior to the award of construction work contracts.

80. The RIPP will continue to be implemented in close consultation with the key stakeholders. Women's and other vulnerable groups participation will continue to be ensured by involving them in public consultation at various level and stages of project preparation and by arrangements, which would enhance their ability to attend such meetings. The EA will ensure that views of APs, particularly those vulnerable, women and IP related to the resettlement process are looked into and addressed. This will be ensured through focus group discussion and multi stakeholders meetings to be continued in the project area. All such meetings and consultation will be documented for future references.

V. POLICY FRAMEWORK

81. The resettlement principles adopted in this RIPP reflect the national Land Acquisition (LA) Act, Land Reform Act, the entitlement benefits as listed in the draft National Policy on Land

Acquisition, Compensation and Resettlement in Development Projects in Nepal, ADB Safeguards Policy Statement (SPS, 2009) and “JICA guidelines.”¹¹ This section outlines the Government and ADB policies, legal requirements, and guiding principles under which this RIPP was prepared.

A. Constitutional Guarantees

82. Article 19 of the Interim Constitution 2063 (2007), Right to Property, states that “(1) Every citizen shall, subject to the laws in force, have the right to acquire, own, sell and otherwise dispose of the property. (2) The State shall not, except in public interest, requisition, acquire or create any encumbrance on the property of any person provided that this clause shall not be applicable on property acquired through illegal means. (3) Compensation shall be provided for any property requisitioned, acquired or encumbered by the State in implementing scientific land reform programme or in public interest in accordance with law. The compensation and basis thereof and operation procedure shall be as prescribed by law.”

B. Nepal Relevant Acts

1. *Land Acquisition Act 2034 (1977)*

83. The Land Acquisition Act, 2034 (1977) is the core legal document to guide the process related to land acquisition and relocation in Nepal. The clause 03 of the Act states that land could be acquired for a public purpose, subject to the award of compensation. According to clause 04 of the Act, institutions seeking land acquisition may also request the Government to acquire land subject to the payment of compensation by such institutions. Clause 27 of the Act provides for land acquisition through mutual agreement between a plot owner and a government department or agency, where the process of involuntary land acquisition outlined in the Act does not apply. The Act grants the project proponent the right to choose between a mutual agreement process and the formal process for land acquisition (as described below). Where clause 27 is applied and the plot owner is not satisfied with the compensation offered by the state, under the agreement, the owner could file a complaint with the Ministry of Home (clause 18 (sub clause 2) for a redress. As per the regulatory provision, before acquiring private land for a public purpose, the Government forms a Compensation Determination (Fixation) Committee (CDC) under the chairmanship of the Chief District Officer (CDO). The chief of the land revenue office (LRO) and a representative from the District Development Committee (DDC) and the Project Manager are the other members. A VDC representative and a representative of affected persons are also usually invited to participate in the Committee discussions. The project manager functions as the member secretary of the Committee. The CDC determines the amount of compensation considering the following factors: current price of land value, value of standing crops, houses, walls, sheds or other structures, loss incurred as a result of shifting residence or place of business. The CDC takes also into consideration the relevant Acts and Guidelines of the government in this exercise. According to clause 06, if the land has to be acquired for institutions other than the local government bodies and government institutions, the Committee considers the following in determining compensation: (i) price of land prevailing at the time of notification of land acquisition; (ii) price of standing crops and structures; and (iii) loss incurred by the AP by being compelled to shift his or her residence or place of business as a consequence of the acquisition of land.

¹¹ For the Project, “JBIC Guidelines for Confirmation of Environmental and Social Considerations, (April 2002)” is applied. However, as JICA updated the Guidelines in 2010, “Guidelines for Environmental and Social Considerations (April 2010)” is also be referred.

84. As stated in clause 09, subsection 03 of the Act, the duration of compensation payment days will be determined by CDC. Clause 37 of the Act illustrates that the Committee may extend the period by additional 3 months, if compensation is not collected by those entitled. After the extended 3-month period, the amount will be deposited in a Government's account. The compensation for acquired land is generally paid in cash as per current market value. However, there is also a provision under clause 14 to compensate land-for-land, provided Government land is available. The Act also provides for the possibility of paying two separate rates of compensation, distinguishing between households who lose all their land and those who lose only some part of their land. As stipulated in clause 10, affected households could take the crops, trees, and plants from acquired land, and salvageable materials. Clause 39 states that affected households could take all salvageable assets and the value of such assets will not be deducted from compensation.

85. Any grievance and objection regarding the above will be referred to the grievance redress committee (GRC) as per clause 11 of the Land Acquisition Act, 2034 (1977)¹².

86. The Act assigns the CDO the sole responsibility of overseeing land acquisition process and activities and to deal with the grievances related to land acquisition and compensation.

87. Clause 20 of the Act entitles the legal tenant to 100% compensation for the structures built by him on the land with the permission of the landowner.

88. Clause 68 (1) of the Forest Act 2049 (1993) states that the Government may permit the use of forestland for a project of national priority. According to the clause 68 (2), if any loss to persons or community is involved while permitting use of such land, it is required to compensate the loss. The general process of land acquisition is outlined in Table 5.1.

Table 5.1: Land Acquisition Process as per Land Acquisition Act 2034 (1977)

Steps	Detailed Action	Agency/Person Responsible
Step I: The Beginning	<ul style="list-style-type: none"> Sectoral agency decides to execute a development project of public interest at a particular location The Agency requests the Government to acquire land specifying objectives and committing payment of compensation and other expenses The Government approves and orders to initiate acquisition process specifying the Officer in Charge to initiate the process Compensation Fixation Committee activated as per LA 2034 	Sectoral agency
Step II: Initial Process	<ul style="list-style-type: none"> Public notification is issued at public places in the proposed project area, respective VDC Office, and to the affected households. Necessary basic surveys/ 	Chief District Officer (CDO)/ Compensation Fixation Committee.

¹² Under the project, GRC will be set up for to address any complaints regarding the land acquisition process, therefore offering AP an avenue to express and register their grievances.

Steps	Detailed Action	Agency/Person Responsible
	<p>investigations including boundary demarcations are done after 3 days of the issuance of notification.</p> <ul style="list-style-type: none"> Any damage/losses of crop, structures, trees incurred during preliminary investigations, are compensated by the officer designated. APs can file complaint, if not satisfied with the compensation paid by officer designated, within 15 days of the fixation of compensation, to Chief District Officer (CDO). CDO addresses the grievances and its decision is final. The officer designated (Project Chief, in this case) submits report to CDO (Local government Officer) on total area required. This report contains the loss details and the compensation amount determined for payment. The task of preliminary investigation should be completed within 15 days of the initiation of surveys 	
Step III: Notice of Acquisition	<ul style="list-style-type: none"> CDO issues notice of land (and asset) acquisition including details like location, plots with area, owner, boundary together with the purpose of acquisition. The timeframe to transport salvage material or other assets are also specified in the notification. All land transactions within the notified area are banned. Legally, this is the cut off date. 	Chief District Officer (CDO)/ Compensation Fixation Committee.
Step IV: Compensation, Eligibility and Procedure	<ul style="list-style-type: none"> Land and asset valuation and negotiation process takes final shape. Asset owners fill-up forms to claim entitlement with documents within 15 days of notification (as of 9 above). Compensation payment takes place. 	Sectoral agency Chief District Officer (CDO)/ Compensation Fixation Committee.
Step V: Grievance Addressal	<ul style="list-style-type: none"> The APs can file complaint within 7 days of notification excluding travel days to Government of Nepal through CDO. The government i.e., Ministry of Home Affairs, will address the grievances within 15 days of the receipt of complaint. The Home ministry is endowed with legal power as of District Court. The appeals if any, are addressed by the government or after lapse of such 	Chief District Officer (CDO) Government of Nepal (Ministry of Home Affairs)

Steps	Detailed Action	Agency/Person Responsible
	<p>time frame final compensation payment and acquisition takes place.</p> <ul style="list-style-type: none"> If APs are not satisfied with resolution from government of Nepal i.e., Ministry of Home Affairs they can go to the formal court of appeal. 	

89. CDO chairs CDC, which consists of representatives from district administration, land revenue department, and the project office. The representatives from the VDC and affected HHs are normally invited to participate in the CDC meeting as invitees. At the request of the EA, the Government makes an decision to have the land acquired (for the specified purpose), and an officer from the EA is appointed by the government to undertake the preliminary actions which include, among others, undertaking the survey of land to be acquired, and preparing the documentation to be submitted to the CDC. EA issues the first notice of intent for land acquisition. The survey information (i.e., draft resettlement/indigenous peoples plan) is then submitted to CDC providing relevant details such as the number of land parcels to be acquired, land use pattern, affected land owners, uses/land types, quantity of land to be acquired. The CDC reviews this information and based on the same issues the final notice for acquisition with details of land parcels to be acquired. Simultaneously, CDC/EA starts contacting the affected landowners/users and initiates the process of negotiation on land value (for acquisition). Once the negotiation process is complete, the CDC finalizes the value for acquisition of various properties and discloses the same to the affected persons. The district administration office (DAO) then invites the affected households to collect forms, duly fill and submit the same to DAO for collection of their compensation. The EA deposits the requisite amounts of cash for compensation with DAO. All compensation, either in cash or check, is disbursed through DAO to the affected persons.¹³

2. Methodology for Valuation of Assets

90. There are three methods/approaches for the valuation of assets: i) method adopted by the Government, ii) community consensus valuation, and iii) direct negotiation. For the purpose of this project, the community consensus valuation method for land and asset valuation has been adopted, which includes determining the valuation of assets in consultation with the community. As part of this method, meetings with the local community members and representatives of the project affected households on the valuation of land and assets are held. Based on the same, a consensus is arrived at for valuation of assets, making it a more transparent process. This process works through CDC for which the Project Manager or his/her designate (Senior Officer) or its environment and social development or management section in charge takes all the initiatives with consent from the CDC. In the final deliberations, CDC approves the proposal.

¹³ In case of leasing of land for project activities, the annual rates to be paid will be determined through negotiations with the landowners, and the lease agreements signed between the EA and affected persons. For the first year, the lease value will be paid upfront before acquiring the land on lease.

a. Land Reform Act, 2021 (1964)

91. Another key legislation in Nepal related to land acquisition is the Land Reform Act (LRA) 2021 (1964). This act establishes the tiller's right to the land, which he/she is tilling. The LRA additionally specifies the compensation entitlements of registered tenants on land sold by the owner or acquired for development purposes. The most recent Act Amendment (2001) established a rule that in case the state acquires land under tenancy, the tenant and the landlord will each be entitled to 50% of the total compensation amount. Tenants are verified through a record of tenancy at the land revenue office.

b. Land Revenue Act 2034 (1977)

92. Acquisition of land for development projects (i.e., public interest) involves transfer of land titles for which directly or indirectly the Land Revenue Act 2034 (1977) comes into force. Article 8 of this Act states that registration, change of ownership, termination of ownership right and maintenance of land records are done by local Land Revenue (*Malpot*) Office. Likewise according to article 16 if the concerned owner did not pay land revenue for long period of time the government can collect revenue through auction of the concerned parcel. Land registration, transfer of titles and record keeping in the kingdom are governed by this Act.

C. Draft National Policy on Land Acquisition, Compensation and Resettlement in Development Projects in Nepal

93. The National Planning Commission (NPC) formulated the draft Policy, in September 2006, with ADB assistance. The draft Policy was approved by a Ministerial working committee and the NPC in 2008 and it is yet to be approved by the government. In the context of the Project, the draft Policy's has the following guiding principles:

- Appropriate and adequate compensation for the loss of assets or income is a fundamental right of all APs. Physically displaced people must be relocated with facilities such as school, health, and postal facilities.
- Vulnerable groups such as *Janajati/Adivasi*, *Dalits*, landless, women, especially women-headed households, differently-abled, poverty groups and senior citizens are entitled to special benefit and assistance packages in addition to compensation and resettlement.
- All APs should be assisted to restore at least their pre-project income and livelihood sources.
- The absence of legal title to land should not be a bar for compensation, resettlement and rehabilitation assistance.

94. The draft Policy establishes a range of entitlements for those affected by a development project:

- Cash compensation at full market value (equivalent to replacement cost) for all acquired land. If the provision of replacement land is not feasible, with the stipulation that a person who becomes a marginal landholder, as a result of land acquisition, should be provided with replacement land of equivalent productivity or value;
- Cash compensation at replacement cost for the loss of all structures (residential, business and other structures), with no deduction for depreciation or for salvageable materials; or provision of a replacement house;

- Cash compensation for private trees based on the annual value of the produce for 15 years;
- Compensation for loss of income from rented buildings;
- Cash compensation for loss of standing crops; and compensation to registered tenants and sharecroppers, equivalent to 50% of the compensation for the acquired area of land and lost crops.

95. The Policy states that squatters and non-titled landholders are not entitled to compensation for the land that they occupy. However, those who have earned their livelihoods from access to/use of the land for more than three years prior to the project's compensation cut-off date should, wherever possible, be provided with replacement land on a lease basis. They should also be assisted in their efforts to legalise their tenure in order to qualify for compensation under the project. The Rehabilitation measures proposed by the Policy include:

- Proper resettlement planning, including developed relocation sites with amenities/easy access to amenities;
- For resettled farming communities, homesteads sites of sufficient size for storage of agricultural produce, keeping of livestock and for kitchen gardens;
- Employment on the project, where possible, to at least one member of each affected household, with half of the employment opportunities reserved for women; and
- Additional relocation and rehabilitation support measures, particularly to displaced households, vulnerable households.

D. ADB Safeguard Policy Statement (SPS), 2009

96. The objectives of ADB SPS (2009) with regard to involuntary resettlement are:
- To avoid involuntary resettlement wherever possible;
 - To minimize involuntary resettlement by exploring project and design alternatives;
 - To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and
 - To improve the standards of living of the displaced poor and other vulnerable groups.

97. The Safeguard Policy Statement of ADB (2009) covers both physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of; (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers displaced persons whether such losses and involuntary restrictions are full or partial, permanent or temporary. The three important elements of ADB's SPS (2009) are: (i) compensation at replacement cost for lost assets, and livelihood and income restoration prior to displacement; (ii) assistance for relocation, including the provision of relocation sites with appropriate facilities and services; and (iii) rehabilitation assistance to achieve at least the same level of well-being with the project as without it. The SPS gives special attention to poor and vulnerable households to ensure their improved well-being as a result of project interventions.

E. JICA Guidelines

98. For the Project, "JBIC Guidelines for Confirmation of Environmental and Social Considerations, (April 2002) "is applied. However, as JICA updated the Guidelines in 2010, "Guidelines for Environmental and Social Considerations (April 2010)" is also be referred. The

key principles of JICA Guidelines (April 2010), on involuntary resettlement, are summarized below.¹⁴ Involuntary resettlement and loss of means of livelihood are to be avoided where feasible by exploring all viable alternatives.

- i. When population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken
- ii. People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.
- iii. Compensation must be based on the full replacement cost as much as possible.
- iv. Compensation and other kinds of assistance must be provided prior to displacement.
- v. For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. It is desirable that the resettlement action plan include elements laid out in the World Bank Safeguard Policy, OP 4.12
- vi. In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.
- vii. Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.
- viii. Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.
- ix. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advance of such benefits.
- x. Eligibility of benefits include, the project-affected people (PAPs) who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who do not have formal legal rights to land at the time of census, but have a claim to such land or assets, and the PAPs who have no recognizable legal right to the land they are occupying.
- xi. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
- xii. Provide economic support for the transition period (between displacement and livelihood restoration).

F. Harmonization, Gap Filling Between ADB and JICA Safeguard Policies and the Policy, Laws and Guidelines of the Government of Nepal

99. The Land Acquisition Act is the primary legal framework for all land acquisition, compensation determination and relocation of APs in Nepal. The Act has a limited scope in resettlement and rehabilitation of APs. Considering the differences between the government laws, regulations and guidelines and the safeguard policies of ADB and JICA, a detailed equivalence assessment has been completed and is attached as **Annex II**.

¹⁴ For the Project, "JBIC Guidelines for Confirmation of Environmental and Social Considerations, (April 2002)" is applied. However, as JICA updated the Guidelines in 2010, "Guidelines for Environmental and Social Considerations (April 2010)" is also be referred.

G. Government's Policies and Legal Framework for *Janajathis* in Nepal

100. The Interim Constitution of 2007 recognizes the diversity of Nepal (art. 3) and defines the country as a secular, inclusive and democratic State (art. 4). It further recognizes the status of different mother languages of various groups as national languages enabling their use in the state activities (art. 5). Each such community has the right to preserve and promote its own language and cultural heritage as well as to receive basic education in its mother tongue (art. 17). In addition, the Constitution recognizes the rights of *Adivasi* and *Janajati* to “participate in State structures on the basis of principles of proportional inclusion” (art. 21), and authorizes the State to implement special measures “for the protection, empowerment and advancement of indigenous nationalities” (art. 13).

101. The specific policy initiatives for the advancement of *Adivasi*, *Janajati* and other communities started in 1997. The National Committee for Development of Indigenous Nationalities was set up to ensure the welfare of *Adivasi/Janajati*. In 2002, the Parliament passed a bill enabling the establishment of NFDIN. The NFDIN Act 2002 established the first comprehensive policy and institutional framework pertaining to *Adivasis* and *Janajatis*. The NFDIN is a semi-autonomous body that acts as the State's focal point for indigenous policy, with a mandate to recommend measures to promote the welfare of indigenous groups paying attention to their social, economic, and cultural rights and requirements.

102. The National Federation of Indigenous Nationalities Act 2002, National Human Rights Action Plan 2005, Environmental Act 1997, and Forest Act 1993 have also provided for the protection and promotion of *Janajatis'* traditional knowledge and cultural heritage. The Local Self-Governance Act (1999) gave more power to local political bodies to promote, preserve and protect *Janajatis'* language, religion, culture and welfare.

103. The Three Years Interim Plan (2007-2010) included following policies for inclusive development of *Adivasis/Janajatis* and other disadvantaged groups: (i) creation of an environment for social inclusion; (ii) participation of disadvantaged groups in policy and decision making; (iii) development of special programs for disadvantaged groups; (iv) positive discrimination or reservation in education, employment; (v) protection of their culture, language and knowledge; and (vi) proportional representation in development.

H. ADB Safeguard Policy Statement (2009)

104. The objective of ADB's SPS on IPs is to help design and implement projects in a manner that would foster respect for IPs' identity, dignity, human rights, livelihood systems, and cultural uniqueness, as defined by IPs themselves, so that they: (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them. The SPS uses the term 'IPs' in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- (i) Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- (ii) Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- (iii) Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- (iv) Distinct language, often different from the official language of the country or region.

105. The IPs' safeguards in SPS trigger when a project affects the dignity, human rights, livelihood systems, or culture of IPs or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as an 'ancestral domain' or asset.

I. JICA Guidelines on Indigenous Peoples Safeguards

106. For the Project, "JBIC Guidelines for Confirmation of Environmental and Social Considerations, (April 2002)" is applied. However, as JICA updated the Guidelines in 2010, "Guidelines for Environmental and Social Considerations (April 2010)" is also be referred. JICA respects the principles of internationally established human rights standards such as the International Convention on Human Rights, and gives special attention to the human rights of vulnerable social groups including IPs, women, persons with disabilities, and minorities when implementing cooperation projects. JICA obtains country reports and information widely about human rights that are issued by related institutions, and seeks to understand local human rights situations by disclosing information about cooperation projects. Thus, JICA integrates local human rights situations into decision-making processes that relate to environmental and social considerations.

107. As per the JICA guidelines, social impacts includes migration of population and involuntary resettlement, local economy such as employment and livelihood, utilization of land and local resources, social institutions such as social capital and local decision-making institutions, existing social infrastructures and services, vulnerable social groups such as poor and IPs, equality of benefits and losses and equality in the development process, gender, children's right, cultural heritage, local conflicts and diseases as HIV/AIDs.

108. Out of the seven, the two core principles focus on stakeholder that includes IPs, participation and disclosure of information. The two policy principles are as follows:

- **JICA asks stakeholders for their participation:** JICA incorporates stakeholder opinions into decision-making processes regarding environmental and social considerations by ensuring the meaningful participation of stakeholders in order to have consideration for environmental and social factors and to reach a consensus accordingly. JICA replies to stakeholders' questions. Stakeholders who participate in meetings are responsible for what they say.
- **JICA discloses information:** JICA itself discloses information on environmental and social considerations in collaboration with project proponents etc., in order to ensure accountability and to promote the participation of various stakeholders.

109. In the case of Category A projects, JICA encourages project proponents etc. to consult with local stakeholders including IPs about their understanding of development needs, the likely adverse impacts on the environment and society, and the analysis of alternatives at an early stage of the project, and assists project proponents as needed. In the case of Category B projects, JICA encourages project proponents etc. to consult with local stakeholders when necessary.

VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. The Entitlement Policy

110. The entitlements and policy guidelines to be adopted for the Project are discussed under three headings namely:

- Units of Entitlement
- Categorization of APs according to the Severity of Impacts
- Types of Entitlements

1. Units of Entitlement

111. Most development projects of public interest affect property owners and occupants, their dependants and community groups through acquisition of private and community assets. The Entitlement Policy specifies compensation and/or rehabilitation measures for two major units of entitlement: individuals (i.e. APs and their households) and community or groups.

112. **The Individuals:** This category includes APs as individuals (men and women) who may suffer one or a combination of the following losses. The APs include all affected populations including *janajatis*:

- All or part of residential land;
- All or part of cultivated land, forestry land, and/or grazing land (titleholders and registered and non-registered tenants);
- All or part of *guthi* (trust) land
- Loss of crops or trees on temporary or permanently affected land;
- All or part of residential structures (titleholders, tenants, encroachers and landless squatters);
- All or part of commercial structures (titleholders, tenants, encroachers and landless squatters);
- Rented accommodation (renter);
- All or part of other structures (titleholders, tenants, encroachers and landless squatter);
- Income sources and income-earning capacity (e.g. farmers, commercial establishment owners);
- Other losses e.g., reduced access to natural resources, water flow (mill owners, irrigation users, fishermen, firewood etc.)
- Leaseholds - the leased-in land for the project (leased holders)

113. **APs and their households**¹⁵: APs include persons of the household suffering any of the above-mentioned losses. The unit of entitlement for compensation will be the titleholder or household head, or heir(s), in the case of the loss of privately owned assets and resources. For displacement allowance, the unit of entitlement will be each person of the household. For the rehabilitation assistance, the unit of entitlement will be the family and/or household. For example, in some cases, household subsistence and survival strategies may be disrupted through the loss of land or business enterprises. In such cases, the rehabilitation assistance will be provided to the household. Some rehabilitation measures such as the provision of employment can be extended to adult APs.

114. **Community or Groups:** The Project may acquire community land (e.g. community forests) or publicly owned structures. In some cases, some parts of the community institutions such as schools may be affected. For measures to re-establish community structures such as burial sites (*ghat*), temples, irrigation canals, transport lines etc, as well as compensation for loss of community forests, user groups or the community will be the unit of entitlement.

¹⁵ APs are also sometimes referred as displaced persons (DP) in this document.

115. The Project may also have indirect, less-quantifiable or unforeseen effects on people living within the affected area or in the vicinity of the project. Potential negative impacts may include reduced access to natural resources or social services, impacts on water supply and irrigation systems, or changes to local employment practices. For example, people living below the intake site may suffer from reduced water flow resulting in lowered agricultural production or fish harvests or reduced operation of water mills. All such impacts will be mitigated under the project.

2. Categorization of APs

116. The severity of project impacts due to acquisition of land and other assets is not equal for all the affected persons. While some households are only marginally affected by losing a fraction of land or income, others lose significant proportion of land or residential house or both. Thus, for convenience of determining entitlements, projects may distinguish households into those incurring significant impacts and those incurring marginal impacts. This will facilitate determination of rehabilitation assistance. All affected households will be entitled for compensation and assistance (as per entitlement matrix).

3. Types of Entitlements

117. In accordance with the involuntary resettlement principles set forth in the RIPP, the identified APs will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets, and scope of the impacts including socio-economic vulnerability of the affected persons and measures to support livelihood restoration if livelihood impacts are envisaged. Broadly, the types of entitlements that APs are eligible to, are discussed below.

- Compensation
- Displacement assistance or allowances,
- Other rehabilitation assistances
- Additional support or assistance to the vulnerable
- General information dissemination and counselling

118. A detailed description of compensation measure and assistance for losses incurring in this Project are provided in the entitlement matrix (Table 6.1). The following section provides a brief summary of the same.

B. Description of Entitlements

1. Compensation

119. Compensation shall be provided to the APs for all types of losses incurred as a result of the Project. It should be noted that the entitlements and valuation procedures concerning acquisition of assets described in the following sections are based on the provisions of the Land Acquisition Act 2034 (1977). The Act also allows acquisition of assets to take place through direct negotiations and agreement between the Project and the owner. However, in cases wherein a large number of plots must be acquired by the Project and/or if no agreements can be reached during direct negotiations, acquisition will take place following standard procedures of the Land Acquisition Act.

120. **Loss of Land (agricultural, residential, commercial and forestry):** Land in Nepal is grouped into different types and classes, which in turn, form the basis for the calculation of land taxes. The main land types are *khet*, *bari* and *ghaderi*. *Khet* is irrigated land, generally situated in valleys and mainly used for paddy rice and wheat production. *Bari* is non-irrigated land mostly situated on hill slopes and is used mainly for rain-fed production of crops such as millet and maize. *Gharderi* is homestead (including kitchen gardening) land. *Khet*, *bari* and *ghaderi* are in turn subdivided into the following land classes: *Abal* (class 1 land); *Doyam* (class 2 land); *Sim* (class 3 land); and *Chahar* (class 4 land).

121. Those who lose privately owned land due to project activities are entitled to compensation. Such entitled persons include titleholders (owner cum cultivator), absentee landlords, registered tenants and non-registered tenants (legalizable). The type of compensation entitlement for them are enumerated in Table 6.1 – Entitlement Matrix.

122. Non-registered tenant farmers will be assisted to become registered tenants wherever possible. This requires a formal agreement to be signed between the tenant and the titleholder. If the agreement is formalized, the tenant will be entitled to compensation as a registered tenant.

123. Those who remain non-registered tenants (i.e. those with non-legalizable claims to the land) and who have cultivated the affected land for at least 3 years prior to the cut-off date (to be validated by VDC) and do not have title to any other land, will be entitled to allocation of land if *ailani* or other government land is available, as determined by the concerned authority in the district. This group will also be entitled to rehabilitation assistance.

124. Wherever possible, the spouse of APs (households) should be present during the compensation payment.

125. In addition to compensation for their lost assets, the APs incurring significant impacts will also be entitled to rehabilitation measures and other assistance.

126. The Project will assist vulnerable HHs for reinvestment of their compensation in other productive assets, specifically with the identification and purchase of suitable privately owned cultivation land in the vicinity. The Project may form Local Consultative Forum in the VDC to facilitate this process.

127. In order to restore the loss of farmland, if any APs purchase farmland in another place within 1 year from the date of receiving compensation, the land registration fee for the purchased replacement land of equal amount or price, shall be paid by the Project. This option will be equally applicable in urban areas as well.

128. For temporarily acquired land for the construction works of the Project, the Project will consider a temporary occupation contract with APs, according to their capability and qualifications. The contract will specify the details of the occupancy period, conditions for use and returning of the land, and the amounts of compensation to be paid. Compensation and restoration of land, if already temporarily acquired for some works, will be made retroactively.

129. The acquisition of communal land does not result in compensation payments for the land. However, where communal land (e.g. grazing land) is affected and acquired by the Project, the Department of Agriculture and, if trees are affected, the Department of Forestry will be consulted for assistance to the affected communities with the aim to mitigate the loss of

resources used by the community. This is in view of the improvement of remaining grazing areas and fodder resources to ensure that pre-project levels are maintained or improved upon.

130. Owners of *Guthi* (trust) land will be compensated according to the *Guthi Corporation Act 2033*. Replacement land will be provided if *ailani* (unclaimed arable land) or other government land is available. Otherwise monetary compensation (cash or cheque) at full replacement cost will be provided. Marginal losses will be compensated by means of cash compensation.

131. In cases where circumstances suggest that it is both cost efficient and agreeable with the owners/cultivators, land can be taken on easement under special agreement with the owner. The CDC in this case will formulate the detailed terms of reference. In this situation, apart from a long-term acquisition agreement, APs will be entitled to:

- Compensation for crop losses for the duration of each period of temporary occupation
- Compensation for other disturbances and damages caused to property
- Land restored to its original condition at the end of each temporary occupation period
- Use of land for agriculture with restriction where structures will not be permitted and
- Right to sell the land

132. ***Entitlements for Leaseholders at Disposal Sites:*** As the EA for construction of the hydropower plant, THL will sign a formal lease agreement with each titleholder whose land is being leased. An annual leasing arrangement for an annual fix payment will be negotiated with each of these landowners. A format of the lease agreement will be provided later.

133. In case, the titleholders do not agree to lease their land, the THL shall acquire the land on negotiated market replacement rate of the land. THL will fully restore the leased land to its original condition and return it to the leaseholder at the end of leasing period.

134. THL will ensure that persons (other than the landowners) affected as a result of leasing of land for the Project are also compensated for the loss of income incurred due to the leasing of land. Mutually agreed leasing rates will be paid by THL to the titleholder annually. The first payment will be done before the land is taken over by the THL. All costs related to land leasing and restoration will be borne by THL.

135. ***Loss of Residential and Commercial Structures (houses) and Other Structures:*** Owners of affected houses and other structures such as *goth* (sheds), separate kitchen, walls and other structures shall be compensated in cash, for full or partial losses, at replacement cost as determined by the CDC. This will include titleholders and tenants on private land, and encroachers and landless squatters occupying public land at the time of the *eligibility cut-off* date for each project component and sub-component. In case there are structures that could be re-installed at a new site, the transport and re-installation cost shall be provided by the project. Furthermore, structures that are only partially affected shall be entitled to the cost of structure repair along with compensation for affected materials at replacement cost.

136. Compensation for land and structures would be paid in one lump sum. It would be paid on the spot so that APs do not have to travel to the district office for the same. The affected asset owners will have the right to salvage materials from the affected buildings. The value of salvaged materials will not be deducted from the final compensation amount.

137. Displaced owners (i.e. titleholders, tenants in own accommodation, and encroachers & squatters on public land) of houses and commercial establishments to be relocated shall be

provided displacement assistances or allowances as provided for in the entitlement matrix (Table 6.1). Households that are displaced from their rented accommodation, will not be entitled to compensation for the (non-owned) structure, but will also be entitled to the displacement assistance.

138. If there is a need for relocation of households to new settlements involving host communities, resettlement assistance shall be provided to ensure effective integration with host communities and adequate provision of services and infrastructure. A transfer allowance for shifting household assets, in case of self-relocation, will on actual cost basis or at the rate of NRs. 35,000 per household (to be paid to the household head).

139. **Loss of Crop and Other Natural Resources:** Construction works would as far as possible be planned to allow for the harvesting of non-perennial and perennial crops before land is acquired. Where crops cannot be harvested or the destruction of crops is unavoidable, compensation will be paid, based on market value of crop at the time of compensation, as determined by the CDC. All other resources from privately owned trees (e.g. timber/fuel wood) would remain the property of the concerned owner. For land under registered tenancy, the amount of compensation for standing crops and permanent crops such as bamboo, timber and fruit trees shall be divided equally between the landowner and the tenant.

140. For land occupied by non-registered tenants, the amount of compensation for standing crops shall be divided according to lease or sharecropping agreement between tenant and landowner. However, compensation for loss of permanent crops such as bamboo, timber and fruit trees shall be provided only to the owner.

141. The Departments of Agriculture & Cooperatives and Forest & Soil Conservation shall be consulted for assisting affected owners with the restoration of new trees/perennial crops. Where necessary, the support to such programs will be funded by the Project.

142. **Loss of Community Facilities and Resources:** Affected community buildings and facilities shall be restored to their previous condition or replaced in areas identified in consultation with affected communities and the relevant authorities. The community facilities include schools, temples, health posts, waiting sheds (thanti), water points, irrigation canals, trails/footpaths and bridges, graves and/or *ghats*.

143. Where communal grazing lands are affected, under the current the government regulations, the Department of Agriculture (Pasture Development Section) shall be requested to assist communities for adequately mitigating the impacts on grazing area. Likewise where community-owned trees are acquired, the Department of Forestry will be consulted to advise forest user groups regarding future production losses and compensation modalities. User groups shall be assisted with the re-establishment of new trees/perennial crops and the establishment or improvement of community forestry programs. Aim of these support programmes shall be the improvement of remaining communal areas and resources to ensure that pre-project levels of supplied resources are maintained or improved upon. Where required, these support programs shall be funded by the Project. In addition, advance notice shall be given to harvest resources from the affected areas.

144. Any loss of trees in the area of influence shall be mitigated by means of afforestation exercises to be undertaken by the Project in consultation with local communities and the Department of Forestry.

145. **Other Individual and Group Losses:** Vulnerable social categories and others such as porters and other providers of non-vehicular transport along the direct project affected area who lose income indirectly as a result of the project shall be identified, based on monitoring results, in consultation with local government and representatives. The rehabilitation assistance based on the extent of loss shall be provided as determined by the CDC.

146. The loss of water for irrigation or for water mills due to diversion for electricity generation would be mitigated before it can affect farmers and concerned property owners. The mitigation measures shall be based on findings of baseline information in the Environmental Management Plan. The affected group shall be entitled to be paid for the cost of construction of any necessary mitigation measures. If such measures are also required in subsequent years, the affected owners would be entitled to funds from a revolving fund to restore access to water for the affected systems. Similar provisions shall be made if other indirect impacts (e.g. on fisheries) prove to cause severe impacts to certain groups of APs.

147. **Damages caused during Construction:** Extreme care would be taken by contractors to avoid damaging public and private property during construction. In case of damages to public or private property as a result of construction works, the contractor shall be required to pay compensation immediately to APs, vulnerable groups, communities, or government agencies for damages to crops and trees. Damaged land, structures and infrastructure shall be restored immediately to their former condition.

148. **Government Property:** Government infrastructure and facilities including utilities affected by the Project shall be repaired and/or replaced in consultation with the relevant departmental authorities. The Government forested areas, if required, shall be acquired in consultation with the Department of Forestry and any loss of trees therein shall be mitigated by means of afforestation exercises undertaken by the project as far as possible.

2. Displacement Assistances/ allowances

149. In addition to compensation for lost assets, the affected HHs that are physically displaced from their housing shall be entitled to the following displacement allowances:

150. The affected HHs that require relocation shall receive a rental assistance or *displacement allowance* for 180 days at the rate of NRs. 500 per day per household. The wage rate (minimum wage) will be as established at the national or local level (whichever is higher). Such an allowance shall be paid to the head of the household. Titleholders, tenants in own accommodation, encroachers and squatters and those being displaced from rented accommodation will be entitled to this allowance. This allowance will be paid at the time of compensation payment (but in any case, prior to displacement).

151. Owners of commercial enterprises who are required to relocate shall receive a *business displacement allowance* equivalent to 3 months wages (minimum wage) as established at the national or local level (whichever is higher). This allowance will be paid at the time of compensation payment. Titleholders, tenants in own accommodation, encroachers and squatters will be entitled to this allowance, to be paid at the time of compensation payment (but in any case, prior to displacement).

152. Households whose landholdings are no longer economically viable as a result of land losses e.g., less than 0.5 *ropani*¹⁶ in rural areas, or 2.5 *ana* in urban area, as defined in this

¹⁶ One *ropani* roughly equals 0.05 ha. *Ana* refers to one-sixteenth of a *ropani*.

resettlement plan, shall receive a *cultivation disruption allowance* equal to one season's production on the area lost. The amount payable shall be based on published district production figures, land type (i.e. irrigated and non-irrigated) and market prices for crops for the year in which the land is acquired. The allowance will be paid at the time of compensation payment.

153. Displaced households who have to build new accommodation and have to make transitional accommodation arrangement shall receive *rental stipend* as determined by the CDC for 6 months.

154. Displaced households of rented accommodation also shall receive, in addition to the housing displacement allowance, a *rental stipend* (allowance) equal to 30 days wage amount as established at the national or local level, whichever amount is higher; to be paid before relocation.

155. All displaced households shall be entitled to a *transportation allowance* or transportation assistance provided by the project to move their belongings including salvage materials. The amount to be paid would depend upon the quantity of materials and distance to be moved.

3. Additional Support to Vulnerable Persons

156. Apart from the provision of displacement allowances, the rehabilitation of APs from vulnerable groups in the vicinity of the Project area shall also be supported through the following measures:

- *Assessment* of current economic activities and potential for improvement of these activities, as well as alternative income-earning opportunities; and

157. APs from vulnerable groups will need special assistance in addition to compensation and resettlement assistance so as to restore their lives and livelihoods. Such special assistance will include the following:

- *Preferential access to project construction employment opportunities*
- *Skill training*: Among APs who are not qualified for employment at project sites, the Project shall encourage construction contractors to provide on-the-job training to selected APs in turn enabling them to earn a living from the Project. The need to train local people in required skills to work at project sites will be included in bidding documents and contracts.
- *Training/Counselling* on financial literacy and/or cash management and on saving schemes
- *Counselling* regarding project impacts, compensation alternatives and risks and resettlement options (where required);

158. The Project shall undertake consultations with contractors and local communities to establish mutually agreeable conditions for employment of the local population, especially the ones who belong to vulnerable groups. Person from vulnerable affected HH will be given preference to attend project sponsored vocation training program that would help them in obtaining employment and/or earning livelihood as far as possible. Efforts shall be made to link trainings with definite employment opportunities.

159. APs that undergo training as rehabilitation assistance shall be supported by the Project. The project will facilitate the assessment and, where feasible, establishment of *small-scale income-generating schemes* for APs from households incurring significant impact in the Project.

Similarly, the Project would investigate the potential for co-ordination with existing *to national poverty alleviation and credit programs* in order to provide access to the same.

160. APs from vulnerable groups shall have access to *agricultural extension services* to increase production on their remaining agricultural and other land. The Department of Agriculture and Forest and Soil Conservation shall be requested to assist APs of the Project. Any costs incurred in the same shall be borne by the project.

4. General information dissemination and counselling

161. General information and counselling will be provided to all APs within the project areas to inform them regarding project impacts, construction schedules and acquisition dates, valuation, compensation and grievance resolution mechanisms, construction employment procedures and local development initiatives.

C. Other Unanticipated Impacts

162. Unforeseen impacts will be documented and mitigated based on the principles agreed upon in the resettlement framework. The EA will deal with any unanticipated adverse impacts arising from Project intervention or associated activity during or after project implementation. The affected individual or households will be entitled for receiving compensation and/or assistance for such unforeseen adverse impacts.

D. Cut-off Date

163. The cut-off date for the Project benefits is end of June 2012. Those who encroached into the subproject area after the cut-off date will not be entitled to compensation or any other assistance.

164. The entitlement matrix below (See Table 6.1) summarizes the main types of losses and corresponding entitlements, which reflect the Nepal laws and regulations, safeguard policies of ADB and JICA. The standard entitlements listed in the entitlement matrix have been maintained as per Resettlement Framework approved earlier. However, entitlements for leased land were not included in the Resettlement Framework. As a result, attempt has been made to enhance and further detail out the entitlements in this RIPP.

Table 6.1: ENTITLEMENT MATRIX

Type of Loss	Scope	Who is entitled	Entitlement	Responsible for the Delivery of the Entitlement	Comments
A. Loss of Land					
A.1. Loss of Agricultural Land					
Loss of cultivated wetland by land owners	Land acquired for a project-related activity	Person(s) with land ownership records	Cash compensation based on replacement cost. All fees, taxes and other charges as applicable under relevant laws and regulations	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made in full to the AP before taking possession of the land.
Loss of cultivated dry land by land owners	Land acquired for a project-related activity	Person(s) with land ownership records	Cash compensation based on replacement cost of the land. All fees, taxes and other charges as applicable under the relevant laws and regulations.	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made in full to the AP before taking possession of the land
Loss of cultivated common land	Land taken over for a project-related activity	Community or Village where the common land is located	Cash compensation based on replacement cost All fees, taxes and other charges as applicable under the relevant laws, incurred in the relocation and resource are to be borne by the project.	The EA and CDC to compensate VDC for the affected community common land.	Payment will be made in full to the AP before taking possession of the asset.
Loss of tenanted agricultural land (cultivated wetland, Dry land) by permanent tenants	Land for a project-related activity	Renter or sharecropper of the affected land	50 percent cash compensation to the share cropper/ tenants of the affected plots as per the prevailing laws (LA Act Clause 20). Other 50 percent to the landowner	The EA and CDC will compensate the tenants for loss of loss of tenancy.	Payment will be made in full to the AP before taking possession of the land.

Leasing of land by the landowners for project purposes.	Land leased for a period of seven years	Person(s) with land ownership records.	<p>NEA will sign a formal lease agreement with each titleholder affected. An annual leasing arrangement for an annual fix payment will also be agreed with each titleholder.</p> <p>The EA will fully restore the leased land to its original condition and return it to the leaseholder at the end of the leasing period.</p> <p>The EA will ensure that persons (other than the landowners) affected as a result of leasing of land for the Project are also compensated for loss of income incurred due to the leasing of land.</p>	The EA will compensate leasing of land.	Mutually agreed leasing rates will be paid by the EA to the lease annually. The first payment will be done before the land is taken over by the EA. All cost related to land leasing and restoration will be borne by the EA.
A.2. Loss of Residential Land					
Loss of residential land by landowners	Land acquired for a project-related activity	Person(s) with land ownership records	<p>Cash compensation based on replacement cost.</p> <p>All fees, taxes and other charges as applicable under the relevant laws and regulations.</p>	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made in full to the AP before taking possession of the land.
A.3. Loss of Commercial Land (which include shops and any business establishment)					
Loss of commercial land by landowners	Land acquired for a project-related activity	Person(s) with land ownership records	<p>Cash compensation based on replacement cost.</p> <p>All fees, taxes and other charges as applicable under the relevant laws and regulations.</p>	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made in full to the AP before taking possession of the land.
A.4. Temporary Impacts on Land					

Temporary impacts during construction such as damage to adjacent parcel of land due to movement of machinery and plant sites for contractors	Land acquired temporarily by the project contractors	Person(s) with land ownership records or those with other user rights; subject to verification Tenants Community	Contractor to negotiate a contract agreement on a rental rate with the owner or user of the land that will be temporarily acquired. Project and the contractor to ensure that persons other than the owner affected as a result of temporary acquisition are also compensated for loss of at least 3 months income. Land should be returned to the owner at the end of temporary acquisition period after fully restoring it to its original condition or improved as agreed with the AP.	Contractors to compensate for temporary acquisition of land.	Payment will be made in full to the AP by the contractor/the EA, before temporarily taking possession of the land.
B. Loss of Residential and Commercial Structures					
Loss of residential and commercial structures	Structures affected on the land either permanently acquired or temporarily acquired	Owners of the structures irrespective of ownership of land on which the structure stands	Cash compensation at replacement cost. AP shall be allowed to take salvaged material from the demolished structure at no costs. A transfer allowance for shifting household assets, in case self-relocation to cover cost of shifting at the rate of NR 35000 per household. In case of rebuilding/ rehabilitation of the structure, a disturbance allowance shall be provided to head of the affected HH at the rate of NRs. 500 per day for 180 days. Rental assistance for 180 days per house at the rate of NR 500 per day.	The EA and CDC to compensate the owner (preferably in joint account of husband and wife, if married and with the consent of the title holder)	Payment will be made, in full, to the AP before taking possession of the structure.
		Tenants/Renters/ Leaseholders of	Rental assistance equivalent to 180 days @ NR 500 per day per HH.		
				Assistance to make alternative	The EA. CDC and supervision

		residential/ commercial structure	Transfer allowance to cover cost of shifting (transport plus loading / unloading) paid at the rate of NR 35000 per households.	arrangements	consultant will ensure payment before physical displacement.
		Squatters/ informal dwellers (defined as a person who appears from no where and occupies vacant government land/structure for living space and/or livelihoods)	<p>Cash compensation for non-land assets at replacement cost.</p> <p>AP shall be allowed to take salvaged material from the demolished structure at no costs.</p> <p>A transfer allowance for shifting household assets, in case self-relocation to cover cost of shifting at the rate of NR 35000 per household.</p> <p>In case of rebuilding/ rehabilitation of the structure, a disturbance allowance of shall be provided to one member of the affected HH at the rate of NR 500 per day for 180 days.</p> <p>Rental assistance for 180 days per house at the rate of NR 500 per day.</p>	Restoration of residence and/or shop	The EA and CDC will ensure payment prior to physical displacement.
		Encroachers (defined as a person who has legal title holding to land but illegally extends his occupation onto the contiguous, vacant government land)	<p>Compensation for non-land assets at replacement cost only to the vulnerable households.</p> <p>Encroachers will be notified and given advance notice to remove their assets.</p> <p>Right to salvage material from demolished structure at no cost.</p>	The EA, CDC and supervision consultant	Encroachers who are vulnerable/ below poverty line are to be assisted on a case-by-case basis considering their household income and assets.

C. Loss of Income Generating Sources and Assets					
C.1. Loss of Agricultural Crops and Trees					
Loss of agricultural crops, fruits and timber trees	Land acquired for a project-related activity	Owner of crops or trees (including encroachers, squatters, Sharecroppers, and tenants	<p>Advance notice of 1 month to be provided to APs to harvest their crops.</p> <p>Cash compensation for loss of agricultural crops at current market value of mature crops (if destroyed) based on average production in last 2 years. The unit rates for the same will be determined based on wholesale market and in consultation with the Agriculture Department.</p> <p>Compensation for loss of fruit trees for average fruit production for 5 years to be computed at the current market value based on the whole sale market price. The final unit price will be determined based on wholesale price and in consultation with the Horticulture Department.</p> <p>Compensation for loss of timber trees at current market value of wood (timber or firewood, as the case may be). The unit price will be determined based on market wholesale price and in consultation with the forest department.</p>	Cash compensation for lost crops/trees as per rates from Agriculture Department	The EA and CDC will ensure that the payment of compensation is made prior to taking physical possession of the land.
Impact on commercial fishing	Downstream impacts, if any.	Loss of income earned by commercial fishing any small business activity which are even seasonal in nature	Compensation for annual loss of income based on average income for last 3 years.	Assistance/ Compensation for loss of income	The EA, CDC and Supervision Consultant will ensure payment is made.
C.2. Special Assistance for livelihood restoration					

Livelihood assistance and skill development training to the family having significant loss of property and income sources	Significantly Affected Families	Family significant losing land or source of income affected by the project. Absentee landlords will not be eligible for this provision	At least one-person from each affected household will be considered for income generating vocational training and skill improvement options as per their choice. As far as possible temporary employment will be provided to affected households in the project construction work by the project contractor. Preference will be given to affected people living below poverty line, vulnerable or lost their employment or income generation source due to project impacts.	Income restoration assistance.	The EA, CDC and Supervision consultant will ensure assistance is provided. This will be a long term but time bound activity.
Loss of businesses	Business adversely affected by the project	Owner of business	One –time lump sum grant: minimum three-month's income based on the nature of business and type of losses assessed on a case-to-case basis. One-time cash assistance equivalent to three months of average income based on the nature of businesses for re-establishing the business at an alternative premise. Shifting allowance (transport plus load un loading charges) will be paid to affected businessmen at the rate of NR 35000 per affected HH. The amount of deposit or advance payment paid by the business tenant to the landlord will be deducted from the payment of the landlord.	Short-term compensation for loss of income	The EA, CDC and Supervision Consultant will ensure payment is made prior to physical displacement.
				Removal or relocation assistance.	The EA, CDC and Supervision Consultant will ensure payment is made prior to physical displacement.
Loss of income of	Business	Non- mobile	One-time cash assistance: Minimum	Short- term	The EA, CDC and

small vendors	affected temporarily during project construction	business operators on footpaths to project sites	six months income based on the nature of business and type of losses determined on a case-to-case basis, by the CDC. Shifting allowance will be paid to the affected (if applicable), on actual cost basis.	compensation for loss of income.	Supervision Consultant will ensure payment is made prior to physical displacement.
Loss of income by agricultural labourers /wage earners identified during verification census survey	Work opportunities reduced	Agriculture labourers indirectly affected by land acquisition or displacement of employer	One-time financial assistance equivalent to 90 days of wage to be computed on the basis of local wage rates in the district for each category of labourers.	Short-term assistance/ compensation for loss of income.	The EA, CDC and Supervision Consultant will ensure payments are made immediately after economic displacement.
Loss of wages by employees	Income reduced due to dislocation	Wage earning employees indirectly affected by displacement of commercial structures	One-time financial assistance to hired employees equivalent to 90 days wages to be computed on the basis of local wage rates as determined by CDC. APs who are semi-skilled and unskilled labourers will be considered for a priority in employment opportunities in the Project's implementation work.	Short-term assistance/ compensation for loss of income.	The EA, CDC and Supervision Consultant will ensure payments are made prior to displacement.
D. ADDITIONAL SUPPORT TO VULNERABLE					
Additional assistance to vulnerable groups including <i>janajati</i> households	Household income affected as a result of project construction	Households categorized as vulnerable namely Women-headed households: disable or elderly person: ethnic/ occupational caste people: APs who live under	Cash assistance for 90 days at the local agriculture wage rate. Special assistance of Rs 10,000 to an affected vulnerable household for restoring livelihood. At least one-person from each affected household will be considered for income generating	Income restoration assistance.	The EA, CDC and Supervision Consultant will ensure timely payment The Supervision Consultant would organize this

		official poverty line	<p>vocational training and skill improvement options as per their choice.</p> <p>As far as possible temporary employment will be provided to affected households in the project construction work by the project contractor. Preference will be given to affected people living below poverty line, vulnerable or lost their employment or income generation source due to project impacts.</p>		<p>training.</p> <p>The Supervision Consultant shall be responsible for this facility.</p>
E. LOSS OF COMMON PROPERTY RESOURCES					
Loss of cultural and community structures/facilities	Common property resources such as monasteries, temples, ghat (cremation site) and community land and/or graveyards affected by the Project.	Affected community/ Institution responsible for the administration of the property	<p>Replacement or restoration of the affected community facilities (including temples, shrines, <i>ghat</i>, public water stand posts etc) in consultation with the affected community.</p> <p>Or cash compensation for restoring the affected cultural/community structures to the recognized institution/ patron/ custodian of the affected structure. Project Assistance to move the structure to a new location</p>	Replacement/ restoration of structure/facility	The EA, CDC and supervision consultant
Loss of structures or any asset which belongs to VDC or village community	Land on which property stands purchased or reclaimed for Project purpose	VDC or Village groups	<p>Cash compensation at replacement cost.</p> <p>VDC or village group will be allowed to take salvaged material from the demolished structure at no costs.</p> <p>Transfer allowance in case of self-relocation to cover cost of shifting on actual cost basis or at the rate of NR</p>	Restoration of the structure	The EA and CDC are responsible to pay prior to affecting the assets.

			35000 per village.		
F. OTHER UNANTICIPATED IMPACTS					
Unanticipated adverse impacts due to project intervention or associated activity.	The EA and project implementation authorities will deal with any unanticipated impact of the project, during and after project implementation, based on the spirit of the principles agreed upon in RF and this RIPP.				

VII. INCOME RESTORATION AND REHABILITATION

A. Livelihoods at Risk

165. The census indicates that water from the Seti River has not been used for irrigation in the project area. The census also does not indicate the presence of any households whose livelihood is primarily dependent upon fishing. But few villagers engage in recreational fishing. Migrant (floating) fisher-folk too do occasional fishing in the Madi River and in downstream areas of the Seti River as reported in the EIA. They will be considered for appropriate compensation after further assessments of their income losses are measured during project implementation. Since the social impact assessment and census survey brought forth that the key impact of the project would be on farmers, the majority of project-affected HHs are considered as farmer households who reported that the project would have an impact on their agricultural land as well as household income.

166. The main sources of income and livelihood affected by the Project are largely confined to income and earnings from agriculture. Impact on other sources of income such as those from trade and business is limited to a few households mainly in Wantang *khola* settlement. Apart from agriculture, the other main sources of income in the project area are business/trade, remittance, government job, wage labor and pension.

B. Income Restoration Strategies

167. Livelihood restoration programs aiming at preventing impoverishment, restoration of incomes and livelihoods and rebuilding of viable communities are of two types: land-based programs, and non-land based programs. The land-based programs provide land to regain and build farms and small agro-based businesses. The non-land based strategies include activities such as employment, occupational training, direct credit, small business and enterprise development for job creation.

168. The provision of replacement land for APs is not possible in case of this Project due to the non-availability of land for sale or government land in the area. As a result, land based resettlement programs will not be undertaken as part of this Project. However, support to farmers to improve land productivity on their remaining land will be one of the strategies that will be employed to assist those who lose small portion of their cultivated land to the Project.

169. Nonetheless, for majority of the affected population the income restoration strategies will be non-land based including compensation and rehabilitation assistances in the form of skill training, preference for APs in project related employment (in the construction works), direct credit for small businesses and self employment, assistances in finding openings in government and private enterprises, support to income generating activities and others.

1. Livelihood Restoration Plan

170. The livelihood restoration plan has been described under two sub-headings:

Grant for Vulnerable Households

171. The households losing their residential and/or business houses and farmers who lose significant proportion of their agricultural land and household income will be entitled to receive special attention and services to restore their pre-project livelihood

and income levels. The Project will separately coordinate these activities under the Community Development Strategy (CDS) through THL in its affected project area. Income restoration assistance will be provided to 200 severely affected HHs. Of these households, 150 HH (75%) are IP households.

172. The vulnerable HHs will be entitled to the following assistance to restore their livelihood:

- Training on financial management and life skills, enabling vulnerable HHs to make future investments that are financially sound, responsible and sustainable for the long term.
- Special assistance of Rs 10,000 to each affected vulnerable household to restore livelihood.
- Vocational training and enterprise development support.
- Temporary employment at project construction sites will be provided on priority basis by project contractors to the APs, with special attention to APs living below the poverty line as far as possible.

173. The vulnerable HHs will also be considered to receive new skills, financial literacy, assistance to establish small-scale income generating activities and micro-credit funds. Their support from development programs will separately undertaken as part of CDS attached to the Project.

Employment Restoration

174. APs and households losing their jobs due to the Project will be assisted in restoring their businesses and other income sources. As part of livelihood restoration, those losing their employment will preferably be considered for skill training, which would help them to get employment at project work sites. They may also be supported by micro-credit to be facilitated CDS. The cost of this assistance is included as "other costs" in the RIPP budget since CDS separately plans to be undertaken by THL.

2. Job Creation Plan

175. One person from each vulnerable household will receive priority at project-related construction works, based on their capability, skills and qualifications. Specific skill training for them may be provided through CDS.

176. The Project shall undertake consultations with contractors and local communities to establish mutually agreeable conditions for employment. Bidding documents and contract specifications shall include preference for hiring vulnerable groups, and APs in general, in order of priority according to agreements reached during the consultations. In case jobs are available, the local community will also be welcome to apply, according to their capability and qualifications.

3. Business Restoration

177. The restoration of business incomes as in the case of Wantang khola in the reservoir area presents a special challenge. In order to restore income of the affected business enterprises in the area, the following two options will be followed by the EA: i) identification of alternative locations for businesses with similar locational advantages, and/or ii) assisting vendors to develop new income sources.

178. If any, the specific provisions shall be as follows:

- Households losing their business will be assisted to restore their business enterprises. They will be provided cash assistance for 90 days at local average wage rate equivalent to business lost.
- Special assistance of Rs 10,000 will be provided to an affected vulnerable household to restore its livelihood sources.
- Each affected vulnerable household will be consulted opportunities for income generating vocational training and skill improvement options as per their choice at NRs 8,000.
- APs who are semi-skilled and unskilled labourers will be considered with a priority in employment opportunities in the Project's implementation work.

C. Short-term and long-term Income Restoration Strategies

179. Income restoration programs require support and services for three to six years before they become viable and sustainable. Thus, the Project will implement both the short and long-term strategies for restoring APs' income. The short-term strategies shall focus on immediate assistance and will include the following (as provided in the Entitlement Matrix):

- Compensation for land and structures paid in full before relocation
- Financial and life skills training
- Relocation subsistence allowances
- Transportation assistance or cost of removal of materials
- Subsidized inputs for agriculture for the first few years
- Improvement/Restoration of land under leaseholds and handing over the same to titleholders
- Temporary employment in construction activities, and
- Special assistance to the vulnerable APs.

180. The long-term income restoration strategies, on the other hand, will aim at providing sustained sources of income. The long-term income restoration program will be continued beyond RIPP implementation period as part of CDS. The project-sponsored programs such as employment, micro credit facilitation, and establishing linkages to district level assistance (education, health, etc.) programs, will be the main long-term strategies of the Project.

181. Restoration of leased in land for the Project should be handed back to owners after completely developing the land. The lease agreement will clearly state that land taken on lease will be restored to its original status. The EA will bear the entire cost for restoration of the land. The timeline and process will be discussed and agreed with affected households.

VIII. RESETTLEMENT BUDGET AND FINANCING PLAN

182. The cost of compensation and resettlement of the Project is **NRs 2,553,603,572 or US\$30,017,675**. This includes both direct and indirect costs. The compensation and resettlement cost is calculated under several headings. Before discussing the budget heads, a brief note on methodology of cost estimate for acquired and affected land is given below:

A. Methodology for Cost Estimation of Affected Land

183. The cost estimate of land acquisition for project components is based on the consideration of three things:

- The per unit cost quoted by APs during the census and focus group discussions
- Latest land transactions value in the affected areas, and
- Statutory rate of land transaction provided by the Land Revenue Office at Damauli City.

184. Each of these criteria has its own limitations. The unit costs quoted by the APs are considered as high, given the current status of land valuation. However, this needs consideration since they are the ones who will be losing their land involuntarily and the principle of paying replacement cost of loss property/assets.

185. The most recent transaction rates are the most reliable basis for the estimation of land value. However, the number of land transactions is few in the area and are not representative of scattered project sites.

186. The District Land Revenue Office annually update land values in VDCs and municipalities of each district. A Committee is set-up for this purpose. Headed by Chief District Officer (CDO), the members of this committee include Land Revenue Officer and District Development Committee representatives. This committee decides the threshold cost for land transaction, and based on this valuation, the land transaction levy is collected by the Land Revenue Office. In practice, this valuation is considered very low because there is a tendency among landowners to undervalue their land to avoid higher taxes.

187. As the common unit of land transaction is *ana* (equals to 31.796 square meters) in the project area. The land costs are mainly calculated using this unit.

188. In case of access roads, difference between rural-urban locations has been taken into account while estimating the land value. During focus group discussions in Beni Patan, APs stated their expectation to receive NRs. 1,000,000 per *ana* although the official value for an *ana* in an urban area was NRs 25,000. The average between the two is NRs. 513,000. With 10% adjustment, the average is about NRs. 565,000. Thus cost estimate per *ana* of land (average): Campsite NRs 300,000, Access road (urban) NRs 565,000 and Access road (rural) NRs. 300,000.

B. Direct Cost

1. Compensation for land

189. The estimated cost of land acquisition is calculated based on the current negotiated replacement value. Table 8.1 provides the estimated cost for land acquisition for the Project. The total land required for the Project is 112 ha. Out of which only 93 ha will be acquired, and the remaining 19 ha for the spoil disposal site is expected to be obtained on a 7-year lease until it is returned to the owner. Both the sites identified for spoil disposal comprise of low-lying areas, which get frequently flooded and have limited productivity value. The land owners have suggested to EA to temporarily acquire their land on lease, pay for annual crop losses, and to restore the land. The EA has agreed to this proposition and will sign a lease agreement with each landowner before taking possession of the land. In case of any change in this arrangement, the EA will consider acquiring the land for the spoil disposal site, and update the RIPP along with the R&R budget. The same will be shared with ADB and

JICA for their approval prior to taking possession of the land.

Table 8.1 Compensation for Land Acquisition

Project Component	Land Area to be acquired (ha)	Unit rate (NRs/per ha.) ¹⁷	Total cost in NRs.
Camp site at Jaruwa (PH) including access road to PH.	10	59,663,400	596,634,000
Camp site At Betini (Headwork)	2	80,641,659	161,283,319
Reservoir site	76	9,847,481	748,408,579
Access road to Headwork site (Left bank)	3	57,921,972	173,765,917
Temporary facilities (Hoksetar)	2	97,035,075	194,070,151
Total	93		1,717,761,966 US \$ 20,192,335

2. Compensation for Affected Houses and Other Structures

190. 90 residential assets belonging to 86 affected HHs would be affected by the Project. The total cost estimate for these structures is NRs.24,779,246 or **US\$ 291,281**. Apart from these, 111 other structures including toilet, kitchen, livestock sheds will also be affected by the Project. The estimated cost for compensating these structures is NRs. 2,793,277 or US\$ **32,835**. The total compensation for structure losses is NRs.27, 572,523 or **US \$ 324,116**. (See Table 8.2)

Table 8.2: Compensation for Structural losses

Project component	A total loss of 90 residential structures belonging to 86 affected HHs	Budget
		in NRs
Camp Site, Betini	10	1,505,600
Camp Site, Jaruwa	9	3,245,000
Access Road - LB	4	602,240
Access Road - RB	24	7,664,016
Reservoir Area	37	10,433,000
Temporary facility (Hokse)	6	1,329,390
Sub Total	90	24,779,246 US\$ 291,281
Other structures including toilet, kitchen, livestock sheds	111	2,793,277 US\$ 32,835
TOTAL		NRs.27, 572,523 US \$ 324,116

3. Compensation for Tree Losses

191. The owners of fruit trees, fodder trees and plantation are entitled to compensation for their losses. Based on the socio-economic survey, Table 8.3 provides estimates of compensation for tree losses.

Table 8.3: Compensation for the Loss of Fruit and Fodder Trees

Component	No. of Fruit Trees	Value	No. of Timber Trees	Value	Total no. of Trees	Total Value
Camp Site Jaruwa	268	536,000	577	1,731,000	845	2,267,000
Camp site Betani	450	675,000	460	851,317	910	1,526,317
Access Road (RB)	334	668,000	454	1,362,000	788	2,030,000
Reservoir Area	966	1,577,500	950	2,706,000	1916	4,283,500
Access Road (LB)	124	186,000	193	357,183	317	543,183
TOTAL	2142	3,642,500	2585	7,007,500	4776	10,650,000 US\$125,191

4. Registration fee

192. In order to restore the loss of farmland, if any affected household purchases farmland in another place within 1 year from the date of receiving compensation, the land registration fee for the purchased replacement land of equal amount or price, shall be paid by the Project. This option will be equally applicable in urban areas as well. A lumpsum amount for registration fee is estimated to be NRs. 3,435,523 US \$ **40,385** (0.2% of compensation cost for land).

C. Assistance for Livelihood Restoration (Rehabilitation Assistances)

1. Housing Displacement Allowance

193. For those who lose their residential structures, a housing displacement or disturbance allowance for 86 households at the rate of NRs. 500 per day for 180 days amounts to **NRs. 7,740,000 US \$ 90,984**.

2. Rental Assistance

194. Households who will build new houses are entitled for rental assistance at the rate of NRs. 500 per day for 180 days per household. As 86 households will be significantly affected necessitating shifting relocation, the rental assistance for these households amounts to **NRs. 7,740,000 US\$ 90,984**.

3. Cultivation Disruption Allowance

195. Cash compensation for agricultural crop losses is based on an average cultivation season's production level and market prices for crops. A lump sum of **NRs. 10,853,452 or US \$ 127,583** is estimated as cultivation disturbance allowance.

4. Transfer of Materials Allowance

196. Households losing their residential/commercial house and/or other structures are entitled for a transfer allowance for shifting household assets to a new place. Since all households have opted for self-relocation, a lumpsum of NRs 35,000 per displaced household has been allocated. The total transfer cost for asset transfer for 86 affected households amounts to **NRs. 3,010, 000 or US\$ 35,383**.

D. Special Assistance for Livelihood Restoration for Vulnerable HHs

- **Vulnerability assistance** for only vulnerable HHs equals to NRs. 9,000,000.
- **Skill development training and economic rehabilitation grant** for income generating activities (vocational training) NRs. 3,600,000.

- A provision of **other costs** as an additional cost has been included as 0.1% i.e. NRs 2,008,370 of the total direct costs. This can be used for financial literacy, seed money for income generating activities, special assistance to differentially able persons, women and/or elder headed households and for meeting the unforeseen need of vulnerable households during project implementation.

E. Common Property Resources

197. A lump sum rehabilitation cost of 9 *ghats* at the rate of NRs. 100,000 amounts to NRs. 900, 000. Likewise, the rehabilitation cost of 6 resting places (*thanti*) at lump sum NRs. 100,000 per *thanti* amounts to NRs. 600,000. Total is 1,500,000 or **US \$ 17,633**.

F. Suspension Bridges

198. The total budget for building seven new bridges, foot trails and motorable truss bridges will be NR 247,450,000 **US \$ 2,908,781**.

G. Lease amount for Spoil Disposal Site

199. The total budget for lease will be NRs. 119,734,033 or **US \$ 1,407,476**. This will be paid over 7 years or until the project construction activities are completed and land has been handed over to the original owners after land development/restoration.

H. Cost for Transmission line (*This cost is estimated on the preliminary engineering surveys and shall be revised based on detailed impact assessment and census survey*).

200. The total budget for Transmission line, which includes direct and indirect costs, is 185,533,000 or **US\$ 2,180,945**.

I. Cost for Rural electrification (*This cost is estimated on the preliminary engineering surveys and shall be revised based on detailed impact assessment and census survey*).

201. The total budget for Rural Electrification, which includes direct and indirect cost, is 96,550,000 or **US \$ 1,134,948**.

J. Summary R&R Cost

202. Table 8.4 provides a summary estimate of resettlement cost of the Project

Table 8.4: Resettlement & Rehabilitation Cost

S.No.	Description	Cost estimate	
		In NRs.	In US \$
A. Direct costs			
1	Compensation for Private Land (93 ha)	1,717,761,966	
2	Compensation for houses and other structures	27,572,523	
3	Privately owned trees and fodder trees	10,650,000	
4	Registration Fee (to be paid if affected HHs buy land of	3,435,523	

S.No.	Description	Cost estimate	
		In NRs.	In US \$
	equivalent value)		
5	Community Structures	1,500,000	
6	New suspension bridges	247,450,000	
7	Lease for spoil disposal site (19 hac for 7 years)	119,734,033	
SUB TOTAL (A)		2,128,104,045	25,015,917
B. Indirect Costs			
7	Assistance to Livelihood Restoration		
	Housing Displacement Allowance	7,740,000	
	Rental Assistance	7,740,000	
	Cultivation Disruption Allowance	10,853,452	
	Transfer of Materials Allowance	3,010, 000	
	Special Assistance for Janajati HH only (@ NRS.50000 per HH x 453 HHs)	22,650,000	To support only janajati affected HH to improve their socio economic status
	Total	51,993,452	611,184
8	Special Assistance for vulnerable HHs and Livelihood Restoration support		
	Cash assistance for Vulnerable HHs only	9,000,000	
	Vocational training and economic rehabilitation grant	3,600,000	
	Other costs for financial literacy, revolving fund etc (0.1% of direct cost)	2,008,370	
	Total	14,608,370	171,722
SUB TOTAL (B)		66,601,822	782,906
TOTAL OF A+B		2,194,705,867	25,798,823
C. Others			
9	<i>Implementation and Administrative Cost (2% of A+B)</i>	43,894,117	515,976
10	<i>Monitoring and Evaluation (external, internal) (1.5% of A+B)</i>	32,920,588	386,982
	TOTAL (1 to 10)	2,271,520,572	26,701,782
11	<i>Direct and Indirect cost for Transmission line</i>	185,533,000	2,180,945¹⁸

¹⁸ This cost is estimated on the preliminary engineering surveys and shall be revised based on detailed impact assessment and census survey.

S.No.	Description	Cost estimate	
		In NRs.	In US \$
12	<i>Direct and Indirect cost for Rural Electrification</i>	96,550,000	1,134,948¹⁹
	GRAND TOTAL (1 to 12)	2,553,603,572	30,017,675

IX. INSTITUTIONAL ARRANGEMENT

A. Organizational Framework

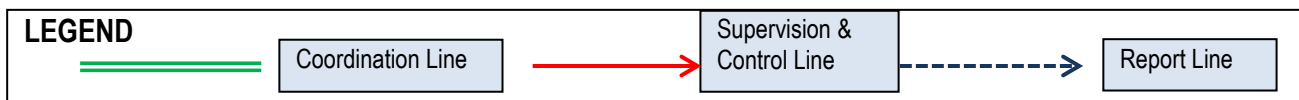
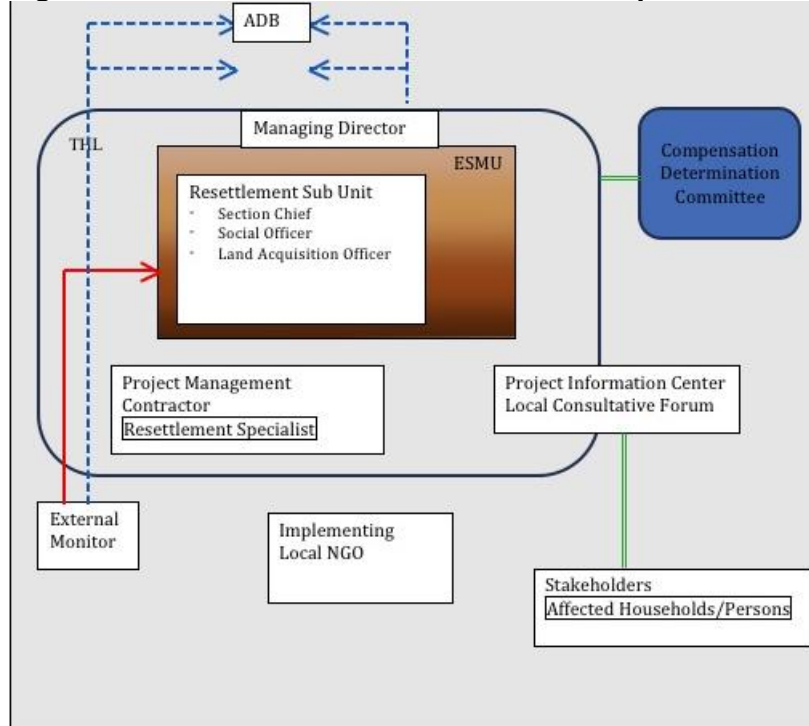
203. NEA has established THL as a special purpose vehicle. Both will be the EA for the Project. THL is in charge of the Tanahu hydropower plant while NEA will be responsible for transmission and rural electrification components. The THL has a dedicated Environment and Social Safeguard Management Unit (ESMU) to handle social and environment safeguard issues, NEA has the Environmental and Social Study Department (ESSD). The ESMU/ESSD will have a Resettlement and Rehabilitation Officer, supported by a Resettlement Coordinator and an Environment Officer to handle all environmental and social issues for the Project. The ESMU/ESSD will be supported and work closely with the Land Acquisition Officer. The ESMU will be supported by the supervision consultants/NGOs to be recruited.

204. As per the national legal provision, the Compensation Determination Committee will be an integral part of RIPP implementation. Local Consultative Forum (LCF) at each of the affected VDCs will facilitate the resettlement implementation at the village level. Involvement of local NGOs, CBOs and civil societies has been considered seriously and their support sought for community consensus valuation. A Consulting firm/ national level NGO of repute and experience in RIPP implementation would be hired by the ESMU to implement the CDS.

205. The ESMU/ESSD will coordinate with government departments to ensure effective land acquisition, compensation and implementation of rehabilitation activities. The institutional arrangement for THL is enumerated in the Figure 4 below:

¹⁹ This cost is estimated on the preliminary engineering surveys and shall be revised based on detailed impact assessment and census survey.

Figure 4: Institutional Framework for RIPP Implementation



206. The ESMU will also be supported by supervision consultants to deal with social and environmental safeguard issues of the project and ensure that all safeguard plans are diligently implemented.

B. Grievance Redress Mechanism

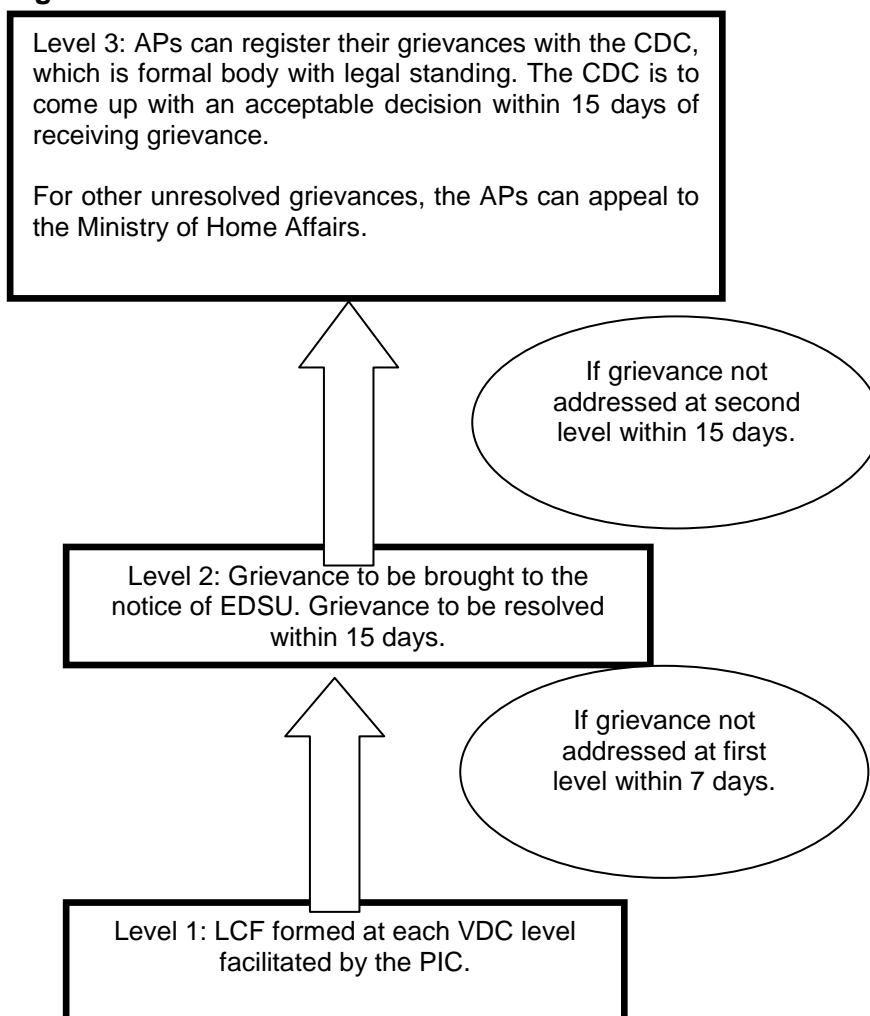
207. Grievance redress mechanism will be established to allow project APs to appeal against any decisions regarding compensation for land and other assets. The APs will be made fully aware of their rights and the procedures by the PICs and the NGOs that would be hired for implementing the RIPP. There is a possibility of two types of grievances: grievances related to land acquisition and resettlement requirements, and grievances related to compensation or entitlement. The APs will have access to both locally constructed grievances redress committees i.e. LCF, CDC, and the Ministry, and formal courts of appeal system. Under the latter system, every AP can appeal to the court if they feel that they are not compensated or entitlements are not provided for appropriately. They may appeal to appellate court within 35 days of the public notice given to them.

208. A grievance recording register will be maintained at ESMU. Project's APs as well as local people can lodge their complaints related to compensation, entitlement and construction related activities. Special project grievance mechanisms such as on site provision of complaint hearings allows APs and their communities to interface and get fair treatment on time. The EA will ensure that funds are delivered on time to CDC and the implementing partners for timely preparation and implementation of social activities, as applicable. The compensation issues and rehabilitation measures will be completed before commencement of civil work. Civil works contracts will not be awarded unless required compensation payment has been completed.

209. APs and community will be exempted from all administrative fees incurred, pursuant to the grievance redressal procedures except for cases filed in court.

210. Proposed mechanism for grievance resolution will be as shown in Figure 5 below followed by the description of the same:

Figure 5: Grievance Redressal Mechanism



Stage I: First Level of Grievance Redressal

211. LCF will be constituted at the VDC level and facilitated by PIC, which will be the first level of intervention to address grievances and complaints. Many grievances can be resolved by providing correct and complete information. Complaints of APs and community on any aspect of compensation, relocation, or unaddressed losses of private and community property shall in first instance be settled verbally or in written form in the field at PIC level. PICs will be based in appropriate project site/ location of the district to provide easy access to the people. The complaint can be discussed in an informal meeting.

212. The LCF to be established in each affected VDC will handle initial grievances of the project affected people and community and PICs will work closely with them. LCF will be led by VDC Chair or a locally respected person with other members being the VDC representatives and AP representative and will be inclusive in nature i.e., with adequate representatives of female, *Dalits*, *Janajatis* etc. The PICs will

coordinate the meetings with LCF and come up with amicable solutions acceptable to all parties. The LCF will play key roles in public consultations, grievance handling/ managing at local level, participate proactively in planning and implementation process and key decision making matters that contribute to better outcomes and performances, especially in RIPP implementation.

213. The PICs have its full-time staff representing the EA to listen and provide information to APs and resolve their issues. The officers at PIC may seek the assistance of the supervision consultant (safeguards specialist) to help resolve the issue. The PIC will keep: (i) name of the person (s), (ii) date complaint was received, (iii) nature of complaint, (iv) location, and (v) how the complaint was resolved. These reports will be submitted to the EA and to ESMU (for THL)/ESSD (for NEA) on a monthly basis. Any complaints at this level will be addressed within 7 days of formal lodging.

Stage II: Second Level of Grievance Redressal

214. If the issue is not addressed within 7 days of written application to the satisfaction of APs. They can file formal type-written complain to ESMU/ESSD, who will be responsible to be in close contact with all APs and public and hear record and formally file their complaints in the registers on a regular basis. ESMU/ESSD will carry out necessary inquiry and verification regarding redressal of the issue within 7 days of complains registered.

215. While lodging the complaint, the APs and community must produce documents to support their claim. ESMU can seek assistance from the supervision consultant (safeguards specialist) to carry out field observation and consultation at the field level. If the issue is still not resolved to the satisfaction of both the parties, the issue will be discussed in LCFs. The person filing the grievance will be notified that his/her grievance has been forwarded to ESMU/ESSD. Grievances will be resolved through consultation and interaction with APs.

216. The issue thus brought to ESMU/ESSD will be resolved within 15 days from the date of the complaint received. ESMU/ESSD will have necessary consultation on redressing the complaints.

Stage III: Third Level of Grievance Redressal

217. If no amicable solution is reached or no response received from the project office, the APs or community can appeal to the CDC which will also function as GRC, particularly if the issue is related with loss of private assets and compensation. As a formal body with legal standing, all other relevant complaints/ grievances not resolved at earlier stages, may also be registered with CDC for timely resolution. While lodging the complaint, the APs and their community must produce documents to support their claim. The CDC will come up with acceptable decision within 15 days of registering the appeal. For other unresolved social and environmental issues, APs or their community can appeal to Ministry of Home Affairs.

C. Institutions and Organizations

218. Apart from the EA, relevant institutions and committees involved in the resettlement implementation process will have the following provision and responsibilities.

1. Compensation Determination Committee (CDC)

219. The Land Acquisition Act 2034 (1977) has a provision of CDC to negotiate the price and facilitate land acquisition and rehabilitation process of the project. The composition of CDC as per LAA 2034 and the NEA Project policy will consist of:

- Chief District Officer
- Chief/Land Revenue Officer
- Representative from DDC
- Project Chief or Representative from the EA
- Special invitee
- Representative from Respective VDC/Municipality
- Representative from APs

220. The Entitlement Matrix and the land acquisition process discussed in the earlier chapters have also noted the provision and responsibilities of the Committee. The ESMU works as Secretariat of the Compensation Determination Committee. However, if the land and other assets could be acquired through negotiation with the owners, this provision should get the priority for which the Project itself can negotiate the acquisition. In both the situations, ESMU/ESSD has to play important role in order to come up with acceptable conditions and costs for lost land and assets with APs.

2. The Local Consultative Forum

221. Depending upon the extent of the task and in order to facilitate the resettlement implementation, LCF may be organized appropriately. In provisions of groups such as these the practices vary by Projects. For example, the Kali Gandaki “A” Hydroelectric Project used the term Village Advisory Committee (VAC). The responsibilities assigned to LCF and VAC are almost identical. LCF can consist of:

- VDC Chair,
- Ward Chair/s of affected wards,
- Two representatives of project-affected families (one male and one female),
- Representative from local government institutions (High School, Health Post, Agriculture, Forest),
- Representatives of the EA, and,
- Local knowledgeable person(s) or social worker(s) if any.

222. The VDC Chairperson presides the meetings of tLCF. The EA representative attends the meeting and keeps minutes. This is largely an advisory body. LCF will function as liaison between the Project and APs. Its establishment at the VDC level is to effectively address the social issues associated with the Project. The objectives of this participation program will be to (i) ensure ongoing dissemination of project information reaches to the affected households and/or population, and ii) to involve affected communities and local government structures in social impact management, grievance resolution and monitoring thereby promoting collective organization and decision-making.

223. LCF will also assist affected households with reinvestment of their compensation in other productive assets in the vicinity through identification of suitable privately owned replacement land and help rebuild their livelihoods.

a. Coordination and Interaction with Government Agencies at Local Level

224. ESMU/ESSD will develop a program of interaction with government departments to ensure effective land acquisition, compensation and implementation of rehabilitation activities. During implementation, ESMU/ESSD will work closely with local level institutions of the following Ministries and the local government and/or NGOs.

- Ministry of Home Affairs (Office of Chief District Officer): to implement resettlement and rehabilitation activities of the project;
- Ministry of Land Reform and Management (District Land Revenue Office): to verify parcels, facilitate land acquisition, transfer land entitlement as well as for valuation of land parcels
- Ministry of Local Development
- Ministry of Forest, Department of Forest & Soil Conservation: to facilitate with community forest related issues
- Ministry of Agriculture: to develop and implement agriculture based livelihood restoration programs and trainings
- District Development Committee: to facilitate land acquisition process and address the grievance of affected population and the community
- Village Development Committee: to facilitate rehabilitation process and resolve grievance redressal at the local level
- Local Consultative Forum: to facilitate information dissemination and support the affected households in their relocation, compensation receipt and rehabilitation process

225. Local community and villages will be apprised of the detailed resettlement activities and procedures through consultation.

226. Land acquisition process has already been discussed in detail in earlier chapters. ESMU/ESSD will manage acquisition of land and house, asset valuation and verification, implementation of compensation and rehabilitation grant (house rent, transportation and dislocation allowances) and coordination of the work with district and central level agencies. The EA will be responsible for the overall coordination, implementation and internal monitoring of project activities.

b. Capacity Building

227. The staffs of ESMU/ESSD will be trained on the resettlement policies, principles and entitlement issues.

c. Implementation Schedule

The implementation schedule for the project is enumerated in Table 9.1 below.

Table 9.1: Implementation Schedule														
Project Component & Activities	YEAR 2012		YEAR 2013				YEAR 2014				YEAR 2015 and onwards			
	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
	3	4	1	2	3	4	1	2	3	4	1	2	3	4
A. Project Preparation Phase														
Finalization of subproject design and RIPP disclosure														
Appointment of NGO/agency & Establishment of grievance redressal mechanism														
Updating of AP list based on final detailed design														
Submission of RIPP based on final detailed design														
Review and approval of RIPP														
Information Campaign & Community Consultation														
B. LA Activity & RIPP implementation														
Land Acquisition														
Payment of compensation for Land & structures														
Payment of all other eligible assistance														
Livelihood Restoration Plan														
C. Monitoring and Evaluation														
Internal Monitoring														
External Monitoring (intermittent)														

X. MONITORING AND REPORTING

228. Resettlement monitoring refers to the collection, analysis, reporting and use of information about the progress of resettlement, based on the RIPP. Monitoring focuses on physical and financial targets and the delivery of entitlements to APs. Monitoring is usually conducted internally by the EA, sometimes with assistance from external monitoring specialist/agency. Reports are usually passed on to the funding

agencies including ADB and JICA. The EA is responsible for organizing and resourcing monitoring and reporting of project activities.

A. Internal Monitoring

229. Monitoring is a major part of the resettlement management system to ensure its goals are adequately met. Resettlement plan implementation will be monitored internally. The safeguards staff within the ESMU will monitor RIPP implementation. The Resettlement Officer of ESMU will prepare quarterly progress reports and submit them to the EA management. These reports will describe the progress of the implementation of resettlement activities and compliance issues, if any, and corrective actions taken to address them. These reports will closely follow the involuntary resettlement monitoring indicators agreed at the time of resettlement plan approval. The EA/IA will prepare quarterly monitoring reports and submit to the funding agencies. The sample format for monitoring has been attached as **Annex IV**.

B. External Monitoring

230. The EA will retain independent, qualified and experienced external experts to verify its monitoring information.²⁰ An external professional/individual/researcher or consulting agency, university department or development NGOs may be recruited, who will carry out independent bi-annual review of resettlement implementation as well as post subproject evaluation. Two monitoring surveys (biannually) of a sample of displaced households will be assessed by an independent panel of experts. The broad objective of this monitoring will be to assess the timeliness and progress of the implementation of the RIPP, measure the extent to which household subsistence agricultural production levels and standard of living have been restored or improved.

231. The main objectives of an external monitor is to review implementation and assess the achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the affected people, the effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning.

1. Methodology and Indicators

232. The methodology for external monitoring includes verification of internal reports, interviews with a sample of affected households, household survey of 10-15% APs from specific target groups at various locations and participation in public consultations or meetings as part of ongoing consultative process.

233. The indicators for external monitoring can be grouped into various categories as follows:

- Implementation of RIPP activities as planned
- Basic information on APs
- Living standards
- Restoration of livelihoods
- Levels of satisfaction
- Effectiveness of resettlement planning

²⁰Experts not involved in day-to-day project implementation or supervision.

- Other impacts

Restoration of living standard

234. Some of the indicators for this category include:

- Payment of compensation included depreciation or free of depreciation cost for housing and other structures
- Adjustment/adaption status after loss of assets
- Community perception restored as prior status
- Achievement of social and cultural elements by APs

Livelihood restoration

235. Some of the indicators for monitoring include as follows:

- Adequacy and sufficiency of compensation to replace lost assets
- Availability and purchase of sufficient replacement land
- Transfer and relocation payment status
- Restoration/Improvement of leased land to its original state
- Reestablishment status of business and enterprises through provided allowances
- Provision of sufficient assistances to re-establish enterprises and businesses
- Provision of income earning opportunities to APs and vulnerable/disadvantaged communities and their effectiveness
- Restoration of income and living standards at pre-project status through job provision of the project

Satisfaction of APs

236. Some of the monitoring indicators include:

- AP's knowledge about resettlement procedure and entitlement of the Project
- Knowledge of their own entitlement among APs
- View about it their entitlements were met
- Their own view on restoration of their livelihood and living standards
- Knowledge about grievance procedure and its effectiveness

Effectiveness of Resettlement Planning

237. Some of the indicators include:

- Accuracy of enumeration and assessment of APs and their losses
- Assistance on land speculations
- Sufficiency of budget and time-frame to meet resettlement objectives
- Generosity of entitlements
- Proper identification and assistance to vulnerable/disadvantaged groups
- Dealing with unforeseen and unavoidable problems

Other Impacts

238. Some of the indicators can be summarized as:

- Presence of unintended environmental and social impacts due resettlement
- Unintended impacts on employment and income
- Unintended impacts on social and economic life of the community

- Any other impacts at project sites and to host community sites

239. The external monitoring and evaluation begin as soon as land acquisition and compensation payment begins and continue throughout the implementation of the project. The independent monitoring agency/monitoring agency will submit annual report directly to ADB and JICA with a copy to EA to determine whether or not resettlement goals have been achieved. The external monitoring agency will also carry out a final ex-post evaluation to ensure that all resettlement activities have been completed.

a. Independent Panel

240. An independent expert panel will be appointed to review project performance on social and environment safeguards and dam safety aspects. The panel will also provide guidance to the ESMU. The panel will include Nepal specialists with expertise in resettlement and indigenous peoples' issues and development processes. The Panel will undertake biannual/annual evaluations of the resettlement and livelihood restoration programme. The panel will be responsible to closely monitor the performance of the project, review internal and external monitoring reports, analysing budgets and expenditure in relation to implementation plan, to undertake site visits and consultation with the affected population, with special attention to vulnerable groups, to verify the success of implementation; and advise on corrective measures.

Annex I: Vulnerability Status of APs

Vulnerability Status	In Numbers	In %
Dalit	19	3.13%
Dalit + Below Poverty Line	1	0.16%
Dalit+ Marginal Farmer	1	0.16%
Disabled	1	0.16%
Disabled+ Elderly	1	0.16%
Elderly	14	2.30%
Female headed household	8	1.32%
Female Headed Household + Dalit	1	0.16%
Female headed household + Indigenous People	48	7.89%
Female headed household + Indigenous People + Elderly	9	1.48%
Female Headed Household + Indigenous People + Elderly + Below Poverty Line	1	0.16%
Female headed household+ Disabled	1	0.16%
Female headed household+ Elderly	2	0.33%
Indigenous People	328	53.95%
Indigenous People + Disabled	9	1.48%
Indigenous People + Elderly	45	7.40%
Indigenous People + Female headed household + Disabled	1	0.16%
Indigenous People + Marginal Farmer + Below Poverty Line	2	0.33%
Indigenous People + Marginal Farmer	9	1.48%
Indigenous People + Marginal Farmer + Below Poverty Line + Elderly	1	0.16%
None	106	17.43%
Grand Total	608	100.00%

**Annex II: Equivalence Assessment of NEPAL Land Acquisition Act, ADB
Safeguard Policy Statement 2009 & JICA Safeguards Requirements**

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
Avoidance or minimization of involuntary resettlement impacts of projects	No clause in the Act.	Explore viable alternative project designs to avoid and/or minimize involuntary resettlement impacts.	Multiple alternative proposals must be examined to prevent or minimize adverse impacts and to choose a best project option in terms of environmental and social considerations.	Local laws are silent on this key international best practice	Multiple technical options must be examined to avoid or minimize involuntary resettlement and physical, or economic displacement and to choose a better project option while balancing environmental social and financial costs and benefits. This practice applies to the project
Social Impact Assessment (SIA) to identify the impacts, risks and views of potential project-affected persons and communities	The Act has no provision to conduct a social impact assessment in the proposed project areas	The borrower/client will conduct socioeconomic surveys and a census, with appropriate socioeconomic baseline data to identify all persons who will be displaced by the project and to assess the project's socioeconomic impacts on them. As part of the social	Appropriate consideration must be given to vulnerable social groups, such as women, children, the elderly, the poor, and ethnic minorities, all of whom are susceptible to environmen	No legal requirement to undertake SIA in the Nepal LAA, 2034.	Social impact assessment will be conducted as early as possible during project processing, and will specifically consider any impacts upon particularly poor and vulnerable

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
		impact assessment, the borrower will identify individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status.	tal and social impact and who may have little access to the decision making process within society.		Affected Persons and their needs.
Census survey to all identify affected persons	Land Acquisition Officer (LAO) shall be responsible to identify, survey and notify the concerned parties and other works related to acquisition	Census survey to cover all affected persons, and it will be updated, based on the final detailed design data of the project.	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey).	Under LAA 2034, inventory of all losses by entitlement status is required but no census survey is required. APs are identified using land records from District Land Revenue and Land Survey Office.	Undertake a census survey of all affected persons and update the same based on changes, if any, found in the project final design or components. The Census survey will be based on land ownership (as on date of census) and accordingly all land records will be updated.
Categorization of the project according to the	No legal requirement in the Act to categorize projects	Categories A, B, and C are awarded to projects based on the level of	Category A: project likely to have significant	Under the law, no categorization is done of project	Categorize impacts by "significance" and define the

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
significance of IR impacts	according to the significance of IR impacts except the Project has to be of “public interest”(sarvajanik hit)	the significance of potential IR impacts of a project.	adverse impact on the environment. A project with complicated impacts or unprecedented impacts which are difficult to assess is also classified as Category A.	impacts including IR impacts	volume of IR impacts – both direct and indirect – with particular attention to impacts on economic conditions and livelihoods of affected persons.
Preparation of a resettlement plan to address adverse IR impacts	No provision to formulate a RIPP except inventory of all kinds of losses by ownership status.	Prepare a resettlement plan elaborating on displaced persons’ entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework.	The borrower prepares a resettlement plan, and it will be reviewed and approved by JICA before loan approval.	The state laws do not require the preparation of a RIPP.	Prepare a resettlement plan to avoid or mitigate negative impacts of physical and economic displacement arising from the project. The resettlement plan will elaborate all APs’ entitlements, including that of host communities, squatters, customary users and encroachers by paying special attention to the needs of the poor

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
					and the vulnerable households and communities. The RP/RIPP will be submitted to ADB and JICA for review and approval prior to project approval.
Consult with affected persons	The Chief District Officer (CDO) publishes a public notification providing details of the affected property after receiving the report on the preliminary assessment on land requirements. However, the Act has no provisions for a process of formal consultation with APs.	Meaningful consultations with all affected persons, host communities, if any, and concerned non-government organizations. Inform all displaced persons of their entitlements and relocation options.	Consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.	Under national laws Information dissemination is limited to legal notification.	Consult project-affected persons, host communities, if any, and local non-governmental organizations, as appropriate. Provide them with opportunities to participate in planning of resettlement programs, especially in the process of developing procedures for determining eligibility for compensation benefits and developme

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
					nt assistance and for establishing appropriate and accessible grievance mechanisms. Pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.
Disclose involuntary resettlement information to project-affected	There is a provision for informing the stakeholder about the details of land (including	Disclose a draft resettlement plan before project appraisal. Also disclose	Sufficient consultations with stakeholders, such as local residents,	No requirements for formal disclosure.	Disclose the Resettlement Plans including documentation of the

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
persons	houses, sheds, structures, trees etc) to be acquired by government but explicit provision for the preparation or disclosure of involuntary resettlement planning information to project-affected persons is missing.	the final resettlement plan to the affected persons and other stakeholders. Project monitoring reports are also disclosed.	must be conducted and disclosure of information from an early stage. All safeguard documents to be disclosed to affected persons.		consultation processes in a form and language(s) accessible to key stakeholders, civil society, particularly affected groups and the general public in an accessible place. This applies to all documentation arising from negotiated settlement programs.
Land-based relocation strategies for displaced persons whose livelihoods are primarily land-based	Cash compensation is the norm for all acquired assets including landed property under LAA 2034. However, the Act also has a clause referring the possibility providing land for land compensation but only if, i) the affected person loses his/her total land, ii) there is non-titled (<i>ailani</i>) or government land available in the same	Land-based relocation strategies when affected livelihoods are land-based, where possible; or Cash compensation at replacement cost for land when the loss of land does not undermine livelihoods.	Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.	No such legal condition under the national law.	Land-based relocation is to be considered as the first option. Cash compensation will be the second option. In case first option cannot be implemented, the executing agency formally documents the reasons the same could not be implemented

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
	locality, and iii) the persons is interested in land for land compensation (clause 14).				d.
Compensation at replacement Cost for property acquired.	<p>Compensation for the acquired land / property to be determined by a Compensation Determination/Fixation committee (CDC) comprising of Chief District Officer, Land Revenue Officer, Project Manager, and representatives of the District Development Committee. This is the market value of the property as per rules and regulations.</p> <p>The compensation to be paid in cash and separate compensation rates could be</p>	Compensation at full replacement cost for all affected property. Market value for trees and crops.	Compensation must be based on the full replacement cost ²¹ as much as possible.	Land Acquisition Officer (LAO) is the competent authority to decide the compensation. However, the prevalent practice is to pay compensation based on negotiation and mutual agreement (which is formally documented).	Value of land/property is to be agreed with the owner of the property through a process of consultation and negotiation. The process will be documented and verified. The compensation for structures such as houses are determined on the current market value, based on latest basic

²¹Description of "replacement cost" is as follows.

Land	Agricultural Land	The pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.
	Land in Urban Areas	The pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
Structure	Houses and Other Structures	The market cost of the materials to build a replacement structure with an area and quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes.

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
	fixed for the partially affected land or completely affected land (Clause 13).				schedule rates.
All compensation is paid prior to actual displacement of affected households and the commencement of civil work	Acquisition of asset after notification and payment of compensation.	Pay compensation and provide other resettlement entitlements before physical or economic displacement of affected households.	Compensation and other kind of assistance must be provided prior to displacement.	Executing agency may acquire land by depositing money with the competent authority for compensation determination. There is no provision that such compensation will be paid to the project-affected persons prior to acquisition	No physical or economic displacement till full compensation is paid to all AP (except in case of legally disputed cases)
Provision of full compensation without any deduction	Government tax and loan will be deducted from compensation (LA Act 1977, Clause -21)	Full compensation is to be paid with no deductions unless land is provided in lieu of land acquired.	Full compensation to be paid with no deductions	Some deductions can be done as per the LAA.	No deduction to be done from cash compensation and all legal cost for acquisition to be borne by the executing agency. The value of salvaged materials or harvested from the acquired

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
					land will not be deducted from the compensation package.
Compensation to squatters and other non title holder (NTH) including tenants and land users	Legal ownership is the basis for land compensation. However, tenants registered with the Land Revenue Office are also recognized as eligible to receive a compensation package (Clause 20).	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	'Eligibility for Benefits' includes project-affected persons (PAP) who have formal legal rights to land (including customary and traditional land rights recognized under the laws), the PAPs who do not have formal legal rights to land at the time of census, but have a claim to such land or assets, and the PAPs who have no recognizable legal right to the land they are occupying.	Legal ownership is mandatory for compensation and assistance.	All project-affected persons are to be compensated as per the agreed entitlement matrix and assisted regardless of their legal title status.
Special assistance For vulnerable households	Vulnerable families will be compensated to meet at least the previous livelihood standards	Improve the standards of living of the displaced poor and other vulnerable groups,	Particular attention must be paid to the needs of the vulnerable	Both local law and safeguard policies confirm special assistance	Not applicable

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
	ds	including women, to at least national minimum standards.	groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.	to vulnerable groups.	
Transition Allowances	No legal provision in the LA Act	Transition allowance for physical displacement/transfer and loss of income during transition.	Provide support during the transition period (between displacement and livelihood restoration)	No provision under the local law..	Transition allowance to be paid to eligible APs as per the agreed entitlement matrix
Livelihood restoration	Principle of compensation for lost assets, but no undertaking to improve the living standards or livelihoods of project-affected persons.	Improve or at least restore the livelihoods of all displaced persons.	APs must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.	The national standards are silent on livelihood restoration	All APs having significant impact on livelihood will be entitled for special assistance for livelihood restoration.

International Best Practice	Nepal Land Acquisition Act Provisions	ADB SPS 2009 requirements	JICA Safeguards requirements	Gaps between Nepal laws, and ADB/JICA safeguard policy requirements	Gap filling measures for Harmonization
Grievance Redressal Mechanism	Any grievances regarding land and property acquisition could be reported to Home Ministry within 7 days of public notification to CDO. Home Ministry will decide on such grievances within 15 days. (Clause 11)	Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.	Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.	No gaps exist in this regard. Both national law and ADB and JICA policy provide for adequate and accessible grievance redressal mechanism.	N.A
Monitoring	No legal requirement in the Law for involuntary resettlement implementation monitoring.	In the projects with significant involuntary resettlement impacts, the borrower will retain qualified and experienced external experts. The borrower will prepare quarterly monitoring reports. All monitoring reports are to be disclosed.	Project proponents will monitor the implementation status and the effectiveness of the mitigation measures prepared in advance	The local law does not provide for any monitoring mechanism.	Project with significant impacts to have external monitor or else internal monitoring by executing agency. All monitoring reports are to be disclosed.



The Stakeholder Interchange at Damauli, 8th June 2011



Project Director, Upper Seti presenting at Stakeholder Interchange at Damauli, 8th June 2011



The Stakeholder Interchange at Bhimad Bazar, 9th June 2011



A Women Representative of the Affected Community Group raising a question at Bhimad Bazar



A representative of the Affected Community Group making a representation at Damauli

Annexure – 6 Signatures of Participants.

2061

June 8, 2011 (2068)

नेपाल विद्युत प्राधिकरण माचिल्लो सेती जलविद्युत
आयोजना, अन्तरक्रिया कार्यक्रम २०६८ जेठ २५ गते दमौली तहसीरा
अस्थित संघीय महानुभावहरूको उपस्थिति पुस्तिका:-

क्र.सं.	नामधर	कार्यालय संस्था वा ठेगाना	संपर्क नं.	साई
१.	सुदर प्रसाद पौडेल	जिल्ला प्रशासन	९६०९२२	
२.	राज बाबु पौडेल	जिल्ला वन कार्यालय	९८०९२५	
३.	विश्वराज कोइराला	केनल जं. गुल्मी	९६०९९६	
४.	रामचन्द्र तिवारी	कासु नगरपालिका	९३०२३३	
५.	सु. पौडेल	का. न. पा. १०	९८४६०६३०६	
६.	सु. पौडेल	का. न. पा. ११	९८४६०६३०६	
७.	का. न. पा. १२	का. न. पा. १२	९८४६०६३०६	
८.	का. न. पा. १३	का. न. पा. १३	९८४६०६३०६	
९.	का. न. पा. १४	का. न. पा. १४	९८४६०६३०६	
१०.	का. न. पा. १५	का. न. पा. १५	९८४६०६३०६	
११.	का. न. पा. १६	का. न. पा. १६	९८४६०६३०६	
१२.	का. न. पा. १७	का. न. पा. १७	९८४६०६३०६	
१३.	का. न. पा. १८	का. न. पा. १८	९८४६०६३०६	
१४.	का. न. पा. १९	का. न. पा. १९	९८४६०६३०६	
१५.	का. न. पा. २०	का. न. पा. २०	९८४६०६३०६	
१६.	का. न. पा. २१	का. न. पा. २१	९८४६०६३०६	
१७.	का. न. पा. २२	का. न. पा. २२	९८४६०६३०६	
१८.	का. न. पा. २३	का. न. पा. २३	९८४६०६३०६	
१९.	का. न. पा. २४	का. न. पा. २४	९८४६०६३०६	
२०.	का. न. पा. २५	का. न. पा. २५	९८४६०६३०६	
२१.	का. न. पा. २६	का. न. पा. २६	९८४६०६३०६	
२२.	का. न. पा. २७	का. न. पा. २७	९८४६०६३०६	
२३.	का. न. पा. २८	का. न. पा. २८	९८४६०६३०६	
२४.	का. न. पा. २९	का. न. पा. २९	९८४६०६३०६	
२५.	का. न. पा. ३०	का. न. पा. ३०	९८४६०६३०६	
२६.	का. न. पा. ३१	का. न. पा. ३१	९८४६०६३०६	

Participant's Signature: Damuli dated 8th June 2011

क्र.सं.	नामधर	कामोन्मथ संस्था वा होना	संपर्क नं.	सिद्ध
२८	ओम विष्णु अंत	मा. दे. व. प. मीती	९८४६०२८६७५	
२९	लक्ष्मण मल्ल	"	९८४६४७७९९	
३०	बबिन पांडे	जलजम्हा पटोका (मज्जा)	९८४६३३०५७५	
३१	हरिश्चंद्र कटारना	व्या. ३,	९८४६०९१०८८	
३२	मोहन कुमार विष्णु	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
३३	देवनाथ मल्ल	हिं. ६० नं. ३	९८४६०९१०८८	
३४	विष्णु वसन्थात	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
३५	शुभ वहा (अ. वि.)	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
३६	उपवाहि देवनाथ	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
३७	आशा देवी खत्री	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
३८	रमावित्री रिजाल	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
३९	मधुसूता शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४०	मिना धापा मण	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४१	गौशामा शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४२	धन माया गौरी	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४३	चमेली शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४४	बाल कुमारी शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४५	अर्जुन कुमार शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४६	पद्मवती शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४७	श्यामल पार्ष्णी	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४८	राजेश कुमार शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
४९	अर्जुन कुमार शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५०	कुश वहादुर शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५१	शुभ वहा (अ. वि.)	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५२	होमनाथ शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५३	धन माया शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५४	पद्मवती शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५५	मदन शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५६	मधुसूता शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५७	दयानिधि शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५८	मदन शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
५९	मधुसूता शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	
६०	दयानिधि शर्मा	नं. ३. वी. लो. वि. म. म. म.	९८४६०९१०८८	

Participant's Signature: Damuli dated 8th June 2011

क्र.सं.	नाम धर	कुमाल संस्था वा जगाना	संपर्क नं.	सदर
६०	उदय कृष्ण डाले	काठु शिवपुर		सदर
६१	कुमार बहादुर थापा	काठु शिवपुर		सदर
६२	इन्द्रबहादुर डाले	मनप्रकाश संस्था, रंगना, पल्लिलाल सरोवर, रंगना, रंगना	८८६००५३०	सदर
६३	रामचन्द्र पोखरेल	मनप्रकाश संस्था, रंगना, पल्लिलाल सरोवर, रंगना, रंगना	८८६००५३०	सदर
६४	पुष्पराज खनाल	मनप्रकाश संस्था, रंगना, पल्लिलाल सरोवर, रंगना, रंगना	८८६००५३०	सदर
६५	विष्णु कुमार श्रेष्ठ	सिद्ध जलधाम धा. १ नं. डोडापुर, रंगना	९८५६०६१३४	सदर
६६	राम राज मजिपते	जानकी मन्दिर, काठु शिवपुर	८८६००५३०	सदर
६७	कृष्णमणी उपाध्याय	पौडजी मज्जा, काठु शिवपुर	८८६००५३०	सदर
६८	मुवल सिंह थापा मगर	पौडजी मज्जा, काठु शिवपुर	८८६००५३०	सदर
६९	पुष्पराज खनाल	मनप्रकाश संस्था, रंगना, पल्लिलाल सरोवर, रंगना, रंगना	८८६००५३०	सदर
७०	मिम कुमार श्रेष्ठ	काठु शिवपुर	८८६००५३०	सदर
७१	मध्यामिका रानाभाट	काठु शिवपुर	८८६००५३०	सदर
७२	दिलभाषा	काठु शिवपुर	८८६००५३०	सदर
७३	पर्वती राना	काठु शिवपुर	८८६००५३०	सदर
७४	मनका मनी थापा	काठु शिवपुर	८८६००५३०	सदर
७५	सुधी थापा	काठु शिवपुर	८८६००५३०	सदर
७६	सुधी थापा	काठु शिवपुर	८८६००५३०	सदर
७७	पुष्पराज खनाल	मनप्रकाश संस्था, रंगना, पल्लिलाल सरोवर, रंगना, रंगना	८८६००५३०	सदर
७८	मनका मनी थापा	काठु शिवपुर	८८६००५३०	सदर
७९	मुवल सिंह थापा	काठु शिवपुर	८८६००५३०	सदर
८०	नेल अष्टाध थापा	काठु शिवपुर	८८६००५३०	सदर
८१	इन्द्रबहादुर डाले	काठु शिवपुर	८८६००५३०	सदर
८२	सुधी थापा	काठु शिवपुर	८८६००५३०	सदर
८३	सुधी थापा	काठु शिवपुर	८८६००५३०	सदर
८४	सुधी थापा	काठु शिवपुर	८८६००५३०	सदर
८५	सुधी थापा	काठु शिवपुर	८८६००५३०	सदर

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क्र.सं.	नाम धर	कार्यालय जंरुधा वा हजारा	संपर्क नं.	सहित
८७	निम वहाडा युन	व्याप्त ७		नम
८८	रुद्र वहाडा थापा	" ७		रुद्र
८९	राम वहाडा तामाङ	व्याप्त ८		राम
९०	हिरा ओझी	" २		हिरा
९१	गोबण कार्का	" २		गोबण
९२	रामकृष्ण शेर्पा	" ७		रामकृष्ण
९३	विष्णु लोहणी	" पोखरी गङ्गा		विष्णु
९४	सुरेश तामाङ	" "		सुरेश
९५	सुमन व्यापार	" "		सुमन
९६	गोमका आर्वा	" "		गोमका
९७	सुन वडा २१	" "		सुन
९८	रुद्र वडा १८	" "		रुद्र
९९	K.K. Wagle	दयाल		K.K.
१००	Rabi Shankar	Rabi		Rabi
१०१	S. Rimal	५ मील		S.
१०२	K.C. Bhatnagar	Damuli		K.C.
१०३	Lok Prasad Nepal	NEA		Lok
१०४	मानव श्रमिका	व्याप्त		मानव
१०५	श्रीप्रताप पन्ना	N.E. १२		श्रीप्रताप
१०६	पितामह श्रमिका	गोबण वडा		पितामह
१०७	रामनाथ सेन	गोबण वडा		रामनाथ
१०८	गोबण वडा थापा	कांतिपुर		गोबण
१०९	कृष्ण वडा थापा	" "		कृष्ण
११०	शिला थापा	कांतिपुर		शिला
१११	नारायण थापा	नारायण		नारायण

Participant's Signature: Damuli dated 8th June 2011

महापुष्पकुटी उपस्थिते पुस्तिका -

क्र.सं.	नामधर	कार्यालय संख्या वा ठेगाना	संकेत-नं.	सही
9	गीता प्रकाश आलम	जवाहरलाल नेहरू	9856030650	गीता
2	मीलाल बाबा	बाबा	9846065602	मीलाल
3	जिगत बाबा	बाबा	9846245435	जिगत
4	प्रकाश- 910 ले-	म. बाबा- 2	98461-53727	प्रकाश
5	मंगल 182 शांति	मंगल 9.	0 82 8923 25	मंगल
6	सुचक व बाबा	मिना 2	9746032491	सुचक
7	आम व बाबा	आम व बाबा 1	5208425229	आम
8	खेत्र व बाबा	- 1 - 1	9746006744	खेत्र
9	रामचंद्र गेह	रामचंद्र गेह		रामचंद्र गेह
10	विष्णु गेह	विष्णु गेह		विष्णु
11	सुखराज गेह	सुखराज गेह		सुखराज
12	गंगा गेह	गंगा गेह		गंगा
13	विष्णु गेह	विष्णु गेह		विष्णु
14	विष्णु गेह	विष्णु गेह		विष्णु
15	विष्णु गेह	विष्णु गेह		विष्णु
16	विष्णु गेह	विष्णु गेह		विष्णु
17	विष्णु गेह	विष्णु गेह		विष्णु
18	विष्णु गेह	विष्णु गेह		विष्णु
19	विष्णु गेह	विष्णु गेह		विष्णु
20	विष्णु गेह	विष्णु गेह		विष्णु
21	विष्णु गेह	विष्णु गेह		विष्णु
22	विष्णु गेह	विष्णु गेह		विष्णु
23	विष्णु गेह	विष्णु गेह		विष्णु
24	विष्णु गेह	विष्णु गेह		विष्णु
25	विष्णु गेह	विष्णु गेह		विष्णु
26	विष्णु गेह	विष्णु गेह		विष्णु
27	विष्णु गेह	विष्णु गेह		विष्णु
28	विष्णु गेह	विष्णु गेह		विष्णु
29	विष्णु गेह	विष्णु गेह		विष्णु
30	विष्णु गेह	विष्णु गेह		विष्णु
31	विष्णु गेह	विष्णु गेह		विष्णु

सं.	नामधर	सामान्य संस्था वा व्यक्ति	संपर्क नं.	सह
३२	पालकुमारी देवकोटा	रानीपोखरी ५ पाखा	९८५६१६११२३	
३३	चन्द्रावती शर्मा	गणेश्वर ६. मुगुनर	९८५६१५०१३१	
३४	बिदिता शर्मा	भीमद १ पाखा २२	९८५६०६७७३२	
३५	श्रीनारायण धामा	कोरदरवार - ६	९८५६०२५६०६	
३६	श्री शक्ति लाल शर्मा	धौगु. ८ धौगु पाछा		
३७	दवीराज शर्मा	रानीपोखरी - ५	९८५६०३०२३०	
३८	बालकृष्ण शर्मा	गामकोट ३ बुटुग	९८५६०९६६९९	
३९	हरिहर शर्मा	रानीपोखरी ५	९८५६०२५६०६	
४०	समसाथ शर्मा	रानीपोखरी ५ पाखा	९८५६०३०२३०	
४१	जगदीश कुमार शर्मा	कोरदरवार - २	९८५६०९६६०९	
४२	गुरुदत्त शर्मा	कोरदरवार (गामवि. शर्मा)	९८५६०६२२४२	
४३	स.स.स. देवनाथ शर्मा	डि. ड. का. शर्मा - ५	९८५६०२५६०६	
४४	शान्ति देव शर्मा	भीमद गामवि. ६	९८५६०९६६०९	
४५	वैकुण्ठनाथ शर्मा	बनोने तले		
४६	मूल बहादुर शर्मा	कोरदरवार गामवि. २	९८५६०६२७३७	
४७	बसन्त शर्मा	रानीपोखरी गामवि. २	९८५६०३३५९१	
४८	सन्त बहादुर शर्मा	भीमद गामवि. २	९८५६०२३६९५	
४९	वासुदेव शर्मा	रानी पोखरी ६	९८५६०१६९१५	
५०	शारदा शर्मा	गामकोट ५	९८५६०२५६०६	
५१	बाबु शर्मा	भीमद १	९८५६०२५६०६	
५२	मोक्षदीन शर्मा	भीमद - १	९८५६०२५६०६	
५३	शान्ति राज शर्मा	भीमद २	९८५६०२५६०६	
५४	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
५५	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
५६	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
५७	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
५८	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
५९	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
६०	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
६१	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
६२	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	
६३	श्रीमती शर्मा	भीमद १	९८५६०२५६०६	

Participant's Signature: Bhimad Bazaar dated 9th June 2011

क्र.सं.	नामधर	कार्यालय सेवा वा ठेगाना	संख्या	सही
६२	दीननाथ पराजुली	मिमाद - १	९८४६८८४४	
६३	कृष्ण राजा सुतेव	मिमाद - ४	९८०६६००४६४	मिमाद - ४
६४	देवेंद्र जोतम	माथकोट - ८	९८४६२८८८८८	माथकोट - ८
६५	लिथराज काले	हडा. (होमि)	९८४६०४६९०३	हडा. (होमि)
६६	वेश बहादुर सुनाइ	मिमाद कना - १	९८४६९४४०००	मिमाद कना - १
६७	कुमा नेपाली	मिमाद ४	९८०६६८८८८८	मिमाद ४
६८	चन्द्रकांत पार्वी	हडा. २ होमिगत	९८४६०४८८८८	हडा. २ होमिगत
६९	गोपेश प्रसाद	रालि फोली - ५ जोगेपुर	९८४६२८८८८८	रालि फोली - ५ जोगेपुर
७०	राजशरण शर्मा	अडाइस चौतारी	९८४६००८८८८	अडाइस चौतारी
७१	केशव व. खड्का	क्याम्पशेर	९८४६०२९८८८	क्याम्पशेर
७२	केशव राज लिम्बू	मिमाद ३		मिमाद ३
७३	धर्मराज खनाल	हडा. ८	९८४६१८८८८८	धर्मराज
७४	जगराज कटवाल	मिमाद - ६	९८४६०९८८८८	मिमाद - ६
७५	गोबुराम लिम्विना	माथकोट ८	९८४६२८८८८८	माथकोट ८
७६	कुर्मी प्रसाद पराजुली	मिमाद - ७	९८४६०४८८८८	मिमाद - ७
७७	महेश व. थापा	मिमाद - ३	९८४६०४८८८८	मिमाद - ३
७८	शिखर कुमार कोठारी	मिमाद १	९८४६०२०८८८	मिमाद १
७९	विमल प्रसाद	मिमाद - ५	९८४६०८८८८८	मिमाद - ५
८०	विमल प्रसाद	मिमाद - ५	९८४६०८८८८८	मिमाद - ५
८१	कृष्ण मिश्र	हडालि - २ मलपुर	९८४६०९८८८८	हडालि - २ मलपुर
८२	प्रदिप महर्जन	हडालि - २ काठमाडौं	९८४६०९८८८८	हडालि - २ काठमाडौं
८३	सुरेश सामा	काठमाडौं - मिमाद	९८४६०९८८८८	काठमाडौं - मिमाद
८४	वसु बस नेपाल	मिमाद	९८४६०२८८८८	मिमाद
८५	गोबुराम कचाल	मिमाद	९८४६०७०८८८	मिमाद
८६	नारायण व. थापा	माथकोट १०	९८४६०७०८८८	माथकोट १०
८७	सुनिल रिमाल	"	९८४६०७०८८८	"
८८	रविकुमार कुँवा	व्यास ७	९८४६०७०८८८	व्यास ७
८९	उमेश व. थापा	व्यास १	९८४६०७०८८८	व्यास १
९०	कृष्णचन्द्र भट्टराई	" ३	९८४६०७०८८८	" ३
९१	केशव व. थापा	व्यास १०	९८४६०७०८८८	व्यास १०
९२	राजनाथ सुवेदी	व्यास ४	९८४६०७०८८८	व्यास ४
९३	चन्द्र नाथ पाण्डे	व्यास १०	९८४६०७०८८८	व्यास १०

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क्र.सं.	नामधर	डामलघ संख्या वा होना	संपर्क नं.	महि
५४	हारिभाया पनाजली	भीमाद - २	८८४६०८०३८४	ह.भाया
५५	विष्णु प्रकाश भाग	रानीपोखरी - ३	८८४६११०२२७	विष्णु
५६	अर्जुन प्रकाश भाग	" "	८८४६०२४५०७	अर्जुन
५७	मधु सुवेदी	भीमाद - १	८८४६१३६७२०	मधु
५८	देव वहादुर आले	काँडे शिवपुर १	८८४६१८२७८८	देव वहादुर
५९	वीर कदम भाग	काँडे शिवपुर १	८८४६१८२७८८	वीर कदम
६०	भीमाद भाग	रानीपोखरी	८८४६०३८५३३	भीमाद

Participant's Signature: Bhimad Bazaar dated 9th June 2011

ANNEXURE III

Consultation Meetings with AP and other Stakeholders during the Resettlement Plan Preparation

Sr no	Project Component	Date	Location	VDCs/Wards/ Villages of the participants	Participants	Their issues and Concerns
	Camp Site	20/10/2011	Jaruwa	Kanhu Shivapur – 1 (Jaruwa)	38 (AP, youth, former representatives of the VDC, school teachers, NGOs)	Fair compensation at market price; employment to the local people; support to local level school, health and drinking water; skill training to the local people; income generating activities; non-title holder should be paid 50% of the compensation for their occupied land;
	Camp Site + Access Road	7/11/2011	Jhaputar	Kanhu Shivapur – 1 (Jaruwa, Banchare, Beltar, Jhaputar, Hoksetar)	43(AP, youth, former representatives of the VDC, school teachers, NGOs)	Fair compensation at market price; employment to the local people; support to local level school, health and drinking water; skill training to the local people; income generating activities; non-title holder should be paid 50% of the compensation for their occupied land; retaining wall to be made along Seti river (nearby

						Jhaputar)
	Access Road	8/11/2011	Beni Patan	Byas Municipality - 7 (Betini, Beni Patan)	49 (AP, youth, former representatives of the VDC, school teachers, NGOs)	Fair compensation at market price; employment to the local people; income generating activities; non-title holder should be paid 50% of the compensation for their occupied land; support to local level school, health and drinking water; skill training to the local people;
	Reservoir Area	6/01/2012	Jhakas Phulbari	Chhang – 4, 7 and 8	42(AP, youth, former representatives of the VDC, school teachers, NGOs)	Non-title holder should be paid 50% of the compensation for their occupied land; fair compensation at market price; employment to the local people; income generating activities; support to local level school, health and drinking water; skill training to the local people; relocate cremation site in an appropriate location;
	Reservoir Area	8/01/2012	Deep Joti School, Kharkhare	Rising Ranipokhari – 7, 8 and 9	40(AP, youth, former representatives of the VDC, school teachers,	Fair compensation at market price; employment to the local people; income generating

					NGOs)	activities; non-title holder should be paid 50% of the compensation for their occupied land; support to local level school, health and drinking water; skill training to the local people; black topped to be made from Bhimad to Rising Patan;
	Reservoir Area	10/01/2012	Wangtang Khola	Rising Ranipokhari – 9, Majhkot – 9, Sabung Bhagwatipur – 2, Bhimad - 1	33(AP, youth, former representatives of the VDC, school teachers, NGOs)	Non-title holder should be paid 50% of the compensation for their occupied land; fair compensation at market price; employment to the local people; income generating activities; support to local level school, health and drinking water; skill training to the local people; construct bridge between Majkot to Rising Ranipokhari
	Reservoir Area	11/01/2012	Tutuwa	Rising Ranipokhari – 9 and 7	32(AP, youth, former representatives of the VDC, school teachers, NGOs)	Construct bridge and all weather road; Non-title holder should be paid 50% of the compensation for their occupied land; fair compensation at market price; employment to the local people; income

						generating activities; support to local level school, health and drinking water; skill training to the local people
	Reservoir Area	18/02/2012	Lima Khola (Badahare)	Kot Durbar – 1, Kanhu Shivapur - 3	16(AP, youth, former representatives of the VDC, school teachers, NGOs)	Construct bridge and all weather road to Damauli; fair compensation at market price; employment to the local people; income generating activities; non-title holder should be paid 50% of the compensation for their occupied land; support to local level school, health and drinking water; skill training to the local people; relocate cremation site in an appropriate location;
	Reservoir Area	19/02/2012	Kilchowk	Jamune Bhangyang – 4, 5 and 6	25(AP, youth, former representatives of the VDC, school teachers, NGOs)	Construct bridge and all weather road to Damauli; fair compensation at market price; employment to the local people; income generating activities; non-title holder should be paid 50% of the compensation for their occupied land; support to local level school, health and drinking water; skill training to

						the local people; relocate cremation site in an appropriate location;
	Reservoir Area	22/02/2012	Korlang Khola (Korlang Gaun)	Kot Durbar - 7	24(AP, youth, former representatives of the VDC, school teachers, NGOs)	Construct bridge and all weather road to Damauli; fair compensation at market price; employment to the local people; income generating activities; non-title holder should be paid 50% of the compensation for their occupied land; support to local level school, health and drinking water; skill training to the local people; relocate cremation site in an appropriate location;
	Reservoir Area	21/02/2012	Lima Khola (Seti Bridge)	Kanhu Shivapur - 1	26(AP, youth, former representatives of the VDC, school teachers, NGOs)	Construct bridge and all weather road to Damauli; fair compensation at market price; employment to the local people; income generating activities; non-title holder should be paid 50% of the compensation for their occupied land; support to local level school, health and drinking water; skill training to the local people; relocate

						cremation site in an appropriate location;
	Reservoir Area	25/02/2012	Bhimad Bazar	Bhimad -1	22(AP, youth, former representatives of the VDC, school teachers, NGOs)	Fair compensation at market price; employment to the local people; income generating activities; support to local level school, health and drinking water; skill training to the local people; relocate cremation site in an appropriate location;

Annex IV: MONITORING FORM (Pre-Construction/Construction /Operation)

SOCIAL ENVIRONMENT (During RAP activities and one year after RAP activities)

☐ **Grievance Report**

☐

Record

Period: ~

Content of Grievance (clearly report in terms of When /Who insists what?/ Where is the matter taking place?)	Response from GRC to an opponent (Why it happened /How it was (will be) resolved)

☐

☐ **Post-Relocation (during Livelihood Income Restoration Program (LIRP) and one year after LIRP)**

☐

Record Period: ~

Benefit Monitoring	
Checklist	Status
• What changes have occurred in patterns of occupation compared to the pre-project situation?	
• What changes have occurred in income and expenditure patterns compared to pre-project situation?	
• Have PAPs income kept pace with these changes?	
• What changes have occurred for vulnerable groups?	

[illegible]

[illegible]

[illegible]

Internal Monitoring Indicators for Income Restoration Activities

Monitoring Indicators	Basis for Indicators / Check List	Result
1. Basic information on PAP households	<input type="checkbox"/> 1.Location <input type="checkbox"/> 2.Composition and structures, ages, education and skill levels <input type="checkbox"/> 3.Gender of household head <input type="checkbox"/> 4.Ethnic group <input type="checkbox"/> 5.Access to health, education, utilities and other social services <input type="checkbox"/> 6.Housing type <input type="checkbox"/> 7.Land use and other resource ownership patterns <input type="checkbox"/> 8.Occupation and employment patterns <input type="checkbox"/> 9.Income sources and levels <input type="checkbox"/> 10.Agricultural production data (for rural households) <input type="checkbox"/> 11.Participation in neighborhood or community groups <input type="checkbox"/> 12.Access to cultural sites and events <input type="checkbox"/> 13.Value of all assets forming entitlements and resettlement entitlements	1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13.
2. Restoration of living standards	<input type="checkbox"/> 1. Were house compensation payments made free of depreciation, fees or transfer costs to the PAP? <input type="checkbox"/> 2. Have PAPs adopted the housing options developed? <input type="checkbox"/> 3. Have perceptions of “community” been restored? <input type="checkbox"/> 4. Have PAPs achieved replacement of key social cultural elements?	1. 2. 3. 4.
	Outcome Indicator * 1.Number and type of complaints received by GRC regarding the living conditions and accessibility to various services in the	1.

Monitoring Indicators	Basis for Indicators / Check List	Result
	relocation site.	
3. Restoration of Livelihoods	<ul style="list-style-type: none"> ❑ 1. Were compensation payments free of deduction for depreciation, fees or transfer costs to the PAP? ❑ 2. Were compensation payments sufficient to replace lost assets? ❑ 3. Did transfer and relocation payments cover these costs? ❑ 4. Did income substitution allow for re-establishment of enterprises and production? ❑ 5. Have enterprises affected received sufficient assistance to re-establish themselves? ❑ 6. Have vulnerable groups been provided income-earning opportunities? Are these effective and sustainable? ❑ 7. Do jobs provided restore pre-project income levels and living standards? 	<ul style="list-style-type: none"> 1. 2. 3. 4. 5. 6. 7.
	<p>Input Indicators</p> <p>* 1. Number and type of income and livelihood restoration trainings and other activities being implemented.</p> <p>Output Indicators</p> <p>* 2. Number of PAPs occupying the new houses, among the total number of PAPs relocated to the relocation site.</p> <p>*3. Number of PAPs who answer that their income have increased after relocation, compared to the total number of PAPs relocated.</p>	<ul style="list-style-type: none"> 1. 2. 3.

