



Consultant's Report

September 2014

TA 7566 REG: Strengthening and Use of Country Safeguards System

NEP Subproject: Strengthening Involuntary Resettlement Safeguard Systems in Nepal

Institutional Need Assessment Report Including Capacity Development Plan

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ABBREVIATIONS

| | |
|--------|--|
| ADB | Asian Development Bank |
| CDC | Compensation Determination Committees |
| CRP | Compliance Review Panel |
| DDC | District Development Committee |
| DoR | Department of Roads |
| GoN | Government of Nepal |
| IR | Institutional Reform |
| LA Act | Land Acquisition Act |
| LACRP | Land Acquisition, Compensation and Resettlement Policy |
| MOF | Ministry of Finance |
| MOHA, | Ministry of Home Affairs |
| MOLJ | Ministry of Law and Justice |
| MOLRM | Ministry of Land Reform and Management |
| MOIDT | Ministry of Infrastructure Development and Transport |
| MOFALD | Ministry of Federal Affairs and Local Development |
| MOE | Ministry of Energy |
| MOI | Ministry of Irrigation |
| MOSTE | Ministry of Science Technology and Environment |
| MOTCA | Ministry of Tourism and Civil Aviation |
| MOUD | Ministry of Urban Development |
| NEA | Nepal Electricity Authority |
| NLC | Nepal Law Commission |
| NDAC | National Development Action Committee |
| NGO | Non-Governmental Organization |
| NPC | National Planning Commission |
| SDE | Senior Divisional Engineer |
| SPF | Special Project Facilitator |
| TA | Technical Assistance |
| TOT | Training of Trainer |
| VDC | Village Development Committee |
| WB | World Bank |
| WG | Working Group |
| PAP | Project Affected People |
| TNA | Training Need Assessment |

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1. Introduction

The present sub-project “Strengthening Involuntary Resettlement Safeguard Systems in Nepal”(TA 7566) aims to make Nepal’s social safeguard system more effective and efficient in line with the international best practices. The study focuses on supporting the government to formulate appropriate policy and legal instruments on resettlement and rehabilitation by identifying the current gap that exists between the international best practices and the current practices of the country. One of the deliverable of the study is to suggest and recommend the government to initiate/develop institutional capacity of the various institutions that are involved in designing and implementing infrastructure projects in Nepal.

The objectives of the Institutional Need and Capacity Assessment are to: (a) evaluate the capability of EA and IA , and the adequacy of involuntary resettlement safeguards related systems in place,; (b) assess the competitiveness of the units/division in ministries; (c) assess the risks (institutional, political, organizational, procedural, etc.) that may negatively affect the ability of the units/divisions to carry out the IR safeguard process; and (d) develop an action plan to be implemented, as part of the capacity development plan, to address deficiencies identified by the capacity analysis and to minimize the risks identified.

2. Context

Availability of land is very essential and key input for infrastructure development. In Nepal, it has remained and continues to remain a central issue in infrastructure design and development. The country lacks a coherent and comprehensive policy for implementing and addressing social safeguard activities in infrastructure projects. In order to address these issues, a sustainable institutional mechanism is a pre-requisite condition. So far it has not been adequately addressed.

50s, 60s, and 70s saw a lot of resettlement in Nepal. It was a social and economic doctrine to create a work force in agriculture sector and also encourage systematic habitat in whole of Nepal and particularly in Terai. For this purpose a national level commission “PunarbasAyog” was created and was delegated with adequate power to implement its activities. It was a time bound program and the institutional instrument was disbanded after the completion of the task.

Even today, in case of resettlement related to disasters, the Home Ministry, which is in charge by practice does not have a coherent policy. It always deals with the situation case by case in absence of common policy and supportive implementation provisions.

The infrastructure development has always been a priority to the government. Despite of having sufficient fund allocated to these infrastructure projects, it has suffered greatly due to delay in implementing social safeguard provisions including land acquisition and timely payment on compensation.

In Fiscal Year 2010/11, these key sectors (Transport and Energy) spent 31.47 billion Rs. which is 29% of the total Capital Expenditures¹.

The current expenditures on economic physical infrastructure (Transport and Energy) stands around 3.18% of the GDP² (Fiscal Year 2010/11). The Government is under extreme pressure to increase resource allocation for these infrastructures to match the levels of the South Asian Standards.

The size and scope of the individual project is also increasing. Examples of such projects are: road upgrading and widening, Integrated Check Post at the border, reservoir type hydropower installation, extension and upgrading of electric transmission line, creation of economic protection zone,

¹ Economic Survey, MoF

² Economic Survey, MoF

development of railway transportation system and development of regional and national Airports. Early settlement of issues related to social safeguard is very essential for managing all these projects.

The functioning of institution, its capacity at different level of hierarchy, responsiveness and delivery mechanism are the critical aspect for mitigating social safeguard issues. This report prepared with the wide consultation with the stakeholders tries to identify the capacity need of the government in general and the three key sectors: Roads, Urban Development and Energy, in particular.

3. Scope of Institutional Need/Capacity Assessment

The Institutional Capacity Assessment (ICA) has been carried out by examining organizational aspects of relevant government institutions, in general, and three major infrastructure sectors: Roads, Energy and Urban, in particular. Sources mentioned in section 4, were the primary source for collecting information on a) Current legal framework and organizational functions; b) staff positions and level of competencies; b) organizational support including budget, logistics, staffing for social safeguard activities; and, d) Inter-institutional linkages.

4. Methodology

The report has been prepared on the basis of

- i) Consultation with the key officials of the relevant institutions: Consultations were carried out with the officials of the respective institutions on a) past and present trend/practices of social safeguard activities; b) social safeguard activities entrusted to the particular entity within the organization; c) appropriate place for institutionalizing the social safeguard activities; d) appropriate placing of grievance re-dressal mechanism; e) Institutional and individual capacity and, e) feedback on proposed institutional arrangement in Draft Policy on R & R. The list of the officials consulted during the study is given in Annex A.
- ii) Profile of the relevant institutions made available: The profile of institution were collected from printed leaflets, annual reports and web browsing.
- iii) Training need assessment carried out by the TA: Questionnaires were developed collectively and it was distributed and collected from identified respondents of the institutions representing three major sector: Roads, Energy and Urban Development.
- iv) Feedback received during National and Regional Consultations: Workshops were organized in Kathmandu, Pokhara, Nepalgunj and Biratnagar for wider consultation with stakeholders including development project officials, project affected persons, NGOs, politicians, and local institutions. The proceedings of the workshop has been prepared and circulated.

5. Review of Government Institutions relevant to Implementing R & R Policy

Nepal is a Federal Democratic Republic country. The government has three branches of governance: Legislative, Executive and Judicial. The Executive Branch of the government is responsible for carrying out administrative and development function including enforcing of the laws. The power of Executive Branch is vested in the prime Minister, who is also the chairman of Council of Ministers. As of today, there are twenty-six ministries whose primary function is to perform as an executing agencies in delivering the services to the people. The departments underneath of the ministries are the implementing wings of the government.

The plan and programming including budget planning for the infrastructure development is carried out centrally. The National Planning Commission decides on the limit for the fiscal budget for the each sector. The concerned ministries/departments carry out all exercises concerning allocation to each

project activity to be undertaken within that fiscal year. The budget proposal for each activity gets finalized only after extensive negotiation with the Ministry of Finance. Despite this extensive process, there are occasions when the final budget is announced, there are still some surprises with the inclusion of development projects not earlier subjected to discussion which makes its readiness questionable³.

For the successful execution of infrastructure project, R & R activities requires careful planning and execution on a time bound basis. Undertaking activities that includes the payment of compensation amount, timely rehabilitation and resettlement are the prerequisite condition to be met prior to the commencement of the physical works on field. Hence, a strong coordination and complementarity among the stakeholder institutions is an obligatory condition at central and field level.

A review of the institutional arrangement of the concerned government agencies involved in implementing R & R activities has been carried out and is briefly presented below.

National Planning Commission: National Planning Commission (NPC) is the advisory body for formulating development plans and policies of the country under the directives of the National Development Council (NDC).

It explores and allocates resources for economic development and works as a central agency for monitoring and evaluation of development plans, policies and programmes. Besides, it also facilitates the implementation of development policies and programmes.

NPC organizational structure is divided into commission and secretariat.

Commission comprises the Vice Chairman and 7 Members (normally) appointed by the Cabinet on fixed terms. The secretariat is run by civil servants deputed by Ministry of General Administration (MoGA). The secretariat assists the commission in implementing and directing issues to the respective institutions as per the decision of the commission. The relevant divisions of the NPC secretariat in facilitating and implementing R & R Policy are:

Table 1 National Planning Commission

| Relevant Division (Social Category) | Relevant Section | Officials | No. | Major Functions related to R & R | Opportunities and Challenges in R & R |
|---|--|------------------|-----|---|---|
| Infrastructure Dev. Division led by Joint Secretary | Building, Roads & Transport | Program Director | 1 | <ul style="list-style-type: none"> Apex body for coordinating development activities including R & R Program and project monitoring at the highest level Designates project priority based on Medium-Term Expenditure Framework Annual program approval for all Priority 1 projects including project targets | <ul style="list-style-type: none"> Existence of units/sections within organizational structure to accommodate R & R Weak coordination among stakeholder institution Weak monitoring mechanism Lack of database and data sharing mechanism R & R not listed as one of the indicator used for prioritizing projects. |
| | Urban & other | Planning Officer | 2 | | |
| | Irrigation & Water Supply | Program Director | 1 | | |
| | Energy | Planning Officer | 2 | | |
| | Communication | Program Director | 1 | | |
| Social Dev. Division led by Joint Secretary | Youth & Social Welfare | Program Director | 1 | | |
| | Children | Planning Officer | 2 | | |
| Monitoring & Evaluation Division led by Joint Secretary | Monitoring & Evaluation (Agriculture & Infrastructure) | Program Director | 1 | | |
| | | Planning Officer | 2 | | |

i) *Infrastructure Development Division:* The division looks after all the infrastructure sectors including roads, building, urban development, energy, irrigation, water supply, and communication and is responsible for i) allocating resources to infrastructure projects responding to the request made by respective ministries; ii) representing NPC to the Ministry Level Development Action Committee (MDAC) for reviewing periodic progress and get acquainting to the issues and problems associated with the particular project implementation; iii) carrying out regular scrutiny of the priority 1 projects and facilitating its overall implementation; iv) monitoring and evaluation of development plans, policies and programmes of all physical infrastructure projects; and, d) making representation of project implementation issues, if any, to the National Development Action Committee (NDAC) chaired by the Prime Minister.

ii) *Social Development Division:* The division looks after i) health and population; ii) education; iii) gender, children and social welfare; and iv) youth and sports.

iii) *Monitoring and Evaluation Division:* The division monitors sectors specific to i) economic and social; ii) agricultural and infrastructure; and, iii) poverty. The division also maintains GIS and MIS

³ Successive development plans have identified these issue and are discussed in reviews of each periodic plan.

facilities.

Ministry of Home Affairs: The Ministry of Home Affairs mainly responsible for delivering critical services to the citizens and maintain security in the nation. These functions are carried out by various offices in the region, districts, departments etc. Besides maintaining administrative services at regional and district level, the ministry is also mandated to carry out coordination and management of disaster risk reduction, rehabilitation and research. The relevant institution of the ministry is Disaster Management Division and the administrative set up of Regional and District

Table 2 Ministry of Home Affairs

| Relevant Division/Office to Social Safeguard | Relevant Section | Officials | No. | Major Functions related to R & R | Opportunities and Challenges in R & R |
|--|--|-----------------|-----|---|--|
| Disaster Management Division headed by Joint Secretary | Disaster Risk Reduction and Resettlement Section | Under Secretary | 1 | • Undertaking R & R related to disaster & immediate relief. | • Existence of organization set up |
| | | Section Officer | 2 | • Coordinating with other concerned stakeholders | • Strengthening the coordination with other stakeholders |
| | Disaster Study and Research Section | Under Secretary | 1 | • Leads Regional Level Disaster Rescue Committee | • Existence of organization set up |
| | | Section Officer | 2 | • Hearing of grievances related to compensation payment | • Establishing dedicated unit with logistics |
| | Disaster Preparedness and Recovery Project | Under Secretary | 1 | • Leads District Level Disaster Rescue Committee | • Existence of organization set up |
| | | Section Officer | 4 | • Determination/Fixation of compensation on property | • Establishing dedicated unit with logistics |
| Regional Administration headed by Regional Administrator | | | | | |
| District Administration headed by Chief District Office | | | | | |

Administration. The functions of the Disaster Management Division are: i) Coordination and Management of disaster risk reduction, post rescue and recovery and rehabilitation and reconstruction; ii) Secretariat of the Central Disaster Rescue Committee; iii) Coordination of work related to Nepal Risk Reduction; and, iv) Implementation of Disaster Rescue Act and Disaster Management Strategy. Two sections a) Disaster Risk Reduction and Resettlement Section; and, b) Disaster Study and Research Section. Beside these two sections, one project “Disaster Preparedness and Recovery Project” is currently engaged in coordinating and facilitation the disaster related works under the funding support of UNDP. The proposed R & R Policy has made separate provision in the draft document for settling resettlement issues arisen due to disaster and other emergency situation.

The Regional and District Administrations are mandated to provide administrative services delivery at region and district level. The Regional and District Administration plays a key role in implementing social safeguard strategy. Besides, maintaining law and order in the districts, Chief District Officer also functions as chairman of Compensation Determination/Fixation Committee. Regional Administrator and Chief District Officers are also the authority to receive and redress grievances against land acquisition and resettlement plan.

Ministry of General Administration: Ministry of General Administration (MoGA) formulates as well as implements plan, policies and programs related to personnel administration and record system of all government officials. It organizes administrative training and coordination and evaluation of various training programs imparted to civil servants. Nepal Administrative Staff College (NASC), an entity established under separate Act, conducts and implements training programs on behalf of the Ministry. NASC is regularly conducting training on “Disaster Risk reduction”. In order to mainstream the capacity building component of social safeguard in government sector, MoGA has a greater role to play. The opportunity for the NASC is to incorporate social safeguard curriculum in the service entry training program which are conducted regularly for new entry to the government service.

Ministry of Finance: The Ministry of Finance (MoF) is the central authority of Government of Nepal charged with the responsibilities for maintaining both micro and macro-economic stability in the country. Moreover, the key role of the Ministry lies with the more rationale allocation of resources; better management of public expenditure; enhanced mobilization of both internal and external resources; greater performance in public investments and strengthening of public enterprises productive capacity; open and simple foreign exchange policies and regulation, and prudent fiscal and monetary policies. The role of MoF in mainstreaming the social safeguard including rehabilitation and

resettlement is very critical.

The relevant divisions of the ministries in securing social safeguard are:

i) *Budget and Programme Division*: The division is mandated towards ensuring “the value for money” by allocating resources in projects and activities that are found economically viable. Before finalizing the budget allocation, the division gets engaged with the project personnel in identifying the actual need of funding for the project. The understanding of the budget need for R & R by the division is very critical.

Table 3 Ministry of Finance

| Relevant Divisions to Social Safeguard | Officials | No. | Major Functions related to R & R | Opportunities and Challenges in IR |
|---|-----------------|-----|--|---|
| Budget and Programme Division led by Joint Secretary | Under Secretary | 5 | Decides on allocating budget to the particular budget head based on priority | Understanding the importance of timely allocation and release of budget for R&R |
| International Economic Cooperation & Coordination Division led by Joint Secretary | Under Secretary | 4 | Conducts monitoring & evaluation of priority development projects. | Monitoring at the level of MoF |
| Monitoring & Evaluation Division led by Joint Secretary | Under Secretary | 3 | Engage in negotiation and project agreement with Development Partners for external support | |
| | Section Officer | 2 | | |

ii) *International Economic Cooperation Coordination Division (IECCD)*: The mandate of the division is to mobilize required foreign aid in an efficient and effective manner in order to finance development projects in the prioritized sector; enhance the ownership of Government of Nepal and people of Nepal in foreign aided projects; maximize the benefit of aid; and achieve the ultimate goal of self-reliance through sustainable high economic growth. The IECCD is responsible for a) mobilizing donor support; appraisal of donor supported projects; negotiation and project agreement; and coordination among different stakeholders. ICEED on behalf of the Ministry of Finance organizes various joint forums including annual project performance review to monitor and bring efficiency and effectiveness of project delivery.

iii) *Monitoring and Evaluation Division (M&E)*: The mandate of the division is to enhance good practice of performance and standard through quality control and productivity through effective and efficient utilization of resources and enhance domestic revenue base. Ministry of Finance carries out periodic review of progress of the priority projects. The division maintains the progress and also carries out field inspection on a regular basis.

Ministry of Land Reform and Management: Ministry of Land Reform and Management (MoLRM)

is a core ministry looking after the land administration and management activities. It is responsible for ensuring efficient and effective administration and sustainable management of available land resources. It is also the prime responsibility of the ministry to provide effective and efficient service

Table 4 Ministry of Land Reform & Management

| Relevant Departments to Social Safeguard | Major Functions related to R & R | Opportunities and Challenges in IR |
|--|--|--|
| Department of Land Reform and Management | • Sustainable management of land resources | • Strong organizational set-up extended to Districts |
| Survey Department | • Capacity development | • Skilled manpower on land management |
| Land Management Training Center | • Record keeping/archiving | • Functioning training center |
| Department of Land Information and Archive | • Revenue collection | • Institutional support for an early orientation on social safeguard including R & R |

delivery to the general public. The ministry is working towards achieving the major objectives of a) equitable access to land by creating enabling environment for rehabilitation and /or enhancing the access of socially and economically disadvantaged people to land b) optimal use of land for

sustainable development; and, c) good land administration system for public satisfaction for improving the land administration system to enhance the effectiveness of land administration service delivery; and, d) establishing Information System for e-Governance to develop functional Land Information System for enhancing the effectiveness of service delivery. The personnel managing the ministry and departments (excluding Department of Survey) are mostly drawn from General Administration Group and are interchangeable/transferable to other ministries and departments. The Inter-ministry transfers are carried out by the Ministry of General Administration. Department of Survey is the only one cadre based department belonging to Survey Group under Nepal Engineering Services.

Under the ministry there are four departments: a) Survey Department; b) Department of Land Reform and Management; c) Land Management Training Center; and, d) Department of Land Information and Archive. The Land Trust Corporation which manages the trust land is also attached with the Ministry. The organization of the ministry is extended to the district level through a) Departments of Land Reform and Management; and, b) Survey Department. Both the institutions have greater stake at the district level on land management, determination of compensation and transfer of land ownership. These institutions are described briefly below.

- i) **Department of Land Reform and Management (DoLRM):** The major functions of the DoLRM is a) safe guarding of land ownership and tenancy rights; b), maintaining of land ownership records; c) collecting revenue (registration fees, service charges) on land; and, d) dealing all administrative duties of land management. Execution of these activities is geared towards increment of productivity, poverty alleviation and better *environmental* protection. There are four sections headed by the Directors under the Director-General. These are a) Administration Section; b) Planning Section; c) Surveying and Mapping Coordination Section; d) Land Information Section. In addition, there are 83 Land Revenue Offices and 21 Land Reform offices all over the country. At the district level, the District Land Revenue Office gets represented to all committee that concerns with the dealing of the land. For each fiscal year, it also publishes the valuation of the land for each category of the road depending upon its location, access, strategic (marketability, commerciality) and land use. These land valuations are used for collecting revenue while carrying out land transitions (change in ownership).
- ii) **Department of Survey:** The major functions/activities of department of Survey is to a) establish a national network of control points throughout the country; b) preparing cadastral plans of all the districts of the kingdom; c) updating cadastral plans and land registers as and when land transaction take place; d) preparing land database and providing land rights to individuals e) Providing maps, aerial photographs, geodetic data, and other related data required for planning developmental, educational, administrative and research works by other agencies in Nepal; and, e) updating the various maps and data prepared by the department. The Department has Survey offices in each of the 75 districts of the country, with some districts having more than one such office. Service to the public, in the form of facilitating land transfers and registrations, land measurements, updating and safekeeping of land records and cadastral plans etc. are the main jobs of these offices.

Currently under the provision of Land Acquisition Act, 2034, the chief of the District Land Revenue Office and the District Survey Office are both the members of committee under Chief District Officer that determines/fixes the amount of land compensation. In the process of determining the value of land compensation, valuating price on land has always remain an issue. In absence of scientific method of evaluating the valuation of the land, the land compensations are often arbitrarily and are subject to dispute.

In order to cope with relevant issues related to the land, the Land Use Policy adopted in 2013 makes a provision of establishing Land Use Management Department. For an effective Implementation of the Land Use Policy, the policy makes provision of establishing Land Use Implementation Committee at the district and Village Development Committee/Municipality level.

Ministry of Physical Infrastructure & Transport (MoPIT): The Ministry of Physical Infrastructure & Transport Management is one of the key executing ministry implementing central level road projects. The major functions of the ministry are a) formulate policy for development, management and maintenance of Strategic Road Network; b) coordinate with Development Partners in implementing bilateral and multilateral road projects; c) formulate long, medium-term and annual plan of road development; d) Monitor physical and fiscal progress; e) Approve annual plans (P2 and P3 Projects); f) Coordinate with Ministry of Finance, National Planning Commission and other ministries; and, g) Approve Initial Environmental Examination and Resettlement Plan including ESMF.

The relevant division in implementing R & R policy in the ministry is Planning, Monitoring and Evaluation Division. Under the Planning, Monitoring and Evaluation Division, there are three Sections: a) Planning Section with major responsibilities of i) assisting in formulating development policy; ii) assisting in planning of development projects; iii) endorsing plan and program of development projects for approval; and, iv) assisting in capacity development program; b) Monitoring and Evaluation Section with major responsibilities of i) monitoring of project implementation; ii) conducting progress review; and, iii) preparing progress report; c) Environmental and Social Section with major responsibilities of i) support to the social, gender, inclusion related implementation; and, ii) carrying out work related to disaster management.

Table 5 Ministry of Physical Infrastructure and Transport Management

| Relevant Division (in Social) | Relevant Section | Officials | No. | Major Functions related to R & R | Opportunities and Challenges in IR |
|---|---------------------------|-----------------|-----|--|--|
| Safeguard Planning, Monitoring and Evaluation Sub-Committee | Planning | SDE | 1 | <ul style="list-style-type: none"> Policy formulation Resource management Monitoring and evaluation | <ul style="list-style-type: none"> Units incorporated in organizational set up Permanent positions for social safeguard specialist yet to be established |
| | | Section Officer | 1 | | |
| | | Engineer | 1 | | |
| | Monitoring and Evaluation | SDE | 1 | | |
| | | Section Officer | 1 | | |
| | | Engineer | 1 | | |
| | Environment & Social | SDE | 1 | | |
| | | Engineer | 1 | | |
| | | Section Officer | 1 | | |

During the implementation of R & R Policy, the responsibility of the Environmental and Social Section will have to be broaden its mandate to incorporate supporting and facilitating mechanism for the approval and effective implementation of resettlement plan. The R & R Policy has made provision of ensuring the services of the R & R Specialist at the executing level for feedback and comments on resettlement plan prior to submitting to the secretary of the ministry for the approval.

i) **Department of Roads:** Department of Roads (DoR) is the main relevant institution under the ministry implementing social safeguard provision in road projects. Projects under ADB assistance is looked after by DoR/ADB Project Directorate while the other donor assisted projects are managed and monitored under Foreign Cooperation Branch. Geo-environmental

Table 6 Department of Roads

| Relevant Branch (in Social) | Relevant Unit | Officials | No. | Major Functions related to R & R | Opportunities and Challenges in IR |
|---|-----------------------------------|------------------|-------------|---|--|
| Safeguard Planning and Design Branch led by BDG | Geo-environmental and Social Unit | SDE | 1 | <ul style="list-style-type: none"> Project identification and classification based on severity Resource management Monitoring and evaluation | <ul style="list-style-type: none"> Units incorporated in organizational set up Permanent positions for sociologist established |
| | | Sociologist | 1 | | |
| | | Environmentalist | 1 | | |
| | | Engineer | 1 | | |
| | | SDE | 1 | | |
| Road Projects | Monitoring Unit | Engineer | 2 | | |
| | | Safeguard Unit | As approved | | |

and Social Unit (GESU) is a dedicated unit under Planning and Design Branch to guide, facilitate and monitor the environmental and social safeguards. The major responsibilities of the department are: i) maintaining road network effectively and efficiently ii) providing access to all District Headquarters, to strengthen social, economic, administrative linkages; iii) improving existing access to District Headquarters for safe, reliable and cost effective travel; iv) developing roads to supplement Poverty Reduction Program and to improve accessibility in Mid-hills and Terai; v) developing and expanding the existing SRN to facilitate effective and efficient movement of goods and services and to foster economic growth; vi) developing and adopting cost effective measures by initiating innovativeness in road pavement and bridge design; vii) developing roads to support other infrastructure development and to link areas of significant social and economic importance; and, vii) encouraging private sector participation in the development, maintenance and management of roads. In carrying out the implementation of road projects, DoR maintains a hierarchy of organization extended to 5 Regional Road Directorates and recently reorganized 34 Road Divisional Offices. Besides, these permanent entities, number of project offices are working towards implementing road projects.

Road projects implemented under DoR have no resettlement issues that have come up so far. The social issues in most of the cases are taken up at the project level itself. In donor supported projects,

social action plan are developed and are monitored by the projects assisted by Geo-environmental and Social Unit (GESU) of DoR.

Department of Roads is considered to be one of the efficient departments which have the following core competencies with respect to the compliance of the social safeguard provision. These include: i) dedicated unit for environment and social safeguard established and functioning; ii) the unit receives regular budget through capital budget allocation; iii) developed social safeguard guidelines and manuals for implementing road project; iv) the unit has gained considerable acceptability for supporting projects with donor funding; v) availability of adequate trained staff.

Ministry of Urban Development: Ministry of Urban Development (MoUD) is one of the key ministry executing building, urban development and water supply projects. The major responsibilities are: i) planning, monitoring and evaluation of urban development and urban infrastructure policy; ii) formulation and implementation of policy on urbanization, urban land use and urban development; iii) resettlement and habitat development; iv) approval of project Initial Environmental Examination (IEE) and Social Impact Assessment of projects (SIA); and, v) Monitoring and evaluation of project activities under MoUD.

The Planning, Monitoring and Foreign Aid Division (PMFAD) and Physical Planning and Urban Development Division (PPUDD) are the relevant division of the MoUD responsible for facilitating and executing social safeguard activities. The relevant section of PMFAD are i) Planning Section; ii) Monitoring and Evaluation Section; and, iii) Social Coordination Section. In addition to these sections, the other relevant entities under MoUD are:

Table 7 Ministry of Urban Development

| Relevant Division to Social Safeguard | Relevant Section | Officials | No. | Major Functions related to R&R | Opportunities and Challenges in IR |
|---|--|---------------------------|-----|--|---|
| Planning, Monitoring and Foreign Aid Division led by Joint Secretary | Planning Section | SDE | 1 | <ul style="list-style-type: none"> Formulating policies and plans. Project identification and classification based on severity Resource management Monitoring and evaluation | <ul style="list-style-type: none"> Units Social Coordination Unit) under Planning Branch incorporated in organizational set up Permanent positions for sociologist in place |
| | | Engineer | 2 | | |
| | Monitoring and Evaluation | SDE | 1 | | |
| | | Section Officer /Engineer | 2 | | |
| Social Coordination | | Sociologist | 1 | | |
| | | Section Officer | 1 | | |
| | | Engineer | 2 | | |
| Physical Planning and Urban Development Division led by Joint Secretary | Physical Planning and Urban Infrastructure | SDE | 1 | | |

i) Department of Urban Development and Building Construction: The major responsibility of the department is to a) formulate physical planning and urban development plan; b) coordinate with municipalities in developing their physical plan; c) updating periodically the statistics and land information within municipalities; and, d) develop digital mapping of the municipalities. The task which the department is carrying is very relevant to the implementation of R&R Policy. The relevant branch is Urban Development Branch which is further structured into mainly three sections a) Physical Planning; b) Statistics and Land Information; and c) Small Town.

i) Department of Water Supply and Sanitation: The department is engaged in supplying piped water in rural areas and selected urban areas. The department is the implementing agency for implementing water supply schemes.

DWSS has its divisional (or sub-divisional) offices in all the 75 districts of the country. These divisional offices support the users

Table 8 Department of Urban Development and Building Construction

| Relevant Branch to Social Safeguard | Relevant Section | Officials | No. | Major Functions related to R&R | Opportunities and Challenges in IR | |
|---------------------------------------|-------------------------------|-----------------|----------|--|---|---|
| Urban Development Division led by DDG | Physical Planning | SDE | 1 | <ul style="list-style-type: none"> Implementing policies and plans. Resource management Monitoring and evaluation | <ul style="list-style-type: none"> Units Social Coordination Unit) under Planning Branch incorporated in organizational set up Permanent positions for sociologist in place | |
| | | Engineer | 2 | | | |
| | Statistics & Land Information | SDE | 1 | | | |
| | | Section Officer | 2 | | | |
| | Small Town | | SDE | | | 1 |
| | | | Engineer | | | 2 |
| Social Development | | SDE | | | | |

committees in implementing the government's water supply and sanitation program. Besides working as the member secretary of the district water resources committee, that approves registration of users committee, water source and permission for carrying out feasibility study, the divisions also have the mandate of coordinating the district level activities of other agencies working in the sector. The work of the division offices are directed, supervised and monitored by

Regional Monitoring and Supervision Office, one in each of the five regions, each headed by a Regional Director.

Ministry of Energy: The Ministry of Energy is an executing Ministry for hydropower development in Nepal. It formulates and implements policy regarding the development and management of hydropower. The major responsibility of the Ministry include: i) development of policies, plan and implementation for conservation, regulation and utilization of energy; ii) conduct survey, research and feasibility study of energy and its utilization; iii) construction, operation and maintenance and promotion of multipurpose electricity project iv) development of Human Resources and their capacity building v)

study, research, feasibility study, construction, operation, maintenance and development of energy development and electricity development projects vi) matters related to energy and electricity and companies and corporations related to energy and electricity vii) promotion of private parties in electricity development. The Ministry is authorized to approve Resettlement Plan and Environment and Social Management Plan (ESMF) of the projects to be executed under this Ministry.

Environment Unit under the Policy and Foreign Coordination Division functions as a coordinating and facilitating unit for environment aspects of the projects. There is no formalized and dedicated

Table 9 Ministry of Energy

| Relevant Division to Social Safeguard | Relevant Section | Officials | No. | Major Functions related to R & R | Opportunities and Challenges in IR |
|--|-----------------------------|---------------------------|-----|--|--|
| Planning & Programming Division led by Joint Secretary | Budget and Programming Unit | SDE | 1 | <ul style="list-style-type: none"> Formulating policies and plans. Project identification and classification based on severity Resource management Monitoring and evaluation | <ul style="list-style-type: none"> Resettlement plan processed for approval by Policy and Foreign Cooperation Division. Dedicated Social Development Unit is yet to be established |
| | Monitoring and Evaluation | Section Officer | 2 | | |
| | | SDE | 1 | | |
| | | Section Officer /Engineer | 2 | | |
| Policy and Foreign Coordination Division led by JS | Environmental Unit | SDE | 1 | | |
| | | Section Officer/Engineer | 2 | | |

unit to deal with social safeguard issues. Although, Ministry has approved several Resettlement Plan and ESMF, but it lacks an effective monitoring mechanism at Ministry level to deal with the social issues and also develop a voice for the necessary allocation for social safeguard including land compensation. Lately, hydropower projects, especially transmission projects have suffered due to inadequate allocation of budget for land compensation. Department of Electricity Development (MoED) and Nepal Electricity Authority (NEA) are the two main operating arms of the Ministry of Energy.

i) Department of Electricity Development (MoED): The Department is responsible for assisting the Ministry in implementation of overall government policies related to power/electricity sector. The major functions of the

Table 10 Nepal Electricity Authority

| Relevant Division to Social Safeguard | Relevant Section | Officials | No. | Major Functions related to R & R | Opportunities and Challenges in IR |
|---------------------------------------|---|--|-----|--|--|
| Engineering Services Division | Environment and Social Study department | Director | 1 | <ul style="list-style-type: none"> Implementing policies and plans. Resource management Monitoring and evaluation | <ul style="list-style-type: none"> Units incorporated in organizational set up Permanent positions for sociologist established Domestic social safeguard consultants are engaged on regular basis |
| | | Engineer | 2 | | |
| | | Sociologist | 1 | | |
| Projects | Social Safeguard Units | As per approved organization structure | | | |

providing "One Window" service and license to power projects.

ii) Nepal Electricity Authority: The Nepal Electricity Authority (NEA), owned by the government is responsible for generation, transmission and distribution of electric power. It also makes recommendations on the electricity generation policies and provides training to generate skilled manpower for the generation and distribution of electricity. The Authority has a unit named "Environment and Social Study Department" placed under the Engineering Services Division. The department carries out all functions related to the social and environmental safeguard. The department has gained considerable experience in implementing social safeguard provision from the Kaligandaki Hydropower project financed under ADB support.

6. Institutional Provision under Proposed Draft R & R Policy

After several round of consultation with the stakeholder in a regional and national forum, the final draft of R & R Policy has been prepared after revisiting and updating by the technical committee constituted under Working Group chaired by the Secretary of National Planning Commission. The draft has identified and made provision of the following institutional set up to bring effectiveness and efficiency in addressing social safeguard issues.

- i) **Compensation Determination/Fixation Committee (CDC):**A permanent committee at the district level under the chairmanship of the Chief District Officer shall be established to determine compensation for all types of properties of the person/family effected due to the project implementation. The composition of the committee shall be of a) Chairman of District Development Committee; b) Chairman of related Village Development Committee/Municipality; c) Chief of the District Land Tax Office; d) Chief of the District Survey Office; and, e) Chief of the related Project who would also be officiating the duty of Member Secretary. The committee would be mandated to invite relevant Member of Parliament, representative of the effected person/family and rehabilitation and resettlement specialist to the meeting as necessary.
 - ii) **Working Group under CDC:** As and when necessary, the CDC will be powered to constitute a working group to facilitate and support for the land evaluation. The working group will help in developing a land evaluation reference value using multi criteria analysis with the active involvement of effected persons/families.
 - iii) **Proposed Land Authority:** In the proposed draft, provision has been made to establish Land Authority or Government Land Valuation Institution with highly skilled manpower to maintain uniformity in the valuation of land and property by employing scientific and proven technique.
 - iv) **Resettlement and Rehabilitation Section and Unit:** Three tier Resettlement and Rehabilitation Section/Unit will be established at a) relevant ministries to facilitate the approval of Resettlement Plan and effectively monitor the social safeguard provision in the project; b) relevant department or implementing agencies for carrying out start up works for the pipe line projects and also carry out monitoring during project implementation; and, c) each project will have a dedicated resettlement and rehabilitation unit which will be involved in preparing resettlement plan.
 - v) **Grievances Re-dressal System:** Three tier grievances redressal system will be established at a) project level where the committee headed by the project manager and comprising the representative of the effected person/family will hear complaints and addresses them at the time of the preparation of resettlement plan; b) district level, where a separate committee headed by the Chief District Committee and comprising of the representative of District Development Committee and Office of the District Government Lawyer and resettlement/rehabilitation specialist to address complaints against the decision of the Compensation Determination/Fixation Committee; and, c) regional level, where a committee headed by the Regional Administrator and the committee comprising of the Joint secretary of the concerned ministry, Legal Officer of Regional Administrator Office, resettlement and rehabilitation specialist of Urban Development Ministry and the Chief of the Resettlement and Rehabilitation Unit of the concerned department to address issues which are beyond the jurisdiction of the lower committees.
7. **Review Panel:**A review panel will be established at the National Planning Commission to review periodically the implementation of the R & R Policy under the Chairmanship of NPC Member (Social Sector) and apprise it to the National Development Action Committee headed by the Prime Minister. The committee will have the representation at secretary level from the Ministries of Home Affairs, Land Reform and Management. The member NPC looking after the concerned infrastructure sector and secretary of the concerned ministry will also be the member of the committee.

8. Organizational Capacity

Based on the preliminary assessment of the R & R related government institutions the current overall organizational capacity is very weak because of several factors contributing to it. In absence of coherent policy on R & R, there has been a limited efforts in building organizational capacity in government institutions which are directly or indirectly involved in land and property acquisition, compensation, rehabilitation and resettlement arisen due to infrastructure development. The following table presents an analysis on assessment of the organizational capacity of the three key sectors: road, energy and urban undertaken. The analysis has been carried out by scanning the institution, observation and interviews supplemented with the response to the questionnaire developed and collected by the study team.

Table 11 Assessment of Organizational Capacity

| Area | Assessment of the organizational Capacity |
|-------------------------------------|--|
| Legal Framework | <p>Land Acquisition Act, 2014 is the most commonly used legal instruments in settling issues related to land compensation. The Compensation Act, 2019 provision for the government to acquire the physical property and authorizes to make payment in stock bonds but it did not came into practice. In absence of regulation, the act lacks provisions that support the institutional delivery on social safeguard issues. Sectors like water, electricity, road, local development have their own legal instruments to guide to their development process but it is either silent or deficient in dealing with the concerned social safeguard issues.</p> <p>In order to strengthen the institutional delivery mechanism for social safeguard, the proposed draft on R & R Policy, deals adequately with the establishment as well as making the unit functional in each hierarchy of government institution (executing to implementing level). The proposed revision of land acquisition act is going to further reflect on the mandate, responsibility and authority of the social safeguard unit thus established.</p> |
| Organization | <p>Currently, the safeguard unit functions only in key implementing agencies (DoR, Nepal Electricity Authority etc). At the executing level, most of the ministries concerned with infrastructure development lacks a dedicated safeguard unit in their ministry. The respective planning branch of the ministry on job assigned basis is carrying out the related work. This has led to the poorly functioning of the monitoring function of the ministry after issuing approval to the social safeguard documents including resettlement plan (present case with the Ministry of Energy).</p> |
| Staffing | <p>At the implementation level, the task of social safeguard is generally carried out through outsourcing. Besides outsourcing the task, only skeleton staff are engaged in project by bringing them on deputation or recruiting on temporary basis. In DoR, just recently, government approved the permanent position of social scientist and environmentalists in DoR organization framework. The permanent unit GRESU was earlier utilizing the services of the specialist on outsourcing basis through funding from donor funded project. To some extent concerned staff of DoR and NEA are relatively trained in carrying out the social safeguard function but they lack experiences in international good practices.</p> |
| IR Cycle | <p>DoR has developed social safeguard documents, which are commonly practiced in road sector. In other sector Energy and Urban, the documentation including data collection sheets are being on project-to-project basis. There is no common documents and practices that are applied to all projects. Donor funded projects have their own set of documents applicable to their projects.</p> <p>As per the provision of LAA, the recently delegated authority for hearing complaints lies with the Regional Administrator on decisions made by the Compensation Determination/Fixation Committee headed by the Chief District Officer. The institutional set up and the delivery is weak because of lack of standardized procedures yet to be adopted in such cases.</p> |
| Implementation | <p>Projects are fully responsible to implement IR activities. Although the social or social safeguard unit support and facilitates the project in getting the relevant documents approved, the role of these units are confined to preparing preliminary project document and monitoring during project implementation.</p> |
| Core Resources | <p>In implementing social safeguard activities, required resources are generally being met from the project account. Due to lack of dedicated unit in respective executing agencies (at implementing agency DoR and NEA have full-fledged unit are receiving regular recurrent budget through allocation), the related activities are carried out on responsive basis.</p> <p>Based on the proposed draft policy on R & R, dedicated unit are to be established at all level of administrative hierarchy (at executing, implementing; department and project) with clear mandate and responsibility. This calls for a system of allocating resources based on their need. The following activities/logistics have been identified to make the social safeguard units fully functional in concerned government institutions at both executing and implementing level.</p> <ul style="list-style-type: none"> • Land information data/information in a retrievable and easily accessible format; • Data management backup system in each units in executing and implementing agencies; • Logistics including dedicated vehicles for field verification and monitoring purpose; • Office management logistics including dedicated computer system and its peripheral; |
| Inter-institutional linkages | <p>While implementing infrastructure projects, six critical institutions have been identified for bringing effectiveness in social safeguard activities. It is critical that strong inter-institutional linkages developed and made functional.</p> <ul style="list-style-type: none"> • National Planning Commission for project identification, activity prioritization and fulfilling the role of coordinating other concerned institutions; • Ministry of Finance for allocating and releasing adequate resources; • Ministry of Home Affairs for effectively handling of compensation mechanism and grievance redressal at district and regional administrative level; • Ministry of Land Reform and Management for providing information on land management system; • Ministry of Urban Development for providing expertise support for ensuring resettlement and rehabilitation; and, • Concerned Ministry/Department executing and implementing infrastructure projects. |
| Infrastructure | <p>It has been identified that housing of social safeguard units in most of the executing and implementing institutions at its current office complex is possible. There may be some case of refurbishing the office area, setting up computer networking and equipping the office with necessary documentation but these are minor costs, which can be addressed once these units are institutionalized. There may also a possibility of soliciting necessary fund from the project expenses.</p> |
| Structure | <p>In DoR and NEA, the current unit looks after both environmental and social activities. At executing level, M&UD and MPIT also have their units who look after both activities. After the approval of the proposed R & R Policy, the each and every executing and implementing agencies will have to establish unit responsible for carrying out social safeguard activities.</p> |
| Finance | <p>Availability of the timely budget is a critical issue. Budgets are allocated on project basis. Initially, there has always been a case of under-allocation for social safeguard activities including land compensation. Only reserve or unspent resources find its way to fund these activities that too at the end of the particular fiscal year. In Power Transmission Project of NEA, the delay in implementation is attributed due to insufficient allocation of resources to the project. The failure on part of the government (executing agency, Ministry of Finance and National Planning Commission) in recognizing the priority for the allocation could be the case which needs to be looked after seriously.</p> |

Due to policy inconsistencies, the social safeguard delivery mechanism is weak in both executing and implementing agencies. Projects are facing delays in timely completion because of sufficient attention to the social safeguard not given on the priority basis. This has not only increased the cost of the

infrastructure but also impact on project outcome. The major constraints in implementing social safeguard in infrastructure projects are mainly due to the: i) absence of common social safeguard standards applicable to infrastructure projects; b) absence of guidelines and technical notes in facilitating planning and implementing social safeguard provision in infrastructure projects; c) delay in land acquisition (weak coordination with other agencies related to land revenue and survey); ii) delay in proper evaluation of land parcel and the determination of compensation package; iii) delay in establishing baseline indicators for social and environmental indicators; delay in release of fund for providing compensation; iv) inadequacy in the level of consultation with stakeholders resulting in lengthy and cumbersome litigation process.

9. Institutional Linkages to implement R & R Policy

The institutions which are involved directly and indirectly in planning and implementing R & R Policy have been identified on the basis of their defined role and responsibility in supporting the country social safeguard system. A brief review of institutional assessment is described below in Table 12.

Table 12. Institutional Linkages and Proposed Action

| Relevant Institutions | Linkage to R & R | Proposed Action for Institutionalizing R & R |
|--|--|---|
| National Planning and Commission | <ul style="list-style-type: none"> Prepares periodic plans and issues policy directives; Programs and Project monitoring at the highest level – National Development Action Committee; Set project target (annual) Program approval of all Priority I projects⁴; Periodic Review of R & R Policy | <ul style="list-style-type: none"> Establishing review mechanism in NPC as per R & R Policy Incorporating Social Safeguard as one of the indicator for project deliverables Establishing priority for budget allocation for Social Safeguard Inclusion of narrative summary of Social Safeguard Activities in project description (NPC budget book part I) |
| Ministry of Home Affairs | <ul style="list-style-type: none"> Disaster Management Division undertaking resettlement and rehabilitation of disaster affected persons/families Regional Administrator – heading grievance redress mechanism (regional level) Chief District Officer – heading Compensation Determination/Fixation Committee and district level grievance redress mechanism Ensuring overall security to the affected persons/families | <ul style="list-style-type: none"> Developing directives/guidelines for R & R related to disaster and other situation as per the provision of the proposed R & R Policy. Strengthening Disaster Management Division to facilitate and undertake the provision of R & R Monitoring of Compensation Determination/Fixation Committee activities through Regional Administration Checking and issuing administrative notes periodically to ensure timely payment of compensation amount to the affected persons/families |
| Ministry of General Administration | <ul style="list-style-type: none"> Human resources management for government staff Conducting in-service training to the government staff Managing specialization oriented cadre in government service | <ul style="list-style-type: none"> Inclusion of Social Safeguard as part of the curriculum in in-service training for project personnel and administrators. Recognition of resettlement/rehabilitation specialist as a new discipline. Establishing separate discipline of land management specialist and utilize their services in MoLRM |
| Ministry of Finance | <ul style="list-style-type: none"> Engage into negotiation with the respective agencies in allocating budget to the particular budget head prior to the annual budget allocation Carries out monitoring of the development (priority) projects Engage in negotiation with Development Partners in defining the scope and size of the development project prior to the signing of the agreement. | <ul style="list-style-type: none"> Enlarging the scope of current sub-budget head for land acquire to include resettlement and rehabilitation activities. Enlarging the scope of the current monitoring of development projects to focus on social safeguard activities too. Harmonizing the R & R Policy applicable to all donor funded projects |
| Ministry of Land Reform and Management | <ul style="list-style-type: none"> Engage in maintaining digital map District units (District Survey Office, Land Revenue Office) of the ministry represented in Compensation and Determination/Fixation Committee headed by Chief District Officer Plays significant role in classifying the land parcels Implements Land Use Policy (currently under preparation) | <ul style="list-style-type: none"> Expedite the establishment of Land Use Management Department Establish data on availability of land for resettlement and rehabilitation Develop effective support mechanism for supporting resettlement and rehabilitation Developing standards on land valuation Establishing separate discipline of land management specialist and utilize their services in MoLRM |
| Executing Agencies: Ministry of Physical Infrastructure & Transport/Ministry of Urban Development/Ministry of Energy and other similar ministries including Nepal Investment Board | <ul style="list-style-type: none"> Ministry is an executing agency to the project implementation Engage in all preparatory works for implementing infrastructure projects Coordinate with Development Partners in implementing bilateral and multilateral road projects; Formulate long, medium-term and annual plan of road development; Monitor physical and fiscal progress; Approve annual plans (P2 and P3 Projects); Coordinate with Ministry of Finance, National Planning Commission and other ministries; and, Approve Initial Environmental Examination and Resettlement Plan including ESMT. Carries out regular progress review (Ministry Level Development Action Committee) Represent project issues to National Development Action Committee (NDAC) at National Planning Commission | <ul style="list-style-type: none"> Establish fully functional Social Safeguard Units at executing agency (enlarging the scope of the current environmental unit under Planning Division to accommodate social safeguard) Establish fully function Social Safeguard Unit at implementing agency and assign to carry out preliminary works prior to the establishment of project offices. Develop standards norms to engage resettlement/rehabilitation specialist in monitoring and advising matters related to the resettlement and rehabilitation Incorporate social safeguard into human resource program |
| Implementing Agencies: Departments | <ul style="list-style-type: none"> Implementing agencies' Projects Process and submit for approval to the respective ministries; Resettlement Plan and Social Impact study Engage with MoF for budget allocation for activities to be carried out under projects Develop and implement Human Resource Plan Conduct regular training | <ul style="list-style-type: none"> Establish fully functional Social Safeguard Units at executing agency (enlarging the scope of the current environmental unit under Planning Division to accommodate social safeguard) Engage social safeguard specialist (resettlement/rehabilitation specialist, monitoring specialist) on permanent basis in Social Safeguard Unit Develop monitoring and reporting mechanism for social safeguard activities |
| Projects | <ul style="list-style-type: none"> Prepares Social Impact Assessment Prepares Resettlement Plan Allocates resources for social safeguard Day to day monitoring of implementation of social safeguard activities | <ul style="list-style-type: none"> Prepares detail report on compensation package on physical and economical displacement and submit to Compensation/Fixation Committee Coordination role with other stakeholders: compensation determination, grievances redress, users group, PAP etc. Organize regular consultative forum with all concerned stakeholders |

⁴ Annual Programs (Bhag 1), National Planning Commission

⁵ MoF circular to all ministries

- Increase engagement from the early project preparation
- Invite to the committee on determining and applying standards to the land parcel
- Creating awareness among stakeholders for their rights as spelled out in R & R Policy

10. Capacity Development Plan (Indicative)

The area of social safeguard in major infrastructure projects (especially donor supported) including roads, hydropower and urban development is being managed mainly by outsourcing to the consultant. In absence of in-house capacity, the process has suffered not only in terms of timely delivery of the services but also timely recognition of the magnitude of the seriousness in the compliance of the safeguard provision. Capacity building efforts in social safeguard is so far is mostly confined to the project level. There is a need to create an awareness among the policy makers by giving them exposure to the international practices carried out at different parts of the world. This will help in effectively, efficiently and timely manage the social safeguard activities in large infrastructure projects so that project outcomes are delivered on time.

A broad framework of capacity development plan has been prepared based on a) institutional scan with the assessment of core competencies and weakness in project implementation; b) individual consultations; and, c) the training need assessment carried out separately under this TA.

The general category of the activities, indicative area and the target group/institution are given in the following table 13.

Table 13. Capacity Development Plan (Indicative)

| Capacity Development Activities | Indicative Area | Target Group/Institution |
|---------------------------------|--|--|
| Project level in-house Training | <ul style="list-style-type: none"> • Orientation/awareness • Field observations (project visits) | Project managers and key project staff and new entrants |
| | <ul style="list-style-type: none"> • Trainings • Principles and procedures of land acquisition; • Public consultation and participation; • Valuation of property (physical, social and others) • Entitlements and compensation & assistance disbursement mechanisms; • Grievance redress mechanism; • Resettlement data-base management and • Monitoring of resettlement operations • Developing reporting format for each type of activities | Project personnel (safeguard unit) Infrastructure projects (Roads, Irrigation, Energy, Building and Urban Development, Water Supply and Sanitation etc. |
| In-service training | <ul style="list-style-type: none"> • Awareness/Orientation • R & R Policy • Social Safeguard indicators and monitoring • Budget codification for social safeguard | National Planning Commission – Infrastructure Division/Social Dev. Division/Monitoring and Evaluation Division (Program Director and Planning Officer – 15 persons) |
| | <ul style="list-style-type: none"> • Awareness/Orientation • R & R Policy • Entitlements and compensation & assistance for disbursement mechanisms; • Resettlement process • Grievance address system & mechanism | Ministry of Home Affairs: Disaster Management Division/Regional Administrator/Chief District Officer |
| | <ul style="list-style-type: none"> • Awareness/Orientation • R & R Policy • Social Safeguard indicators and monitoring • Budget codification for social safeguard | Ministry of Finance |
| | <ul style="list-style-type: none"> • Awareness/Orientation • Data management for land for resettlement and rehabilitation • Support mechanism for supporting resettlement and rehabilitation • Developing standards on land valuation | Ministry of Land Reform & Management |
| | <ul style="list-style-type: none"> • Advanced Trainings • R & R Policy Implementation • International Practice • Curriculum development for in-service training (new entrants on administrative/technical service) | Ministry of General Administration- Nepal Administrative Staff College |
| | <ul style="list-style-type: none"> • Awareness/Orientation • R & R Policy | Executing Agencies (concerned development ministries) / Implementing agencies (concerned departments) |
| Exposure study tour | <ul style="list-style-type: none"> • Exposure to the policy level officials • Assessment and learning on institutional mechanism in addressing R & R issues • Identifying common issues and the approach taken to mitigate • Assessment on level of resources required on R & R | Policy Level Officials National Planning Commission Ministry of Home Affairs Ministry of Finance Ministry of Land Reform and Management Executing Ministries and Implementing Departments |

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Officials contacted/consulted

| Officials/Organization | Name of the Official |
|---|--|
| Department of Roads | <ol style="list-style-type: none"> 1. Mr. DevendraKarki, Director General, Department of Roads 2. Mr. Keshab Sharma, Deputy Director General, FCB, DoR 3. Mr. Bishnu Om Bade, Project Director, ADB Project Directorate, DoR 4. Mr. Bed KanthaYogal, Senior Divisional Engineer, DoR 5. Mr. Purna SL Shrestha; Unit Chief, Geo-environmental and Social Unit GESU |
| Ministry of Urban Development | <ol style="list-style-type: none"> 1. Mr. Kishore Thapa, Secretary, Ministry of Urban Development 2. Mr. Suresh Acharya, Joint Secretary, Ministry of Urban Development 3. Mr. Binod Chandra Jha, Joint Secretary, Ministry of Urban Development 4. Mr. Purushottam Tiwari, Under Secretary, Ministry of Urban Development 5. Mr. Post Raj Dhungana, Under Secretary (Sociologist), Ministry of Urban Development |
| Ministry of Energy | <ol style="list-style-type: none"> 1. Mr. Biswa Prakash Pundit, Secretary, Ministry of Energy 2. Mr. AnupUpdhaya, Joint Secretary, Ministry of Energy 3. Mr. KeshabDhojAdhikary, Joint Secretary, Ministry of Energy |
| Nepal Electricity Authority | <ol style="list-style-type: none"> 1. Mr. Jayendra Man Tamrakar, Director, Environment and Social Studies Department, NEA, Kharipati (jmtamrakar@hotmail.com) 2. Mr. Rajendra P Thanju, Joint Director, Environment and Social Studies Department, NEA, Kharipati (rpthanju@gmail.com) |
| Ministry of Land Reform and Management | <ol style="list-style-type: none"> 1. Mr. GyanDarshan UdasUdas 2. Mr. Krishna Raj B C, Joint Secretary and member of Project Working Group 3. Mr. KapilDangol, Joint Secretary 4. Mr. Gopal Giri, Under Secretary, MoLDM |
| Nepal Investment Board | <ol style="list-style-type: none"> 1. Mr. Radhesh Pant, Chief Executive Officer, Investment Board Nepal 2. Ms. SrijanaBhattarai, Investor's Service and Outreach Specialist, Investment Board Nepal 3. Ms. SophiyaKhatun, Deputy Director (Hydro Cluster), Centre for Inclusive Growth 4. Mr. Abhishek Banskota, IBN 5. Mr. UjjalGajurel, IBN |
| Ministry of General Administration | <ol style="list-style-type: none"> 1. Mr. DurgaNidhi Sharma, Secretary |
| Nepal Law Commission | <ol style="list-style-type: none"> 1. Mr. RajendraChhetri, Secretary 2. Mr. LaxmanMainali, Joint Secretary |
| Ministry of Finance | <ol style="list-style-type: none"> 1. Mr. BhuvanKarki, Under Secretary, International Economic Cooperation and Coordination Division, MoF 2. Mr. KailashPokharel, Under Secretary, International Economic Cooperation and Coordination Division, MoF 3. Mr. Krishna B Bohara, Under Secretary, Budget Division, MoF |
| Ministry of Home Affairs | <ol style="list-style-type: none"> 1. Mr. LaxmiDhakal, Joint Secretary |

