

Procedures for the relocation and rehabilitation of hazard-prone settlements, 2017

3. Data collection of the families that needs to be relocated

1. Based on the geological assessment report, the settlement or the families residing in the settlements shall be categorized as per following:
 - Settlements or families residing in settlements that do not need to be relocated
 - Settlement of families residing in settlements that require protection and improvements.
 - Settlements and the families residing in those settlements that needs to be relocated.
2. Data collection will be conducted separately among the beneficiaries of hazard-prone settlements for both those families who want to and who do not want to be relocated.
3. From the data collected pursuant to sub-section (1), if the current settlement can be made habitable with necessary improvements then the beneficiaries will be provided with the reconstruction cash grant.
4. If the beneficiaries of the hazard-prone settlement voluntarily want to be relocated near the current location, then they can migrate within the district or the nearby earthquake affected district. The Government of Nepal shall provide lump-sum grant for such families to purchase land based on written documentation of the purchase. Once the families have been relocated, they cannot return to the hazard-prone settlement. Moreover, they will be eligible for the private housing grant once they are relocated in a new location.
5. Pursuant to sub-section (3), the beneficiary must submit the land purchase certificate (from the grant provided) to the authorized office. In case of couple beneficiary, the land ownership certificate shall be issued jointly.
6. Pursuant to sub-section (3), the beneficiary cannot transfer the ownership of the land for 10 years.

4. Relocation of hazard-prone settlement

1. Beneficiaries will be encouraged to create users' groups consisting of at least 10 families (representatives) in each settlement so that the committee can select a safe location to develop an integrated settlement. The beneficiaries shall be supported as per the provision mentioned in sub section 3 (3). After acquiring the land, they shall be eligible for the private housing grant.
2. Pursuant to sub-section (1), a separate program shall be created to accumulate the lands where the beneficiaries want to relocate, prepare relocation and resettlement plan from NRA or NRA appointed office and develop infrastructure gradually.

Infrastructure development means gradual establishment of those structures that fulfill basic needs of the inhabitants of an integrated settlement like road, drinking water supply, electricity, health centers and educational institutions based on agreements made at the local level.

3. When relocating the beneficiaries from such settlements, it shall be done as per the Procedures for acquiring and registration of lands for the reconstruction of structures affected by the earthquakes, 2072.

5. Participation of the user's committee or beneficiaries for infrastructure development

1. Infrastructure development work shall be done through the users' committee or authorized offices.
2. Pursuant to sub-section (1), while working with the users' committee or beneficiaries, or while making them work, for sectoral planning relevant to the infrastructure, it shall be done within the confines of the Procurement Procedures.
3. The supervision of the infrastructure development shall be conducted by NRA or agencies authorized by NRA.

6. Implementation of programs related to livelihoods

1. A user's committee must be formed for the recovery of traditional skills or sources of livelihood of the beneficiaries who have been relocated to the integrated settlement.
2. The livelihood programs shall be implemented either by the government or I/NGOs.
3. The approval, combination and monitoring of the livelihood programs shall be done by the DCC Secretariat. In places where the DCC Secretariat is not available, the work shall be done by DCC office.
4. Priority will be given to single woman, children, senior citizen, disabled and poor individuals.

7. If there is a demand for integrated settlement from the earthquake affected districts, then NRA or the district bodies appointed by NRA can approve such applications. Support in the infrastructure development in those settlements shall be provided gradually.

8. The activities conducted as per this procedure by the local bodies, government, I/NGOs and users' committees shall be done as per the prevailing compliance and laws.

9. There shall not be any obstruction in the providing soft loans and facilities (in par with other earthquake victims) for the residents of the hazard-prone settlements.

10. The approval and implementation of relocation and rehabilitation program shall be done by the body that has been authorized by NRA.

11. The agencies/organizations involved with the beneficiaries of the hazard-prone settlements shall work in accordance to this procedure. For areas that have not been included in this document, other prevailing laws shall apply.