



**Ministry of Works & Human Settlement
Thimphu Thromde
Royal Government of Bhutan**

FINAL REPORT

SOCIAL IMPACT MANAGEMENT PLAN

FOR THE

HEJO-SAMTENLING & JUNGSHINA

LOCAL AREA PLAN URBAN ROADS

(BUDP2 AF (Cr. 5431-BT))

**Prepared by: Saroj K. Nepal
Gonefel Options Consult**

June, 2017

CONTENTS

Acronyms & Abbreviations	4
Glossary of Bhutanese words.....	4
Executive Summary	5
1. INTRODUCTION.....	7
1.1 Background	7
1.2 Objectives of the assignment	7
1.3 Methodology	7
1.4 Limitations of the Study.....	8
1.5 The Social Assessment Report.....	9
1.6 Approval and Disclosure.....	9
2. SOCIAL ASSESSMENT.....	10
2.1 Project Description and Foot-print.....	10
2.2 Socioeconomic Baseline	12
2.2.1 Demography.....	12
2.2.2 Basic social services.....	12
2.2.3 Land holdings	13
2.2.4 Crop production, consumption and sale	13
2.2.5 Income and expenditure	14
2.3 Poverty and Vulnerability Analysis	14
2.4 Gender Analysis	14
2.5 Social Impacts of the Urban Roads.....	14
2.5.1 Subproject Benefits and Hejo-Samtenling and Jungshina LAPs	14
2.5.2 Potential impacts on productive land holding.....	14
2.5.3 Potential impacts on properties.....	15
2.5.4 Other social risks and impacts.....	15
2.5.5 Potential impacts on income.....	15
2.6 Compensation of impacts.....	16
2.6.1 Impacts to be compensated	16
2.6.2 Community members' views on adequacy of the Compensation package.....	18
2.6.3 Impacts as perceived by the people.....	19
2.7 Consultation and Participation	20
2.7.1 Stakeholders analysis	20
2.7.2 Consultation process	21
2.7.3 Need for further consultation	22
2.8 Community awareness and support for the project.....	23
2.8.1 Community awareness and support to the Project.....	23
2.8.2 Community views on the two roads.....	23
2.9 Legislative Framework	23
2.9.1 Legislative Framework of Bhutan	23
Legal basis for addressing impacts.....	24
2.9.2 The World Bank policy framework.....	26
2.10 Good practice examples	27
2.11 Conclusion and Recommendations.....	27

3. SOCIAL IMPACT MANAGEMENT PLAN	29
3.1 Objectives	29
3.2 Policy Framework for Social Impact Management	29
3.3 Eligibility and Entitlements	30
3.3.1 Eligibility Cut-off Date	30
3.3.2 Eligibility and Entitlement Matrix	30
3.4 Eligibility Matrix	32
3.5 Compensation of impacts	32
3.6 Agreement with impacted persons	32
3.6.1 Thromde approach for dealing with absentee landowners	33
3.6.2 Compensation modalities	34
3.7 Consultations and Participation Plan	34
3.8 Grievance Redress Mechanism	35
3.9 Labor Influx Management	36
4. IMPLEMENTATION OF THE SOCIAL IMPACT MANAGEMENT PLAN	38
4.1 Institutional arrangements	38
4.2 Budget	39
4.3 Monitoring and Evaluation	40
4.4 Implementation Plan	41
Annexure – 1: Terms of Reference	42
Annexure – 2: Details of Landowners who have not been interviewed	46

Acronyms & Abbreviations

ADB	Asian Development Bank
BHU	Basic Health Unit
BUDP II	Bhutan Urban Development Project
GRC	Grievance Redressal Committee
GRM	Grievance Redressal Mechanism
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency
LAP	Local Area Plan
MOU	Memorandum of Understanding
MOWHS	Ministry of Works & Human Settlement
PMU	Project Management Unit
RAP	Resettlement Action Plan
RGOB	Royal Government of Bhutan
SIA	Social Impact Assessment
SIMP	Social Impact Management Plan

Glossary of Bhutanese words

<i>Dzongkha</i>	Bhutanese language
<i>Dzongkhag</i>	District
<i>Thram</i>	Land registration
<i>Thromde</i>	City Municipality
<i>Thrompon</i>	Mayor

Executive Summary

Thimphu Thromde aims to improve urban connectivity and to decongest the core area of Thimphu city by building the two urban roads in Hejo-Samtenling (3.6 km) and Jungshina (1.18 km) Local Area Plans (LAPs). The roads would also provide improved access to the proposed Sewerage Treatment Plant proposed in the area. For this, Thimphu Thromde has sought financial assistance of the World Bank out of the allocation for the ongoing Second Urban Development Project (BUDP2 AF, Cr. 5431-BT), which as part of the application for funds has made the conduct of a Social Impact Assessment resulting in a Social Impact Management Plan (SIMP) mandatory. The objective of the Social Assessment is therefore to identify impacts and prepare a management plan conforming to both World Bank and national legal frameworks.

The study was therefore carried out in the two LAPs for assessing road impacts on only those landowners whose plots are abutting the roads. The work entailed a survey of landowners, literature review and consultations with landowners during the interviews. From the total of 201 landowners, 89 were interviewed while the rest did not report for interviews though their participation was solicited through phone calls and adverts in the media.

The project footprint consists mostly of the roads aligned in the two LAPs. The roads are already in progress with the base cutting already completed.

The data shows that most landowners have small households with an average of 3 resident members with an average age of 35 years and a larger proportion of productive than dependent population. Being in an urban neighborhood, landowners are mostly civil servants and business people. Therefore, most have a higher socio-economic status enjoying good income, have assets and are either living in the LAP or around Thimphu. Most landowners enjoy modern amenities. Average land holdings are around 0.34 acres with most owning the minimum size of plot required for construction of a house. While 40% already have houses and buildings on-site the rest have vacant plots while only a few cultivate vegetables on some of the plots. Incomes are high with no family below the poverty line and none also can be categorized as vulnerable.

Present national legislation while permitting land acquisition has increasingly instituted means for fair compensation for land and impact on property. Landowners have already pooled land and the few whose properties were affected have availed compensation but very few have not. All landowners who signed the land pooling agreements have already been issued revised land titles after land pooling. However, only one landowner (from Jungshina) has not accepted the new title deed. Therefore, 99.5% of the landowners have signed the land pooling agreements. There are a few landowners who have not come and taken their new title deeds because they live abroad, desire to either sell their land or take loans against their plots for which they would need the new titles. However, they are expected to come to collect the title deeds. In the Hejo-Samtenling LAP, 75% have taken their title deeds whereas from Jungshina 62% have taken their deeds.

Some landowners foresaw impact on their properties once work on the roads resume. A Team consisting of engineers from Thimphu Thromde and the Consultant carried out a field verification during which it was ascertained that no properties will be impacted and hence no compensation is necessary. However, such impacts expected during construction are temporary in nature and can be avoided or mitigated during the construction. No residual impacts are foreseen. Some impacts may emerge after the construction during the operation phase of the road such as crowding of people and buildings as well as congestion due to increased vehicles and vehicular traffic. Otherwise, most of the impacts will be positive improving access and convenience, appreciating land and property values in the area and enhancing business and economic opportunities besides enhancing quality of life in the two LAPs.

A SIMP has been prepared since there will not be any involuntary land acquisition. Each landlord in conformance to the land pooling guidelines voluntarily surrendered a proportion of their land acquired through the land pooling mechanism proposed by Thimphu Thromde. The SIMP focuses on minimizing adverse impacts and managing labour influx in the area during construction. Consultative activities will also be planned to ensure participation of affected people in LAP development and providing avenues for them to express their views and grievances.

Existing management capacity and organizational units within Thimphu Thromde will manage the SIMP. Monitoring of the road works and implementation of the SIMP will be emphasized. Any further acquisition of property will entail valuation of property for compensatory funds to be requisitioned from the government for timely payment to affected persons before the road works can be resumed. The Urban Planning Unit will manage the implementation of the SIMP, while the Engineering Division will support the procurement, award of work and technical monitoring of the road works under the overall oversight of the World Bank Project Implementation Unit. The SIMP will be implemented with a proposed budget of Nu. 2.05 million (US \$ 31,538.46) with allocations for a contingency fund in the event of any acquisition of impacted properties and funds for periodic external monitoring and regular monitoring by the Urban Planning Division using identified indicators for monitoring.

1. INTRODUCTION

1.1 Background¹

Thimphu Thromde is currently designing urban roads for construction in the two Local Area Plans (LAP) namely: Hejo-Samtenling and Jungshina to be funded under the ongoing Second Urban Development Project (BUDP II) with World Bank support. The roads are being undertaken to inter-connect the two urban hubs located in South Thimphu with the North Local Area Plans (LAPs). On completion the roads will significantly reduce vehicular traffic pressure in the core city while providing better inter and intra connectivity among urban villages.²

The proposed roads will be built in the Hejo-Samtenling and Jungshina LAPs respectively. While the roads together measure 5.573 km in length, the Hejo-Samtenling road will be of 3.687 km while the Jungshina road will measure 1.186 km. The roads will have tarmac, drains, V-drains, shoulders and pavements, together with provisions for underground sewerage lines, cable ducts, water supply networks and street lighting.

The first formation cutting of the roads has already been completed but owing to fund constraints, the work on the roads has been stalled. Thimphu *Thromde* proposes to seek funds from the World Bank under the on-going Bhutan Urban Development Project II (BUDP II) to complete the roads.

To fulfill the requirements of the application for World Bank financing and to ensure socially sustainable outcomes resulting from the road development, Thimphu *Thromde* will carry out a social assessment of the two roads. The *Thromde* has engaged an individual consultant for expert services for the social assessment and preparation of reports along with any plan for policy compliance for review and clearance by the World Bank.

1.2 Objectives of the assignment

The objective of this social assessment is: *to identify the impacts of the roads to the plot owners living along the roads who have provided the right of way and to develop a management plan in compliance with the national legal framework and World Bank policy on involuntary resettlement, gender and citizen engagement.*

1.3 Methodology

To meet the above objectives prescribed in the Terms of Reference, the methods and tools used to produce the deliverables are presented. The methodology and tools used to address the objectives of the assignment are summarized.

¹ Adapted from the Terms of Reference for the study

² As per the Approved Thimphu Structural Plan 2002-27

Literature review

Documentation was reviewed to extract, collate and analyze information from survey reports, minutes of consultations, databases prepared by the engineering surveyors on impacted land, pertinent legislation enacted by the Royal Government of Bhutan (RGOB) and applicable policies of the World Bank.

Census of landowners with land plots abutting the two roads

A survey was carried out with the intent to interview all persons whose lands abut the roads. Out of the 89 landowners who could not be interviewed; 52 (58%) are from Hejo-Samtenling and 37 (42%) are from Jungshina. The survey collected socio-economic data with a focus on ownership of landholdings, status of cultivation and other socio-economic variables. Not all landowners of the 201 plots of land could be interviewed though the team endeavored to contact them using different means and sources. Enumerators were thoroughly trained by the Consultant to conduct interviews before the survey. Thimphu *Thromde* in coordination with the LAP Representative was requested to coordinate appointments with landowners. Thimphu *Thromde* also requested the landowners who had not attended the interviews to do so through announcement in the media. In spite of this only about 60% of the total landowners could be finally covered. The landowners who were not interviewed are listed in annex 2.

The survey was critical in that from the information and data provided, the Consultant could establish the socio-economic situation of the landowners with plots abutting the roads, potential social impact and preparation of a social impact management.

Consultations

Interviews were also an opportunity to consult with the affected persons individually. Respondents were asked their views and perceptions on the impacts, the compensation package proposed and their views on the consultations held so far.

Finalization of respondents

The Consultant coordinated with Thimphu *Thromde* to identify the owners, which was based on a list of all owners whose plots were abutting the roads. There were 201 such owners in the 2 LAPs in total with Hejo-Samtenling having 132 landowners and Jungshina having 69 landowners.

1.4 Limitations of the Study

The study entailed a total census of persons whose plots of land are abutting the roads.

While many land owners live at site in buildings they have constructed, many do not. Several landowners are also not in the country as they live abroad. Persons who were not available during the study were given a chance to participate in interviews. Thimphu *Thromde* advertised in the media notifying those affected people who were

not interviewed to report for the same. However, still there are 89 (43%) persons out of the total 201 landowners who have not been interviewed. The Consultant therefore could not carry out a total census given the problems mentioned.

1.5 The Social Assessment Report

This Report presents the social impact assessment of the two urban roads being constructed in Hejo-Samtenling and Jungshina LAPs. Besides, collection and analysis of demographic and socio-economic data, the Report also looks at potential impacts and comes up with a social impact management plan for mainly landowners whose plots are aligned adjacent to the roads. National legislation and World Bank Policy was reviewed to ascertain responsibilities as well as impacts of road development. It was not necessary to assess eligibility for entitlements and compensation since landowners whose land was impacted by the road have already been compensated.

Thimphu Thromde will present the SIMP to affected persons at the project site. The Executive Summary of the Report (in both English and Dzongkha) will be uploaded on the web sites of Thimphu *Thromde*, Ministry of Works & Human Settlement and the World Bank for public view.

1.6 Approval and Disclosure

The SIMP will have to be approved by the Royal Government of Bhutan (RGOB) and cleared by the World Bank before it is ready for implementation.

The SIMP will have to be disclosed in the public domain. Disclosure will be done in the following manner:-

- The SIMP will be presented to all persons with land abutting the roads at an appointed date, time and place with a focus on the Social Impact Management Plan;
- The Executive Summary of the document will be translated into *Dzongkha*. Both English and *Dzongkha* copies will be uploaded on the web sites of both the Ministry of Works & Human Settlement (MOWHS) and Thimphu *Thromde*;
- Copies of the document will also be available with the Thimphu *Thromde*, MOWHS and the LAP Representatives. Any interested party can access and review the documents from the respective agencies;

2. SOCIAL ASSESSMENT

2.1 Project Description and Foot-print

Hejo-Samtenling and Jungshina are located 5 km away from the core Thimphu city. By driving along the road above the golf course and diverting to the LAPs towards Hejo, motorists can reach the LAPs. An alternative route to reach the LAPs is via Langjuphaka then diverting down towards the India house.

The roads to built in the LAPs together measure 5.573 km in length, the Hejo-Samtenling road measures 3.687 km in length, while the Jungshina road measures 1.186 km. The roads will have tarmac, drains, V-drains, shoulders and pavements, together with provisions for underground sewerage lines, cable ducts, water supply networks and street lighting. The first formation cutting base course of the roads has already been completed but owing to fund constraints, the work on the roads has been stalled. The roads will also provide improved access to the Sewerage Treatment Plant to be established in the area.

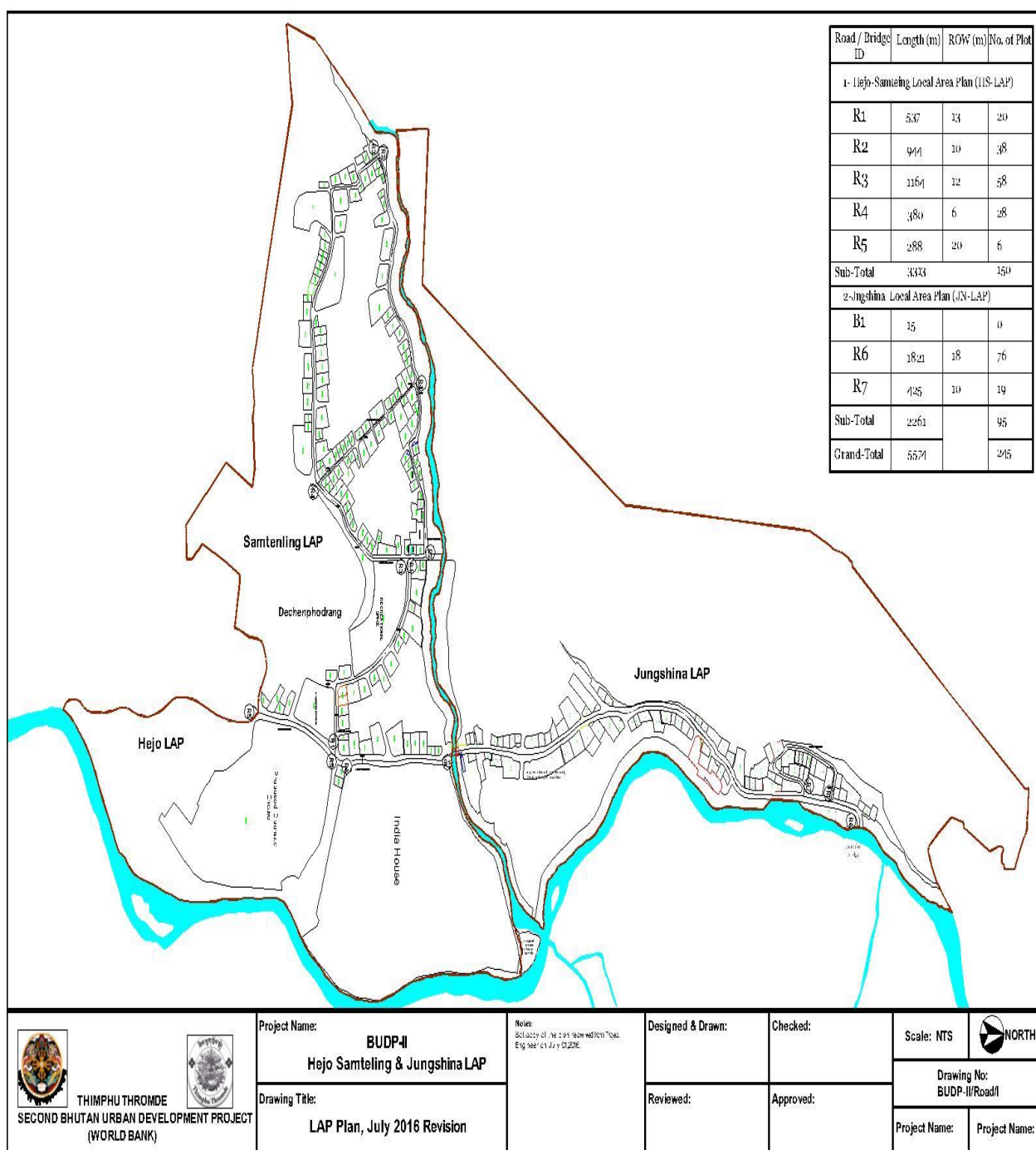


Figure 1: Map of the project area

2.2 Socioeconomic Baseline

2.2.1 Demography

In total 82 landowners were interviewed. Of these, 51 (62%) were from Hejo-Samtenling LAP and 31 (38%) from Jungshina. Of the total interviewed, 48 (59%) were men and 34 (41%) were female. The accomplishment rate of the survey is 41%. In total there are 251 persons currently resident in the households of the 82 respondents implying that the average household size is 3 members, which is less than the national average of 4 persons. Among the 82 households, while 45 (52%) are registered in Thimphu, 37 (45%) are registered in other districts namely from 15 other districts in eastern, central, southern and western districts.

The average age of the population is 35 years. The productive population (18 to 64 years) comprises of 62% of the total population while the dependent population (those below 17 years of age and those above 65 years) comprise 35%. The distribution of males and females in the respective age categories is comparable with number of females exceeding males in the minor group.

2.2.2 Basic social services

Education

The nearest education facility is the Jungshina Primary School which is a maximum of 10 minutes walk from Hejo but less than that for residents of Jungshina. For schools with middle and higher secondary level, the students have to go to Thimphu.

From the total 385 persons who respondents enumerated for education, 92 persons (24%) were non-literate with women comprising 48%. Further, 52 persons or 23% had studied up to primary school level with 40% of them being women. There were 22 persons who studied till secondary level with 67% of them being women. Also, 17 (4%) studied till middle secondary level with more men than women represented in this category. At higher secondary level, 59 persons (15%) persons had completed with 63% of them being female. There were 107 (28%) who completed undergraduate studies with 47% of graduates being women. Further, 28 (7%) had post-graduate degrees with the number of men doubling that of women. Nine persons (4%) had completed religious studies and non-formal education classes.

The largest occupational groups were those running businesses. Around 79 persons (35%) were into businesses. Civil servants, armed forces and corporate employees comprised of 51 persons (23%). Thirty-six persons (16%) worked in private sector firms.

Employment

In terms of employment, 62 persons (28%) had regular paid jobs. There was less number of persons in casual paid jobs. About one third were unpaid family workers. Only 16 persons (7%) were unemployed of whom the majority were women.

Health

People have to commute to the Jigme Dorji National Referral Hospital in Thimphu driving about 15 minutes to reach the hospital from the two LAPs. It is proposed to provide for a Basic Health Unit (BHU) in the area that will provide basic and primary medical services to the residents. The facility will ensure that people do not have to travel to Thimphu for minor ailments and for other manageable first aid during minor emergencies.

Water and sanitation

The two LAPs receive water from a protected source in Samtenling. The water is sufficient at the moment and is expected to be in future too. There are plans to augment the water supply with water brought by the Dodeyna Central Water Supply Project in future.

Some landowners expect water shortages with increasing population. However, water shortages will also be addressed with the construction of the Dodeyna Water Supply Project that could augment supplies to the two LAPs.

2.2.3 Land holdings

The landowners on an average own 0.34 acres while the minimum owned is 0.09 acres and the maximum owned is 1.82 acres. The mean acreage of land owned elsewhere in Bhutan is 3.8 acres. The small average holding in the LAP as compared to average outside the LAP suggests that people have bought the minimum permissible plot size (0.13 to 0.15 acres) in urban areas for construction of a house.

The current land use as stated by landowners show that 33 (40%) owners have already constructed houses on their plots. This comes to around 16% of plots currently built up. Also, 31% (38%) keep their plots fallow and without any other structure on the plots. Eleven respondents also cultivate crops on their plots. In the past, both Hejo-Samtenling and Jungshina were productive agricultural land mainly producing paddy as evidenced by fallow terraced paddy fields still existing in the LAP. Moreover, the data also shows that 8 landowners who answered the question about income from agriculture had an average annual income of Nu. 12,364.29 (0.39% of total income) earned from sale of agriculture produce, mainly vegetables.

2.2.4 Crop production, consumption and sale

According to the data collected from landowners, 5 landowners in Hejo-Samtenling and 6 landowners in Jungshina currently carry out agriculture activities on their plots. During the site visit, it was observed that landowners had fenced some plots of land, prepared the fields and planted potato and chili. However, it could not be confirmed if they were cultivating on their own plots or government land. The Thimphu *Thromde* has allowed residents to cultivate vegetables for their consumption in vacant government plots.

2.2.5 Income and expenditure

The income earned by landowners as stated by them is highly variable. This is understandable because many landowners are high-level government officials and people with large earnings from businesses. The maximum annual income goes as high as Nu. 25,500,000 (Nu. Twenty Five Million). The median annual income earned of the 70 respondents who disclosed their annual income is Nu. 456,000 (Nu. Four Hundred Fifty Six Thousand). All earned above Nu. 20,460 a year so none can be considered living below the poverty line last established at Nu. 1705 a month.³

2.3 Poverty and Vulnerability Analysis

The Consultant also scrutinized the socio-economic survey data to identify any vulnerable populations. The examination showed that all households earned incomes well above the national poverty line fixed at Nu. 1,705 per month or Nu. 20,460 a year. Further, since all households had members who were either working or operating businesses; none of the households are vulnerable.

2.4 Gender Analysis

Out of the total population in the 82 households interviewed, 49% are females. There were 34 women-headed households comprising 25% of the total households in the survey. All these women headed households have incomes higher than the poverty line and also have adequate productive capacity (members able to earn income) in their households. Of the total illiterate, 48% are women. Also, 64% women are in the unpaid family worker category. With the enrolment of girls exceeding that of boys at national level, women's literacy is expected to improve in coming years. In view of the strong position of women in the two LAPs socially, no specific activities to institute gender equality are foreseen as some of the issues noticed, such as illiteracy are more structural in nature and will have to be addressed at policy level.

2.5 Social Impacts of the Urban Roads

2.5.1 Subproject Benefits and Hejo-Samtenling and Jungshina LAPs

The project entails completion of road works of providing tarmac and ancillary structures to the two roads in Hejo-Samtenling and Jungshina LAPs respectively. The roads will benefit the residents directly and will also benefit visitors who come to the LAP indirectly.

2.5.2 Potential impacts on productive land holding

The works on the roads will comprise of laying tarmac and compressing the tarmac, building the drainage system for the roads as well as the pavements and walkways for the roads. Since the land has already been acquired through land pooling, impact on

³ Source: Poverty Analysis Report 2012

land has already been settled since the pooled land was utilized for laying the road infrastructure. There will not be further land take.

2.5.3 Potential impacts on properties

Since the road has already been aligned and base cutting done; only a few properties may be affected for constructing the road ancillary structures such as drains and pavements among others. Though land acquisition and commensurate displacement of people are not foreseen; nevertheless there potential adverse impacts on properties.

The roads will have to be built by the contractor who will mobilize labour, materials and machines. Presently the residents have already been using the roads but once the work starts they cannot use the roads until the road has been completed. So, they will face inconvenience as they may not be able to drive to their homesteads but would have to walk. Further, the influx of a large work force will also cause crowding and possible competition for community resources such as water and space. However, this will be only a temporary impact.

2.5.4 Other social risks and impacts

The mobilization and use of labour and machines will produce noise, smoke and dust pollution. There will be constant noise due to operation of machines and labour while the work is being carried out. In a bid to complete the work on time, the Contractor may choose to work late in the evening further aggravating noise, which may particularly be inconvenient to students and those sleeping. All these impacts are however temporary lasting only during the construction phase of the road.

During operation phase of the roads, there would be more traffic leading to an increase in number of vehicles plying in the LAPs leading to traffic congestion. Moreover, if building owners do not assign private parking within their plots of land; tenants and visitors would park along the road's carriageway that would result in narrower space on roads for driving and could lead to accidents. Further, speeding, unruly and driving under influence of alcohol could lead to accidents. Owing to the influx of people to the LAP, the population would increase potentially resulting in crimes like theft, drunkenness and drug abuse, noise and assault.

Further, during the operation phase of the roads, if the drainage system has not been designed and constructed well, during flash floods it could lead to flooding and scattering of all types of debris and contamination of water sources and public spaces causing inconvenience to people.

2.5.5 Potential impacts on income

The 82 landowners interviewed have more to gain than to lose from the road development. Besides the land pooled; which they have each contributed; the roads will provide immense benefits to the landowners. In terms of income, the roads will firstly greatly enhance the value of their serviced plots. Already the cost of a decimal of land ranges from Nu. 400,000 to 450,000.

Also, landowners will gain income from rentals if they construct multi-storey buildings mainly from residential units used for habitation by tenants but also from units leased as shop and office spaces. Innovative landowners can also construct buildings to serve specific purposes such as multiplexes, shopping complexes among others.

There were some opinions that the establishment of automobile workshops would reduce the value of property in some sections of Jungshina proximate to the workshop site. This may be true if people want to sell land but it is not a constraint to unlimited opportunities for development of their land for commercial purposes.

2.6 Compensation of impacts

2.6.1 Impacts do be compensated

As mentioned earlier there will not be any acquisition of land arising out of the implementation of the roadwork. Land has already been pooled from all landowners in the two LAPs. In lieu of the land pooling, the owners will receive serviced plots of land. There will not be any further land take.

With regard to loss of properties, the persons whose property was affected have been processed and most have been paid. Thimphu Thromde provided information to the Consultant on impacted landowners receiving compensation for their properties affected by the road as below which shows that 12 landowners' properties had been affected and they had been paid compensation.

Table 1: Details of landowners eligible for compensation for road impacted properties by LAP

No.	Land owners' Name	Place	Thram No.	Plot No.
1	Chencho Tshering & Sangay Lhamo	Jungshina LAP	302/E	3
2	Dechen Wangdi	Jungshina LAP	1047/C	48 C-2
3	Kinley Dema & Kencho Tshering	Jungshina LAP	819	321
4	Damchoe Dema	Jungshina LAP	TT-506	237 & 236
5	Kelzang Wangdi	Jungshina LAP	509	235
6	Lhamo	Jungshina LAP	167	94/95 Y
7	Sangay Thinley	Jungshina LAP	847	267
8	Oka Dem	Jungshina LAP	169	4
9	Selden	Jungshina LAP	846	2754
10	Yeshey Payden	Jungshina LAP	702	323
11	Tshering Dema	Jungshina LAP	TT-587	212/A-ii
12	Sonam Lhamo	Hejo-Samtenling LAP	46/1917	204A+205/ A HIS-74

Source: Thimphu Thromde

The list of landowners (as presented above) was crosschecked during the survey to ascertain if the same landowners listed above would also feature among the landowners identified for the interview. It is confirmed that except for the landowner

listed against Sl. No. 4 mentioned in the list above namely Damchoe Dema from Jungshina and Sl. No. 12. Sonam Lhamo from Hejo-Samtenling, none of the others was listed as landowners with land abutting the two roads. Only those landowners whose lands are abutting the road were selected for the survey. Hence, the landowners whose names do not recur in the list of those interviewed are the ones who do not have land abutting the roads.

Further, the Thimphu Thromde was requested to provide status payment to the landowners above. Thimphu Thromde confirms that landowners from serial number 1 to 6 and then owners under serial number 9 and 10 have plots that do not fall within the 12 m road project. Further, while the owner under serial number 7 and 8 does fall within the project but the plot is not affected. Only owners under 11 and 12 namely Tshering Dema (Plot 212/A-11 (JN1-342) and Sonam Lhamo (Plot No. 204A and 205/ A(HS-74) are eligible for compensations which have been worked out, approved but not as yet collected by the landowners.

The findings from the survey interviews show that the following landowners' property was affected. The landowners also stated that they have been paid for various losses. The amount received as compensation has also been reflected in table 2 below:-

Table 2: Details of landowners' eligible or received compensation for impacted properties

No.	Name of HH head	Plot No.	Losses	Eligible or Received	Views
1.	Sangay Pem	HS1-429	Shed and apple trees	50,000	Received compensation.
2.	Sangay Zangmo	HS1-86	Sheds, house and apple trees and water tank	29,000	Received compensation for trees only. May lose septic tank and hopes for compensation
3.	Sangay Dorji	HS1-95	Shed and apple tree and toilet and bathroom	34,000	Received compensation.
4.	Tshering Lhaki	HS1-265	Shed	390,000	Has not taken compensation
5.	Nob Tshering	JN1-75/76	Road		Has not taken compensation
6.	Dorji Rinchen	JN1-157	Shed, water tank and wall	50,000	Only received compensation for wall.

Therefore, the following landowners in table 3 who have not taken compensation for affected properties should be summoned and payments made before the road works can start:-

Table 3: Landowners who have not taken compensation for impact to properties by roads

No.	Name of landowner	LAP	Plot No.
1.	Tshering Lhaki	Hejo-Samtenling	HS1-265
2.	Sonam Lhamo	Hejo-Samtenling	204A+205/A(HIS-74)
3.	Nob Tshering	Jungshina	JN1-75/76
4.	Tshering Dema	Jungshina	212/A-ii (JN1-342)

The road works may damage existing property on the land of some owners. As evident in the survey 4 landowners; all from Hejo-Samtenling LAP stated that their property would be affected. A Team from Thimphu *Thromde* with the Consultant and the landowner verified all the properties of the following people. The verification revealed that none of the land owners properties will have to be compensated as these are either unauthorized constructions (temporary toilets); will not be affected as the wall is within the owner's property and not in the right of way (wall); are not in the scope of the project (wall) or which can be avoided and mitigated (septic tank, water pipe lines) during the construction phase. Table 4 summarizes the expected impacts and outcome of the verification visit.

Table 4: Details of landowners expecting further impact by road on properties by type

No.	Name of HH head	Plot No.	Structure expect to be affected	Outcome of field verification
1.	Nima Tshering Drukpa	HS1-327	Wall	The wall is within owner's boundary and out of the road ROW and will thus not be affected.
2.	Kencho Wangmo	HS1-62	Toilet	Pit latrine toilet built (without authorisation) on government land and after the road base course was completed. Owner requested to shift toilet to her own premises.
3.	Sangay Zangmo	HS1-86	Septic tank	The septic tank will be avoided during road works implementation.
4.	Chencho	HS1-98	Water pipe	Drinking water pipes will be repaired and reinstated by Thimphu Thromde when the road works are being implemented
5.	Nob Tshering	JN1-75/76	Wall	The 18 m road to be established under the project will not affect his wall.

2.6.2 Community members' views on adequacy of the Compensation package

There were 5 landowners who mentioned that they were not satisfied with the compensation received. While 2 landowners mentioned that they had no option so accepted the compensation, 2 landowners mentioned that they were only partially

compensated for a wall and road respectively while one mentioned that the compensation was insufficient to cover the loss.

2.6.3 Impacts as perceived by the people

Affected people were asked about negative impacts and risks that could arise out of the two roads to be established in the LAPs. Some of the negative impacts perceived by landowners are as below:-

- Increase in traffic leading to congestion and parking problems if roads are too narrow;
- Social problems like theft, fights owing to drunkenness, noise;
- Pollution due to emissions, improper solid waste disposal;
- Shortages of water due to increase in population resulting in increased number of users;
- Triggering of many constructions which may lead to haphazard development resulting to crowding, pollution among others;

Positive impacts of the road as expected by the people in the two LAPs are: -

- Better connectivity due to increased access to the LAPs and the areas within the LAPs especially the public urban facilities as well as access to people and loads to individual plots and houses. Also, easy access to other areas for people from the LAP as they would now have convenience in reaching other areas under Thimphu city. Increased availability of taxis and buses will enhance transportation of people without vehicles of their own. Access would also enhance the effective and efficient delivery of services by service providers;
- Increase in business and other economic opportunities such as construction of buildings with rental units, better rents for rental units, small retail businesses and restaurants and higher value for plots of land;
- Better environment due to reduction in dust after blacktopping of road and less consumption of fuel due to improved pliability;
- Ease in carrying out development works such as private and governmental constructions in the area;

Suggestions that landowners had for Thimphu *Thromde* to avert and mitigate adverse impacts are as follows:-

- Proper planning can ensure the best design of the roads and other structures to avert disasters in future;
- To the extent possible all works to be carried out should not result in any loss of land and property considering that landowners have contributed to land pooling;
- Quality of work of the Contractors should be stringently examined so that no short cuts and sub-standard work is performed which would compromise the durability of the road;
- All properties should also be connected with road in view of the contributions made by through land pooling;

- Institute an efficient water drainage system abutting the roads in view of high seepage of water in some areas of the LAP and need for protection from storms and flash floods;

2.7 Consultation and Participation

2.7.1 Stakeholders analysis

There are a number of stakeholders involved directly or indirectly in the project. Table 5 summarizes stakeholders, their stakes and their possible involvement in the project.

Table 54: Stakeholder matrix for Hejo-Samtenling and Jungshina Urban Roads

** Legend: H=High; M=Medium; L=Low*

Stakeholder/ beneficiary	Reason for involvement	Role/Nature of involvement		Influence* H – High M – Medium L – Low	Benefits to stakeholders & Role in project
		Project preparation	Project implementation		
Thimphu Thromde	Coordinate studies, identify & recruit construction companies, supervise implementation	Lead agency	Lead executing agency Management and coordination M&E Reporting Develop policy and regulation Technical adviser Implementation	H	Contribute to fulfilling its mandate for a better city. Overall implementing agency to ensure the infrastructure is established with minimal social impacts on community Coordination of work on the two roads to ensure the roads and other infrastructure planned for the two LAPs are coordinated and planned.
Donor	Funds for the Project	Monitoring	Implementing agency Funds disbursements M&E	H	Contribute to development goals of the country. Support cost of infrastructure planned for the tow roads Monitor the technical and social progress of the project.
Ministry of Works & Human Settlement	Aid Coordination with donor	Coordination and monitoring	Facilitate financing and clearance of all outputs	H	Contribute to goals of Five Year Plan specific to urban development Facilitate and support the implementation of work on the two roads
Residents/land owners of impacted LAPs	Project located in the area and land & properties could be affected	Provision of information and facilitation of studies	Derive benefits	H	Provide information vital for studies and local knowledge. Agreement on compensation for loss of access to land for 2 seasons;
Businesses within and outside Thimphu	Business opportunities – goods and services required by the Project.	Supplier of goods and services	Supplier of goods and services	L	Bid and supply goods and services for implementation of the two roads.

2.7.2 Consultation process

Consultations are an integral part of the process of development of the project and should occur at all stages of the project. Earlier, in the planning phase of the Local Area Plan in general, the Thimphu *Thromde* conducted a few consultations with the public of both Hejo-Samtenling and Jungshina LAPs. Consultations should continue so that affected people are not only adequately informed but also provided an opportunity to voice their opinions and grievances.

The Thimphu *Thromde* has carried out a couple of consultations with the landowners of Jungshina LAP. The Consultant could not identify any minutes of meetings held with landowners of the Hejo-Samtenling LAP. The *Thrompon* (Mayor) chaired these consultations. Table 6 shows details of consultations held so far and summary of discussions and resolutions: -

Table 6: Summary of Consultations conducted with landowners of Jungshina LAP

No.	Date	Discussions	Resolutions
1.	31 July 2009 <i>(37 community members attended at Jungshina village)</i>	<ul style="list-style-type: none"> • Presentation of the Local Area Plan including plot shapes, proposed road network, plot configuration after land pooling and precinct plan; • Plot reconfiguration exercised based on 13.5% pooling in GLD area and the rest with 29.5 in other areas and 35% pooling in workshop area; • Complaints on shifting of plots and TT's response regarding plot consolidation of individual owners with multiple plots, retention of plots with permanent structures and directly affected by roads relocation; • Need for site visit to examine the road proposed to GLD area and road above royal route to Dechencholing; • Presentation of the precinct plan concentrating on the permissible 4 floors in UV-1 precinct and 3 floors in UV-2 precinct; 	<ul style="list-style-type: none"> • Most plot owners satisfied with plot consolidation of individual owners with multiple plots, retention of plots with permanent structures and relocation of plots directly affected by roads; • Road alignment to GLD area needs to be revised as well as that to Dechencholing;
2.	31 July 2011 <i>(41 landowners from Jungshina attended at YHS Hall)</i>	<ul style="list-style-type: none"> • Emphasis on need for early landpooling agreement and consensus on the plan; • Information in challenges such as water shortage, solid waste disposal, traffic congestion in Thimphu city and need to address these; • Need and case for public consultations and the Thimphu Structural Plan • Presentation of the Jungshina Plan with focus on land pooling, cadastral plan and road network plan; • Public requests on reducing land pooling percentage for some areas, removal of workshop from the plan, school location, increased building 	<ul style="list-style-type: none"> • Land pooling in Pamtsho to be retained at 29.5% as it will risk changing the whole plan; • Workshop is proposed to reduce pressure from Thimphu core and to provide such facilities for entire North Thimphu; • 30 m buffer from river to be maintained as per rules and motorable bridge towards Taba to be studied and funds requisitioned; • Support from landowners to have the school rather than plots; • Basement will be allowed but number of storeys will stay the same but for those building

		coverage if underground parking provided and basement; green spaces and betterment charges for private infrastructure development by some owners. • Resolving issues and finalizing the Jungshina LAP; • Need to sign the Land Pooling Agreement;	underground parking an additional storey would be allowed; • Betterment charges for private infrastructure development by some owners will be paid;
--	--	---	--

2.7.3 Need for further consultation

There have been a few consultations conducted for Jungshina but none for Hejo-Samtenling LAPs indicating that such consultations have been conducted but not to the extent desired. This is possibly due to not receiving interest of the World Bank for funding the LAP work and therefore consultations, which are mandatory according to the World Bank, may have not been fulfilled earlier. The benefits of consultations to be conducted and the topics to be discussed during the life of a local area plan from planning to post completion are substantial. The Thimphu *Thromde* would then be seen as an agency with a participatory participation plan in place hence averting rigidity and unilateral approach and practice to its operations. In this manner, Thimphu *Thromde* would gain the goodwill and support of the people in carrying out any of its work on the LAP.

It is suggested therefore that before the next phase of road development start, consultations be held. The details are in table 7 below:-

Table 7: Consultative events by purpose

No.	Event	Purpose
1.	Disclosure of the social assessment and management plan	<ul style="list-style-type: none"> • TT will present the SIMP to all impacted households and the community; • Presentation of the work plan for the road works; • Discussion and roles and responsibilities of Thimphu Thromde, the Contractor and the people; • Impacted persons would be given the opportunity to react during the meeting verbally; and within 15 days of the meeting they are eligible to submit written petitions if they are aggrieved with any provision in the RAP/SIMP/SMP thus invoking the Grievance Redressal Mechanism (GRM)
2.	Discussion on completion of the road	<ul style="list-style-type: none"> • TT will declare the completion of the road and solicit any pending issues with regard to the road vis-à-vis the residents of the two LAPs

Thimphu *Thromde* and the public of the two LAPs can call upon periodic consultations to discuss any emerging challenges and the way forward to continually engage with affected persons to address challenges and avert future problems. All consultations must be carried out in a participatory manner implying that there should

be complete transparency and pro-activeness with regard to sharing information expeditiously.

2.8 Community awareness and support for the project

2.8.1 Community awareness and support to the Project

All landowners knew about the roads, which had been started in the LAPs. It was surprising, however, that a few landowners had not visited their plots and were unaware if the plots were accessed by the roads or not. In general people welcome the project and anticipate benefits from the road.

Of the total 82 households interviewed, a few individuals in Jungshina who had already developed roads by themselves mentioned that they would not be benefiting from the roads; otherwise the majority stated that the project would benefit them.

2.8.2 Community views on the two roads

The survey findings shows that the majority will benefit from the roads citing social benefits like ease of access, improved environment and economic benefits. The majority who expected negative impacts mentioned dis-benefits such crowding of people and congestion due to increase in number of vehicles. Such problems could possibly lead to accidents, parking problems and petty crime due to enhanced populations as well as noise and dust pollution.

2.9 Legislative Framework

2.9.1 Legislative Framework of Bhutan

The Land Act of Bhutan 2007

The Land Act 2007 has specific provisions for acquisition of land for public benefit. The Land Act 2007 mentions that citizens losing land acquired by the government will be “fairly compensated”. The Land Act 2007 however does not provide for compensations for loss of property on land when the land is acquired. In practice however, Thimphu *Thromde* has always been responsive in terms of valuating losses of properties of affected persons and compensating them for losses. In the Hejo-Samtenling and Jungshina LAPs, persons whose properties were affected by the roads have been compensated.

The Land Pooling Rules of the Kingdom of Bhutan 2009

The Land pooling Rules aim to facilitate the planned and harmonious development of land in the Thromdes by providing for land pooling schemes. The rules will apply in urban areas and areas that may in future come under the urban area. The declaration of the intent for pooling will be followed by a feasibility study carried out with owners of the areas to be pooled. The ratio for contribution will be arrived at (ranging

from 25% to 30% of the plots owned by each landowner) has to be declared to the residents of the areas who will have to contribute to land pooling. The notification will be disseminated in the media as well as through a structured consultation process to discuss the land pooling schemes in order to get their consent or hear their grievances. As such the process is people-centered and participatory. For non-consenting owners, the *Thromde* can acquire the plot in accordance with the Land Act 2007.

Legal basis for addressing impacts

As the next chapter will elaborate the details, here it is sufficient to state that the legal provisions available with the RGOB and the World Bank constitute the basis for proposing development interventions on the part of the proponent – *Thimphu Thromde* and their obligations thereof. The review also ensures that the situation of people who could be potentially affected are better off or at least the same as pre-intervention levels by keeping within policy and legislation of the RGOB and World Bank. Since no compensation for impacts on property are foreseen; entitlements and compensations have not been defined.

Impact on private land by the roads

Clause 142 of the Land Act permits the acquisition of land for public interests. *Thimphu Thromde* therefore is authorized to acquire land for the purpose of local area development in urban areas within *Thimphu valley*. Rather than acquire land, *Thimphu Thromde* has opted for “land-pooling” with substantial success since its introduction in 2009. The residents of *Hejo-Samtenling* and *Jungshina* have agreed and also have already contributed a portion of their land as evidenced by the land pooling agreements signed by most of the residents.

Further, once the land was pooled, *Thimphu Thromde* updated the land-records and issued the new titles that it facilitated with the National Land Commission and site plans for people wanting to commence construction.

The Land Act 2007 does allow for compensation of properties on land, which is to be acquired. In accordance with this, *Thimphu Thromde* conducted a valuation of properties affected and paid landowners affected by the roads.

The following legislation establishes the rights and responsibilities of agencies in relation to development of road infrastructure in the country:

1. The Government in exercising its right to eminent domain may acquire a registered land for public interests. (*Clause 142, Land Act 2007 under Acquisition of Registered Land*);
2. Landowners are also eligible to receive compensation for immovable property on acquired land. (*Clause 149, Land Act 2007 under Acquisition of Registered Land*);
3. A Municipal Corporation may acquire, in accordance with the procedures laid down by the Royal Government, any land or property within its jurisdiction for the planned development of the Municipality. Compensation for such acquisition shall be payable as per the rates determined by the Royal government from time to time. (*Clause 76, Municipal Act 1999 under Compensation for Acquisition of Land*);

4. The Property Assessment and Valuation Agency under the Ministry of Finance is responsible to value and fix the value of land and any other collateral property acquired. (*Clause 151, Land Act 2007 under Acquisition of Registered Land*);
5. Thimphu *Thromde* is entrusted the responsibility of administration and management of all roads constructed or maintained by it including access roads. (*Clause 12, Road Act 2013 under Administration of roads*);
6. Local governments such as the *Thromde* shall give notice to residents of a locality through whose area the road will pass (*Clause 37, Road Act 2013 under New Roads*);
7. Local government can provide or remove footways on or beside the road to accommodate and provide safety to pedestrians as well as barriers, rails or fences as well as lighting. Local government however shall pay compensation based on the Land Act and its rule and regulations to any person who sustains damage to property or land due to execution of the works. (*Clauses 65 to 69, Road Act 2013 under Cycle tracks, footbridges, sub-ways and footpaths*).
8. Where possible footways, footbridges and footpaths should be made user-friendly for physically challenged persons (*Clause 73, Road Act 2013 under Cycle tracks, footbridges, sub-ways and footpaths*).
9. For *Thromde* roads, the local government administering such roads must provide for the right of way as prescribed in its structural and local area plans and in absence of such plans by written notification of the *Thromde Tshogde (Thromde)* (*Clause 152, Road Act 2013 under Road Right of Way*);
10. The road right of way for *Thromde* roads shall be implemented by the concerned local government (*Thromde*) (*Clause 157, Road Act 2013 under Road Right of Way*);
11. Local Government may acquire lands and interest in lands for right-of-ways on prior approval of the government and it may in so doing, enter upon and take possession of such lands or interests in lands as per the Land Act. This authority extends to land and interests received from the government and those owned or held by corporations and NGOs (*Clause 159 and 160, Road Act 2013 under Road Right of Way*);
12. No person shall construct any building/house or any structure within the right of way. This will be enforced by the respective local government not limited to rectification of the work at the builders own cost; stoppage of work on refusal to rectify and in extreme cases demolition in part or whole the structure it will cause danger; all costs (machines, people, engineers) of which will be borne by the owner (*Clause 163 to 167, Road Act 2013 under Road Right of Way*)

Various legal provisions support Thimphu *Thromde*'s mandate to plan and construct urban roads. It can requisition land for the road as well as all ancillary structures like footways, footpaths, lighting etc. It also can execute roads with prior information to residents and can assert the roads' right of way if the road is in public interest. The right of way of the road is to be respected by persons and agencies living along the alignment who cannot obstruct the road nor construct structures which will endanger others. However, for any acquisition of land and properties, Thimphu *Thromde* is bound to fairly compensate the affected persons in accordance with the Act, rules and regulations.

2.9.2 The World Bank policy framework

The interventions by Hejo-Samtenling and Jungshina urban road development programme will generate minimal negative social impacts. As a precautionary measure, a Social Impact Management Plan (SIMP) has been prepared to address impacts arising out of the implementation process and any impacts on existing properties.

The SIMP defines the legal, institutional and implementation framework to guide the compensation for loss of access to land in accordance with World Bank's Operational Policy 4.12 on Involuntary Resettlement and RGOB guidelines and legislation. Key provisions of RGOB's Land Act (revised 2007) and the World Bank's policy are compared to address gaps and to propose a policy matrix for entitlement of losses suffered by people. This SIMP will be applicable for this project specifically considering the characteristics and impacts are unique to this project.

Principles and objectives

The SIMP is drawn up encompassing relevant laws and policies as well as the World Bank's Operational Policy 4.12 on Involuntary Resettlement. The SIMP will be guided by the following key policy principles and objectives:

- Avoid or minimize involuntary resettlement and land acquisition where feasible, exploring all viable alternative project designs;
- Assist displaced persons in improving their former living standards, income earning capacity, and production levels, or at least in improving them;
- Provide full information and carry out consultations with affected persons on resettlement and compensation so that resettlement becomes a participatory process;
- Provide assistance to affected persons regardless of legality and land tenure;
- Applies not only to physical relocation, but loss of any land or other assets resulting in: (i) relocation or loss of shelter; (ii) loss of income sources or means of livelihood, whether or not the affected people must move to another location; and (iii) loss of community resources;
- Take special measures to protect groups of people who are socially and economically vulnerable such as resource poor female headed households, people living in extreme poverty, marginal landowners and the landless;
- Provide compensation for acquired land and assets at replacement values;
- Compensation for loss of perennial crops and trees calculated at annual net product value multiplied by number of years for new crop to start producing;
- Provide replacement residential and agricultural land as close as possible to the land that was acquired by the project and which is acceptable to the affected persons;

- Synchronize construction schedules with land acquisition to ensure that all land acquisition activities are completed prior to commencement of construction at that site;
- Implement resettlement plans after consultations with people;
- Ensure that the entire cost of resettlement or other social development programmes are budgeted in the overall and annual implementation plans of the project;
- Establish adequate institutional arrangements to ensure the effective and timely monitoring of all social impacts;
- Establish an effective mechanism for hearing, recording and resolving grievances;

2.10 Good practice examples

Under World Bank funding through the BUDP II, Thimphu *Thromde* has already developed several Local Area Plans with World Bank support namely those for Dechencholing, Langjuphaka and Taba and several LAPs in South Thimphu with ADB financing to provide urban infrastructure for these areas. Thimphu *Thromde* and World Bank have used their respective policies, existing legislation, rules and regulations to complement each other in ensuring that social impacts of interventions are successfully planned and managed.

The key features of social impact management are the Resettlement Action Plans, which have been prepared and implemented. In all LAPs the World Bank supports under BUDP II, people who lost land, structures and livelihoods have been compensated and consulted with. Periodic monitoring studies in the form of social impact assessments have been carried out and emerging issues addressed. Among the various infrastructure built in these LAPs, roads are by far the major component serving as a precursor to carry the other infrastructure development such as sewage, water supply and street lighting. The Thimphu *Thromde* therefore has good experience in urban road development. Further, it is well aware of the issues that have emerged; and have successfully managed issues related to road development in Thimphu. The Thimphu *Thromde* therefore has a ready reference of procedures and experiences it has garnered to use for future projects such as the Hejo-Samtenling and Jungshina urban roads.

2.11 Conclusion and Recommendations

Conclusion

The Project footprint, namely the establishment of the two roads will initiate minimal impacts. Any foreseen impact has already occurred since the road alignment and base course of the two roads has been completed. Any land take and impact on properties within the right of way has been addressed through pooling of land and valuation and compensation of the properties. In terms of loss of private land none are foreseen. However, there may be minor impact on properties that the SIMP will address.

To manage the impacts, national legislation and World Bank policy was examined to find out how best people could be assisted. Bhutan already has a precedence of using, wherever applicable, nationally relevant laws supplemented with international Banks' policies (World Bank, ADB, International Monetary Fund) where there are gaps in order to assist socially vulnerable populations. Therefore, entitlements and entitlement recipients have been identified and compensation proposed.

There is continuing need for sustaining the pace of consultative activities carried out by Thimphu *Thromde*. Additional consultations are necessary than ever to inform and disseminate information on the SIMP, compensation package, MOU, grievance redressal mechanism and work schedule.

Recommendations

- Thimphu *Thromde* to confirm that all households whose properties have been affected have been paid compensation. For those who have not taken compensation, they should be urged to take their compensation at the earliest to complete compensation payments before the work on the roads can start. *(See Table 1 and 2, Page 13 and 14)*
- Thimphu *Thromde* to confirm the claims of some households that their properties will be further impacted by future work on the roads. On field verification, if properties are going to be impacted then Thimphu *Thromde* is to value the land as per existing government rules and requisition funds for compensation from the government and pay the affected landowners before the construction on the roads can start. *(See Table 3, Page 14)*
- The approved SIMP to be implemented by Thimphu *Thromde* ensuring all landowners are brought on board to support the road development and to avert any inconveniences in future;

3. SOCIAL IMPACT MANAGEMENT PLAN

The roads in Hejo-Samtenling and Jungshina were already in progress as part of the local area plan development under BUDP2. Land required for the service facilities such as roads had already been acquired through land pooling as in other Local Area Plans developed by Thimphu Thromde under World Bank and Asian Development bank support. In the absence of further land acquisition to complete the roads in the two LAPs, it was not necessary to carry out a Resettlement Action Plan. A SIMP is sufficient to guide management of any impacts that emerge during the implementation and completion of the two roads.

3.1 Objectives

The purpose of the SIMP is to facilitate management of social concerns that emerge from implementation of the development of the two roads in Hejo-Samtenling and Jungshina LAPs respectively.

As observed from earlier sections, there will be no land acquisition because people have already pooled a portion of their land. There will also not be further compensation for impact on properties to the extent as paid before the road works commenced as people have been compensated for impact on properties. A few landowners anticipate impacts on their properties. Also, a few landowners mentioned that they have not taken their compensation. It is necessary to expedite the payment of compensations for these landowners.

In view of the above, this framework will provide a means for managing impacts as they emerge.

3.2 Policy Framework for Social Impact Management

There are a number of principles that Thimphu *Thromde* will uphold when implementing the two roads. They are to:

- Avoid, minimize, mitigate or compensate all losses;
- Compensation for impact on properties as the construction proceeds and it is inevitable that some properties are impacted;

In terms affected persons:-

- Affected persons will be identified considering impacts on properties;
- Affected persons will be listed with all tracking information along with telephone numbers and alternative contacts.

3.3 Eligibility and Entitlements

3.3.1 Eligibility Cut-off Date

The eligibility cut-off date has been fixed at 27 April 2017. This is the last date considered by Thimphu *Thromde* to give impacted landowners an opportunity to come forth to participate in the interview held exclusively for impacted landowners. They would be given an opportunity to not only provide information but also to express freely their views, opinions and perceptions about the project and compensation proposed for loss of access to their agricultural land.

3.3.2 Eligibility and Entitlement Matrix

The table below describes core principles of RGOB and World Bank policies and presents recommendations to bridge identified policy gaps. Since there will be no land acquisition under the two roads to be built in Hejo-Santenling and Jungshina LAPs, only pertinent laws and regulations to those impacts anticipated under the project are presented in Table 8.

Table 8: Policy Gaps Analysis of RGOB and World Bank Policy

Type of impact	Entitlement Unit	RGOB Policy	World Bank Policy
1. Loss of economic assets	Families, households	<p>According to the Land Act 2007; <i>There shall be a Property Assessment and Valuation Agency established under the Ministry of Finance to value and fix the value of land and any other collateral property that may be acquired.</i></p> <p>Further, the Notification of the Ministry of Finance of April 2009, states, <i>“compensation for structures will be at replacement cost without applying depreciation as in the past.”</i></p> <p>The Revised Compensation Rates 2017 issued recently further states that for Buildings and Structures: <i>“compensation shall be based on its current construction cost, that is the cost of constructing a similar structure at the current</i></p>	Compensation at full replacement costs

		<i>prices.”</i>	
<p><u>RECOMMENDATION TO BRIDGE GAPS</u></p> <ul style="list-style-type: none"> • In the past there have been complaints raised by people losing property (as in Langjuphaka and Dechencholing LAPs) that they were not satisfied because the costs of construction of the properties they lost were much higher currently than the amount received. If the above regulations are applied then complaints are not anticipated. 			

Eligibility criteria

The following groups of people are entitled to compensation and assistance under the project.

Project affected people

Includes any person or persons or households; who because of project activities would have their: (i) standard of living adversely affected; (ii) have legally recognized title or interest in any house, any movable or fixed assets acquired or possessed, in full or in part, permanently or temporarily, and (iii) place of work or residence or habitat adversely affected, with or without displacement.

Project affected families

All members of a project affected household residing under one roof and operating as a single operating economic unit, who are adversely affected by the project or any of its components.

Vulnerable Groups

Distinct groups of people who are socially distressed or economically challenged and who might suffer disproportionately from resettlement effects. These include, but not limited to the following: resource poor women-headed households, people living below the poverty line, marginal land owners, landless, agricultural labourers, the disabled and the elderly.

3.4 Eligibility Matrix

Based on the findings of the SIA and provisions of legislation, an eligibility matrix is produced in table 9.

Table 9: Eligibility Matrix for impacts of the two urban roads

Type of Impact	Entitlement Unit	Entitlements
Damage to ancillary infrastructure	<ul style="list-style-type: none">Affected households having land <i>thram</i> (land registration certificate) issued by National Land Commission whose properties/structures will be damaged.	<ul style="list-style-type: none">Impacted structures will be valued using current prices at full replacement value without depreciation. The household can salvage the dismantled materials;If fencing is affected; the fencing would be dismantled by the Contractor but reinstalled after the work is completed;If the fencing is removed permanently, Thimphu <i>Thromde</i> will prepare the estimate and the compensation will be paid to the household. The household can salvage the dismantled fencing materials;

3.5 Compensation of impacts

As mentioned earlier there will not be any acquisition of land. However, during construction there may be impact on property. For any loss of property, in accordance with the policies of both the World Bank and more recently those of the RGOB have been harmonized with that of the World Bank; landowners will be compensated at full replacement costs valued at current prices without depreciation applied.

Thimphu Thromde is however recommended to carry out a confirmatory field survey to determine which properties will be impacted and to ensure these are valued and people compensated before further work on the road is taken up.

3.6 Agreement with impacted persons

In terms of agreements with people whose land had to be acquired, the Thimphu Thromde and affected landowners signed the Land Pooling Agreement. Thimphu Thromde has a standard format. In total, all landowners under Hejo-Samtenling and all but one landowner in Jungshina have signed the land pooling agreement. In total therefore, 95.5% of the total plot owners have signed the land pooling agreement.

In terms of entering into agreements with persons whose properties are affected, the Consultant has found that there are no separate agreements or Memoranda of Understanding (MOU) signed with impacted people whose properties have been affected. In the past, in both Hejo-Samtenling and Jungshina; those landowners who lost property signed on the valuation sheet along with the Thrompon and the Chief Urban Planner. The sheet contains details of the property impacted and the compensation calculated based on the losses. The engineer concerned who valued the property also cross-signed on the valuation sheet after which the landowner on production of the document to the Accounts Section received the compensation amount.

Although this has been the practice up until now; for proper documentation it is recommended that separate simple agreements be prepared and signed by the impacted landowner and Thimphu *Thromde*. This would insure an element of legalization of the operation and would also be easier to track in future.

According to information provided by Thimphu *Thromde*, 9 persons' property has been impacted of which 7 are from Hejo-Samtenling and 2 are from Jungshina.

Table 10: Details of compensation paid for loss of property

No.	Name of affected person	Thram No.	LAP	Plot No.	Compensation amount	Loss received for
1.	Sangay Pem	98	Hejo-Samtenling	HS1-429	50,000	Sheds
2.	Sonam Lham	46(A)	Hejo-Samtenling	HS-1-204/205/74	5,000	Trees
3.	Namgay	2005	Hejo-Samtenling		120,000	Trees
4.	Galey	1919	Hejo-Samtenling	HS1-79	13,000	Trees
5.	Sangay Zangmo	654	Hejo-Samtenling	HS1-86	29,000	Shed, house, septic tank
6.	Sangay Dorji		Hejo-Samtenling	HS1-95	34,000	Shed, trees, toilet, bathroom
7.	Tshering Lhaki	TT-51	Hejo-Samtenling	HS1-265	390,000	Shed
8.	Karma Tenzin	2364	Jungshina	JN1-164	400,000	House
9.	Dorji Rinchen	2341	Jungshina	JN1-157	50,000	Shed, water tank, wall

Except for seventh landowner in the list – Tshering Lhaki (Plot HS1-265) from Hejo-Samtenling, rest have availed their compensation. The landowner refused to take compensation contending that the metaled roads he had constructed were not paid as per the value. It is therefore recommended that this landowner be called and compensation negotiated and paid to him before the work on the roads can start. Further, after the landowner is paid, it is recommended that all payments made compiled into one document and shared with the World Bank for their review and record.

3.6.1 Thromde approach for dealing with absentee landowners

In total, there are 89 landowners who did not attend the interviews though advertisements were made in the media after they failed to respond to the telephone calls made for appointments for interviews. The details of landowners who have not been interviewed are listed in annex 2.

The fact that 74% of landowners under Hejo-Samtenling and 62% under Jungshina LAPs have taken their title deeds (as per official records) but another 30 landowners who have taken their deeds recently (records not updated) suggests that the majority accept the land pooling agreement. Further, that the National Cadastral Resurvey Program (NCRP) has been completed in both the LAPs as precursor for LAP development further suggests that land pooling has been accepted has been accepted for LAP development in general and the two roads in particular.

It is recommended that during the consultations to disclose the SIMP; that all absentees who did not attend the interviews, along with landowners who have been interviewed are invited. They would avail one more opportunity to voice their concerns during the meeting but also to formally submit grievances (by letter) within 15 days of the consultations to trigger the redressal mechanism (explained in section 4.9 below).

Further, if the road implementation works affects properties of any of these 89 landowners, Thimphu *Thromde* is recommended to carry out a valuation of the affected properties and requisition funds to compensate them for the loss.

3.6.2 Compensation modalities

In the event that during implementation of the roads that property are affected and need to be compensated, those affected people will be directed to open a joint savings Bank account in the name of both the titleholder and his/her spouse. The compensation amount will be requisitioned from the RGOB budget sufficiently in advance to ensure funds are available before the construction can start. All affected people will be invited to attend a briefing at the Thimphu *Thromde* office on an appointed date, day and time following which payments will be made by bank cheque to the affected persons who will sign as acknowledgement of receipt of the compensation. Only once all affected persons have signed the Memorandum of Understanding (MOU) and received the compensations; the project implementation can start.

3.7 Consultations and Participation Plan

Consultations are an integral part of the Social Impact Management Plan (SIMP). Thimphu *Thromde* has ensured to institute consultations so that people are well aware of the project, type and scale of impacts if any. Yet, it would be necessary to convene further consultations with affected persons to present the SIMP, and if property is affected, the compensation package. Consultations will be planned and coordinated by the proponent – Thimphu *Thromde*. Thimphu *Thromde* will issue the agenda and date for consultations. All affected persons and other required participants would be invited to the Consultations. Thimphu *Thromde* will conduct the sessions in a participatory manner ensuring that the views of the people are adequately expressed and documented.

It is proposed that additional necessary consultations are implemented. Besides, consultations to be organized, Thimphu *Thromde* should ensure that people participate without fear in the project. They can do this by proactively raising issues and suggestions with Thimphu *Thromde* also during the implementation phase to ensure minimal impacts and quality of work carried out. The details of future consultation events suggested are described in table 11.

Table 11: Plan for Consultations during SIMP implementation

No.	Suggested dates	Agenda	Participants
1.	As soon as the SIMP has been endorsed by the World Bank <i>(media announcement to be made to summon all landowners living in and out of Thimphu)</i>	<ul style="list-style-type: none"> • Presentation of the SIMP; • Presentation of the compensation package (if further property is affected) for all affected persons; • Grievance Redressal Mechanism and procedures; • Introduction of the Contractor who has won the bid for the construction; • Presentation of the construction work plan 	<ul style="list-style-type: none"> • Thimphu Thromde will lead the consultations; • The LAP Representative will also attend the consultations; • All the public of Hejo-Samtenling and Jungshina; Landowners whose land will be affected;
2.	One year from start of project construction	<ul style="list-style-type: none"> • Review compensations made (for any property impacted) and pending compensations; • Views on construction of the project's impacts on community and land; • Unforeseen impacts on community and land and discussion on suggested resolution of impacts; • Any other issues 	<ul style="list-style-type: none"> • Impacted landowners and Thimphu Thromde
3.	Immediately after completion of construction of the project;	<ul style="list-style-type: none"> • Any outstanding issues with regard to impacts and compensations; • Way forward in terms of O&M of the roads and obligations of Thimphu Thromde and landowners respectively; 	Impacted landowners and Thimphu Thromde

Minutes of the consultations will be prepared by Thimphu *Thromde* and shared with the LAP Representative. A copy for the community is to be given to respective *Tshogpas*. Impacted landowners and others from the two LAPs should have access to these minutes whenever required from the LAP Representative or the Thimphu Thromde office.

3.8 Grievance Redress Mechanism

The grievance redressal system adopted for projects implemented by Thimphu *Thromde* is depicted in the figure below. This system supplements any traditional means of arbitration and consensus employed for resolving disputes and grievances. For the project, 100% consensus among landowners to permit the construction of the roads is required. In line with this all landowners in the two LAPs have contributed to land pooling.

Any landowner who harbors a grievance must first provide written notice to the Thimphu Thromde within 15 days of presentation of SIMP. Thimphu *Thromde* will, to the extent possible, attempt to resolve the grievance with the Project Management Unit (PMU) in Thimphu *Thromde*, which will at its level attempt to resolve the issue within 15 days of receiving the grievance. If the PMU is unable to reach any agreement with the non-consenting person, the matter will be referred to the Grievance Redressal Committee. The Committee is instituted at the Thimphu

Thromde comprising of the grievance initiator, the *Thrompon* of Thimphu *Thromde*, Chief Urban Planner, Legal Officer of Thimphu *Thromde*, Head of Development Control Division, Thimphu *Thromde*, Engineer assigned to supervise the Project from Thimphu *Thromde* and the non-consenting individual. The PMU will arrange the meeting in advance to ensure all members attend to discuss the issue. The Committee will resolve the issue within a month of receiving notice of the grievance and meeting. The persons with grievance unresolved by the GRC can refer the grievance to a court of law.

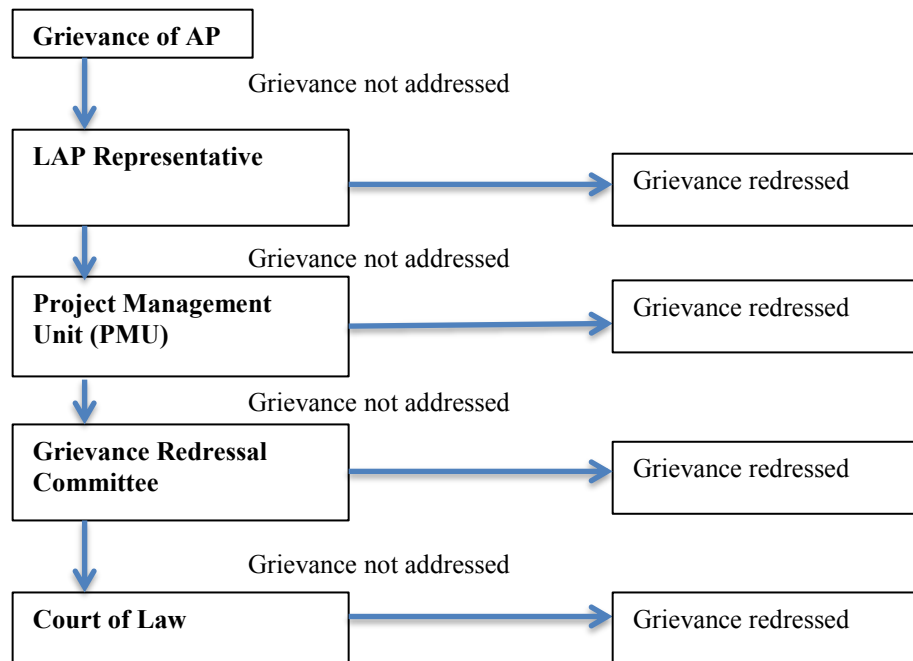


Figure 2: Grievance Redressal Process

A record of grievances is to be maintained by the PMU in the form of a simple register which reflects information such as details of the parties submitting the grievance, the nature of the grievance, the date grievance received, action taken by date, by whom and nature of measures taken and when to resolve the grievances.

3.9 Labor Influx Management

The implementation of engineering works of the project will be tendered out and undertaken by Contractors. It is expected that the Contractors will mobilize machinery and labour. In most likelihood, the Contractor will bring in labour from nearby states of India to work on the project. It is estimated that there will be a minimum of 100 labour mobilized for the project by the Contractor. There may be some national labour mobilized for the project implementation too. However, the majority will be expatriate labour. The immigration rules are stringent as far as the number of labourers any Contractor can bring. The Immigration Department is also vigilant in terms of monitoring illegal entry of labour on projects and imposes substantial monetary penalties and extradition for illegal entry. It is therefore unlikely that there will be mass mobilization of illegal labour.

The Contractor will be bound by a construction Contract Agreement with Thimphu *Thromde* to import the permissible number of labour. Further, it is recommended that the Contract Agreement also include clauses that provide for insurance of each labourer for medical treatment and disability in the event of accidents in compliance with the labour laws of the country. Further, the Contractor will observe the ban on child labour (children below age of 13 years) at the construction site. The contract will also include clauses on labour management and awareness among labourers on HIV/AIDS to deter transmission of HIV/AIDS in the population and awareness on nationality and citizenship rules and implications for foreigners aspiring to marry Bhutanese. The contractor will be responsible to develop a labor influx management plan and agree with the *Thromde* for implementation along with the Environmental Management Plan. The *Thromde* will monitor labor influx management by the contractor as per the agreed plan.

4. IMPLEMENTATION OF THE SOCIAL IMPACT MANAGEMENT PLAN

4.1 Institutional arrangements

For the implementation of the Hejo-Samtenling and Jungshina urban roads project, new institutions will not be introduced but will be managed with existing management and engineering systems and Divisions available with Thimphu *Thromde*.

The World Bank Project Management Unit of Thimphu *Thromde* will provide overall coordination of the work. There is presently no official in Thimphu *Thromde* with the requisite qualifications and experience to manage the social aspects of the two roads. It is therefore urgent that a person with a background in Sociology/Community Development be recruited to oversee implementation of the SIMP. Until the Royal Civil Service Commission (RCSC) approves a Sociologist and a person is recruited by Thimphu *Thromde*, the Urban Planning Division of Thimphu *Thromde* will coordinate with the LAP Representative to implement the SIMP. The Engineering Division will take up the procurement, award of work and monitoring of the work of contractors assigned to complete the road works as well as any valuation of affected properties during implementation of the work.

Other specific tasks are listed below:-

- Thimphu *Thromde* will disclose the SIMP to all affected people in the first consultative event organized with the assistance of the LAP Representative;
- The Thimphu *Thromde* will minute all meetings and consultations conducted and produce an attendance list of participants.
- The Thimphu *Thromde* will also arrange with the LAP Representative and lead the Consultations to be held to discuss the compensation package with all affected persons.
- The Thimphu *Thromde* will requisition budget, summon the landowners (see Table 3 on page 17) who have not taken compensation and make payments before the road construction works can commence;
- The Thimphu *Thromde* present the grievance redressal mechanism at the first consultative meeting and starting from this day until the 15th day; landowners will be eligible to submit complaints. Thimphu *Thromde* will receive any written grievances from affected persons routed through the LAP Representative in relation to any issues related to impacts of the two roads and other matters.
- At the time of awarding the work to the contractor, Thimphu *Thromde* will provide clear written instructions in the Terms & Conditions for implementation by the Contractor on social aspects such as labour laws related to accident insurance and child labour among others (See page 36).
- During implementation if any unforeseen impacts occur on landowners' property, the affected property will be valued and compensation will be paid to affected persons and the MOU signed with each affected person with the LAP Representative in attendance.

4.2 Budget

Table 12 presents the budget required for implementation of the SIMP.

Table 12: Details of costs for implementation of the SIMP

No.	Cost head	Amount (Nu.)	Amount (US\$)	Remarks
1	Monitoring of implementation	250,000.00	3,846.15	For PMU fuel costs and for consultations
2	External monitoring	800,000.00	12,307.69	Professional services - once mid-term and one at end of construction of scheme
3	Contingency fund for compensation for properties (Lump sum)	1,000,000.00	15,384.62	For additional compensation if required for impacts to properties due to "on-site-conditions" during construction.
Total		2,050,000.00	31,538.46	

It may be noted that the above estimates has proposed a provisional amount of Nu. 1,000,000 for compensation of properties if impacted by road works. However, in the event that property is impacted, then the Thimphu *Thromde* must value the affected properties and requisition budget from the Government.

The budget proposed for the SIMP will have to receive concurrence of the RGOB and the World Bank. Once approved, the Thimphu *Thromde* through the Ministry of Works & Human Settlements funds will requisition the funds from the Ministry of Finance. On receipt of the funds, the Thimphu *Thromde* will make compensatory payments to affected persons after they have signed the MOU with affected persons.

Experience in implementing the Resettlement Action Plans under BUDP II (Dechencholing and Langjuphaka LAPs and the Dodeyna Central Water Supply Project) shows that the compensations cannot, and should not be taken as the final amount that will be sourced and paid. As the project proceeds there are bound to be people who legitimately claim compensations for land or structures, which have been omitted in the infrastructure survey. Besides, owing to adaptation of designs during construction there may be less and even more affected.

Therefore, the procedure which is suggested for accommodating such exigencies are as below:-

1. The potentially affected person can submit a written application to the PMU informing of their claim;
2. The PMU will mobilize a field verification team to assess the claim;
3. If the claim is legitimate, the PMU will estimate the amount which has to be paid to the claimant;
4. The claims supported by field investigation report and justification will be submitted with a Note sheet to the Ministry of Works & Human Settlement through Thimphu *Thromde* for approval and release of funds for payments to the claimants;

4.3 Monitoring and Evaluation

The PMU of the World Bank Project, through a Sociologist will carry out monitoring of the implementation of the SIMP. The monitoring process will examine procedural issues, progress in compensations for loss of access to land and implementation of the SIMP. Monitoring will focus on transparency, participation of project affected people especially women and vulnerable groups and effectiveness of the grievance redressal process and income restoration initiatives.

Table 13 (1) to (3) below presents some indicators to be monitored below: -

Table 13: (1) Process M&E indicators

Type of monitoring	Basis for indicators
Project area information	<ul style="list-style-type: none">• Population composition, structures, education, skills• Access to health, education, utilities and social services• Housing and amenities• Land and other productive assets ownership patterns• Occupation and employment
Budget and time frame	<ul style="list-style-type: none">• Have all compensation been planned and budget sought?• Have funds been disbursed as per the Plan?• How effectively have grievances been addressed?
Labour management	<ul style="list-style-type: none">• Have the required number of labourers as approved according to the labour influx management plan been mobilized?• Have all the labour mobilized been repatriated after completion of work?• Are all labour mobilized are 18 or over in age?

Table 13: (2) : Output M&E indicators

Type of monitoring	Basis for indicators
Delivery of entitlements	<ul style="list-style-type: none">• No. of households seeking compensation if properties affected• Compensation amount disbursed for impacted properties
Consultation and grievances	<ul style="list-style-type: none">• If consultations have taken place?• No. of affected people aware of their entitlements• No. of affected people who have received their entitlements• No. of grievances from affected people received and settled by Thimphu Thromde• Was the social preparation phase implemented?

Table 13: (3) Outcome M&E indicators

Type of monitoring	Basis for indicators
Levels of satisfaction	<ul style="list-style-type: none">• If affected persons know about their entitlements?• Do they know if these have been met?• If affected persons know about the grievance redressal procedures and how to use it?
Effectiveness of the SIMP	<ul style="list-style-type: none">• Were the assets of affected people correctly enumerated?• Was the time frame and budget sufficient to achieve objectives?• Were vulnerable groups identified and assisted if there were any?• How did project implementers deal with unforeseen problems?
Other impacts	<ul style="list-style-type: none">• Were their unintended impacts on employment and incomes?

After one year of commencement of the project, at the mid-point of the project, and on completion, an external social impact monitoring of the Project will be carried out

by an external entity. The external evaluator can be a Consultant or Institute in order to comment on the process and interim outcomes of the implementation of the SIMP.

4.4 Implementation Plan

A generic plan for implementation of the SIMP is produced in table 14. The Plan focuses on the payment of compensations and consultations.

Table 14: Proposed Implementation Plan of the SIMP

No.	Activity	2017				2018				2019		Responsible
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	
1	Clearance of the SIMP by RGOB & World Bank											RGOB and World Bank
3	Disclosure of the SIMP											Thimphu Thromde
4	Consultations to discuss the SIMP											Thimphu Thromde & Affected Persons
5	Payment of compensations to all affected people											Thimphu Thromde, Affected Persons & Kawang Gewog Tshogde
6	Commencement of construction											Thimphu Thromde & Contractor
7	Monitor labour management											Thimphu Thromde
8	Mid-project Consultations											Thimphu Thromde
9	End-project Consultations											Thimphu Thromde
10	Routine monitoring by PMU											Thimphu Thromde
11	Social Impact Monitoring Study (mid-term)											External evaluator
12	Social Impact Monitoring Study (Terminal)											External evaluator

TERMS OF REFERENCE FOR SOCIAL ASSESSMENT

Engagement of Individual Consultant

Social Impact Management Plan (SIMP) for 2 Urban Roads:

Hejo – Samtenling & Jungshina LAPs

1. Background

Thimphu Thromde is currently designing urban roads for construction in the 2 LAPs namely: Hejo-Samtenling and Jungshina to be funded under the ongoing Second Urban Development Project (BUDP 2) with World Bank support. The roads are being undertaken to inter-connect the two urban hubs located in South Thimphu with the North LAPs. On completion the roads will significantly reduce vehicular traffic pressure in the core city while providing better inter and intra connectivity among urban villages.⁴

The proposed roads will be built in the Hejo-Samtenling and Jungshina LAPs respectively. While the roads together measure 5.573 km in length, the Hejo-Samtenling road will be of 3.687 km while the Jungshina road will measure 1.186 km. The roads will have tarmac, drains, V-drains, shoulders and pavements, together with provisions for underground sewerage lines, cable ducts, water supply networks and street lighting

To fulfill the requirements of the World Bank and to ensure socially sustainable outcomes resulting from the road development, Thimphu Thromde will carry out a social assessment of the 2 roads. The Thromde will engage an individual consultant for expert services for the social assessment and preparation of reports for review and clearance by the World Bank.

2. Design Features of the Roads

The Infrastructure Division of Thimphu Thromde is designing the roads. Tentatively, the elements constituting design of the roads. The road will be constructed with bitumen, bitumen emulsion, boulder, aggregate, sand and cement. The drains will measure 1 m width (V-shaped road side drain) and minimum of 0.3 m drain while the road shoulders will be built as per the site conditions. There will also be footpaths measuring 1.2 m or as per site conditions. Storm water drains will also be constructed as per the Drainage Master Plan. Lastly, the roads will have street lighting of 8.5/9 m MS tubular pole and 90 and 60 W LED fitting.

⁴ As per the Approved TSP 2002-27

3. Social aspects

The Hejo-Samtenling road has 306 plots of land within the corridor of impact while 69 plots located along the road will be directly impacted resulting in land loss to the road. However, the land titleholders have already provided right of way to the road. Similarly, the Jungshina road has 238 plots in the corridor of impact but only 131 land titleholders of plots located along the road have provided right of way to the road. In total 200 plots pooled have provided right of way to the roads.

The mode of land acquisition followed under these 2 LAPs is land pooling with variable percentage of land to be contributed in the 2 LAPs. In the Jungshina LAP; 3 percentages have been applied namely 13.5% in already developed areas, 29.5% in undeveloped areas and 35% in Workshop areas commensurate with level of development of the land. However, in Hejo-Samtenling a uniform percentage of 29.5% has been applied for undeveloped areas. Therefore, it is expected that there will be no involuntary contribution of land since the people whose land has been aligned across their lands have agreed to the land-pooling scheme. All the land titleholders, as with others in the LAP, have contributed land for land pooling. Moreover, a detailed survey of the re-plotting plan has already been completed in 2013 and new titles were also issued to the landowners.

4. Objectives and Deliverables

The objective of this social assessment is to identify the impacts of the roads to the plot owners living along the roads who have provided the right of way and to develop a social impact management plan (SIMP) in compliance with the national legal framework and the World Bank policy on involuntary resettlement, gender and citizen engagement.

The individual consultant will prepare a social assessment report and based on findings will prepare a Social Impact Management Plan (SIMP) in compliance with the local legal requirements and the policy framework of the World Bank for loss lands.

5. Scope of the Social Assessment

The consultant will review the applicable policies, legal framework and past assessments on the road schemes and design the social assessment approach for carrying out the following: -

- a. Review scheme design, objectives, scope and applicable policy guidelines and legal framework;
- b. Review past assessments, consultation outcomes and agreements with communities with plots along the roads alignment;
- c. Carry out census of the plot owners through a survey of land titleholders providing right of way to the roads and losing property to the road to ascertain their social and economic status, land holding, current land use and

- loss of land and properties. The ThimphuThromde will assist, through the LAP Representatives, to seek appointments for the interviews;
- d. Assess losses to properties of the titleholders providing right of way and prepare an estimate of cost of all properties lost by each land titleholder. The estimate is to be prepared by Thimphu Thromde engineers through a field verification assessment. The final estimate of costs is to be provided to the Consultant;
 - e. Carry out consultation with the individual land owners at the time of the survey interviews in line with the agreement on land pooling and road alignment;
 - f. Review the announcements made so far in the media by Thimphu Thromde in relation to the 2 proposed roads and the minutes of all consultations carried out so far by Thimphu Thromde with the residents/affected persons of the 2 roads to be constructed in the 2 LAPs;
 - g. Review documents/agreements prepared by Thimphu Thromde and signed by landowners providing right of way to the 2 roads to ascertain the adequacy of these documents or assess the necessity to prepare Memorandum of Understanding (MOU) to be signed with affected persons contributing land and losing property to the roads;
 - h. Develop a budget for compensation and payment modalities in consideration of the civil works schedule and the administrative procedures of RGoB;
 - i. Document the findings of the social assessment and prepare a social impact management plan (SIMP) acceptable to the Thromde and the World Bank.

6. Timeline

The social assessment will be carried out during March and April 2017 over **30 person days** with the following milestones: -

1. Thimphu Thromde will sign the Contract with the Consultant on 1 March 2017 to mark commencement of the work;
2. The Consultant will submit the Inception Report to Thimphu Thromde within a week of commencement of the work. Any information and documentation required by the Consultant will be provided by Thimphu Thromde;
3. Thimphu Thromde and the World Bank will provide comments to the Inception Report within 3 days of submission of the Inception Report;
4. The Consultant will finalize and submit the Inception Report within 2 days of receipt of comments from Thimphu Thromde and the World Bank;
5. The Consultant will commence the field survey by mid-March 2017. The Thimphu Thromde will facilitate appointments for interviews with the persons whose plots are aligned along the road but mainly those who have provided right of way to the roads in each LAP;
6. The Consultant will submit a Draft Report (Social Assessment and the SIMP) by mid-April 2017;

7. Thimphu Thromde and the World Bank will provide comments to the Draft Report within a week of receipt of the Draft Report;
8. The Consultant will finalize and submit the Final Report by the end of April 2017;

7. Qualification of the Individual Consultant

The individual consultant should have a master's degree in any of the social sciences and 10 years of practical experience in social research including 5 years in infrastructure projects under financing from the international development financing institutions.

* * * *

Annexure – 2: Details of Landowners who have not been interviewed

HEJO-SAMTENLING LAP

No.	New Plot ID	Plot Owner
1	HS1-277	KARMA CHODEN
2	HS1-141	LAKPA TSERING
3	HS1-331	SONAM THUJI TSERING
4	HS1-263	PENDEN TSHOMO
5	HS1-261	SAMDRUP NORBU
6	HS1-148	BCCL
7	HS1-207	DAWA PENJOR
8	HS1-204	DAWA PENJOR
9	HS1-202	DAWA PENJOR
10	HS1-61	SONAM CHODEN
11	HS1-236	LEMO
12	HS1-299	WANGDI
13	HS1-409	DECHEN WANGMO
14	HS1-279	YESHUP TSHERING
15	HS1-159	CHONEY ZANGMO
16	HS1-370	MINJU DEMA
17	HS1-371	CHODA GYELTSHEN
18	HS1-534	KINLEY PELJOR
19	HS1-264	PHUB TSHERING
20	HS1-337	LATE THINLEY PEMO
21	HS1-384	KINLEY DORJI
22	HS1-373	CHHEODEN DANG
23	HS1-364	UGYEN PENJOR
24	HS1-361	KARMA WANGDI
25	HS1-286	CHOKI WANGMO
26	HS1-60	TSHERING CHODEN
27	HS1-354	PHUNTSO WANGMO
28	HS1-240	WANGDI GYELTSHEN DANG
29	HS1-342	KEZANG JAMTSO
30	HS1-149	GEYLONG DORJI
31	HS1-151	GEYLONG DORJI
32	HS1-258	SONAM LHAMO
33	HS1-1	CHHIMI DEM
34	HS1-368	TENZIN DORJI
35	HS1-440	CHONEY ZANGPO
36	HS1-49	UGYEN DORJI
37	HS1-45	DECHEN TSHERING
38	HS1-42	DECHEN TSHERING
39	HS1-58	DORJI WANGMO
40	HS1-267	TSHERING YANGZOM
41	HS1-261	SAMDRUP NORBU
42	HS1-413	PELMA CHHODEN
43	HS1-407	PELMA CHHODEN
44	HS1-249	GYELTSHEN
45	HS1-152	TSHERING PEM
46	HS1-324	SONAM LHAKI
47	HS1-2	PEMA CHHOMO
48	HS1-3	TSHERING DEMA
49	HS1-69	DORJI AND

50	HS1-362	KEZANG UDEN PENJOR
51	HS1-280	RINCHENMO
52	HS1-191	PHUB W DORJI

JUNGSHINA LAP

Sl. No.	New Plot ID	Plot Owner
1	JN1-147	LHABA DUKBA
2	JN1-377	JIGME CHOLEN YEZER
3	JN1-204	KUENZANG WANGMO
4	JN1-349	RINCHEN DORJI
5	JN1-69	TSHEWANG LHAMO
6	JN1-342	TSHERING DEMA
7	JN1-73	KINLEY TSHERING
8	JN1-239	LETHO
9	JN1-211	DORJI WANGCHUK
10	JN1-4	LETHO
11	JN1-72	KELZANG THINLEY
12	JN1-226	DAMCHO DEMA
13	JN1-6	MAYA SANGBOO
14	JN1-424	SONAM PHUNTSO WANGDI
15	JN1-208	DAGO BEDA
16	JN1-2	TSHOKI KHANDU AND
17	JN1-224	DAMCHO DEMA
18	JN1-297	KARMA PHUNTSO
19	JN1-221	SONAM TOBGAY DANG
20	JN1-7	KESANG DELKAR
21	JN1-340	PELMA CHHODEN
22	JN1-373	SANGAY AND
23	JN1-376	PHUB ZAM AND OMTAY PENJOR
24	JN1-86	NIMA
25	JN1-87	LOBZANG CHODEN
26	JN1-20	TENZIN DORJI
27	JN1-1	CHEKI
28	JN1-250	TENZIN CHORAB
29	JN1-76	AUM CHODEN
30	JN1-70	TSHOKI KHANDU
31	JN1-413	DECHEN PEMA
32	JN1-423	PHUNTSO CHODEN
33	JN1-130	UGYEN CHOZOM
34	JN1-253	KINLAY WANGMO TENZING
35	JN1-75	AUM CHODEN
36	JN1-246	TSHERING CHOZOM
37	JN1-156	SONAM LHAMO