

Executing Agency:

Government of Nepal

Ministry of Physical Planning and Works

**Department of Urban Development and Building Construction**

**URBAN AND ENVIRONMENTAL IMPROVEMENT PROJECT**

*Project Coordination Office, Babarmahal Kathmandu*

**URBAN AND ENVIRONMENTAL IMPROVEMENT PROJECT**

*ADB Loan No: 1966- NEP (SF)*

---

**REPORT ON**

**SOCIAL ASSESSMENT AND SHORT RESETTLEMENT PLAN**

**OF LAND POOLING SUB-PROJECT OF**

**KAMALAMAI MUNICIPALITY**

---

*July, 2008*

---

Implementing Agency:

Kamalamai Municipality

**Urban & Environmental Improvement Project**

**PROJECT IMPLEMENTATION UNIT**

*Kamalamai, Sindhuli*

## EXECUTIVE SUMMARY

Government of Nepal with a financial assistance of Asian Development Bank is implementing Urban and Environmental Improvement Project during the period October 2003 - September 2009 to nine towns surrounding Kathmandu Valley including Kamalamai Municipality. The main objective of the project is to facilitate sustainable urban development by addressing critical environmental needs, while supporting the government's priorities of a) environmental infrastructure improvement of secondary urban centers b) poverty alleviation and c) decentralization of authority and d) strengthening municipal institutional capabilities.

One of the subcomponents of the UEIP to meet its goals is the Neighbourhood Road, Drainage and Water Supply Development (Land Pooling) Sub-Project. An individual consultant has been assigned the task for social assessment to understand the problems and issues associated with the sub-project and to prepare a resettlement plan (if needed).

This Social Assessment and Resettlement Plan (SARP) describes the planning process and procedures that will be applied to the Ratmata Neighbourhood Road, Drainage and Water Supply Development (commonly known as **Land Pooling** Sub-project) of Urban and Environment Improvement Project (UEIP) of Kamalamai Municipality which will trigger provisions of voluntarily land contribution (as per Town Development Act, 2045) and ADB's Involuntary Resettlement Policy. Ratmata Land pooling project as usual is a self-financing project. Within the project, the cost of the project is fairly borne by landowners by contributing their part of land. Although landowners lose a small portion of their land, they will receive benefit from the project because the shapes of their plots becomes more regular and therefore easier to use, equipped with the necessary public facilities, which greatly increase the utility value of their land.

The scope of work includes undertaking basic two tasks, i.e. conducting social assessment, and preparing a short or full resettlement plan, if needed.

The Social Assessment and Resettlement Plan (SARP) is guided by the ADB Policy on Involuntary Resettlement, Land Acquisition Act of 1977(2034), Town Development Act, 2045 (1988) and other relevant policies and guidelines related to land pooling. The main objective of the SARP is to identify impacts and to plan measures to mitigate various losses of the subprojects.

Information on the socioeconomic characteristics of the affected people (APs) has been collected using household surveys and focus group interviews during preparation of this report. The study included a census survey of all affected households residing in the subproject area, and a socioeconomic survey of all 70 households.

The census survey listed all APs and determined the extent of the impact of the subproject on APs' properties and assets. The survey also involved community meetings and interviews with landowners who lost their partial land. Details of additional land requirements were discussed with affected persons and families and they were asked to suggest alternatives to minimize the land loss. All of the affected persons are fabulous to see the developed land which fosters their land value after complication of this project.

In preparing the SARP, ADB's Policy on Involuntary Resettlement and the Resettlement Framework (RF) for the Project has been closely followed. Various literature and legal documents including **The Interim Constitution of Nepal 2007, The Town**

**Development Act, 2045, The ADB's Policy on Involuntary Resettlement,** The land acquisition Act 2034, The Public Road Act 2031, The Land Reform Act 2021, Loan Agreement of UEIP, PPTA, RRP, PAM have been studied during preparation of this report.

The SARP has been disclosed to APs by the EA through Municipality and displayed at the Municipality office along with entitlement (matrix) for APs and the eligibility criteria based on which the entitlement was derived. Based on the response of the stakeholders, the eligibility criteria entitlement for compensation/assistance has been established. This plan is prepared based on the detailed design and after organizing a formal consultation workshop with APs and local stakeholders. This SARP will be endorsed by UEIP/PCO and forwarded to ADB for its approval. The RP will be posted in UEIP/PCO website after getting the approval.

The proposed area consists of 119 private land parcels; comprise 9.08 hectares of land. The total coverage of the scheme 97098.06 Square Meter (14 Bigha, 6 Kattha) including 2 governmental parcel. Total affected land owners and households are 79 and 70 respectively. Out of 9.08 hectares of private land, about 2.68 hector land will be required for development work, road network, open space and treatment area and remaining land of 6.40 hector will be returned back to the concerned land owner as a developed land. There are only 8 households contributing more than 10% of their total land and APs of these households are only 45 persons. Impact of land contribution on the landholding and other income source of landowner is very nominal and no SPAFs have been found in this sub-project.

No private structure need to dismantle or shift. There is no any loss of trees and fruits. Significant number of women and disadvantaged group (Dalit and Janajaties) landowners will be benefited through this project. No any indigenous caste, share croppers, tenants are found in the project area.

The Neighbourhood Road, Drainage and Water Supply Development activity does not bring negative impact on income and livelihood of APs rather it enhances public facilities, road net work, drainage facilities, and highly increases in land price. The feasibility study and social assessment shows that benefit is higher in comparison to their contribution.

All the landowners have been given their written consent for implementation of this sub-project. The social assessment shows that there is no any resettlement problem and all the landowners will get proportionate size of developed land.

## Table of Contents

<b>LIST OF ABBREVIATION.....</b>	<b>2</b>
<b>1. Definition.....</b>	<b>3</b>
<b>2. Project Background.....</b>	<b>4</b>
<b>2.1. Introduction .....</b>	<b>4</b>
2.1.1.Land Pooling, Definition .....	4
2.1.2.General Methodology of Land Pooling .....	5
2.1.3.Basic Principles of Land Pooling .....	5
2.2. Objective.....	6
<b>3. Land Contribution and Impact of the Subproject .....</b>	<b>6</b>
3.1. Private Land.....	7
3.2. Private Structure .....	7
3.3. Community/public structure .....	7
3.4. Loss of Business /Livelihood.....	8
3.5. Loss of trees/fruits .....	9
<b>4. Socio-economic Information of the Affected Households .....</b>	<b>9</b>
4.1. Economic Status .....	9
4.2. Ethnicity and caste groups .....	9
4.3. Gender and Education Status.....	10
4.4. Occupation.....	10
<b>5. Legal and Policy Framework .....</b>	<b>10</b>
5.1. Laws and Policies of GoN .....	10
5.2. ADB's Policy .....	11
5.3. UEIP Policy and Action Taken.....	11
<b>6. Entitlement of Resettlement, Relocation and Compensation .....</b>	<b>15</b>
6.1. Entitlement Matrix.....	15
6.2. Income Restoration and Rehabilitation.....	19
6.3. Resettlement and Rehabilitation Budget.....	19
6.4. Principle and methodologies for Valuing and Determining Compensation .....	19
7. Grievance Redress Mechanism.....	19
<b>8. Information Dissemination, Consultation, and Disclosure of RP .....</b>	<b>20</b>
<b>9. Implementation Framework.....</b>	<b>21</b>
9.1. Implementing Organization .....	21
9.2. Implementation Schedule .....	21
<b>10. Monitoring and Evaluation .....</b>	<b>21</b>
<b>11. Conclusion.....</b>	<b>22</b>
Annex 1: Individual Consensus Letter/Application for Implementation of Land Pooling Project (separate volume)	
Annex 2: Individual Contribution and Returned land for Ratmata Land Development Sub-project (as per draft final report)	
Annex 3: Total Land holding, Contribution of Land and No. of Household Member	
Annex 4: Map/drawings of project area	
Annex 5: Implementation Schedule	
Annex 6: Consultation meeting and its agendas	
Annex 7: TOR for Social Assessment and Resettlement Plan	
Annex 8: Minutes of Meetings	
Annex 9: Initial Social Assessment (ISA) and Social Impact Assessment (SIA)-Data tabulation	
Annex 10: Sample of Socio-economic Survey Form	
Annex 11: Un-official Translation of Consensus Letter/Application	
Annex 12: Socio-economic analysis results of APs and Househods	

**LIST OF ABBREVIATION**

ADB	Asian Development Bank
CDC	Compensation Determination Committee
CDO	Chief District Officer
CISC	Central Implementation Support Consultant
DRO	District Revenue Office
DSS	District Survey Section
DEDCS	Detailed Engineering and Construction Supervision
DIST	District Implementation Support Team
PCU	Project Coordination Unit
DTO	District Technical Office
EA	Executive Agency
GoN	Government of Nepal
KM	Kamalamai Municipality
LMSC	Land Management Sub-Committee
MPPW	Ministry of Physical Planning and Works
NGO	Non-Governmental Organization
PAF	Project Affected Families
PAP	Project Affected Person
PCU	Project Coordination Unit
PM	Project Manager
RLMC	Ratmata Land Management Sub-Committee
SARP	Social Assessment and Resettlement Plan
RF	Resettlement Framework
SPAF	Severely Project Affected Families
TDA	Town Development Act
UC	User's Committee
VG	Vulnerable Group
VDC	Village Development Committee
VIUG	Village Infrastructure Users' Group

## 1. Definition

The following are the definition of related terminology used in this SARP:

- i) **Affected Person (AP):** All persons who as of the cut-off-date stand to lose for the Project all or part of their land or other assets, irrespective of legal or ownership title.
- ii) **Cut-off Date:** The date of formation of users committee (16 April 2008) to count the APs and their affected land and assets.
- iii) **Land Contribution:** Land owners' willingness to provide part of his/her land for the project in expectation of project benefits. It must be voluntary or unforced and confirmed in written agreement witnessed by third party.
- iv) **Legalizable:** Those who do not have formal legal rights to land when APs are recorded, but could claim rights to such land under the law of Nepal.
- v) **Nontitled:** Those who have no recognizable rights or claims to the land that they are occupying. However illegal inhabitants as per law of Nepal will be excluded from nontitled.
- vi) **Poverty Line:** The level of income below which an individual or a household is considered poor. Nepal's national poverty line, which is based on a food consumption basket of 2,124 calories and an allowance for non-food items of about two thirds of the cost of the basket, will be adopted by the Project to count APs under the poverty line. The determination of poor households or persons under the project is based on the census and socio-economic survey and confirmed by community meeting that affected person/household falls below the poverty line.
- vii) **Project Affected Family:** A family consisting of APs, his/her spouse, sons, unmarried daughters, daughters-in law, brothers or unmarried sisters, father, mother and other legally adopted members residing with him/her and dependent on him/her for their livelihood.
- viii) **Severely Project Affected Family/People (SPAF):** A Project Affected Family affected by the project that lose residential/business houses or more than 25% of their total assets.
- ix) **Squatters:** People living on or farming land not owned by them selves and without any legal title or tenancy agreement. The land may belong to the Government or to individuals.
- x) **Vulnerable Group:** Distinct group of people or persons who are considered to be more vulnerable to impoverishment risks than others. The poor, women-headed, *Dalits* and IPs households who fall below poverty line will be counted as vulnerable APs.
- xi) **Women-headed household:** Household headed by women, the woman may be divorced, widowed or abandoned or her husband can be working away from the District for long periods of time, but where the woman takes the decisions about the use of and access to household resources.

## 2. Project Background

Ratmata is located along the national level under construction highway and is bound to undergo rapid urbanization after the full operation of the highway after few years. The project town will be just 150 Km away from Kathmandu after completion of BP highway. The land-pooling site at Ratmata lies almost lengthwise along the Dhulikhel-Bardibas highway. The north boundary is an existing foot trek from the highway, about 500 meter north of which lies the proposed site of bus-park of Nunthala. The topographical situation of Ratamata is appropriate to guide the probable urban growth through some planning intervention. There is no threat of river erosion or flooding at Ratamata, as it is situated in elevated ground east of the north-south highway. The area, though being close to the city, is far away from different economic opportunity and people are merely sustaining the livelihood without significant economic activity. The community is ready for the concept and all are eager to participate.

The proposed area consists of 121 land parcel and two of them belong to government. The total coverage of the scheme is 9.71 hectares (14 Bigha, 6 Kattha) including 2 governmental parcel and total affected land owners are only 79. Two or more than two members of same family have their landownership title within the proposed project area so actual affected house holds are 70 in number. 100 percent of APs have given written consent to voluntarily contribute their partial land for the sub-project. **(See annex 1 for individual consent letter/application)**. No plots are share-cropped and no squatter and tenant families are identified in the project area.

Land pooling project provides direct benefits to the land owner as well as to the municipality for systematic urban development. The proposed land- pooling site of the Ratmata area is primarily agricultural land having some house along a irrigation Kulo (Canal). People living in the site of Ratmata are using foot-trails along sides of Kulo (hardly 30-45 cm wide ) for access. Although being the agricultural land, the area is much undulated, some portion is Kharbari (to produce thatch for roofing) and some portion is uncultivated. Almost all small plots (area having 1 kattha and less) are found to be uncultivated. The whole area will be developed through land pooling process and converted into a good residential area.

Two roads of 8 meter wide and one road of 6 meter wide is proposed in the project area. The road surface will be gravelled and a rain water drain will be constructed on both sides of 6 m and 8 m roads. **(See annex 4 for project area map)**

### 2.1. Introduction

#### 2.1.1. Land Pooling, Definition

Land pooling is one of the techniques of land development and is very popular in Nepal. Using this technique land parcels of an area are pooled into a single plot for a temporary period, plots are re-shaped and readjusted to have access; infra-structure services are provided and then returned back to the original land owner so that the whole area is converted into developed residential plots with basic infrastructures. It can be defined as a method, by which public facilities in a certain area such as roads, parks, sewerage, drinking water and communication that are necessary for living are created and/or improved through the mechanism of voluntary contribution of land from respective land-owners for the cost recovery through selling of service-plots; individual sites are made easier to use and their site utility is increased by dividing them into more regular shapes.

### 2.1.2. General Methodology of Land Pooling

In a Land Pooling Project an area is developed by temporarily pooling all individual land parcels in to a single plot, readjustment of plots to have regular shape and size so that access is available to each individual plot but with some reduction in area for creating service-plots for the purpose of selling in open market to recover the cost of infra-structure to be provided in the area. The originally undeveloped area is thus converted into a developed area in which comfortable living results through well-made municipal functions. Unlike individual development of public facilities, such as roads and parks, land pooling is basically designed to develop public facilities and building lots in an integrated manner within a certain area in accordance with planned land use. Following flowchart shows the general methodology of land pooling.

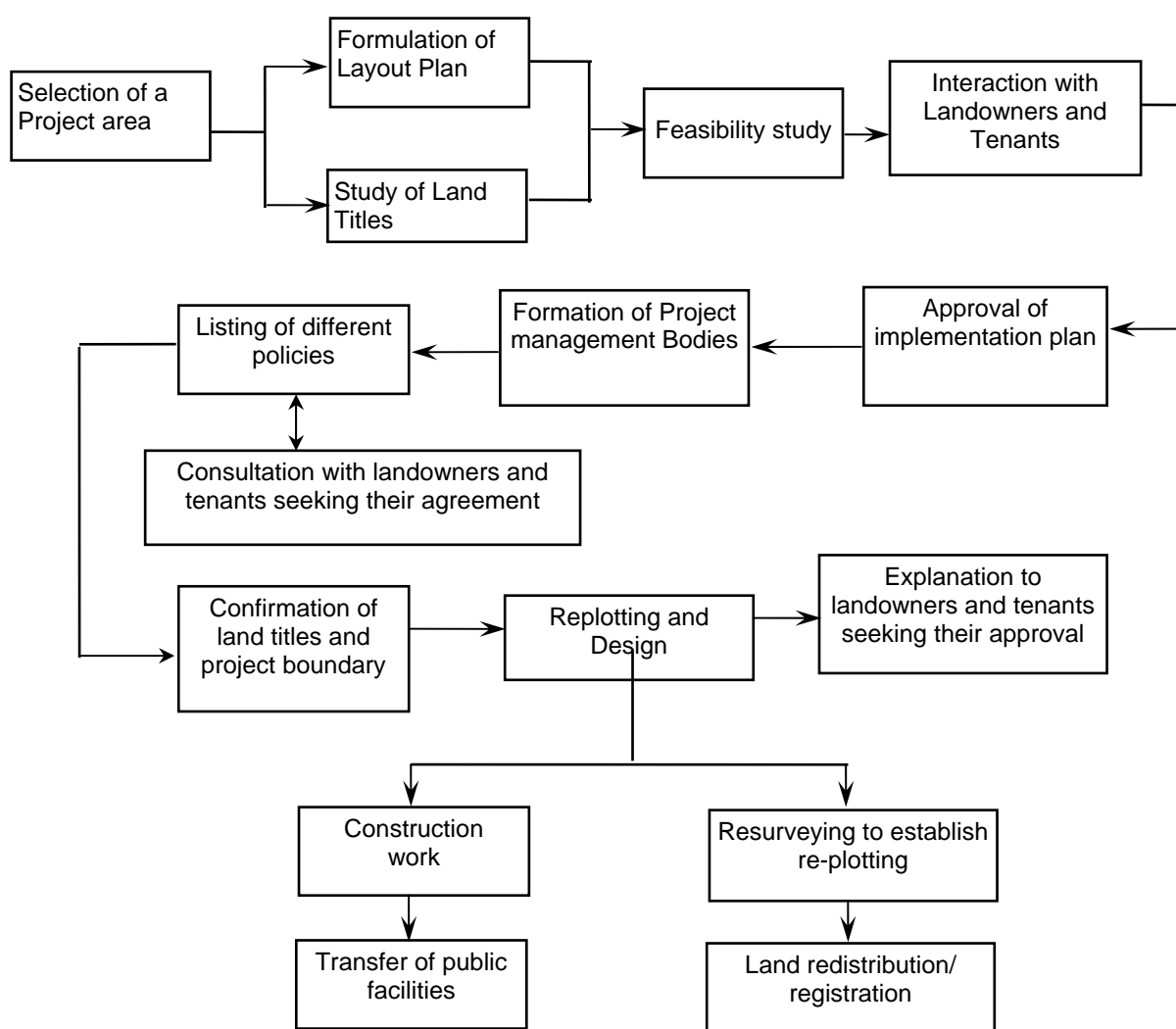


Fig. : Flowchart of Land Pooling Procedures.

### 2.1.3. Basic Principles of Land Pooling

Land pooling project is a self-cost recovery project. Within the project, development benefits stem from a rise in land value after infra-structure development while the cost for the infrastructure development in the project is borne fairly by landowners and tenants. Land contributed by Landowners is used for both public facilities and for the reserve plots. The reserve plot is termed as



service plot, which is sold to generate capital required for financing the project. Therefore, a project area is selected on the condition that a rise in land value can be expected and the service plots can be sold easily.

## 2.2. Objective

The Social Assessment and Resettlement Plan (SARP) is guided by the ADB Policy on Involuntary Resettlement, Land Acquisition Act of 1977(2034), Town Development Act, 2045 (1988) and other relevant policies and guidelines related to land pooling. The main objective of the SARP is to identify impacts and to plan measures to mitigate various losses of the subprojects. The SARP also aims to provide an effective guideline to the GoN and UEIP implementation Management, to address the identified impact as per the plan and ensure that the households and people affected due to project are provided sufficient/proportional size of developed land parcel under the prevailing legal norms of GoN in keeping the ADB guidelines. The SARP has been prepared taking into account the general findings of the field survey, 100 percent census of project affected households and socio-economic survey, field supervision, and consultation with the various stakeholders in the project area at district and local levels. Furthermore, the SARP identifies:

- Type and extent of the losses;
- Principles and legal framework applicable for mitigation of losses;
- Entitlement matrix, based on the property loss;
- Institutional framework for the implementation of the plan;
- Responsibilities for monitoring of the SARP measures.

## 3. Land Contribution and Impact of the Subproject

UC, RLMC, PIU and KM have been worked out various contribution policy suited for Ratamata. The study shows that proposed area for Ratmata Land Pooling Sub-project is 9.71 hectares (about 14 Bigha-6 Kaththa) in area. There are altogether 121 land parcels consisting of 119 private land parcels (9.08 hectares in area) and 2 governmental parcels (0.63hectares) within this project area. 119 parcels are owned by 79 landowners and these 79 landowners belong to the 70 households. Out of 9.08 hectares of private land, about 2.68 hectares land will be required for road network, open space and treatment area and also for generating fund required for development work while the remaining land of 6.40 hector will be returned back to the respective land- owners as a developed land (see **annex 2 for detail**). The Table 1 shows the land re-adjustment summary.

**Table No.1: Readjustment Summary**

SN.	Description	Area (m <sup>2</sup> )
1	Total private land as per cadastral record	90814.17
	Area under High-tension line	1228.14
	<b>Net Area</b>	<b>89569.10</b>
2	Contribution taken for road and curves	18231.91(20.08 %)
3	Contribution for open space	2270.35 (2.50 %)
4	Contribution for infrastructure development	6356.99 (7 %)
	<b>Total contribution</b>	<b>26859.25 (29.58%)</b>

### 3.1. Private Land

Altogether 121 plots (119 private and 2 governmental) will be used for this land pooling project. All developed plots will be provided with road network. For the road network 20.08%; open space 2.50 % and infrastructure development 7% of the project area will be needed as per the final design report. Although average individual contribution of land from land-owners is 29.58% of the project area, overall contribution of land is only 3.78 % of the total land holdings of land-owners which is very nominal and it neither affects the total income nor total land holding of the land owners. The socio-economic assessment shows that all the APs have total land of about 76.64 hectares, out of which only 9.08 (11.85%) hectares is within the project area. The following table shows the impact of this sub-project on land of affected household. **(For detail please refer annex 3)**

**Table 2: Impact of Sub-project on Land of affected Households**

Sn	Description	Impact
1	Total Affected Households	70
2	Total Affected Landowners	79
3	Total Land of 70 HH in the project area	90,814.17 m <sup>2</sup>
4	Total Land of 70 HH out side the project area	766,417.17m <sup>2</sup>
5	Total Land Contribution	26859.25 m <sup>2</sup>
6	Average Contribution of Land	3.78%
7	No. of HH contributing 0-10% of their total land	62
8	No. of HH contributing more than 10% of their total land	8
9	Total No. of APs of 70 HH	384
<b>10</b>	<b>Total No. of APs contributing more than 10% of their total land</b>	<b>45</b>

**There are only 8 households contributing more than 10% of their total land and APs of these households are only 45 person.**

Out of 119 private plots, only 42 (35.5%) plots are larger than two Kathha (677.5 Sq.m) in area. This shows that majority of plots are small. Therefore, all land owner have given their written consent to contribute the land anticipating for better living condition as well as increase in land price of developed plots.

### 3.2. Private Structure

The selected area for land pooling primarily is an agriculture land having only few houses along irrigation *Kulo* (small traditional canal). Two houses are in the middle of project area along a temporary foot trail. Only 16 households are residing within the project area while the rest reside elsewhere. No any private structures or houses will be shifted or relocated. So, there will not be any effect on private structures (houses and cattle sheds) and no additional cost will be involved to relocate or demolish the private structures.

### 3.3. Community/public structure

No community/public structures exist in the proposed area. So, no cost is needed for relocating or reinstalling such facilities.

### 3.4. Loss of Business /Livelihood

None of the business, tenants or income will be affected either temporarily or permanently by the project. So no further cost will be required for this purpose. Following table shows the pre and post project effects of proposed project on annual income and food sufficiency of the affected households.

**Table 3: Impact of Project on Livelihood and Food**

Variable	Pre-Project		Post-Project	
	No.	%	No.	%
1. Income from Agriculture (HH) in NRs.				
<30,000	59	84.29	59	84.29
30000-60,000	3	4.29	3	4.29
>60,000	8	11.42	8	11.42
Average	16857		16857	
2. Non-agricultural Income (HH) in NRs.				
<30,000	12	17.14		
30000-60,000	9	12.86		
>60,000	49	70.00		
Average	134533			
3. Total Income(HH) in NRs.				
<30,000	9	12.86	9	12.86
30000-60,000	9	12.86	9	12.86
>60,000	52	74.28	52	74.28
Average	159419		159419	
4. Food sufficiency (HH) from own production				
Up to 6 months	14	20.00	14	20.00
7-11 months	3	4.29	3	4.29
12 months or more	53	75.71	53	75.71
Average (months)	10.2		10.25	

The survey revealed that average annual income of the affected households is about NRs, 1,59,419.00. It is interesting to note that, 89.11% income is generated from other sources except agriculture and only 10.89% comes from agricultural product. In terms of food sufficiency, the survey revealed that majority of households, i.e. 53 (75.71%) can feed their family through their own productions throughout the year, 3 families (4.28%) can feed for 7-11 months, 11 families (15.71%) can feed for 3-6 months, and only 3 families can feed for less than 3 months from their own agricultural production. However, survey shows that contribution of land does not affect the food sufficiency of affected households.

Within the project area the average land contribution is 32.29% excluding the Government land. As per the feasibility report, **the land landowners will have average benefit of about 190% after completion of project due to the appreciation in land value.** Thus it can be concluded that contribution of land for the proposed project by the APs do not have significant impacts on their land holding. This suggests that land contribution does not affect the APs livelihoods.

### 3.5. Loss of trees/fruits

There are no any big trees within the project area. Only few plantations of banana are identified in some homestead parcels. The homestead parcels will not be relocated and remain in the same location and parcel. So, due to implementation of proposed project, there will not be any loss of trees and fruits.

No any house, shed and other structure neither needs to be dismantled nor to relocated. No plots are share-cropped and no squatter and tenant families are identified in the project area.

## 4. Socio-economic Information of the Affected Households

### 4.1. Economic Status

The survey revealed that average annual income of the affected households is about NRs, 1,59,419.00. Similarly, total crop production of the affected households is 2,02,770 kg per year out of which only 21,645 kg product is grown from affected land, which is only 10.67 % of the total production. Converting the crop production into cash transaction considering average cost of NRs 20 per kg total cash will be NRs 40,55,400.00 and contribution of affected land in to this cash transaction will be only NRs 43,2,900.00 which is only 10.67%. Therefore, the effect of land development project to the land owner in terms of agricultural production capacity from affected land is insignificant and no major changes are expected on total income and agricultural products of the affected households.

### 4.2. Ethnicity and caste groups

Exactly 10% (7 households) of the affected households are from the Dalit caste (Damai/Darji and Sarki), 17.14% of households from the ethnic groups (Tamang/Sunuwar 8.57%, Newar 4.29%, Gharti 2.86% and Magar 1.43%) and 72.86% from Bahun/Chhetri (47.14% Cheetry and 25.72% Brhamins),. 3 female headed households are found in affected families and all of them are found to be widow. No indigenous group of people are found in the project area. Following table shows the distribution of ethnicity/caste groups of affected households.

**Table 4: Households by Ethnicity**

Brahmins	Chhetri	Tamang/Sunuwar	Damai	Magar	Newar	Sarki	Gharti	Total
18	33	6	6	1	3	1	2	70

### 4.3. Gender and Education Status

Significant number of female landowner will be benefited since out of 79 landowners, 29 (36.7%) landowners are female. In terms of education, out of 89 landowners, 67 (84.81%) are literate. Out of 29 females, 21 females (72%) are literate. This shows that APs of Ratmata land development site are well educated. Following table shows the educational status of all landowners of Ratmata Land Pooling site.

**Table 5: Landowner by Education and Sex**

	Illiterate	Literate & Class (I-X)	SLC	Certificate	Diploma and Above	Total
Total	12	34	19	6	7	78
F	8	13	7	1		29
M	4	21	12	5	7	49

*Note: 1 plot is in the joint name of 2 persons having qualification of Certificate & Diploma*

### 4.4. Occupation

Service is the main occupation of affected landowners followed by agriculture and trade. Following table shows the employment status of affected landowners.

**Table 6: Landowner by Employment Status**

Agriculture	H. Wife	Service	Student	Pensioned	Trade	Other	Total
8	18	30	2	6	5	10	79

## 5. Legal and Policy Framework

### 5.1. Laws and Policies of Government of Nepal

**The Interim Constitution of Nepal 2007** guarantees the fundamental rights of a citizen. **Article 19(1)** establishes the right to property for every citizen of Nepal, whereby every citizen is entitled to earn, sell, and exercise their right to property under existing laws. **Article 19(2)** states that except for social welfare, the state will not acquire or exercise authority over individual property. The policy framework and entitlement for the project are built upon the National and Local Laws-i.e. The Land Acquisition Act 2034, The Public Road Act 2031, The Land Reform Act 2021, The Town Development Act, 2045 and ADB policy on Involuntarily Resettlement and Policy framework. This aims to minimize the impacts on people, provide replacement livelihood and assistance for those who lose their assets and whose livelihoods are directly affected by the land acquisition or temporary construction activities. These efforts intended to meet the objective of rendering the people with a standard of living equal to, or at least no worse than before the project. The Act also includes a provision for acquisition of land through negotiations. **Article 19(3)** states that when the state acquires or establishes its right over private property, the state will compensate for loss of property and the basis and procedure for such compensation will be specified under relevant laws.

**The Town Development Act, 2045** provides an elaborate legal framework for executing town planning. More specially, for land development programs, the Act empowers a local body to conduct land development programs through guided land development (GLD) and/or land pooling projects, and provides the means to overcome legal objections that

may arise if such projects are implemented under the Local Self-Governance Act. For land pooling, it gives local bodies (municipality, village development committee (VDC) and town development committee) authority to:

- a. recover management and capital costs through the sale of reserve plots;
- b. conduct land pooling in any area required;
- c. conduct land pooling in any area where 51% (as amended) of the owner/tenants demand;
- d. conduct land pooling through a users committee;
- e. prevent sub-division, sale and development of land for 2 years while land pooling is conducted;
- f. use prevailing land values to determine contribution ratios; and
- g. enable owners with plots that are too small to buy additional land

The Act also facilitates local bodies' town planning projects by providing exemption from land transfer fees and other regulations, such as the land ceiling. Finally the act enables local bodies to prepare bylaws for executing town planning.

## 5.2. ADB's Policy

**The ADB's Policy on Involuntary Resettlement** states that involuntary resettlement should be avoided where feasible. Where population displacement is unavoidable, it should be compensated and assisted, so that their economic and social future would be generally as favourable with the project as it would have been in the absence of the project. Affected people should be informed fully and consulted on resettlement and compensation options. The absence of formal legal title to land by some affected groups should not be a bar to compensation: particular attention should be paid to households headed by women and other vulnerable groups, such as indigenous people and ethnic minorities and appropriate assistance provided to help them to improve their status. The policy addresses losses of land, resources, and means of livelihoods of social support systems, which people suffer as a result of an ADB project. **ADB Operational Manual Section F2/OP** states that where projects provide direct benefits to communities, and are amenable to a local decision making process, arrangements to deal with losses on a transport, voluntary basis may be included in resettlement plans with appropriate safeguards. Such safeguards include (I) full consultation with land owners and any non titled affected people on site selection; (II) ensuring that voluntary contributions do not severely affect the living standards of affected people and are linked directly to benefits for the affected people, with community sanctioned measures to replace any losses that are agreed to through verbal and written record by affected by affected people; (III) any voluntary contribution will be confirmed through verbal and written record and verified by an independent third party such as a designated non-government organization or legal authority; and (IV) having adequate grievance redress mechanisms in place.

## 5.3. UEIP Policy and Action Taken

The UEIP is an ADB funded GoN project. So, ADB policy in addition to GoN policy should be reflected on UEIP policy framework. The purpose of UEIP framework for involuntary resettlement is to establish the involuntarily resettlement screening and planning procedures that will be apply to each UEIP sub-project that involves involuntary resettlement, if any, so that they confirm to the ADB's policy on involuntary resettlement. Following table exhibits "Resettlement policies for UEIP" and procedure adopted for Ratmata Land Pooling Project.

**Table 7: UEIP Policy and action Taken in Ratmata Land Pooling Sub-Project**

S. No	Resettlement Policies	Response /Action taken in the case of this project of Kamalamai Municipality
1	All losses including land, buildings, structures, and trees that result from project implementation will be compensated at full <b>replacement costs</b> at market value.	◆ All landowners get proportionate size of developed land with appreciated value and thus get more than the replacement cost.
2	Compensation Determination Committees will also include two <b>representatives of project- affected families</b> , including one representative of women or of vulnerable group, as invited members.	◆ As per Town Development Act, all the compensation policies of land pooling should be finalized with the due approval of UCs and land management sub-Committee. One woman in UC and two representatives from landowners are included in RLMC. No vulnerable group is found in this sub-project.
3	The time of gap will be minimized between the notice of acquisition and the compensation.	◆ No actual land acquisition will be made. The developed plots are returned to the respective land-owners. So, no actual acquisition and compensation required. As per TDA, maximum time gap between pooling of land for readjustment and re-distribution will be 2 years.
4	The date of census/survey of affected households and assets will be the cut of date for eligibility for compensation and assistance. However, non-title-holder affecters should have lived or cultivated in the plot for at least 3 years prior to the cut-off date to be eligible for resettlement and rehabilitation support.	◆ Cut-off date is the date of formation of User's committee (16 April, 2008). No any non-title-holder affecters have been found prior to the cut-off date.
5	Special attention will be given to the vulnerable groups, such as women-headed households, poor, landless, elderly, and minority ethnic groups.	◆ No any vulnerable group is found. All the women- headed households and Dalit are already included in main stream and have well economic condition, all the people are above poverty line. No any landless, elderly and minority ethnic found.
6	Option of land-for-land compensation will also be availed for the poor and vulnerable people affected, if they desired so.	● All land owners will get proportionate size of developed plots. No any poor and vulnerable group is found
7	The project will use land and/or other assets only after the compensation is paid to the people affected, and those entitled to relocated to their new sites. In cases where authentic documents for affected land parcels are lacking or titleholders could not be present within the given time, civil works may continue. The compensation in such cases will be paid as soon as authentic documents are presented or the titleholders are present.	◆ All land owners have agreed to contribute land as per provision of land pooling. So, no any cash compensation is involved.
8	Affected households will be classified into two groups-SPAFs and PAFs- according to the proportion of the loss of land, income or house. Those who lose 25% or more of their land/income will be classified as Severely Project Affected Families (SPFAs), and those who lose less than 25% land or income will	◆ No SPAF is found since no land-owners lose more than 25 % of their land/income.

	be classified as Project Affected Families (PAFs). Households who lose residential/business house will be classified as SPAF. If affected land/house is under tenancy, both the landowner and tenants will be included in the list of SPFA or PFA for entitlements and compensation/rehabilitation purposes.	
9	Due attention will be given to restoration of livelihoods of affectees. SPAFs will be assisted with rehabilitation measures.	◆ No SPAF is found.
10	If large-scale resettlement involves, efforts will be made to relocate communities in groups/communities. Existing social and cultural institutions will also be supported.	◆ No resettlement involved since all landowners get proportionate area of developed plot after readjustment.
11	Resettlement families will be given priority for restoration of their public facilities, such as electricity, water supply, sewerage and public transports, as utilized prior to the project.	◆ No resettlement involved.
12	One person from each SPAF and vulnerable household will be given priority in project jobs or construction works. They will be provided suitable skill trainings prior to the construction works. Bidding/tender documents and contract specification will also include requirements of hiring SPAFs and vulnerable groups in the order of priority.	◆ No SPAF and vulnerable household have been found.
13	Each municipality will prepare a resettlement Plan (RP) for particular sub-project, if any involuntary resettlement involved, before pre qualification of the civil works contracts. Consolation with the affected people and concerned	◆ Resettlement plan has been prepared but no involuntarily resettlement is required.
14	If any affected household purchases farmland in another place within one year from the date of compensation, the land registration fees for equal amount of land will be provided by the project	◆ All the landowners contribute only part from their land in project area. All of them will get proportionate size of developed land within the project area and no such registration fees are involved.
15	Construction works will, as far as possible, be planned to allow for the harvesting of standing crops before land is acquired. Where crops cannot be harvested or the destruction of crops is unavoidable, cash compensation will be paid, based on market values.	◆ The construction work will be started after paddy-harvesting and no any standing crops will be harmed.
16	Local Consultative Groups (LCGs) will be established in each affected Ward to support the affectees and resolve the conflicts that arise during compensation process.	◆ Users Committee, Land Management committee and grievance redress committees are formed to support the affectees.
17	After the acquisition of land if the remaining portion is considered too small to be viable for cultivation or other use, the owner will have the option to relinquish the remainder of that parcel or landholding if they desire so. Such a threshold will be 2.5 ana (79.5 Sq.m) in urban areas and 8 ana in rural areas.	◆ All the landowner will get at least 118.56 sq.m (7 dhur) land parcel. If the remaining land area after re-adjustment is found to be less than 7 Dhur, the owner will have option to purchase deficit portion of land in minimum decided price without going for auction.
18	Affectees will have access to effective	◆ Following mechanism is available for this



	procedures for lodging complaints and for their appropriate resolution.	sub-project. <ul style="list-style-type: none"> <li>○ As per Land Acquisition Act of Nepal 2034(1977) APs can file or represent their cases to the CDO and raise objection against.</li> <li>○ As per Town Development Act, APs can file their complains to RLMC</li> <li>○ As per Self Governance Act, APs can file their complains to the municipality</li> <li>○ A grievance redress committee is available to redress complains of UEIP sub-project.</li> </ul>
19	Landowners who are severely affected through loss of agricultural land should also be offered assistance with identification and purchase of suitable privately-owned cultivation land in the community.	◆ No severely affected landowner has been found. The land loss due to this project is very nominal (see annex 3)

**Schedule 4, para 8 (b) of Loan Agreement and para 36 of RRP** also describe few conditions that should be fulfilled before the contract award of neighbourhood road, drainage and water supply development sub-project. Following table shows the condition of loan covenant and RRP and action taken in case of this sub-project.

**Table 8: Loan Agreement Condition and Action Taken**

Sn.	Loan Agreement Condition	Action taken for proposed project
1	A feasibility study shall have been carried out and a financing and cost recovery plan shall have been prepared	◆ A feasibility study has been carried out and project has been found as feasible. (feasibility report is included in final design report)
2	A complete baseline socio-economic survey shall have been carried out on all the stakeholders concerned, including landowners, and registered and non-registered land users, such as the tenants and sharecroppers, through field survey and household interviews, including an assessment of the impact on indigenous people, and through review of land titles and tenants registrations from the Borrower's Land Revenue and Cadastral Survey Office.	◆ Complete baseline socio-economic survey of APs has been carried out during preparation of this report. No indigenous, tenants and sharecropper people found. All the landowners are verified through district revenue and cadastral office.
3	All the stakeholders concerned, including the landowners, registered and non-registered land owners, such as tenants and sharecroppers, and Municipalities concerned shall have agreed in writing on the arrangements for the proposed sites for the neighbourhood road, drainage and water supply system sub projects, including a land pooling scheme as described in the Borrower's Town Development Act (1988), as amended.	◆ No tenants and share-cropper people found. All the concerned landowners including municipality have agreed in written (see minutes of meetings and individual consensus letter in annexes) for implementation and proposed side of the project. The GoN has approved the project as per Town Development Act.
4	Full social risk assessment shall have been carried out and in accordance with the agreed	◆ Full social risk assessment has been carried out during preparation of this report. No

	Resettlement Framework, a resettlement plan shall have been prepared, if necessary, with clearly identified mitigation measures, as appropriate, for any loss that may be incurred by the stakeholders, including any group of indigenous people affected.	APs have been found as SPAF and no resettlement problem has been found.
5	An Environment Monitoring and Management Plan Shall have been prepared, if necessary.	◆ No loss of trees, land slide and flooding problems will be occurred due to this project. So no any adverse effect in the environment due to implementation of this project is expected.
6	To address the corresponding urban spatial growth demands, land acquisition for the neighbourhood road, drainage, and water supply development subcomponent will be conducted through mechanism of land pooling, instead of the usual straight purchase. .... The selection of perimeters to be developed under this approach is such that involuntary resettlement ultimately will not occur.	◆ The proposed sub-project will be implemented as per Town Development Act 2045 (1988). All provisions of this act have been fulfilled by this project and GoN has been approved the project as per TDA.

## 6. Entitlement of Resettlement, Relocation and Compensation

Generally the affected households shall be entitled to a combination of developed land and resettlement assistance (if involved), depending on the nature of ownership rights of lost assets and scope of impact, including social and economic vulnerability of affected persons. The nature of this project is completely different from involuntarily resettlement because all the landowners get proportionate size of developed land and no resettlement is involved.

### 6.1. Entitlement Matrix

The sub-project follows community-driven approach, which gives communities control over planning and project implementation. The sub-project will provide direct benefits to community, including fulfilment of massive demand of residential plots, development of a pleasant living environment, control of haphazard sprawl of urban area, appropriate conversion of land use and increase in land value and improved access to markets and services such as schools, health and other public services. All landowners are willing to voluntarily contribute part of their land for land pooling that provides direct benefit to APs. However, adequate process and safeguards are built in the SARP ensuring that the voluntary land contribution is unforced and it doesn't lead to impoverishment of affected people, including:

- a. Full consultation with affected persons and communities for appropriate design to avoid/minimize additional land take and resettlement effects;
- b. As a first principle, APs were informed of their right to entitlement for any loss of their property (house, land, and trees) that might be caused by the project construction, and the land contribution is accepted only taking their written consent;
- c. No one of APs was forced to contribute their land.
- d. In case APs are directly linked to project benefits and thus are willing to voluntarily contribute their land after they are fully informed about their entitlement, the project assess their socio-economic status and potential impact of land contribution.
- e. Any voluntary land contribution (after the process as mentioned above) is confirmed through a written record,

The following table sets out the entitlement matrix and implementation strategy for the compensation, resettlement and rehabilitation measures of Ratmata Neighbourhood, Road Drainage and Water Supply Sub-component.

**Table 9: The entitlement policy/matrix**

Type of Loss	Entitlement Unit	Description of Entitlement/ Implementation Procedure	Remarks
Loss of Private land	<ul style="list-style-type: none"> <li>Title Holder</li> <li>Registered or non-registered tenants</li> </ul>	Land with proportionate size and category, or cash compensation at replacement cost	All the landowners get proportionate size of developed land.
		In case of vulnerable group, preference will be in replacing land for land.	No vulnerable group is found
		Any transfer costs, registration fees or charges	No such fees is involved
		Non-registered tenants will receive compensation for crops and subsistence allowance	No any non-registered tenants are found
Loss of Tenancy and users right	Non-titled landowners and non-registered tenants	Non-title holders and non-registered tenants do not qualify for compensation for land losses, however they will be entitled to compensation for crops and other non-land assets.	No any non-title holder and non-registered tenants are found.
		Each SPAF household member/title holder will be entitled to the cultivation disruption allowance	No SPAFs are found
Temporary loss of private land	<ul style="list-style-type: none"> <li>Title Holder</li> <li>Registered or non-registered tenants</li> </ul>	Compensation at replacement cost for the net loss of income, damaged assets, crops and trees etc.	No such temporary loss of private land is expected.
		An agreement must be reached with the owner before entering the site.	
Loss of residential, commercial, and other structure	<ul style="list-style-type: none"> <li>Title Holder</li> <li>Registered or non-registered tenants</li> </ul>	For losses of structures, buildings including cattle shed, walls, toilets etc. affected by the project compensation for full or partial loss at replacement cost of the affected structure without depreciation or deduction for salvaged material will be provided.	There are only 16 households residing within the project area. Road net work, open space and other spaces are designed in such away that there will not be any structural losses.
Loss of community structures / resources	<ul style="list-style-type: none"> <li>Title Holder</li> <li>Registered or non-registered tenants</li> <li>Various institutions</li> </ul>	Reconstruction by the project leaving such facilities in a better condition than they were before. or	No such losses are found.
		Cash compensation at full replacement cost without depreciation of deduction for salvaged material.	No such losses are found.
Loss of trees and crops	<ul style="list-style-type: none"> <li>Title Holder</li> <li>Registered or non-registered tenants</li> </ul>	Cash compensation based on annual value of the produce and calculated according to the Department of Agriculture norms.	Advance notice to harvest crops will be issued
		Cash compensation based on calculation of the production and calculated according to the District norms as decided by the Department of Forestry.	No harm to the perennial crops is expected. Construction work will be started after paddy harvesting.

		Cash compensation based on the locally market prices for the produce of one year and calculated as per the norms of District Agriculture Development Office.	
		50% cash compensation of the lost crop for the sharecropper.	No share croppers are found
Loss of rented accommodation, commercial establishment, privately owned structure	<ul style="list-style-type: none"> <li>Title holder</li> <li>Tenants</li> <li>Lessee</li> </ul>	No such loss is reported.	
Loss of land for resettlement site	<ul style="list-style-type: none"> <li>Title holder</li> <li>Tenants</li> <li>Lessee</li> </ul>	No any resettlement involved.	
Loss of community forest due to construction	<ul style="list-style-type: none"> <li>Forest Users group</li> </ul>	No any forest is within the project area. No any wood works is involved in construction work.	
Loss of drinking water points	<ul style="list-style-type: none"> <li>Community that owns the water point</li> </ul>	No any water source/point is found within the project site.	
Loss of income indirectly due to the project	<ul style="list-style-type: none"> <li>Persons who may be adversely affected by the project although they do not loss assets</li> </ul>	No such person/groups are found in the project area	
All the Project Impact	<ul style="list-style-type: none"> <li>Persons within the project area</li> </ul>	General counselling on <ul style="list-style-type: none"> <li>Project Impact</li> <li>Construction Schedule</li> <li>Land Acquisition Schedule</li> <li>Valuation, compensation and grievance resolution mechanism</li> <li>Construction procedure</li> <li>Local Development initiatives</li> </ul>	<ul style="list-style-type: none"> <li>No land acquisition except voluntarily contribution of partial land</li> <li>Various grievance redress mechanism are available</li> <li>Appropriate construction schedule and procedure should be adopted.</li> </ul>

All APs have contributed a part of their land and as a replacement for this they will get developed plot in the proportionate manner. The assessment showed that all the APs are above the poverty level and the contribution does not impact in their livelihood. Except the partial land the land owners and affected households do not loss their other assets. In place of their partial land loss all the land owners will get reasonable size of developed land.

## 6.2. Income Restoration and Rehabilitation

The project will not have any negative impacts in livelihoods of the APs. However the assessment shows that the income and livelihood standard of the APs found above the poverty level. The project will ensure that there is no employment of children on the project (Under 16 years recommended by the ILO).

## 6.3. Resettlement and Rehabilitation Budget

No any cost is involved for affected land and structures because there is no any structural loss and land loss is nominal and landowners have provided consent for voluntarily contribute their partial land to the project.

## 6.4. Principle and methodologies for Valuing and Determining Compensation

All landowners have given their written consent to contribute their part of land and agreed to implement the project as per TDA, 2045. However the RLMC has all the legal right for valuating and determining any compensation, no any compensation is involved in this subproject.

## 7. Grievance Redress Mechanism

The project has always welcomed for the grievance or suggestions from the APs as well as other stakeholders and well incorporated their suggestions in the project plan. There is a provision under the Land Acquisition Act of Nepal 2034(1977) to allow interested persons (i.e. APs) during land acquisition process to file or represent their cases to the CDO and raise objection against.

**Municipality is a self governing body. Chapter 5, Section 101 of Self Governance Act, 2055 (1999)** gives various judicial power to the municipality. The municipality has an arbitration board to hear and settle the cases filed in the municipality. The board directly can hear and can make its decision about cases on border/boundary of land, cases on compensation for damage of crops, cases on construction of houses, cases on providing expenses for fooding and clothing according to status and income, cases on pasture land and grass. APs can directly file their complaints to the Municipality regarding the land pooling project also. The Mayor shall designate one arbitrator as the chairman of arbitration board.

**In accordance with the Town Development Act 2045**, a Land Management Sub-committee has been established at municipality for overall policy making of Ratmata Land Pooling sub-project. This committee can scrutinize the complaints of APs for their appropriate resolution.<sup>1</sup> Including disputes relating to legal rights, it will review all grievances relating to land contribution. Grievances will be redressed within two to four weeks from the date of lodging the complaints. The following table shows the member of RLMC.

**Table 10: Member of RLMC**

---

<sup>1</sup> The complaints that are likely to arise include: (i) APs not enlisted; (ii) losses not identified correctly; (iii) problems related to land donation; (iv) inadequate compensation/assistance; (v) dispute about ownership; and (vi) problems/delays in disbursement of compensation/assistance.

SN	Description	Designation
1	Mayor- Kamalamai Municipality	Coordinator
2	Presiden- Sindhulimadhi Town Development Committee	Member
3	Chief District Officer or Representative	Member
4	Chief- District Revenue Office	Member
5	Chief- District Survey Section	Member
6	Chief- DUDBC, Division Office, Dhanusha	Member
7	Chief- Water Supply and Sanitation Division Office, Sindhuli	Member
8	District Attorney- District Attorney Office, Sindhuli	Member
9	President- Ratmata Land Development Users Committee	Member
10	Secretary- Ratmata Land Development Users Committee	Member
11	Project Manager- UEIP/PIU Kamalamai Municipality	Member-Secretary

The RLMC has overall decision making authority including legal issues as per Town Development Act. The committee may also (i) provide support for APs to lodge their any complains; (i) record the complains, categories and prioritize them; (iii) settle the grievances in consultation with APs and municipality staff; (v) report to the aggrieved parties about the decision/solution; and (vi) forward the unresolved cases to higher authorities.

In addition of above grievance redressing mechanism, there is a separate grievance redressing committee chaired by Executive Officer of Kamalamai Municipality for UEIP sub-project. None of the families has made any complain about the Ratmata land development project till date. No registration of complaint has been found in this regard.

## 8. Information Dissemination, Consultation, and Disclosure of RP

Different consultation meetings (Annex 8) were held right from the project initiation phase to detailed design phase. In these meetings, project modalities were discussed with community (including local leaders, women, etc.) and with each affected household. The main agenda of the discussions were land pooling policy, implementation modality and ADB Policy on involuntary resettlement, compensation and entitlement, resettlement framework of the UEIP, APs actively participated in walk-through survey and expressed their willingness to contribute part of their land to land pooling project, and the APs were informed about their entitlement. After the full consultation with affected people the voluntary contribution of their land was confirmed through written consent form. Various meetings of political parties, land owners, users committee, and land management subcommittee were found to be organized to implement the proposed project. To take suggestions and comments from land owners and other stakeholder on land readjustment plan and draft final design report, a notice has been published in a national news paper. In addition the publication of notice in news paper an announcement from local FM radio was also transmitted to take the suggestions and comments. As a result of such advertisement, the land owner are providing their comments and suggestion verbally, and in written as well. To receive written suggestions, a register has been maintained in PIU office. The user's committee has also presented its suggestions and comments on draft final design report in written to the PIU office. The consultant also studied these comments and suggestions and found all the comments and suggestions are supportive to implement the project and no one is reluctant to implement the project.

Hence right from the initiating phase to the final design phase the beneficiaries were mobilised extensively to minimise adverse social impact. As a result, entire project has been benefited especially in two ways (i) No land acquisition and no resettlement due to public

participation (ii) Landowner's consent for voluntary contribution of their land without any extra burden to the landowners.

The Safeguard Policies have been disclosed with the stakeholders and APs in municipality and different meetings. The safeguard policies and project activities have been informed to the people through municipality/PIU and community meetings along with entitlement matrix. Based on the feedback of the stakeholders, the eligibility criteria and entitlement for compensation/assistance has been finalized.

The information dissemination and consultation will be continued during implementation of RP. This support will enable APs to participate more actively in the implementation process.

## **9. Implementation Framework**

### **9.1. Implementing Organization**

The Executing Agency for the Project is Ministry of Physical Planning and Works (MPPW) through Department of Urban Development and Building Construction (DUDBC). A Project Coordination Office (PCO) is established to support and manage the execution of the project at the center under the guidance of Project Steering Committee (PSC). DUDBC provides oversight, policy guidance and grievance resolution support and coordinate with other central government agencies. Project Implementation Unit (PIU) has been established in Kamalamai Municipality to execute the project. It provides the policy and administrative support on implementing resettlement activities. Implementation of the SARP activities will be also carried out by the PIU.

RLMC has been formed to make all policy making decisions and to implement the sub-project as per TDA, 2045. This committee will guide all the policy including land contribution, and resettlement issue for this sub-project. All the works of land pooling should be conducted with due approval and recommendation of "User's Committee". An UC has been formed to implement this sub-project.

### **9.2. Implementation Schedule**

It is expected that the construction work will be started by the mid of November 2008 and will be completed by the mid of September 2009. The land readjustment and re-distribution will be completed by the end of December 2009 (refer annex 5 for detail work schedule).

## **10. Monitoring and Evaluation**

There will have both internal and external monitoring. Internal monitoring will be a regular activity for PIU and Community Development Section of the KM will be responsible for the internal monitoring and preparation of annual and trimester reports on the progress of the implementation. The PIU will organize periodic progress review workshops involving APs representatives. Special attention will be given to securing the participation of women. PCO will hire a qualified independent consultant to conduct external monitoring annually during the project implementation. A sample survey of affected households needs to be under taken to assess the degree to which the project's resettlement objectives have been met. The socio-economic survey undertaken for land acquisition will form a baseline data, from which many of the indicators can be measured. The sample monitoring survey will be to measure the extent to which APs living standards have been restored/improved.



## 11. Conclusion

This social assessment and resettlement plan has been prepared as per the requirement of ADB's Policies. The sub-project requires voluntarily land contribution for the Ratmata Neighbourhood Road, Drainage and Water Supply Development (Land Pooling) sub-project. The voluntary land contribution has been accepted as per prevailing TDA and after receiving the written consent from APs. The study shows that there will be no significant impact to the APs. Following are the conclusions through this Social Assessment and Resettlement Plan Report.

- i. All the APs have given written consent to provide part of their land without compensation. So, the required land for infrastructure development will be available through voluntary contribution.
- ii. The preventive measures have been applied to minimize the project impacts to the APs. Implementation of the project does not adversely affect to the environment, and culture of people. Various grievance redressing and complains hearing mechanism are formed to address the various social and personal grievance and complains.
- iii. It fosters people's source of income, market access, and increase in land price. The land pooling project also helps the Municipality for systematic town development which is a great achievement for growing municipality like Kamalamai.
- iv. The process of land contribution does not affect APs livelihood source. The project activities have been conducted through Community-Driven Approach. Hence, the participation of local people and APs is available for the entire project.
- v. Various Caste/Disadvantaged groups/Dalit and Janajaties will be benefited from the implementation of Ratmata Land Pooling Project. So this is justifiable from social aspect.
- vi. Significant number of Female (about 36%) landowner will be benefited from the LP project. This is very important from gender issue.
- vii. All the landowners will get proportionate size of land parcel after development. No any houses and sheds needs to be dismantled or to be shifted. So, there is no resettlement problem.
- viii. The project fulfilled all the requirement of ADB **Involuntary Resettlement policy, and prevailing requirement of land acquisition act, town development act and UEIP loan agreement.**