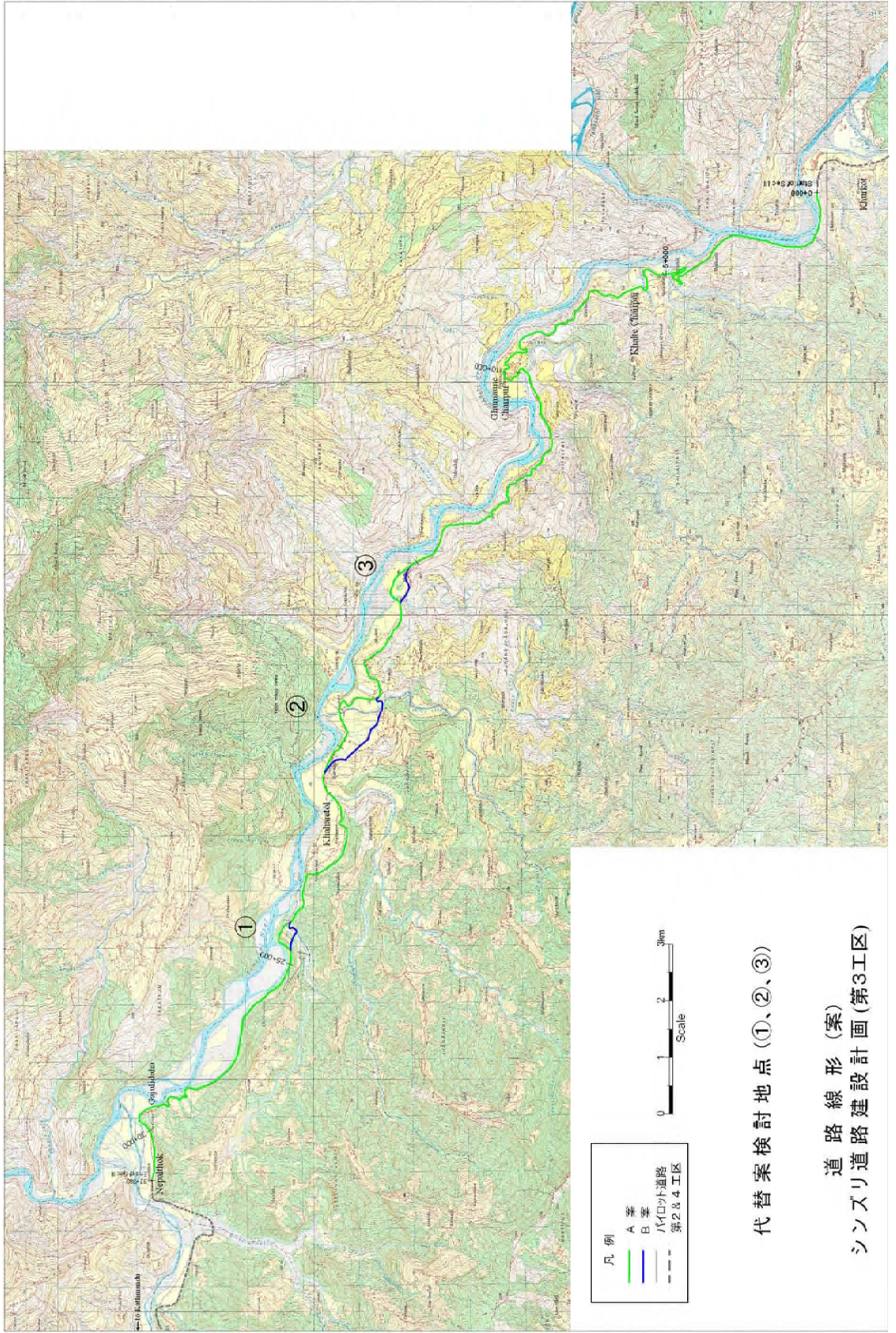
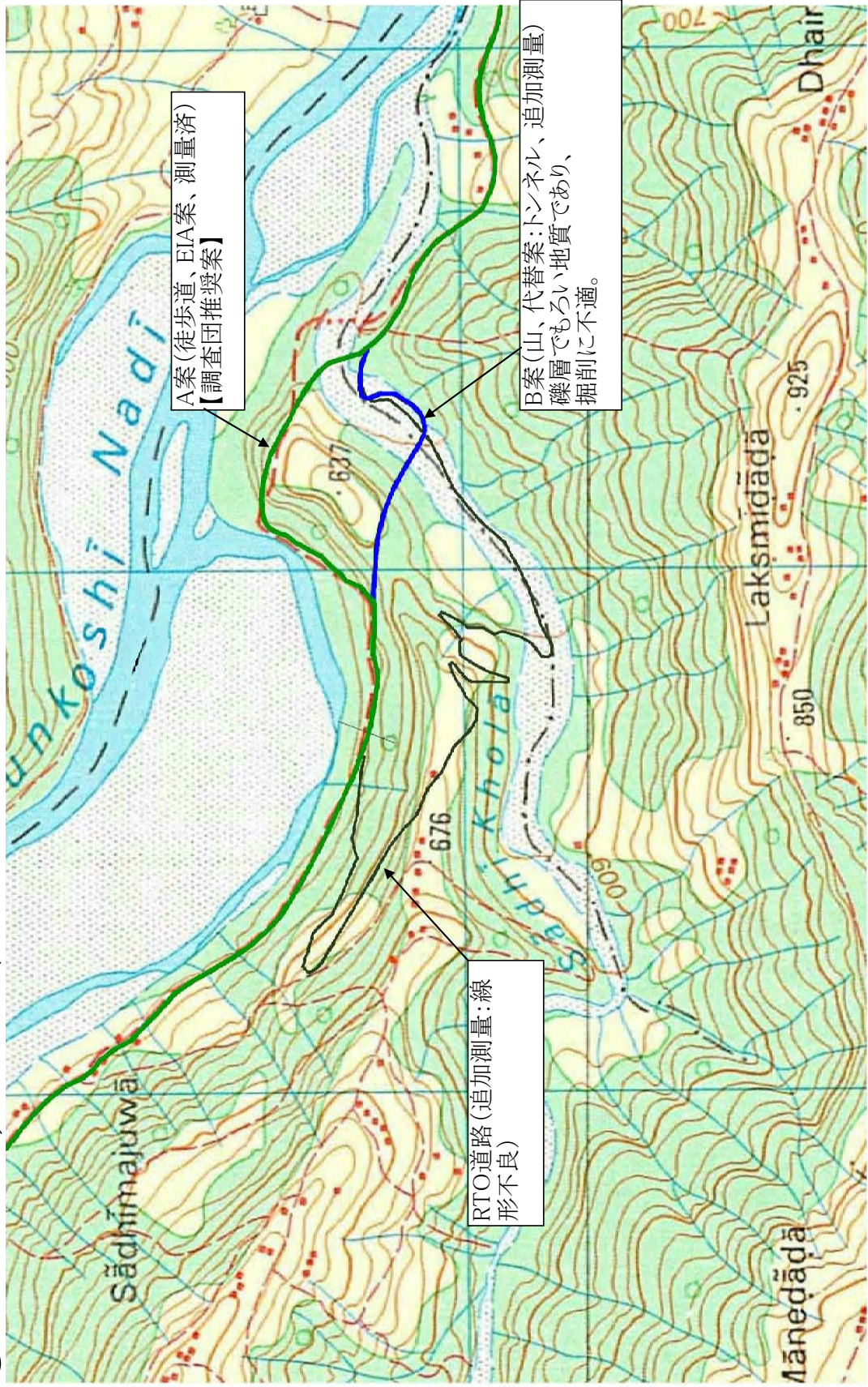


資料 6 代替案検討箇所 の線形図

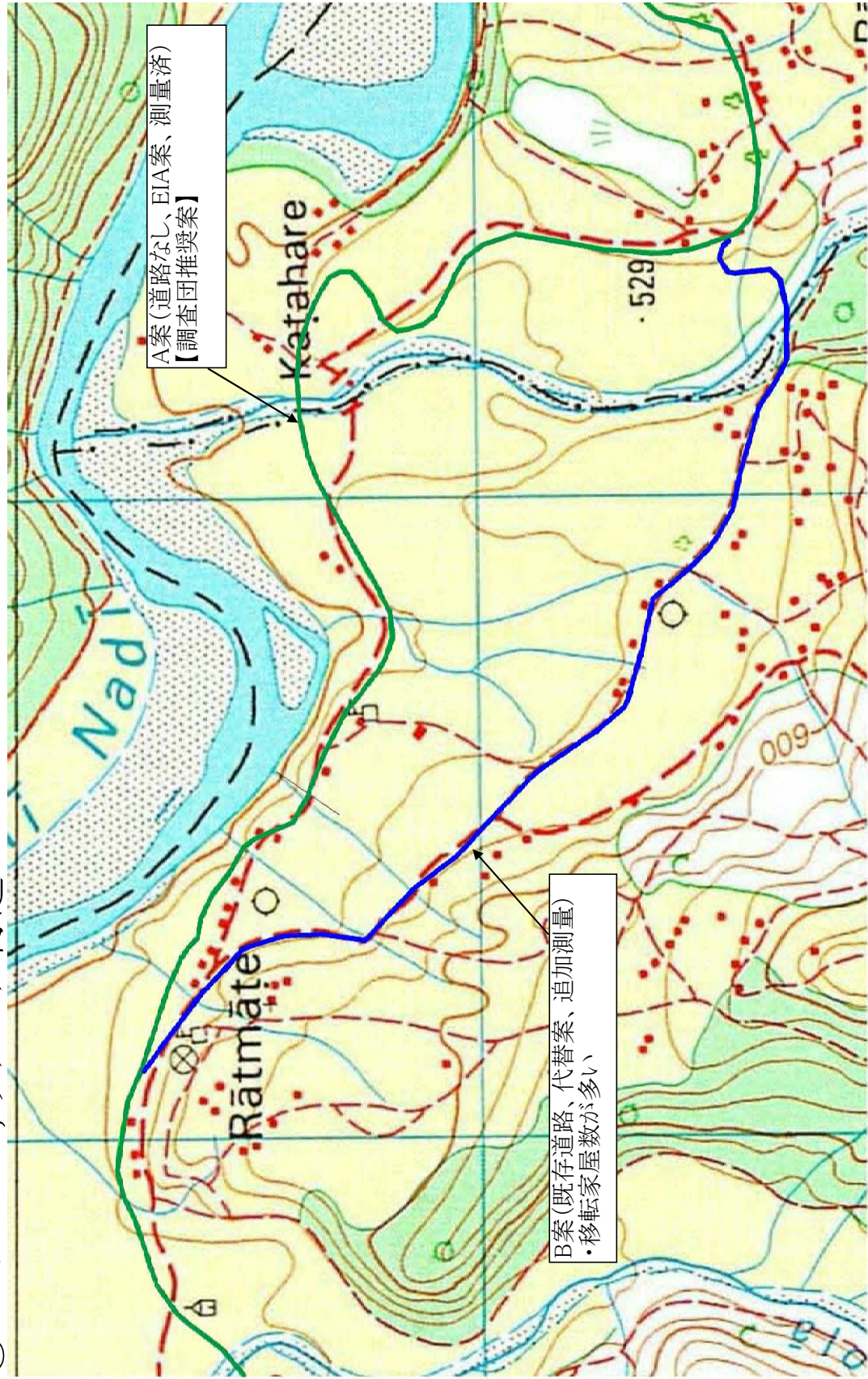
代替案検討地点の線形図面



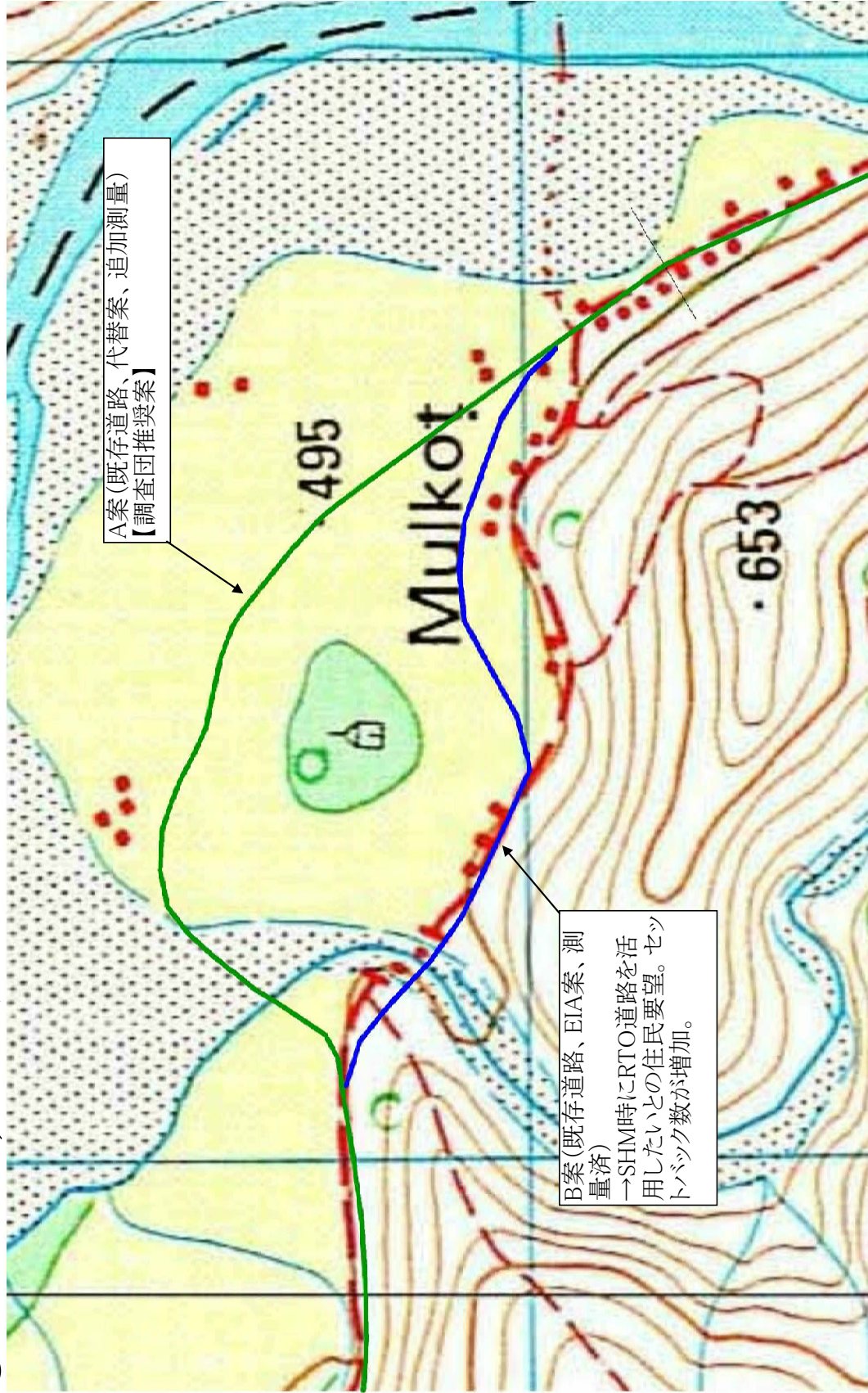
① Sta.24+500, サンディイ川付近



② Sta.20+000, ラテマテ付近



③ Sta.16+000, ムルコット付近



資料 7 DOR Road Maintenance & Development Project,
JUMLA-KALIKOT ROAD,
Site Resettlement Action Plan, Nov. 2005

**HIS MAJESTY'S GOVERNMENT OF NEPAL
MINISTRY OF WORKS AND TRANSPORT
DEPARTMENT OF ROADS**

**ROAD MAINTENANCE AND DEVELOPMENT PROJECT
NEW ROAD DEVELOPMENT AND UPGRADING COMPONENT**

JUMLA – KALIKOT ROAD (36 Km.)

**STATUS OF
SITE RESETTLEMENT ACTION PLAN**

November 2005

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ACCRONYMS

CBO	:	Community Based Organization
CDC	:	Compensation Distribution Committee
CDO	:	Chief District Officer
Ch.	:	Chainage
COI	:	Corridor of Impact
DDC	:	District Development Committee
DOR	:	Department of Roads
HMG/N	:	His Majesty's Government of Nepal
JKR	:	Jumla Kalikot Road
Km.	:	Kilometer
LCF	:	Local Consultative Forum
M.	:	Meter
NGO	:	Non – Governmental Organization
No.	:	Number
NRs.	:	Nepali Rupees
PAF	:	Project Affected Family
PF	:	Peoples Forum
RAP	:	Resettlement Action Plan
RMDP	:	Road Maintenance and development Project
ROW	:	Right of Way
SJRP	:	Surkhet Jumla Road Project
SPAF	:	Seriously Project Affected Family
Sq. m.	:	Square Meter
VDC	:	Village Development Committee

1. INTRODUCTION

1.1 Background

His Majesty's Government of Nepal has planned to develop and upgrade strategic roads network to connect district headquarters of Mid and Far Western Development Region of Nepal under Road Maintenance and Development Project (RMDP). Surkhet – Jumla Road (Karnali Highway) is also included under RMDP by Department of Roads (DOR). RMDP is financed by the World Bank and is being executed by HMG/DOR. RMDP includes construction of new roads in Darchula, Bajura, Achham, Jumla, Kalikot and Jajarkot districts including upgrading of existing Surkhet - Kalikot Road, Dharapani -Chhedegad Road, and Gorusinge - Sandhikharka Road; and rehabilitation of Harthok -Tamghas Road, and Tansen - Syangja Road.

Department of Roads (DOR) has given construction/upgrading of Surkhet - Jumla Road (also called as Karnali Highway) utmost priority. Upgrading of Surkhet - Kalikot section of this highway is already in progress. Section within the Kalikot district is under construction by Royal Nepal Army and new construction in Jumla district has been started from May 2004 with labour-based methods involving local CBOs in the construction work.

The RMDP is being implemented under HMG/N policies and the World Bank guidelines. Bank policies emphasize the need to avoid or minimize involuntary resettlement on development projects. Similarly, HMG/N policies also put emphasis on the importance of avoiding adverse socio-economic impacts in road design and construction. Thus, social considerations have been incorporated as far possible in the preparation of RMDP. A Resettle Action Plan (RAP) was prepared during project preparation to ensure that the pre-project living standards of affected persons are restored (and where possible improved) at no cost to themselves.

1.2 Objectives of RAP

Through the Entitle Framework, the Project addresses the following impacts associated with the road construction:

Loss of land and other privately-owned assets;

Adverse impacts on subsistence, livelihood or income-generating capacity; and

Collective adverse impacts on groups (e.g. loss of community resources and assets).

Thus, the successful implementation of the RAP measures requires an enabling, supportive environment. This will be achieved through the following objectives:

- Ongoing community consultation will occur to ensure that people's views, concerns and suggestions, particularly those of vulnerable groups, are satisfactorily incorporated into implementation procedures.
- An institutional framework will be developed as an integral part of the project to ensure that appropriate social impact management mechanism and arrangements will ensure that compensation; resettlement and rehabilitation are carried out timely and effectively.
- Construction work will commence on road sections only after acquisition procedures as detailed in the Framework have been successfully initiated.

1.3 Status of Jumla – Kalikot Road

The construction of Jumla - Kalikot Road is the road section from ch. 185+000 to ch. 221+007 (i.e. 36 km.) of Surkhet - Jumla Road Project under RMDP. The alignment lies in the Tila/Karnali valley and passes through Mahat Gaun, Talium, Lamra, Tatopani, Kudari, and Raralihi VDCs of Jumla district (31.5 Km.) and Phui Mahadev VDC of Kalikot district (4.5 Km.). Labour-based and environment friendly measures have been adopted for construction of this road through the engagement of CBOs as labour groups. This road shall connect Jumla district headquarters with national highway network and shall provide services to the people of Jumla as well as neighbouring districts.

Construction works are continued up to Nagma 31.5 kilometer stretch from Jumla with a total of 62 CBOs (work groups). Earthwork has been completed in 12 kilometer stretch of the road in Lamra, Talium, and Mahat VDCs and nearly 95% earthwork has been completed in Raralihi VDC. Construction works have been going on for 12 Km road stretch in Tatopani, Kudari, and Raralihi VDCs actively with 31 CBOs of which 90% of earthwork has been completed. Construction works are yet to be started in 5.5 Km road stretch, mainly in Kalikot district after Nagma. Construction survey has been completed for entire road and contract packaging work has been completed up to Nagma (Km. 31.5 from Jumla headquarters). Compensation distribution has mostly been completed for Mahat Gaun, Talium, and Lamra VDCs 12.6 kilometer stretch from Jumla headquarters and is in process for other stretch.

1.4 Purpose of This Report

This report has been prepared to provide information on the site-specific RAP activities in Jumla – Kalikot Road under the broader framework of the Resettlement Action Plan (RAP) of RMDP. The report includes in brief the process, plans and progress achieved till now related with RAP in this road.

2. RAP PROCESS IN JKR

2.1 Overall Approach and System Adopted by the Project

The RAP process and activities have been adopted as per the rules and regulations of HMG/N fully meeting the guidelines of the World Bank for RAP. The process has been fixed in line of the 'Entitlement Framework of RAP' prepared for RMDP.

2.1.1 Strategies to Minimize Social Impacts

The primacy of geological and topographical considerations in road construction in Nepal restricts the extent to which social and environmental considerations can have a bearing on new road alignment selection. Within this constraint, the shortest possible length was selected to minimize land take, while the alignment is further refined before construction to avoid or reduce impacts on archeological, religious and cultural sites; large settlements; high-value production land; high conservation forest areas; and, other community assets.

In an effort to further reduce the substantial impact that land acquisition would have on household production levels, adjustment has been made to the 'Right of Way (ROW)'. The ROW has been limited to 15 meters (for new road construction) except where construction requirements and topography necessitates the acquisition of a wider area. Property acquisition has been limited to this area and assets outside the Corridor of Impact (COI) or the ROW will be left undisturbed.

Local Consultative Forums (LCFs) and People's Forums (PFs) have been established at VDC level to effectively address the social issues associated with the RAP. The purpose of such Forums is to ensure two-way information dissemination; and to involve affected communities and local government bodies in social impact management, grievances resolution and monitoring, thereby promoting collective organization and decision-making.

Capacity building initiatives are supported through a local NGO to create a supportive environment for the implementation of RAP activities including training, orientation and advisory support to the affected families on compensation plans and alternative income generating skills.

2.1.2 Important Features of RAP Implementation in JKR

Following are the important features of RAP implementation in Jumla – Kalikot Road:

- Detailed list of Project Affected Families (PAFs) and Seriously Project Affected Families (SPAFs) are prepared before the start of work.
- A detailed verification of assets (land, crops, trees, houses, and other properties) lying within the COI is made before the start of construction work.
- A compensation committee following HMG/N rules makes valuation of all the properties and distribution of compensation is made before start of construction work following HMG/N rules and Entitlement Framework of RAP. The Entitlement Framework has been prepared following the World Bank guidelines.

- Local Consultative Forums (LCFs) are involved in the process at various stages and the people are made well aware of the process by means of notifications following HMG/N rules and regular interaction made through the LCFs and local NGO selected by the project for assistance in project implementation.
- Besides the LCF, People's Forums, which mainly includes the representatives of local people selected through a mass meeting, have been constituted at VDC level to support the project implementation and conflict resolution.
- Members of PAFs and SPAFs are given utmost priority in engagement in construction work as labourers. This means that, the CBOs for engagement in construction works are formed from the SPAFs and PAFs of local area. Only in the case of labour shortage, outside persons of local area are incorporated in CBO formation by the designated NGO.
- Constant interaction with the local people is made at all stages by the project deputed NGO. The local affected people are also oriented and advised regularly by the NGO in positive and negative impacts of the project, sought mitigation measures, RAP provisions, and alternative income generation possibilities.
- Information and assistance are provided to the affected families to gain access to other line agency services, and other poverty alleviation and credit programmes running in the project area.

2.2 Compensation Process Followed in JKR

As mentioned earlier, the process followed for implementation of RAP in JKR is similar to that set out in 'Entitle Framework of RAP'. Detailed description on this procedure has been mentioned in the "RAP Report: Volume-8" prepared by SMEC/COOMA, CEMAT in June 1999.

A brief description of the RAP implementation process followed in JKR has been provided below:

2.2.1 Steps of Property Acquisition

Following general steps are followed for acquisition of property falling within the COI of the road:

1. Asset Verification Survey: At first an assets verification survey is held (generally done through the project consultant). A detailed list of all the private and public assets including names of the property owner is prepared during this survey. The list includes separately the list of land parcels (with their categories), houses (with their conditions), crops, trees (with types), walls, public properties like schools, health posts, etc. Names of the corresponding VDC and wards are mentioned in this list. The report is submitted to the DOR.
2. Preparation of Acquisition Plan: The Project Manager of the SJRP-DOR reviews the report and prepares property acquisition plan based on the work plan of road construction. The District Administration Office (CDO-Office) is consulted for necessary acquisition process.

3. Publication of First Notice: A 15-days notice is published by the CDO-Office in a national newspaper for property acquisition mentioning the detailed list of property acquisition.
4. Submission of Application for Compensation: Within the above-mentioned period of 15 days, the concerned affected persons need to apply for compensation with the evidence their ownership.
5. Publication of Second Notice for Grievances: Thereafter, another 15-days notice is published in a national newspaper calling local persons for any grievances over the application of compensation with proper proof of their claims or disputes.
6. Scrutiny of Applications and Claims: In the mean time, all the applications and claims are scrutinized with the help of Land Revenue Office, LCF, and PF.
7. Fixation of Compensation Rates: After that, meeting of the Compensation Distribution Committee (CDC) is called and the rates of compensation distribution are fixed within the project norms and district rates.
8. Distribution of Compensation: Distribution of compensation is made then by the Project Unit Office of the DOR in Jumla.
9. Transfer of Ownership: Simultaneously, transfer of the properties is made from the past owners to the DOR.

2.2.2 Compensation Distribution Committee

To fix the compensation rates and to take necessary decisions on disputes, there is a Compensation Distribution Committee (CDC) constituted in the district under the chairmanship of the Chief District Officer (CDO). This committee is further supported by the Local Consultative Forums and People's Forums in decision-making and dispute resolution.

The CDC constitutes the following persons:

The Chief District Officer	-	Chairman
The DDC Representative	-	Member
The District Land Revenue Officer	-	Member
The Project Manager of DOR(SJRP)	-	Member Secretary

Meeting of the CDC is called as and when required.

2.2.3 Basis of Compensation Rates

There are different compensation rates for land, crops, trees, and houses. Again there are different compensation rates for sub-categories of each heads.

Lands: The rate varies according to the production quality of land like irrigated (khet) and non-irrigated (pakho) lands. According to productivity, the land is sub-categorized into Abbal, Doyam, Sim, and Chahar as per Nepalese practice. Rates of all these sub-categories are different. Similarly, the rate also varies for the land in urban area and rural area; and the lands near to the road and farther from the road.

Basic rates taken from the District Land Revenue Office is applied for fixation of the rates of different categories. The unit for valuation is square meter of land area.

Houses: The rate varies for different types of houses like house with or without cement pointing, CGI roofing or mud/plank roofing, inner walls with or without wooden planking, number of storey, etc.

Rates for different sub-categories are fixed from the basic rates taken from the District Urban Development and Housing Office. The unit of valuation is in square meter of floor area.

Crops and Trees: Rates are different for crops like Barley and Wheat. It is paid in the square meter of cropping area.

Compensation for trees are provided only for trees older than 5 years. Rates are different for fruit trees like Apple, Walnut, and other fruits. Rate is also different for non-fruit timber trees. Unit for compensation for trees is in number of trees.

Rates for crops and trees are based on the valuation rates provided by the District Agriculture Office.

2.2.4 Compensation Rates in JKR

Following are the compensation rates under different categories prevailing at present for compensation distribution in JKR in Jumla district:

- a) Land: The rate varies from NRs. 600.00/sq. m. to 100.00/sq. m. for different categories. The rate of Mahat VDC (district headquarters) is higher than other VDCs.
- b) Crops: The rate for Barley is NRs. 12.00/sq. m. of standing crop and for Wheat, it is NRs. 15.00/sq. m.
- c) Trees: The compensation is paid for loss of annual production for up to 5 or 3 years. The owner himself takes the timber away. The rates are as below:
 - Apple: NRs. 700.00/tree * 5 years = NRs. 3,500.00/tree
 - Walnut: NRs. 1,000.00/tree * 5 years = NRs. 5,000.00/tree
 - Others: NRs. 125.00/tree * 5 years = NRs. 625.00/tree
 - Non-fruit Timber Trees: NRs. 125.00/tree * 3 years = NRs. 375.00/tree
- d) Houses: The rate varies from NRs. 3,500.00/sq. m. of floor area to NRs. 4,600.00/sq. m. of floor area depending upon the type of the house. The house owner himself dismantles the house and all the building materials are taken away by the owner himself. Fifty percent of the compensation amount is paid in the beginning and the rest is paid after dismantling of the house by the owner.
- e) Compound Wall: Compensation is not paid. The wall is dismantled from the project cost and all the material are given away to the owner.

2.2.5 Special Provisions

Besides the regular compensation distribution, following special provision are being applied:

In the case of dismantling of houses of SPAFs, the SPAFs are paid an additional sum of NRs. 7,300.00/house as Displacement Allowance.

For the public buildings like school or others, cost of purchase of new land equal to the old one is provided besides compensation of the house.

2.2.6 Compensation Distribution Method

After completion of all acquisition procedures, the compensation distribution is made by Project Unit Office of DOR in Jumla in the presence of representatives of People's Forum, VDC, and the NGO.

All the payments are made by bank cheques. For the compensation amount below NRs. 10,000.00 a bearer cheque is provided to the beneficiary and for the compensation amount higher than NRs. 10,000.00 an account payee cheque is provided.

2.3 Resettlement and Rehabilitation Provisions

Besides the distribution of compensation for different assets to the affected persons, there is an optional provision for resettlement of SPAFs as per the Entitlement Framework. This becomes more evident when a complete cluster of SPAFs is to be vacated. However, till now it is not required.

As mentioned earlier, special Displacement Allowance is provided to the house owners of SPAFs if their house is to be dismantled.

Apart from the provision of displacement allowances, the rehabilitation of SPAFs is additionally supported through the NGO by following measures:

counseling regarding project impacts, compensation alternatives and risks;

counseling on saving of earned cash;

preferential access to road construction employment opportunities;

assistance with orientation and advisory services in alternative income generating skills and opportunities;

assistance to gain access to the services and supports from other agencies.

Benefit of such counseling and advisory assistance is also provided to the PAFs of the project.

3. SITE SPECIFIC RAP OF JKR

3.1 Status and Findings of Assets Verification Survey

Assets verification survey for the road alignment was started by the consultants (SMEC/COOMA, CEMAT) in the beginning of 2004 from the district headquarters of Jumla. However, after completing the survey works up to 10 kilometers from Jumla, there were security threats; and thus, the survey work was stopped. The consultants submitted the assets verification report for up to 8 kilometers from Jumla i.e. from ch. 213+365 to ch. 221+007. Accordingly compensation distribution process was initiated for this stretch of the road.

After many efforts by the People's Forum and the NGO, the security problem was solved and the consultant was again able to carry out the assets verification survey for the entire remaining length of the road i.e. up to ch. 185+000. Out of this total length, compensation distribution process has mostly been completed for 12.6 kilometer (i.e. from ch. 208+375 to 221+007). Compensation distribution is being done for up to Nagma (ch. 189+500) and most of the people have received the compensation. Process of compensation distribution has been started for the last stretch of 4.5 Km. (ch. 189+500 to 185+000) in Kalikot district. Actual distribution of compensation for this stretch shall be done in December 2005.

Summary of the assets verification findings for compensation distribution mostly completed portion of 31.5 kilometers road length upto Nagma in Jumla district has been presented in the following page. Details of compensation distribution in Mahat, Talium, Lamra, Tatopani, Kudari, and Raralihi VDCs have been presented in the Annex. Details of assets verification records have already been produced in previous RAP Status Report.

From ch. 221+007 to ch. 189+500, there are 2581 number of land parcels affected. Similarly, there are 223 buildings to be demolished; and 394 number of trees to be felled. Number of SPAFs identified in this stretch is 107.

3.2 Status of Compensation Distribution Till Now

Due to security problems, compensation distribution and road construction was initiated first for 4 kilometers from the Jumla district headquarters i.e. from ch. 221+007 to 216+880. Further, the compensation distribution was extended to Mahat Gaun, Talium, and Lamra VDCs adding another 8.6 kilometers from Jumla i.e. up to ch. 208+375 and distribution of compensation up to ch. 208+375 (i.e. 12.6 Km. from Jumla headquarters) has been mostly completed. There after, compensation distribution was started for the road stretch up to Nagma (ch. 189+500) and this portion also compensation distribution for land, trees and crops is almost completed and for buildings it is on its final stage. Summary of the compensation distribution status up to ch. 189+500 till now has been presented in the following page. Compensation distribution process has also been started for ch. 189+500 to ch. 185+000 (i.e. end point of present road section in Kalikot district) and distribution of compensation in this stretch also will be completed very soon. Details of compensation distribution data of this stretch will be available by end of December 2005.

Total compensation amount determined by the CDC for the stretch from ch. 221+007 to ch. 189+500 is NRs. 91,403,341.60. That means NRs. 32,515,846.75 for land; NRs.

57,033,882.85 for buildings; NRs. 1,196,603.00 for trees; and NRs. 657,009.00 for the crops.

Out of this determined amount, total compensation paid till now is NRs. 77,457,890.00; i.e. NRs. 30,913,384 for land, NRs. 44,751,342 for buildings, NRs. 1,180,903 for trees, and NRs. 612,261 for the crops. Displacement allowance has been distributed to 103 persons amounting to NRs. 751,900.00.

As seen from the summary of land acquisition and compensation status provided in following page, on average 85% of total compensation distribution has been completed for the 31.5 Km. road length (i.e. ch. 221+007 to ch. 189+500). Compensation for land take has been paid up to 95.07% in this road stretch. The compensation for crops and trees are also completely paid to those who have received compensation for the land. Progress in distribution for trees and crops is 98.69% and 93.19% respectively of the determined cost.

Few people who are presently absent from the village have not taken the compensation for their land and crops/trees. Compensation has also not been paid to those pieces of lands and trees for which no claim is made till now.

As per RAP process, 50% of the determined compensation amount of houses is paid as first installment to the affected persons and the remaining 50% compensation amount is paid after demolishing of the house by the concerned person. Till now, first 50% installment has been paid to most of the affected house owners. Most of the buildings have been fully demolished and full compensation paid. Others are in process of demolition. Financially, total compensation distribution for houses is 78.46% of the total determined amount till now.

3.3 Future Plans

Compensation claim process has been started for 4.5 kilometer road stretch in Kalikot district (from ch. 189+500 to ch. 185+000) and the compensation distribution for this stretch shall also be started from 1st week of December 2005.

Absentee persons who have not taken the compensation are also in touch of the project through their family members. Compensation shall be paid to them as soon as they come with necessary legal documents.

**ROAD MAINTENANCE AND DEVELOPMENT PROJECT
NEW ROAD DEVELOPMENT AND UPGRADING COMPONENT**

Land Acquisition and Compensation Status

Jumla – Kalikot Road

S.N.	Activity	Unit	Compensation Status
1.	Number of Parcels affected	No.	2,581
2.	Number of Buildings affected	No.	228
3.	Number of Trees affected	No.	394
4.	Number of SPAFs affected	No.	107
5.	Compensation Amount as determined by the CDC		
	Land	NRs.	32,515,846.75
	Building	NRs.	57,033,882.85
	Trees	NRs.	1,196,603.00
	Crops	NRs.	657,009.00
	Total	NRs.	91,403,341.60
6.	Payment of Compensation		
	Land	NRs.	30,913,384.00
	Building	NRs.	44,751,342.00
	Trees	NRs.	1,180,903.00
	Crops	NRs.	612,261.00
	Total	NRs.	77,457,890.00
7.	Percentage		
	Land	%	95.07
	Building	%	78.46
	Trees	%	98.69
	Crops	%	93.19
	Total	%	84.74
8.	Payment of Displacement Allowance		
	No. of Family Identified	No.	103
	Total Amount to be distributed	NRs.	751,900.00
	Payment made till now	NRs.	751,900.00
	Percentage of distributed payment	%	100

3.4 Resettlement and Rehabilitation Activities Sought and Implemented

As mentioned in the Chapter 2.3 of this report, need for resettlement of affected person or community have not come till now except one school building (Janata Primary School) in Mahat Gaun VDC. Provision has been made for purchase of land at another place for the school. Counseling services are being provided to the affected persons as mentioned earlier and shall be launched to a greater scale in future. A list of displacement allowance to be provided to eligible SPAFs has been prepared and the payment is in process.

4. FURTHER ISSUES, PROBLEMS, AND SUGGESTIONS

4.1 Problems Faced

- There were security threats in the beginning to proceed with the assets verification works. Due to this reason, CBO formation and road construction works could not be extended beyond 4 km. from Jumla district headquarters till October 2004. After many efforts, the situation became little bit conducive and the asset verification work was completed. Now the construction works are also extended to full road length.
- Despite of some improvement of the security situation, the situation is still volatile from security point of view. If the situation deteriorates, the work progress and implementation of RAP shall also be affected.
- There are many absentee affected persons in the road corridor due to conflict situation. Such persons cannot come for taking the compensation. Due to this reason, compensation distribution to certain piece of lands has not been possible and the work has also not been carried out in such lands. Efforts are going on to solve this problem.
- There had been some conflict over the alignment in a stretch of 600 meters in Tatopani VDC. Thus, asset verification work had been left out for 1 km. stretch in this VDC. This problem has now been solved and asset verification has been done. Compensation distribution is yet to be started.

4.2 Issues Identified

- After continuous rapport building with the local people and people's representatives, people are now satisfied with the road construction procedures. The PAFs and SPAFs of the road are satisfied with the compensation rates and amount received by them.
- There have been some persisting problems regarding compensation distribution to the absentee persons. There has been demand to provide compensation to their nearest relatives, which again has legal consequences. Thus, a proper solution has to be searched for this issue to let the roadwork progress smoothly.
- There had been some delays in compensation distribution due to delay in budget release. Now this problem is solved and required budget has been sent to the field.
- There is a need to further extend the capacity building activities of the SPAFs and PAFs. Primary orientation to the people has been done. Now there is a need to launch skill development trainings and income generating activities for the affected persons.
- There is a need to think over the sustainability aspect of the created CBOs. This means, their existence as a long-term institution and establishment of their linkage with other service providing organizations.

4.3 Suggestions and Recommendations

- • There should be continuous monitoring of the security conditions of the project area. The programme needs to be flexible to cope with the newly developing conditions in future.
- A middle way has to be searched to distribute compensation to the absentee population or to their nearest nominee based on some legally acceptable document. Cooperation of security personnel in the district is also required to solve this problem.

- Income generating programmes and skill development trainings needs to be executed for the affected persons for the sustainability of RAP initiatives.
- There is also a need to provide the marketing facilities to the affected farmers.
- The CBOs should be linked with other regular income generating and developmental activities. The NGO needs to be empowered to carry out such initiatives.
- The DOR's unit office in Jumla needs to be supported with additional manpower and logistics for smooth implementation of RAP.

JKR/SOME FEATURES OF LABOUR BASED CONST./BR-SIDeF