

Due Diligence Report- Social Safeguards

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July 2019

Nepal: Third Small Towns Water Supply and Sanitation Sector Project

Prepared by the Government of Nepal for the Asian Development Bank

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Government of Nepal
Ministry of Water Supply
Department of Water Supply and Sewerage Management
Third Small Town Water Supply and Sanitation Sector Project
Project Management Office
Panipokhari, Maharajgunj, Kathmandu

**Detailed Design Report of Mirchaiya Storm Drainage
Project**

Mirchaiya, Shiraha

Volume I	Main Report
Volume II	Appendices to Main Report of WS Component
Volume III	Drawings
Volume IV	Socio-Economic Profile
Volume VI	Due Diligence Report

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Abbreviations

ADB	Asian Development Bank
MM	Mirchaiya Municipality
CDC	Compensation Determination Committee
CDO	Chief District Officer
DCC	District Coordination committee
DSC	Design and Supervision Consultant
GoN	Government of Nepal
GRC	Grievance Redress Committee
LAA	Land Acquisition Act
NGO	Non-Government Organization
ICG	Implementation core group
ROW	Right of Way
TSTWSSSP	Third Small Town Water Supply and Sanitation Sector Project
SPS	Safeguard Policy Statement

Glossary

Acquisition	–	Acquisition of land and other assets for development projects in accordance to prevailing Act (Land Acquisition Act 1977).
Affected households	–	Households at large within the project influence area.
Ailani Land	–	The land that does not belong to any individual. As per the prevailing legal provisions, all the Ailani land belong to Government of Nepal and no one can transact and use such land without permission of the Government. Government of Nepal can reclaim Ailani land anytime for any purpose. As per the prevailing legal system, there is no provision of compensation for the occupiers/encroachers of the Government land. However, in development projects there is practice of compensating for the crops grown and structures constructed in Ailani if the dwellers and cultivators belong to vulnerable groups.
Bigha	–	Land measurement practiced in the southern plain area of the country, known as Terai. One Bigha is equivalent to about 6772.63 sq.m. There are other two sub-units under Bigha; Katha, and Dhur. One Kattha is about 336.63 sq.m. and one Dhur is about 16.93 sq.m. Twenty Dhur makes one Kattha, and twenty Kattha makes one Bigha.
Bikram Sambat (B.S.)	–	Bikram Sambat (B.S.) is followed as national year in Nepal, which is approximately 57 years ahead than A.D.
Business Structure	–	Structure constructed for business purpose.
Chief District Officer (CDO)	–	The Chief Administrative Authority of the district. In Nepal, CDOs are assigned in all (77) districts. Among others, the responsibilities of the CDO also include managing and maintaining district administration, law and order situation, and implementing Land Acquisition and Resettlement Plan for Government and development projects to be implemented in the district.

I. Introduction

1.1 Background of the Project

The Third Small Town Water Supply and Sanitation Sector Project (TSTWSSSP or the project) will build upon the on-going efforts of the Government of Nepal in providing Water Supply and sanitation (WSS) services in urban areas of Nepal. It will help the country to meet Sustainable Development Goal (SDG) to ensure availability and sustainable management of water and sanitation for all by 2030 and it is aligned with sector objectives laid out by the government's Fourteenth Plan, National Urban Development Strategy, and updated 15-year Development Plan for WSS in Small Towns, which is to improve water supply and sanitation service delivery in urban areas across Nepal. The Asian Development Bank (ADB) has supported the government in improving WSS services in 50 of the 176 small towns in Nepal through two earlier projects. Drawing on accumulated experiences and lessons learnt from the successful implementation of earlier interventions, this project is proposed to fund physical investments in WSS infrastructure and non-physical investments to improve service regulation, monitoring and governance, and user participation in the water and sanitation sector in selected small towns.

Department of Water Supply and Sewerage Management (DWSSM) is the implementing agency whereas the Ministry of Water Supply is the executing agency. The project will assist in implementing a part of the 15-year Development Plan for Small Towns Water Supply and Sanitation Development in the country and about 20 Small Towns will be covered by this project.

In this context, the Eastern Regional Design Supervision and Management Consultants (ERDSMC), joint venture of TAEC Consultants P. Ltd. and Integrated Consultants Nepal (P.) Ltd. has been assigned to provide services on detailed design of seven towns namely; Birendranagar (Chitwan), Katahariya (Rauthat), Lalbandi (Sarlahi), Katari (Udaipur), Diktel (Khotang), Bhojpur Bazaar (Bhojpur) and Charikot (Dolakha) Town Projects. In addition, Ilam, Brihat Bhanu (Tanahu), Sunkoshi Panchkhal (Kavre), Kanchanrup (Saptari), Rampurtar (Okhaldhunga) and Deurali Hupse (Nawalpur) are assigned for the preparation of DEDR report. Likewise, design of storm drainage at Mirchaiya and Katahariya and DEWATS at Charikot and Bhojpur are included in the additional design works. The design of additional towns for water supply components, storm drainage components and sewer components are carrying out for project preparedness for Urban Water Supply and Sanitation Sector Project through the variation of ERDSMC consulting services.

The project has many stakeholders such as the WUSC, Project Management Office/ DWSS, DRTAC, Town Development Fund (TDF), and Regional Design Supervision and Management Consultants (RDSMCs), RPMOs. There is a need for effective co-ordination among the various stakeholders. In this context, the consulting team especially the major members of the Consultants' Team including the Team Leader, socio-economist and design engineer are responsible for detailed design for maintaining co-ordination with all the stakeholders involved in the project.

This Detailed Engineering Design Report (DEDR) for Mirchaiya Storm Water Drainage Project is prepared in close consultation with WUSC, Municipality, concern stakeholders and submitted to the client to meet requirement of Terms of Reference (TOR). The overall project strategy is to implement the project in people centered manner by application of participatory approach. This project seems to be effective, reliable, achievable and affordable by the local authority. The project cost has been evaluated based on the principles of allocable, allowable and reasonable.



Figure 1: Location Map

1.2 Project Description

TSTWSSSP consists of many individual water supply town projects, storm water drainage projects and DEWATS projects which will be implemented under ADB Loan 3711-NEP. Among them Mirchaiya Storm Water Drainage is one potential project, which has been designed. The major structures under this storm water drainage system are named as headwall, rectangular drainage, circular drainage, catch pit/ collector/ rain water box, drain cover, outlet/ outfall and crossing, manhole, rain water inlet to drain/manhole.

The sanitation component, local authority will contribute 15% of total sanitation cost and 85% of total sanitation cost contribute from GoN/ ADB.

This DDR report has been prepared carefully with sufficient details in consultation with PMO, RPMO, and Mirchaiya Municipality several times.

1.3 Scope of this Report

This draft land acquisition and resettlement due diligence report (DDR) is prepared for the proposed Mirchaiya Storm Water Drainage project. A due diligence process was conducted to examine land acquisition and resettlement issues in detail, in line with ADB Safeguard Policy Statement (SPS) 2009. This report describes the findings and provides details in

relation to potential impact on land-related issues to build the required drainage structures of the project with support documents and photographs. This DDR was prepared based on the Resettlement Framework for TSTWSSP.

The storm water drainage networks will be laid on public roads within right of way (RoW) of road. The drainage will be constructed at both sides of public roads under the footpath. Mirchaiya Municipality has confirmed by a letter that all the structures will be built within the road width stated as Right of Way (RoW). Municipality has assured for the intensive coordination with Department of Roads for the construction of such drainage within Municipal area. Two official letters of Municipality having its commitment with assurance for coordination with concerned offices have been obtained and attached in this report.

For the efficient work progress and people's support in project activities, PMO along with Mirchaiya Municipality, Design and Supervision Consultant (DSC) and the Contractor must disseminate information on commencement of works one month in advance in each stretches of construction sites. Good traffic management planning and implementation will limit minor impacts to businesses of nearby area. Temporary disturbances to businesses are anticipated for a few hours per 100-200 m section of the drainage component. Full road closure is not anticipated. Good construction practices and traffic management measures, including night works, will ensure continued access to businesses and limited disruption to business activity. In a few areas, i.e; Katari Chowk, Bus Stop of east - west highway (Main Market centre or Bus stop of East West Mahendra Highway), vendors and hawkers will require temporary relocation (few hours), and contractor will have to provide assistance in relocating and shifting. Provision of night works is suitable for narrow and such high crowd and business roads.

II. SUBPROJECT DESCRIPTION

The project serving area comprises of the ward 4, 5, 6, 7 and 8 of the newly established Mirchaiya municipality. The municipality was declared on May 18, 2014 by merging seven VDCs around the locality. There are altogether 4252 households with population of 25497 in the project area and the institutional population is 5015 as per field survey.

2.1 Location and Accessibility of the Project Area

The Mirchaiya Storm Water Drainage Project lies within the Mirchaiya municipality in Siraha District. Geographically the project area lies in latitude between 260-84'-260-86' N and longitude between 860- 25'-860- 30' E and altitude ranges between (110-120) m from mean sea level (MSL). It is situated in the northern part of the District having about 5 km east-west width and about 10 km north-south length. The Project area, the major junction and booming market place of the Mahendra Highway, is located on all-weather black topped road some 29 kilometres from Lahan Municipality. The Siraha municipality, the head Quarter of the district, is situated 23 km south from the Mirchaiya Bazar.

Ramnagar Mirchaiya Bazaar lies on the junction of the Mahendra Highway (E-W Highway) and Shidicharan (Sagarmatha) Highway. As the project area is linked with National Highway, day and night bus services are easily available. The nearest airport is the Janakpur Airport, where daily flights from Kathmandu are being operated.

Table 1: Salient Features

S.N.	Items	Description
1	Name of Project	Mirchaiya Storm Water Drainage Project
2	Type	Storm Drainage
3	Study Level	Detailed Engineering Design
4	Location Area	
	Province No	2
	District	Siraha
	VDC/Municipality	Ramnagar Mirchaiya Municipality
	Ward	4, 5, 6, 7 & 8
5	Available Facilities	
	Road	East-West Highway

	Water Supply System	DWSSM/WUSC and Hand pumps and recently completed Third Small Town Water Supply Project	
	Drainage	Few location	
	Electricity	Available	
	Communication	Available	
	Health Services	Available	
	Banking Facilities	Available	
6	Type of Structures	Phase-1	Phase-2
	Headwall (nos)	2 nos	-
	Circular pipe drain (NP-3), (m)	6,611.44	2,380.84
	Rectangular drain (m)	2,573.35	8,710.69
	Total Drain length(m)	9,184.79	11091.53
	Circular Manhole (nos)	116	58
	Rainwater inlet box (no)	30	20
	Gabion outfall (nos)	3	4
7	Social Status (Based on Water Supply Component)		
	Present Population (2014)	25,497	
	Base Year Population (2016)	26,736	
	Design Year Population (2035)	43,161	
	Weighted Growth Rate %	2.4	
8	Land Acquisition and Resettlement Due Diligence		
	ADB Category	C	
	Safeguard Findings	No any IR impact seen	

9	Project Cost of Sanitation Component (NRs)	532,312,506.14	455,973,270.30
	GON Contribution (85 %)	452,465,630.22	387,577,279.76
	Local Authority / Users' (15 %)	79,846,875.92	68,395,990.55

2.2 Proposed Components

2.2.1 Drain Size

The drainage system follows the both side of road. The RCC Hume pipes of class NP- 3 of sizes 500mm to 1600mm Diameter will be used where circular section in Design. The pipes are joined/ tightened with rubber gaskets. Likewise, the rectangular section 0.70 m to 1.55m deep, 0.4m to 1.3m are used including 0.3m free board. The minimum cover of the pipe will be 0.60m at black top road. Depending upon the road and site condition, the cover becomes high. In rectangular drain, the depth of drain becomes higher than the design depth based on the ground topography.

2.2.2 Manholes

Circular brick masonry manholes with CI cover/ MS grating are being proposed which will have inside plaster to prevent the leakage and provide smooth flow. Depending upon the size of drainage, the manhole has average 1.0-2.0m m internal dia. and varies to 2m-5m high manholes are proposed based on designed flow. The spacing of manhole will be kept 30-50 m apart as well as at each road junction and drop. The top surface will be flush with road ground level. If there will be foot path in the future. The manhole height needs to be raised and flow inlet will be from side wall of the manhole.

The manhole cover will have either heavy duty CI or MS grating. Every alternate, MS grating is provided to allow the overland flow. Likewise, 2 PE pipe of each 0.30 m is provisioned at wall side to allow the access of the flood into drain.

2.2.3 Outfall

There are 6 outfalls to drain the storm flow into the existing river/ drainage. The four out fall places are in one river in four junctions, one in east – west highway toward to east near Bataha Bridge; second and third in Materwa south to OHT of Water Supply and fourth in same river near to Bagaicha (Mango garden). Similarly, the out fall places in south of project/ town in Jeeva Khola near to Bridge along the highway south and north of road. The gabion outfall is provided to secure the drainage at its position.

2.2.4 Rain Water Inlet

Brick masonry inlets are proposed which will have inside plaster to prevent the leakage. Rectangular brick masonry rain water inlet box with iron grating on top are proposed. The rainwater inlets at certain intervals are provided for a manhole at built up areas only.

2.2.5 Road Cutting

There are 2 places required for road cuttings along the E-W highway on Mirchaiya – Katari road junction to lay the drainage pipe.

2.2.6 Overall Project Area and Passing Way

Because of the availability of the budget, discussion has been made with Mirchaiya Municipality and PMO to split the area to construct the drain in phase 1 and 2. Depending upon the overland flow and risk factor, the major drain has been identified and kept in phase 1 and the remaining has been kept in phase 2. But the design of both phase 1 and 2 have been carried out. Municipality can construct the phase 2 drain from the own resources based on the design or find funding sources of themselves.

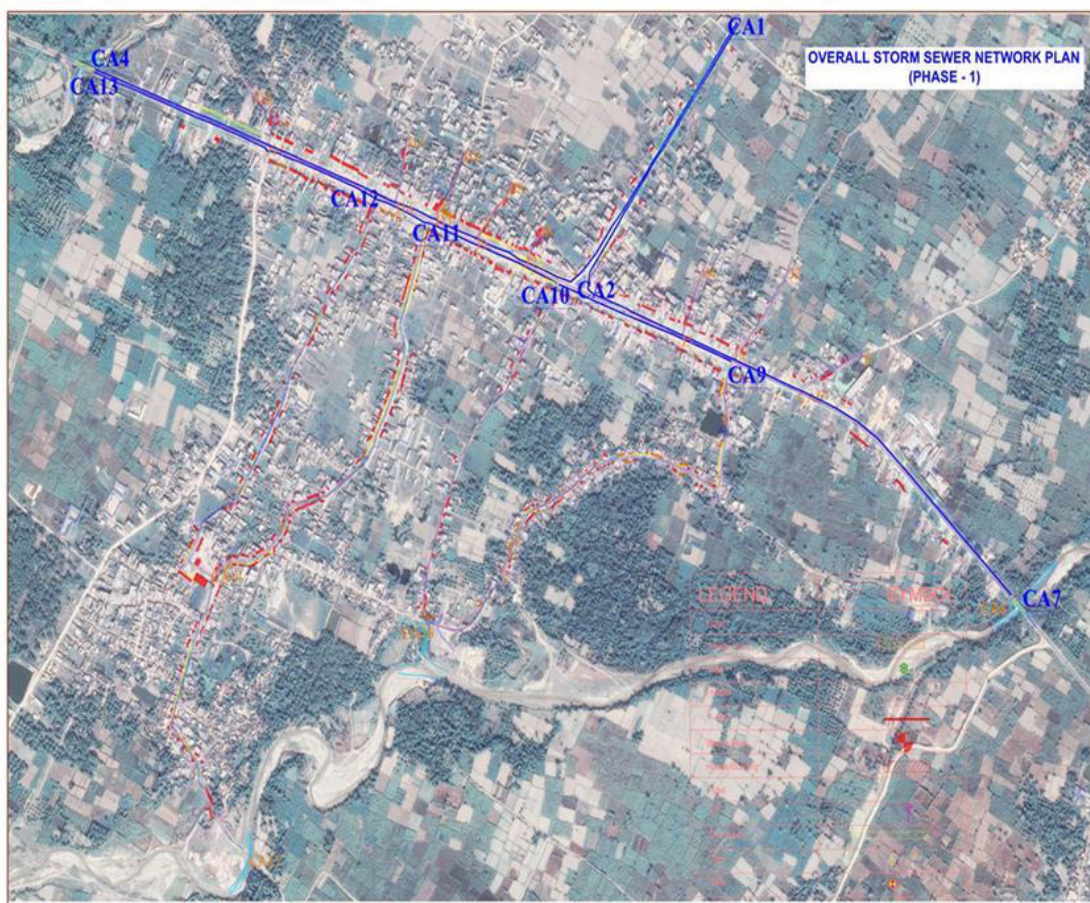


Figure 2: overall Sewer Network Plan-Phase 1



Figure 3: Overall Sewer Network Plan-Phase 2

Table 2: Summary of Project Components in Mirchaiya Storm Drainage Project

Subprojects and components	Function /purpose	Length of Drainage/ location	Left side of road (m)	Right side of Road (m)	Description of the activities	Quantification of major construction items / activities	Location
Storm water drainage							
Phase -1	Develop basic infrastructure for the improvement of urban environment, and health and hygiene of the people	CA1-CA2	739	750	Construction of storm water drainage	Construction of approximately 6493 m of storm drainage	Right of way of, East - west Highway, Mirchaiya – Katari Road
		CA2-CA4	0	1414			
		CA2-CA7	1401				
		CA9-CA10	509				
		CA10-CA11	382				
		CA11-CA12	142				
		CA12-CA13	836				
		crossing					
		CA2-CA2'	10				
		CA2- CA2R	135				
		CA2R- CA10"75	75				

		CA2L-CA10	100				
		Total	4329	2164			
Phase -2		J6-J7	205	129	Construction of storm water drainage	Construction of approximately 12747 m of storm drainage	Right of way of, East - west Highway
		J8-J9	160	160			
		J10-J11	174	170			
		J12-CA3	151	151			
		J13-J14	131	123			
		J4-J5	162	163			
		J2-J3	258	262			
		J1-CA16	191	198			
		C9-CA16	1277	1165			
		CA11-CA14	1103	1100			
		CA12-CA14	1073	1074			
		CA14-CA15	680	674			
		CA10-CA16	906	907			
			6471	6276			

Figure 2 and 3; as shown in above are the illustrative map of major project components to be built in Mirchaiya Municipality. It is also the proposed drainage laying module plan that illustrate the method and road part of installing drainage. The drainage main pipe lines goes through the each side of east - west highway under the footpath. The manholes and rain water inlet chambers are building at the sides of roads within existing clear road width. The figure is the illustration, arrangement that clearly shows how the project anticipates to successfully execution of the project without any type of resettlement issues. The pipelines will be installed along the each side of road and collection chamber, inlet chamber and manholes will be built along the footpath within right of way of public roads. It is clear that the project activities of the storm drainage are not consisting with house connection sewerage line.

III. FIELD WORK AND PUBLIC CONSULTATION

3.1 Outline of Field Work and Consultation

This report as 'Resettlement Due Diligence Report of Mirchaiya Storm Water Drainage Project is prepared applying systematic procedure required for it. A desk study of the Draft final design of structures and drawings was undertaken before field work. Teams led by Social Safeguard Specialist, three enumerators, including a design engineer, were engaged to identify the anticipated impacts resulting from the construction work. The technical design team guided the social assessment team to identify potential vendors and Shopkeeper that may be affected during the construction period. Throughout the storm drainage and road alignment, a transect walk was conducted for the proper assessments of impact. The transect walk and visit in each structure alignment was conducted to identify impacts.

Extensive consultation meetings were held with existing WUSC of Water supply project, Municipality Mayor, Deputy Mayor and officials of Municipality and representatives of community people to understand their views on the proposed project construction. In the consultative meeting, people expressed their views that the drainage project is the most necessity project for the Mirchaiya Municipality.

During the rainy season the east - west highway blocked by flood and all road side shop and tea house are covered by flood up to one foot inside the room. They have to close their business three to five days during flood.

All the structures are to be constructed within the RoW of public road. Based on the information collected at the field during survey, design and consultations; it is observed that no any land falls under private premises. All lands are public/road RoW ready for the activities necessary for structures during construction period. Mayor of the Municipality assured that they are ready to provide required 15% project cost and necessary support during the construction period. The stakeholder meeting was held with mayor and other official of municipality several times in Municipality office.

In 17 and 18 April, 2019 field visit was conducted to all proposed sites, together with WUSC members, local government representatives, Municipality engineer, local house or business owner, hotel and restaurant association Mirchaiya chapter representative and member of bazar management committee along the Mirchaiya- Katari road and east-west highway where the storm water drainage and manhole to be constructed.

All the representative or local resident people express their view that the project should be finalised design and go to the construction as soon as possible, they are ready to help for upcoming obstacle if any, and local Issues being relating to project.

Table 3: Public Summary of Consultations

Date	Location	No. of Participants	Participants	Topics Discussed	Issues Raised
May 24, 2019	Mirchaiya Municipality	8, all male	Mayor and Deputy Mayor RPMO chief, RPMO Engineer Safeguard Specialist, GESI Specialist and ward chairman of ward no 4,5,6 7,8 and other stakeholder	Construction of Storm drainage, 15% construction cost and required land for project.	Who is the responsible for construction work, The drainage design must be modern and use full for the community.
May 4, 2019	Mirchaiya Municipality	34 female-4 Male-30,	Mayor and Deputy Mayor RPMO chief ,RPMO Engineer Safeguard Specialist, GESI Specialist and ward chairman of ward no 4,5,6 7,8 and other stakeholder and local user	Final design report presentation program	Relating to Storm Drainage, method of construction, time frame, budget sharing
April 18, 2019	Tole and Bazar area, Ward	13 (Men-13, Women-0)	RPMO Engineer Safeguard specialist, GESI Specialist and ward chairman of ward no 4,	Construction or Storm drainage, place of outlet, connection of waste water from bath room and kitchen	construction work start in time and not lingering in work
April 17, 2019	Bazar, area, Shaja Chowk	18 (Men-14, Women-4)	RPMO Engineer Safeguard specialist, GESI Specialist and ward chairman of ward no 4,	Construction or Storm drainage, place of outlet, connection of waste water from bath room and kitchen	Construction work start in time and not lingering in work.

IV. LAND AVAILABILITY AND RESETTLEMENT IMPACTS

4.1 Findings

According to the engineering final design report and drawing all sewerage pipelines will be constructed within road width of public road stated as right of way (RoW) of the roads. No need of any acquisition of any private land or structures and have not envisaged any adverse impact in business and livelihood of local resident. No relocation impacts or impacts on structures are anticipated at any of the identified sites or alignments for storm drainage project in Mirchaiya.

As shown in figures: 2 & 3; the drainage main pipe lines goes through the each side of east - west highway under the footpath. The manholes and rain water inlet chambers will be built at the sides of roads within existing clear road width. The figure is the illustration and arrangement that clearly shows how the project anticipates to successfully execution of the project without any type of resettlement issues. The pipelines will be installed along the each side of road and collection chamber, inlet chamber and manholes are built along the footpath within right of way of public roads.

4.2 Mitigation Measures

During the construction period; mitigation measures will be applied if the construction work disturbed in walking to resident and business at that time. The contractor will have to manage the wooden walkways for access.

Regarding of pipe laying about 6493m drainage pipe line, there also has no any potential adverse effects envisaged. No road closures will be required during construction. The contractor will undertake construction on one side of the road first and upon completion of the same, start work on the other side to minimize the impact on traffic. The contractor will have to ensure access to shops and residences using simple wooden walkways where necessary and limit the excavation to a length of 200m at a time to minimize disturbances where deep trenches and manhole will be constructed, contractor will ensure use of barricade and signage indicating caution of "construction on-going" to avoid potential accidental risks. The contractor will be accountable to provide signage at appropriate locations indicating road closure or available alternate access routes to minimize traffic disruptions. Contractors are responsible for providing Personal Protective Equipment (PPE) to workers and monitor the proper use of it in the site. Construction contracts will include the above provisions.

4.3 Socio-Economic Information and Profile

Mirchaiya formerly known as Ramnagar Mirchaiya is a municipality in Siraha District in the Sagarmatha Zone of south-eastern Nepal in province no.2. The municipality was established on 18 May 2014 by merging the existing Rampur Birta, Malhaniyakhori, Radhopur, Ramnagar Mirchaiya, Phulbariya, Sitapur Prada and Maheshpur Gamharia Village Development Committees. The municipality has divided in 12 ward. The total population is

the 52,000 with 8496 households. The male female ratio is 0.9:1. The household's size is 6.1 which is higher than the national figure 4.7 census survey 2011.

The food production here includes padday, miazan, wheat and sugar cane. The Mirchaiya town dominant Language is Maithali. However, People of this locality is well educated they can speak English, Nepali, Hindi and some other local language according to their ethnicity (language carry forward from ancient period).

The famous festival of Mirchaiya is Durgapuja (Dashain,Vijaya Dashami), Jhanda Mela, Holi, Chhat puja, Shreepanchami, Dipawali. The mode of transportation mostly used include: bus, car, bike, bicycle, rickshaw, tempo, and mini bus.

Mirchaiya is considered as a trade and economic centre of province no. 2 especially for Siraha, Dhanusha and some part of Udaypur district after Lahan. It was primarily an agrarian economy, but it has evolved as trade and industrial centre of the region. Residents of hilly and mountainous regions of surrounding districts are largely dependent on Mirchaiya for their supplies.

4.4 Settlement Pattern and Caste and Ethnicity

Ramnagar Mirchaiya is part of Mirchaiya Municipality and is relatively densely populated except for some outskirt areas within ward 7 and 8, which are still growing. Most of the households in the area are structured and semi structured (thatched, kachhi) houses with few rural households as well. Relatively cluster settlements are found based on the homogeneous cast group.

Ward no. 4-5 is main market area of Mirchaiya Municipality the situated in east - west Mahendra Highway; so it is main market place of the district. As a result, the population pressure is naturally high. The settlement pattern within the bazaar area is quite compact in the both sides of road corridor while outside the bazaar area the settlement pattern is semi-scattered and looks like rural village type of livelihood pattern. The majority of caste and ethnic groups are Yadav, Teli, Sudi, Musahar, Dusadh (Paswan), Koiri, Magar, Tamang etc in the project area.

4.5 Legal Framework

The project has no any potential adverse effect on private land, private property and structures. It does not need to acquire any land permanently or temporary basis during construction and upgrading of the project. The design report also has not envisaged any type of leasing of land provision.

If any unanticipated issues occur during project implementation, shall be addressed as per the agreed entitlement matrix in the Resettlement Framework as well as legal and policy frameworks of the government, namely Land Acquisition Act (LAA), 1977 and its subsequent amendment in 1993 and ADB's Safeguards Policy Statement (SPS), 2009. The Resettlement Framework for the TSTWSSSP specifies that in case of discrepancy between the policies of ADB and the government, ADB policy will prevail.

4.6 Grievance Redress Mechanisms (GRM)

Any grievances from community, affected people or concerned will be referred to the Grievances Redress Committee (GRC) to be formed as per the Resettlement Framework of the project.

A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate, facilitate and resolution of affected persons' concerns, complaints, and grievances related to social, environmental and other concerns on the project. Grievances may be channelled through letters, emails; text messages (SMS), verbal narration, grievance box and registers. The GRM will aim to provide a time-bound and transparent mechanism to resolve such concerns.

The three level GRM will be established in project level during the construction period. Such Grievance Redress Committee will be formed prior to project implementation as per the RF. DSMC will facilitate for it.

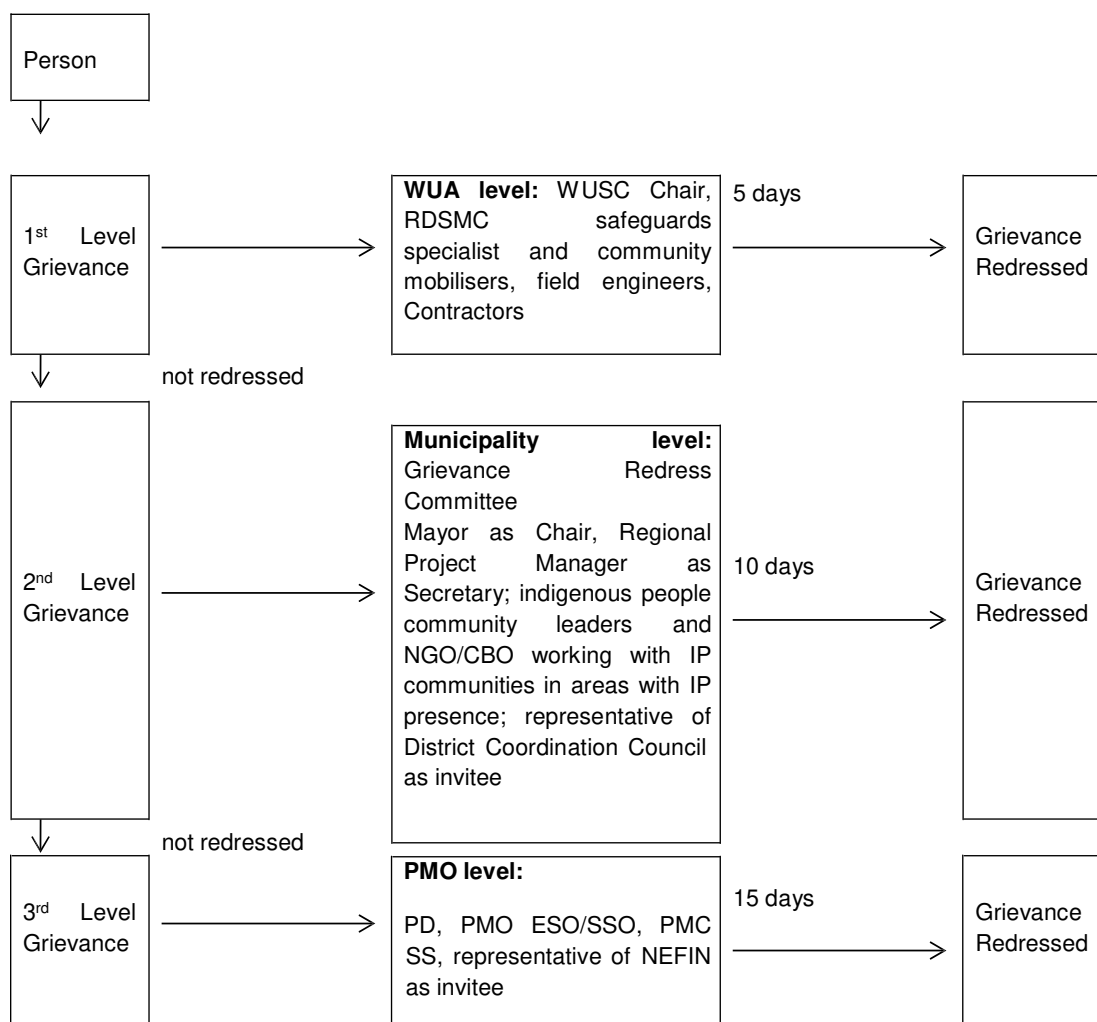


Figure 4: Grievance Redress Process

Table 4: Suggested Format for Record Keeping of Grievances

S. No.	Date of receipt of grievance	Name and contact details of complainant	Description of complaint	Nature of complaint	Decisions taken	Response given to complainant and date	Whether closed

V. CONCLUSIONS

All locations of storm drainage pipeline, manhole and water inlet layout have been identified. All the components are proposed to be constructed in the land owned by public roads (RoW of the road) as well as land/ roads of municipality. The proposed storm drainage project of the municipality has not envisaged having any significant impact on private or institutional land. It is not likely to have any impacts on private or public structures. The subproject is not assumed to have any impact on land and livelihood of poor and vulnerable people.

During the construction phase; care will be taken to ensure that public mobility and access is not disturbed. Social and environmental considerations and occupational health and safety are assured by the contractor and PMO.

This DDR is based on a desk review of relevant documents as well as field assessment. The impacts of project construction activities are not envisaged in any way. There is no loss of people's livelihood, physical displacement (relocation, loss of residential land, or loss of shelter) or economic displacement (loss of assets, access to assets, income sources, or means of livelihood - temporary or permanent) has been observed.

Potential temporary impacts during drainage and manhole construction period such as limited access and disturbance to the people can be dealt with locally and avoided/mitigated through simple measures. The construction works will be carried out ensuring temporary access (and avoiding impacts) as necessary. The length of excavation will not be more than 200 meters at a time and the excavated trench will be back-filled or covered immediately after construction within a day. The contractor will be accountable to provide signage at appropriate locations indicating road closure or available alternate access routes to minimize traffic disruptions, as well as safety instructions. Contractors are responsible for providing Personal Protective Equipment (PPE) to workers and monitor the proper use of it in the site. Construction contracts will include these provisions.

The PMO/RPMO will ensure that the Grievance Redress Mechanism is effectively implemented. Emphasis should be given on information dissemination and timely information to local people and authority to support the site prior construction. Frequent interaction with local people as well as dealing with local issues in a participatory approach will be done by municipality and local units of local government.

The project commonly deals with entire community all the resident is equally benefited by the project. None of the residents are adversely affected by the project.

If any unanticipated issues occur during project implementation, shall be addressed as per the agreed entitlement matrix in the Resettlement Framework. The draft DDR will be updated and ADB's 'No Objection' sought, prior to contract award.

Annexes

Annex 1: Minutes of Meeting/ participants Name List

(3) टोल विकास के कामों को सामाजिक सुरक्षा जस्त, कुनै ठप्परी वा सेच संस्था के जग्गा जमिन वा निजि सम्पत्ती ना नपने बल्कि जनु जिवन वा जिवन थापन के व्यापार व्यवसाय प्रभाव नपने गरी कम गर्नु गरी उक्त साथ वातावरणलाई कुनै प्रभाव नपने गरी आवश्यक संरचना निर्माण निर्णय गरीयो ।

(4) प्रस्ताव नं. 8 लाई धन जस्त आवश्यक संरचना निर्माण गर्नु पर्ने स्थानमा नगर पालिकाले जग्गा उपलब्ध गराउने पने छैन । ती आवश्यक कंटेनरमा राखे आवश्यक पर्ने आवश्यक जग्गा नगर पालिकाले उपलब्ध गराउने निर्णय गरीयो ।

(5) प्रस्ताव नं. 2 लाई धन जस्त, यस नगर पालिकाला निर्माण हुने सतह छल को डिजाइन गरी डिजाइन कम्पनले कम्पनले फाईवला डिजाइन रिपोर्ट तथा गरी स्थानीय निकायमा सरोकार वाला समझ प्रस्तुत गरी आवश्यक साथ सल्लाह तथा धन जस्त गरी जानकारी गराईयो । यस धन जस्त बाट डिजाइन लाई पूर्ण रूपले र यस डिजाइन अनुसार कार्य गर्ने निर्णय गरीयो ।

(6) मिर्चैया वनजल क्षेत्रमा स्व प्राधिकृत कार्यकारी ए मिर्चैया कटारी सडक लाईनमा सतह छल को निर्माण सम्झौता प्रमाणिका (ROW) मा निर्माण गर्ने आवश्यक गरीयो । यो को लागि सडक विभाग सँग अनुमति लिने स्थानीय तह मिर्चैया नगर पालिका माफत तत्काल प्रकृषा अगुवा वडाउने र सो ला आधारमा व्यवस्थापन कोषालय बाट सहजीकरण गर्ने निर्णय गरीयो ।

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Translation**Minute of Meeting**

A final design study report presentation program was conducted under the chairmanship of Mr. Shravan Kumar Yadav, Mayor of Mirchaiya Municipality, for Storm Water Drainage project in Mirchaiya town, on dated May 4, 2019 in the presence of the following participants in Municipality meeting hall. Discussions were made on the following topics and decisions were made accordingly under the consent of all.

Participants

S.N.	Name of Participants	Designation
1	Shraban Kumar Yadav	Mayor Mirchaiya Municipality
2	Mrs.Jeenachi Devi Sha	Deputy Mayor, Mirchaiya Municipality
3	Mr.Rajaendra Prasad poudel	Chief Administration Officer; Mirchaiya Municipality
4	Mr.Narayan Prasad Acharya	Deputy Project Director, PMO
5	Mr.Padam Bahadur Kunwar	Chief RMPO, Itahari
6	Mr.Hari Prasad Shurma	DRTAC Coordinator
7	Mr. Ananda Mohan Lal Das	Team Leader DSC
8	Mr. Anil Kumar Yadav	CMS, DSC
9	Mr. Dinesh Gautam	Police Inspector, Mirchaiya
10	Mr. Suvas Raj Panta	Town Development Fund
11	Mr. Rajesh Kumar Sha	Engineer, Mirchaiya Municipality
12	Mr.Dhirendra Kumar Sha	Ward No 5, Mirchaiya Municipality
13	Mr.Jaya Prakah Sha	Accountant , WUSC
14	Mr. Binod Devkota	Design Engineer
15	Mr. Ramdayal Sha	Ward no 7, Phulbariya
16	Mr. Atiraj Tamang	Sub – Inspector Armed Police Force, Mirchaiya
17	Mr.Indra Sharma	Ward 5. Ra.Ja. Pa.
18	Mr. Pradip sha	Nepali congress party
19	Mr. Ramkumar Yadav	Ward No. 7, Phulbariya; Mirchaiya Municipality
20	Mr. Dipen Yadavv	Ward Chairman, Ward No. 4
21	Mr.Hari shanker sha	Chairman Chamber of Commerce, Mirchaiya
22	Mr. Ashok Kumar Sha	Adviser Chamber of Commerce, Mirchaiya
23	Mr. Arun kumar Shingh	Senior Adviser Chamber of Commerce, Mirchaiya

24	Mr. Bishnu Dev Mahato	Mirchaiya 1
25	Mr. Ganesh Kumar Chaudhary	Construction Supervision Engineer
26	Mr. Roshan Subedi	GESI Specialist
27	Mr. Shiva Adhikari	Safeguard Specialist
28	Mr. Bharat Mahaset	Mirchaiya Chamber of Commerce
29	Mr. Jagananda Kishowar Yadav	Engineer/ Consultant
30	Mr. Shrabhan kumar Kamalpaki	Ra. Pra. Pa Town Chairman Mirchaiya
31	Mr. Ram Sagar Rai	
32	Mr. Raj Gir Yadav	Staff, Municipality
33	Mr. Ram Balak Mandal	Office Helper
34	Mr. Rabndra Yadav	Driver

Agenda:

1. In terms of 15 % of total project cost should be invest through local government or Municipality
2. About the approval letter/document should be received from department of road for work undertaken within Right of Way of road.
3. During the construction period should follow the Social Safeguard and Environment safeguard policy or norms.
4. About the availability of required land.
5. About the final report presentation.
6. About the, approval letter/document should be received from department of road for work undertaken within Right of way of road.

The following decisions were made concerning the above-mentioned agenda:

- a. Discussed over agenda number 1, the design has been made accordingly as 15% of total project cost should be invested through local government or Municipality.
- b. For the construction of storm drainage and required other structure within right of way of road; design has been made. The entire necessary document and recommendation from road should be managed by Mirchaiya Municipality or Project Management Office.
- c. The discussion over agenda number 3, the decision has been made for the construction of storm drainage and other necessary structure of the project, avoid the impact on private properties, impact on private business, means of livelihood or local institution properties as well as environment.
- d. During the construction period, all required land for project component should be provided by Municipality in proper places if necessary. The municipality had committed all required land will be provided in proper places.

- e. Regarding the subject matter, the project component of storm drainage project within the Mirchaiya bazar area; all the component should be constructed within the right of way of road (Row) along the east-west highway and Mirchaiya - Katari road. The local government or municipality should be received all necessary approval from department of road. The municipality immediately proceed to and action and Project Management office will facilitate the same.

c. Date: April 18

Mirchaiya Storm Drainage project Date: April 18, 2019 Location: Bazar Area Ward-7

Sn	Name of the participants	Address	Male	Female	Signature
1	Ram Lochan Sah, chairman WUsc	Mirchaiya-	✓		<i>[Signature]</i>
2	Kesheshwar Sah, WUsc secretary	Mirchaiya-4			<i>[Signature]</i>
3	Danprakash Yadav	Local - ward-7			<i>[Signature]</i>
4	Anila Kumari Sah	Ward-7			<i>[Signature]</i>
5	Ishwar Pandit	" "			<i>[Signature]</i>
6	Dilip Puri	" "			<i>[Signature]</i>
7	Keshab Narayan Dev	" "			<i>[Signature]</i>
8	Bideshwar Dev	" "			<i>[Signature]</i>
9	Narayan Mahato	" "	✓		<i>[Signature]</i>
10	Argun Mahato	" "	✓		<i>[Signature]</i>
11	Dinesh Kumar Mandal	Ward-7	✓		<i>[Signature]</i>
12	Hiranidevi Thakur, Social Worker	8 Ward-5		✓	<i>[Signature]</i>
13	Bharat Aryal, Teacher	Ward-7			<i>[Signature]</i>
14	Manaki Yadav, Local	WN-7			<i>[Signature]</i>

d. Date: April 17, 2019

Mirchaiya Storm Drainage project		Date: April 17, 2019	Location Barzar Area shahachok 5		
Sn	Name of the participants	Address /	Male	Female	Signature
1)	Indra Sharma, Ra. Ja. Pa.	Ward - 5	✓		
2)	Kusheshwar Sah, WUSC Secretary	Mirchaiya	✓		
3)	Rinku Yadav - member - WUSE			✓	
4)	Anita Dasi Sah	Ward - 5		✓	
5)	Surendra Yadav	Mirchaiya - 5	✓		
6)	Mohan Kumar Mandal	"	✓		
7)	Ramdayal Sah	Ward - 4	✓		
8)	Harish Goshai	Barzar	✓		
9)	Janaki Choudhary	Ward - 5		✓	
10)	Kishun Dasi Mandal	"		✓	
11)	Shiva Adhikari	Sebeguard Special - km	✓		
12)	Roshan Subedi	CIESI - K-17	✓		
13)	Ganesh Kumar Chaudhary	CSE/Mirchaiya	✓		
14)	Suresh Yadav	local ward - 5	✓		
15)	Amritman Shrestha	Engineer / Lmo - Dhara	✓		
16)	Jogendra Kishan Yadav	Engineer - Consultant	✓		
17)	Kapil Yadav	Engineer - Contractor	✓		
18)	Jhingaru Yadav	Businessman - ward 5	✓		
19)	Pramila Mahaseth	Women Social worker - local - ward 5		✓	
20)	Fulandari Kusaba	Nepali Congress party		✓	

Commitment Letter of Municipality

MIRCHAIYA MUNICIPALITY
OFFICE OF THE MUNICIPAL EXECUTIVE
RAMNAGAR, MIRCHAIYA, SIRHAHA
Province No. 2

Phone No. 033-550101

Fax No. 033-550109

Letter No:-
 Ref:- 2075/76

Date: - 17th June, 2019

To
 The Project Management Office,
 Urban Water Supply and Sanitation (Sector) Project
 Pani Pokhari, Maharajgunj
 Kathmandu

Subject: Approval of permission from the Department of Roads for Storm Water Drainage in the Mirchaiya Municipality

Dear Sir,

We would like to express our commitments regarding statutory arrangements necessary for obtaining the final possession of the site and the right-of-way (RoW) from the Department of Roads (DoR) for the construction of Storm Water Drainage and allied structures; particularly, along the stretches of the East West Highway and the Siddhi Charan Rajmarg in the Mirchaiya Municipality. In this regard, we have already requested the DoR for granting permission for implementation of the program within the RoW.

We hereby submit the declaration that the due permission & approval documents shall be furnished prior to start of the construction works.

Thanking for your continued support and cooperation,

Yours faithfully,

.....
 Rajendra Prashad Poudel
 Chief Administrative Officer
 er.mirchaiyamunicipality@gmail.com

प्रमुख प्रशासकीय अधिकारी

-
- “एक घर एक चर्पी मिचैयाको शान, पुर्ण सरसफाईयुक्त नगर हाम्रो पहिचान”
 - यस मिचैया नगरपालिकामा २०७२ जेठ २२ गते बाट प्लाष्टिक भोला प्रयोगमा निषेध गरिएको छ ।

Commitment Letter of Municipality



मिर्चैया नगरपालिका

नगर कार्यपालिकाको कार्यालय

रामनगर मिर्चैया, सिरहा

२. नं. प्रदेश, नेपाल।

(प्रशासन शाखा)

फोन नं. ०३३-५४०१०१

फ्याक्स नं. ०३३-५४०१०२

पत्र संख्या : ०७५/७६

चलानी नं.: १९५०

मिति : - २०७६/०३/०२

विषय :- सिफारिस सम्बन्धमा ।

श्री शहरी खानेपानी तथा सरसफाई आयोजना व्यवस्थापन कार्यालय
पानी पोखरी , काठमाडौं

प्रस्तुत विषयमा यस नगरपालिका भित्र निर्माण हुने सतही ढल आयोजना नगरपालिकाका भित्री सडकहरू, पूर्व पश्चिम राजमार्ग र मिर्चैया कटारी सडक मा सम्पूर्ण प्रस्तावित सतही ढलको काम सडक सिमा भित्र (चौडा क्षेत्र भित्र) निर्माण हुने ब्यहोरा अवगत गराइन्छ ।

पूर्व पश्चिम राजमार्ग विस्तार कार्य भैरहेको वा हुने क्षेत्रमा आयोजनाबाट निर्माण हुने सतही ढलको काम गर्दा आवश्यक समन्वय गरिने र आयोजनालाई कुनै किसीमको अवरोध नपर्ने ब्यवस्था मिलाउने ब्यहोरा अवगत गराइन्छ ।


राजेन्द्र प्रसाद पौडेल
प्रमुख प्रशासकीय अधिकृत

- “एक घर एक चर्पी मिर्चैयाको शान , पुर्ण सरसफाईयुक्त नगर हाम्रो पहिचान”
- यस मिर्चैया नगरपालिकामा २०७२ जेठ २२ गते बाट प्लाष्टिक भोला प्रयोगमा निषेध गरिएको छ ।

Translation

Phone No: 033-550101
033-550109

Mirchaiya Municipality
Office of the Municipal Executives
RamNagar Mirchaiya, Siraha
Province No.2; Nepal
(Administration Section)

Date: 17 June, 2019

Letter No: 075/76
Dispatch No: 2150

Subject: **Recommendation**

M/S Urban water Supply and Sanitation (sector) Project, Project Management Office
PaniPokhari, Kathmandu

Regarding of the subject; we hereby make confirm and duly notify that all proposed storm drainages executing through the project will be constructed within the road width along East West Highway, Mirchaiya Katari Road and inner roads of Municipality.

It also notified that road expansion works are on-going in the East West Highway; and this Municipality assure to coordinate as necessary with concerned agency and make arrangement against any type of obstruction during the construction.

Rajendra Prasad Poudel
Chief Administrative Officer

Annex 2: Photographs

Meeting at Municipality office



Consultation with Mayor of Municipality



Meeting in WUSC office for drainage project



Final report Presentation program at Municipality office



East- west high way



Katari Chowck; junction of Mirchaiya – Katari road on East-west highway



Outlet place at Jeeba khola west of the Bazar



Outlet place at place Bataha khola east of the bazar



Flood on east-west highway during monsoon in Main bazar



Outlet place at Jeeba khola west of the Bazar



Service area near the Municipality office



Service area Shajha chowk , with existing drainage