Assessing Transparency in Land Acquisition for Road Development
(Case of Outer Ring Road in Kathmandu Valley)

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Assessing Transparency in Land Acquisition for Road Development
(Case of Outer Ring Road in Kathmandu Valley)

by

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Abstract

The infrastructure development projects are always prompt to many land conflicts/disputes due to unawareness on the benefits, non-public participation of the relevant stakeholders and limited access to information with relevant policies in constructing a road. Recently Nepalese Government plans to construct “Outer Ring Road” in the Kathmandu Valley using Land Readjustment technique. Success of such large project largely depends on transparency elements such as Access to Information, Public Participation and Institutional reform/performance of organisations. This research aims to assess these elements of transparency in acquiring land using land readjustment technique for road development in different phases of road development (i.e. identification, feasibility and design including land readjustment plan) in “Outer Ring Road” (ORR) project. The methodology adopted here is both qualitative and quantitative analysis using the perspectives of four stakeholders namely Central government, Local government, Expert groups and Local citizens. These perspectives are then used to triangulate and study these elements in land acquisition for road construction.

Public participation is assessed in four levels of participation (informative, consultative, co-operative and mobilisation). Analysis from all perspectives reveals that participations range from none to “Informative” or “Consultative” in all phases of identification to road design including land readjustment plan. This means that public participation has neither been cooperative or mobilisation. Hence, local citizens are not satisfied with the processes that ORR project office adopted for the use of land and land acquisition processes. The access to information by the local level including local governments is then assessed by studying the tools used during road development phases. The field results indicates that Central government always uses one way tools such as television and radio broadcasting, newspapers and leaflets to inform public citizens and local governments, while the expert groups use written comments/letters, questionnaire survey, public hearing/meeting and discussion interaction programme for informing citizens and local governments during survey of road alignment and household surveys. Level of Access to Information by the local citizens is found to be very poor and estimated to only 43%, although the expert groups on behalf of the central government indicates 70% information has been given to the local governments. Such discrepancy attributes to the lack of institutional framework and coordination of the ORR projects with local governments and public. While studying institutional reform/performance, the study shows that the legal framework and the mandates of ORR project office and local governments are not sufficiently developed to deal with information services and conflicts in land acquisition particularly in land readjustment plan. There are no citizen service charters available in both these organisations. The field offices and various committees are not yet available for local citizens to enquire any required information.

Finally, the transparency in the ORR development is by far not sufficient to achieve the citizen empowerment and timely involvement of local citizens to be able to influence in decision making and conflict resolution. Tools such as Land information system (LIS) with computerised system as back office and one stop shop with web based information service at various locations of the ORR are absolutely necessary. The institutional reform is needed to build trusts on implementing agencies by public.

Key Words: Good Governance, Transparency, Land Acquisition, Road Design, Land Readjustment
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<td>DUDBC</td>
<td>Department of Urban Development and Building Construction</td>
</tr>
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<td>KVTDC</td>
<td>Kathmandu Valley Town Development Committee</td>
</tr>
<tr>
<td>MPPW</td>
<td>Ministry of Physical Planning and Works</td>
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<td>LR</td>
<td>Land Readjustment</td>
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<tr>
<td>LMSC</td>
<td>Land Management Sub Committee</td>
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<tr>
<td>UC’s</td>
<td>Users Committee</td>
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<tr>
<td>TDC</td>
<td>Town Development Committee</td>
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<td>ORR</td>
<td>Outer Ring Road</td>
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<td>ORRDP</td>
<td>Outer Ring Road Development Project</td>
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<tr>
<td>LSGA</td>
<td>Local Self Government Act</td>
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<td>VDC</td>
<td>Village Development Committee</td>
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<td>LIS</td>
<td>Land Information System</td>
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1. General Introduction

1.1. Introduction

Investments in any constructions such as roads and building housing complex require land which can be either for public or private purposes. The public purpose is related to an entire population with a general interest in its broad sense and for the development of the society (Belej & Walacik, 2008). For the public purpose investment like roads, which is the backbone for the economic development of the country requires a large quantity of land across large area. The land use demands and provision for infrastructure is a crucial problem all over the world (Viitanen & Kakula, 2008). In such situation, it is required to acquire land from the public or private owners, since the alignment of the road cannot be designed and implemented only through the government properties. But in general, public land acquisition has not been very successful in developing countries (Ogunlana et al., 2001). Thus, Land Acquisition is a challenging task for being prone to conflicts as well as lots of social, cultural and economical problems associated with it.

There are various methods of land acquisition which have been adopted to acquire land for public purposes. In broad sense, it can be categories as compulsory and non compulsory acquisition. The various methods are eminent domain, expropriation, land banking, and land readjustment.

In developed countries land expropriation has been a common practice for the road development but in the perspective of affected occupants, users, and owners there is a need for transparency in the negotiation process, fair compensation and also the interest of grass root level (women/men, landlords/tenants, formal/informal and indigenous and customary) should be considered (Viitanen & Kakula, 2008).

While in the case of planning the areas, land expropriation does not seem appropriate tools as there are many problems associated with transfer of property rights, resettlement and compensation. Land readjustment provides alternative solution in the case of planned development where the land is vacant with less settlement. In this model scattered and irregular plots of agricultural land are pooled together and after building roads, the developed plots are given back to the owners with certain reduction in the original area (LI & LI, 2007). But there are lots of unforeseen problems associated with it which are not actually realized in the beginning such as due to long period of time landowners like farmers, whose main source of income is farming, lose their income opportunities (UN, 1995). Moreover, in some cases there arise some complications for the farmers, because the procedure of allocating land and provision of financial compensation are not clear to them.

Thus in any form of land acquisition, the need of transparency seems essential. The issue of transparency in public services is major priority after the failure of traditional Weberian bureaucracy and the emergence of new concept in public management during 1980’s and 1990’s. Achieving transparency is one of the main objectives of the New Public Management (NPM) (Teehankee, 2003). Transparency is widely recognized as a core principle of good governance in land administration (van...
der Molen & Tuladhar, 2007). The Principal-Agent Theory considers people as masters and the government as an agent to serve them. The government executes the projects using the money paid by its citizens in the form of tax. So, the people have right to know how they are being governed and how their money is being used. Development of such concepts has led to give more emphasis on transparency in the public sector. Land acquisition is no exception where the government needs to provide maximum disclosure on transparency to the public.

1.2. Background

In Nepal, if the road is to be constructed, the government has to acquire public/private lands. The land acquisition is mostly practiced either in voluntary or compulsory basis. While doing so, on one hand, local public might support the road projects by voluntarily selling their lands, if they envision their immediate benefits in future. On the other hand, land acquisition might have to be undertaken against the will of the land owners for public benefits. In such case it is considered as compulsory land acquisition or land expropriation. The government’s right to use the power of compulsory land acquisition can be explain as "The concept of expropriation is based on a sovereign's power of eminent (ultimate) domain; this power is generally accepted worldwide and allows the State to take private land for the good of the society. Much of the laws pertinent to eminent domain in developing countries are inherited from the former colonial powers. The cost and time required to implement these outdated laws make them almost useless"(Kitay, 1985 as cited by (UN, 1995)).

Although the land banking approach provides a long-term solution to this challenge, it may be suitable for urban planning for city development. But it may be difficult for the construction of the roads, as it would require preserving a long tract of land for such constructions.

The land pooling/land readjustment is another approach, where land for road and other infrastructure are taken and remaining land is redistributed to the owner after the development. This approach is very popular for land development and infrastructure provision in Nepal (Karki, 2004b). Recently, government of Nepal has initiated the construction of 72 km long “outer ring road” in Kathmandu valley, which constitutes 46 Village Development Committees (VDCs), two municipalities and one metropolitan city. The alignment of road passes through agricultural lands, settlements and forest areas. It is estimated that the area of land approximately 7200 ropanis (about 370 ha) is required. The plan has proposed to maintain the non built-up and built up ratio as 60:40 by densification of existing municipality, planned urban expansion beyond the Municipal boundary and development of traditional compact settlements (Thapa, 2005). But there is a serious question if the plan can maintain the policy to maintain the non built-up and built-up ratio of 60:40.

Although land pooling/land readjustment is considered as successful, there arises a lot of conflicts and misunderstanding due to negative attitude towards the project. Most of the illiterate farmers are being influenced by those opportunists, who have a large track of land, saying that the farmers would lose land without compensations in contrast to the amount and value of land indicated in land ownership certificates. Moreover, those innocent farmers or household women do not know much about the benefits of the project, and this creates misunderstanding to these farmers or household women. The opportunists groups having a large tract of land take opportunities bringing these farmers or women to be against such land pooling/ land readjustment project (Karki, 2004b).
In the case of “Outer-Ring Road” in Kathmandu Valley of Nepal, it is estimated that road alignment would pass through most of the agricultural lands, settlements and forest due to which lots of farmers would be affected. The farmers are the land owners or tenants. Thus the acquisition of land in order to construct road affects their socio-cultural and economic life. Therefore they should have prior knowledge about the project and the readjustment policies. For this it is necessary to make the development process transparent.

1.3. Justification

The public purpose project has positive impact in terms of general public but when land is acquired in order to implement these projects, it causes immense socio-economic and cultural effect in the life of individual owners whose land are affected. The far reaching hidden problems associated after doing land acquisition has been shown in the case study of Kenya (Syagga & Olima, 1996). Hence, the unseen problems which arise after doing land acquisition can be solved to some extent by providing the information of the project to the local level before hand.

The study which had been done in the road widening projects in London and Taiwan shows how the early transparency in decision making for public projects has made the affected people to take prior action in order to lessen their losses by shifting the income generating property to other places, ignoring cultivation of crops which takes long time to harvest and preparing themselves in other income generating activities (LI & LI, 2007). The project itself can be successful if the public are involved and relevant information are disseminated to them.

The study done in Swedish road projects shows the transparency in the documentation can be one of the major factors for success of project. The article further argues that early transparency of the project in the environmental planning process makes smooth running of the project. Therefore, it is important to present information that contains data and evaluation reports in a way easily accessible to the public (Hylmö & Skärbiäck, 2006).

It is often mentioned that the two projects (i.e. Kali Gandaki and Arun III) concerning construction of hydro-powers and water supply in Nepal, had made adverse affect in the lives of local people. In these projects local people were not involved therefore the campaign was raised on non-transparency of the project (Siwakoti, 2004). There are the four main issues that deal with respect to land acquisition. Firstly, the local/affected people have not been informed from the beginning regarding the decision making about project. Secondly there have been many difficulties in surveying the required land for road as a part of land acquisition procedure. Thirdly the amount of compensation and resettlement plan was not acceptable to the people. Lastly, the environmental impact assessment was not published to the local inhabitants (ADB, 2004).

The rural people in developing countries are often far away from many important decision-making processes. These people should be informed with appropriate information and included in decision making process when there is possibility of impacts in their life (FAO, 2007).

Although environmental impact assessments are often conducted for road development projects, the life of local people can still be affected socially, culturally and economically when land is acquired. In
such cases, it is important to know why transparency issues are not considered in many developing
countries. Not enough studies have been made on the issues of public participants and access to
information. Therefore, it is necessary to assess how transparent certain project is in terms of public
participation and access to information to the local level so that necessary steps can be taken prior to
the land acquisition procedure in order to lessen the negative impacts. Additionally public
participation and access to information would benefit not only to the public but helps in smooth
running of the whole projects.

1.4. Research Problems

According to the Article 27 (1) of the Interim Constitution of Nepal GON (2007), “every citizen shall
have the right to demand or obtain information on any matters of his/her own or of public
importance”. However, practices in land acquisition projects indicate that sufficient information to the
public has not been provided as per the legal framework.

The unawareness of the benefits in constructing planned roads to the landowners/tenants or public in
general is one of the important points to be noticed. That means the public does not have sufficient
access to information about road alignment, road impacts, and land acquisition procedure. The less
educated people like farmers who are not aware of the plans are easily motivated to sell their
properties by the elite groups. Consequently, haphazard land transactions occur.

Secondly, policies regarding approach and compensation for acquired land for the construction are not
known to the public. The proposed layout of the Outer Ring Road (ORR) passes through most of the
private, trust and public lands. Additionally the objective of the government policy is to control the
urban sprawl by careful planning of the ORR by redeveloping roadside areas protecting agricultural
and cultural lands. But it is important to note that the symptoms of haphazard land transaction can lead
to the mishandling and misuses of private, trust and public lands that are mostly agricultural lands.

Thirdly, all concerned stakeholders particularly landowners/tenants, trust or community groups are not
involved during decision making process. Many conflicts regarding the uses of private, trust and
public land can be resolved by making involvement of these groups in decision making process at the
local levels.

In this study, the main research problem concerns about the non-public participation and less- access
to information to the local people about land acquisition/land readjustment for road construction.
Therefore, this research aims to assess the transparency at identification and design levels of ‘Outer
Ring Road” in Kathmandu Valley of Nepal.

1.5. Research Objectives

The main objective of this research is to assess the transparency in design phase of the road and in land
acquisition/land readjustment for “Outer Ring Road” at the local level. In order to fulfil the main
objective, it is proposed to divide into the following three sub-objectives.
a) To assess public participation (at local level) in the design phase of the proposed “Outer Ring Road” alignment (including land readjustment plan and design).

b) To analyze access to information to the local people regarding Road design and land readjustment policies.

c) To describe institutional reform for road design and land readjustment.

1.6. Research Questions

For each sub-objective the questions are proposed to answer:

a) To assess public participation (at local level) in the design phases of the proposed “Outer Ring Road” alignment (including land readjustment plan and design).

i. Who are the stakeholders in design phases of the roads?

ii. At which stages of the design process of road including land readjustment plan did public participation take place and how did the stakeholders get involved?

iii. Which methods of public participation were used to inform local/affected people?

iv. How did the expert groups resolve the conflicts of interest?

v. What are the socio-economic and cultural issues regarding proposed road alignment passing through different land use categories?

vi. Did public participation have an effect on the content and results of the final road alignment?

b) To analyze access to information to the local people regarding road design and land readjustment policies, and

i. How do the expert groups inform to the public regarding readjustment policies?

ii. How are the community groups’ voices treated in redevelopment issues?

iii. Is there any provision for delivery of information?

c) To describe institutional reform for road design and land readjustment

i. How are the present institutional tools effective for road design and land readjustment plan?

ii. What are new tools needed to make local citizens understandable for implementing road design and land readjustment plan?
1.7. Conceptual Framework

Transparency enhances the citizen’s awareness about government activities. Access to information, civic engagement and institutional reform are the strategic entry point for transparency. In another words if the procedure of the project is made transparent from the initial stage, public are assured that the government is concerned in listening to public views and responding to their priorities (UN-HABITAT & TI, 2004).

According to (UNDP (1997) as cited by (UN-HABITAT & TI, 2004)) , transparency means “sharing information and acting in an open manner”. Similarly, in order to make people to place their views in decision making process first they must have access to information about process of the project. The system is taken as transparent when the procedure for public decision making are clear and there is a way for communication between stakeholders and availability of information (Drew, 2003).

The land acquisition is required to be done very carefully in developing countries. The compulsory land acquisition has not been successful in developing countries for the road development (UN, 1995). Based on this concept, the public purpose development like road where public land will be acquired should be transparent from the initial stage. This will help to gain positive feedbacks from the public sector.

In this research, transparency in the different phases of road development like (Road design and land readjustment) will be assessed in four perspectives. These perspectives originate from the central governments, local governments, expert groups and local citizens. These perspectives originates from the central governments, local governments expert groups and local citizens The rationale for choosing the technique in this research to assess transparency from different views is to triangulate the reality, it is necessary to compare different perspective in order to conclude the present situation with fair assessment (UN-HABITAT & TI, 2004).

Figure 1-1 shows the conceptual framework used for this research work. Access to information, Public Participation and Institutional Reform are three elements of transparency that are assured using two case study areas. For each element relevant indicators are also shown in the Figure 1-1.
1.8. Case Study Areas

Two study areas along proposed alignment of “Outer Ring Road” in Kathmandu Valley of Nepal have been selected for the purpose of this research. First study area is located in South west belt of Kathmandu valley and it is expected that land would be acquired very soon in this area. Second area is located near Bhaktapur and lies in the South east belt of Kathmandu valley. The details are provided in Chapter 4.

1.9. Structure of thesis

Chapter one – Introduction

This chapter comprises a general background of the research problem, justifications and conceptual framework to the study. It also includes main objectives, sub objectives, research questions, choice of study areas and structure of thesis.
Chapter two – Transparency and Land acquisition methods
This chapter comprises of the review regarding various elements and characteristic of transparency. In order to describe transparency this chapter takes bases from concept of land governance. The application of transparency in various sectors is discussed briefly with highlighting its important in road development. The general indicators for assessment of transparency in road development phases through land readjustment technique have been outlined.

Chapter three – Land Acquisition through Land Readjustment and Reallocation plan
This chapter discusses the overview of land readjustment technique in broader aspect. This chapter further describes the present policy and legal framework for land readjustment in Nepal. The different level of weakness in present land readjustment/pooling projects is highlighted and the role of transparency in this context is discussed.

Chapter four – Research Study Areas and Approaches
A general over view of the study areas are given. The criteria for the selection of the areas and the sampling method followed are discussed. The research approach and field approach are discussed. The limitations of the field work are then described.

Chapter five – Results of Transparency in Road Development including Land Readjustment plan
The results of the field work data are highlighted in this chapter with analysis of fieldwork finings on three elements of transparency (i.e. public participation, access to information and institutional reform/performance). The chapter describes the results using statistical tools.

Chapter six – Discussion on Transparency issue in Road Development and Land Readjustment Plan
The critical discussion of the results against theoretical background on element of transparency and land acquisition with phases of road development and land readjustment as applied in the ORR project.

Chapter seven–Conclusions and Recommendations
This chapter provides the conclusion on the transparency on the design phase of the road including land readjustment model in the light of the research objectives and draws out the recommendations that are still to be researched on transparency elements in the case of road development with land readjustment concept.
2. Transparency and Land Acquisition Methods

2.1. Introduction

The previous chapter one highlighted the purposes, objectives and justifications of this research work. It has also described briefly approach with conceptual framework used in this research work. The purpose of this chapter is, therefore, to come up with elements of transparency and to identify approach for assessing transparency as applied to the different categories of land acquisition methods used for the public purposes specifically in urban planning and infrastructure development.

In order to discuss transparency issues, this chapter takes bases from the concept of land governance as context as described in the section 2.2. Then the sections 2.3 and 2.4 review the elements and characteristics of transparency. Applications of transparency concept are briefly discussed in various urban applications in section 2.5. Later, the general land acquisition step is discussed with experiences on different approaches in section 2.6. Lastly, general indicators for assessment of transparency in the land acquisition are outlined in section 2.7.

2.2. Context of Land Governance

Governance means all the formal institutions as well as informal arrangements of government and the process for the participation of citizens in decision making (FAO, 2007) Thus, in land administration processes, the governance aims to protect the property rights of individual, enterprises as well as state by introducing the principle of transparency, accountability, equity, effectiveness and participation into land related public sector management, and these are known as good governance. Thus, good governance includes people’s participation and transparency is one of its most important principles in land administration (Zakout et al., 2007).

Land administration is a process of recording and disseminating information regarding various components of land, like land rights, land value, area of land, ownerships with detailed documentation and provision of relevant information (UN, 1996). Land administration is strongly related with land management (van der Molen & Tuladhar, 2007). It includes different activities related to land like land registration, land use planning, land readjustment, land management and property taxation (FAO, 2007).

Land governance is the process by which the decisions about access to and use of land are made. It incorporates the method of implementing this decision and the approach to lessen the conflict of interest regarding the land issues(UN/HABITAT & ITC, 2008b). Therefore, participation of affected people is very important in the context of land governance, specially, in the identification of parcels and their owner as well as in determining the boundaries of the parcel (Zakout, Wehrmann, &
According to (UN/HABITAT & ITC, 2008b) the consequences of good and weak governance are as follows

a) **Consequences of good governance**
   The good governance allows for more equitable access to land reducing the consequences of fraud and bribery. It helps to protect the poor from illegal evictions. The land disputes will be resolved and facilitate the state with the proper taxation. It creates incentives for land owners in order to use their land in a suitable manner.

b) **Consequences of weak governance**
   The effects of weak governance can lead to the consequences like insecurity of tenure. The high possibility of land conflicts due to improper management of land records and ownership data. The inequitable distribution of land and resources is another consequence of weak governance which will lead to social instability.

In view of the above consequences, the role of good land governance is very important in the case of infrastructure development. Since it requires a large area of land from land owners even though landowners do not want to give their land, there is a need of appropriate mechanism to allocate their land for public purposes by the government giving them proper and fair compensation for it. In this case, if the governance is weak, the fair compensation in right time, in right value and even to the right people like lessees, share croppers cannot be reached. Moreover there is a possibility of cheating those people by elite officials, politicians by buying the land from the original owner in a low price and then selling it in high price in the time of compulsory purchase (FAO, 2007)

### 2.3. **Characteristics of Transparency**

Transparency is generally defined as a principle that allows those affected public by administrative decisions, or social activities to know not only the basic facts and figures but also the method and process in a transparent manner (TI, 2002; as cited by Goodhope (2004)). It is well known fact that if there is transparency in decision making and in implementation of decision then it reduces the uncertainty and the scope of corruption (African Development Report, 2001; Goodhope (2004)).

The central part of the transparency lies access to information and free flow of information which is a key factors in promotion of more effective participation in decision making by stakeholders and thus transparency not only informs the citizen but develops a trust between the government and citizen which in turn helps to influence active civic engagement as defined as a active participation of public with their contribution for a common good. (UN-HABITAT & TI, 2004).

Moreover, the system can be taken as transparent if it has clear procedure regarding decision making which affects the general public and provides wide range of information with easy access. It is a way to empowering the citizen such that the citizen participation can influence the decision making. However, the information must be timely, relevant, accurate and complete.
2.4. Elements of Transparency and their Assessments

According to UN-HABITAT and TI (2004), there are three main elements of transparent namely access to information, public participation and institutional reforms that are used strategically to promote transparency both at central as well as local levels.

2.4.1. Public Participation

Public participation is defined as a way in which involvement of citizens can influence and have control over the decision that effect them (Devas & Grant, 2003). “Participation is the process by which people take an active and influential hand in shaping decisions that affect their lives” (Nunnenkamp, 1995 as cited by (Goodhope, 2004)). It helps to fill the gap on information and decision making process between the government, civil society, private sector and the general public. Such approach ultimately leads to the common understanding of the local situation, priorities and programs. Furthermore, it increases transparency and well developed strategies for public participation to build trust towards government (UN/HABITAT & TI, 2004).

According to Devas and Grant (2003), it is necessary to strengthen capacity of both governments and civil society in an inclusive manner to be able to engage in a real discuss regarding resource use and service delivery. Transparency, thus, influences civic engagement in a more direct manner (UN/HABITAT & TI, 2004) and to increase transparency, the awareness rising programmes., information campaigns, consultations through public hearings, forums and workshops are required where people get informed and bring in their ideas (Wehrmann et al., 2002).

According to (Blair, 2000 as cited by Devas and Grant (2003)), the public meeting can be effective tools for public participation if it is facilitated carefully. But it can be manipulated easily to ignore the public views by holding meetings at odd times and location. The councillors or power holders who fear from the public questioning can do so.

Public participation can be effective if the public feels their involvement is genuine and taken into account seriously. Public should not be left with the feeling that the participation is adopted only as an act to legitimize policies (Boserup, 2005).

2.4.1.1. Forms of public Participation

According to Plummer (1999), the various forms of participation in the delivery of Urban services and infrastructure development can be characterised as Informative Participation, Consultative Participation, Co-operative Participation, Mobilization Participation.

a) Informative Participation

In informative participation, communities get informed about the intentions of government. But if decision making is unlikely to be changed, such process is non-transparent. It is taken as one way flow of information without mechanism for feedback and power for negotiation.(Arnstein, 1969) However, in case of land transaction, the communities (or individual buyers and sellers of the properties being sold in the market) inform the changes in the ownership of the properties to land registration officer or notary who subsequently update information in the Land Information System. Every step of land transactions are informed to the concerned parties.
b) **Consultation Participation**

In Consultative Participation, the forums are established through which communities can put their views regarding the issue in land development which affect their live. In this type of consultation element of feedback between community and government is introduced prior to the decision making. Since it is only consultative process, the government make decision based on the general communities’ views. However, “when power holders restrict the input of citizen’s ideas solely to this level, participation remains just window-dressing ritual. People are primarily perceived as statistical abstractions and participation is measured by how many come to meetings, take brochures home, or answer the questionnaire. What citizens achieve in all this activity is that they have ‘participated in participation’ and what power holders achieve is the evidence that they have gone through the required motions involving “those people””(Arnstein, 1969). Thus consultative participation in this aspect remains informative participation.

c) **Co-Operative Participation**

In Co-operative Participation, Communities are involved from the beginning of the process to the end till decision making. This type of participation is more as a partnership approach between communities, municipalities and government. The government act more as a facilitator then the provider.

d) **Mobilisation Participation**

In mobilisation participation, communities are in control of decision making process and municipalities enter into initiatives as required by the community. This is the strongest form of participation. This type of participation cannot be achieved completely in the service delivery as it needs to be coupled with other line agencies (infrastructure, sewerage, water supply) and also community need to be co-ordinated with municipality.

### 2.4.2. Access to Information

In the context of development activities, access to information has gained recognition as an important issue for improving the effectiveness of development that boosts informed stakeholder participation and also enhances accountability of decision makers (GIT, 2006).

Every citizen has right for access to information and it is important in order to learn about the existence and protection of social rights. It is a powerful tool which initiates the most disadvantaged group to be actively involved in the development process. Moreover, lack of information can be the obstruction for the participation of disadvantaged group in the issues regarding their own development. The limited rights and freedoms and control over the policies can place disadvantaged group in a position of vulnerability such as allocation of plots in hazardous area. Therefore, they should be aware about the policies regarding different development also (ADC, 2007).

The tools to support access to information as given by UN-HABITAT and TI (2004) are mainly a) public meetings/public hearings which is the mechanism to engage the community in open discussion on important decision about their future, and b) records management and computerized system that help to make the data easily available through improved procedure such as disseminating information through internet to the citizen.
Through effective dissemination tools, public participation helps to engage the community effectively in the process specifically in land acquisition procedure. There are different approaches of providing information, and instead of providing one way access, it can also be made more effective involving the citizen directly who can request information required. The method used for disseminating the information depends upon the degree of illiteracy and also the modern information technology (Boserup, 2005). The various methods for access to information are as follows:

**Printed information:** This is the common way to provide information through printed information like maps, brochures, booklets, newsletter, reports, etc. The availability of maps and information can be informed by distributing at the important places such post offices, market places, putting posters, or via media and internet. For infrastructure development, such approach would be essential for raising awareness towards projects.

**Radio and TV:** Audio and visual media are the best approach for information dissemination and is fairly cheap and effective as broadcast media have advantage of reaching wide audience. However, the talk show program, repeating broadcast can be effective to make the citizen aware.

**Campaigns:** It is a useful tool which can be used to sensitize the entire population regarding general public matters at local level. Such approach is often used during settlement of land, during first registration of land.

**Citizen involvement:** This is a direct means for access to information in which the involving citizens by creating channel for communication, citizens or groups of citizens have the opportunity of participating actively in the decision making, including the prioritization between services. Moreover, the valuable information can be gained about citizen’s preferences which can be used in sound decisions making.

**Information and communication technology:** Modern technology like internet and web access can play a vital role as it is speedy and systematic and allows access to information from anywhere in the world. In the case of information dissemination regarding land, the system like parcel based geo-information system in order to make the land administration transparent. In the system all information regarding land is stored in the well managed way in the database. The system is interlinked with other server so at any time of the need it can be made available to relevant stakeholders through internet or intranet. The local office can extract the information easily in the time of need to provide service to the public easily within short period. The transparent land administration plays a vital role regarding all aspects. In the context of general public, easy and accurate land information will generate trust towards governance and legal security. It will enhance public more enthusiastically in income generating activities and proper use of land. Similarly in the aspect of planning bodies, proper land information will leads to proper planning of the area with less conflicts (Tuladhar, 2004)

**Public meeting/public hearing:** Meetings are the important tools for two way access to information if it is on regular basis, where participants can discuss and reach to the solution. In actual cases, if participants have been left without the full information, the superficial information is provided, if the questions given by the participants have been discourage and provided irrelevant answers meetings can be effective as only one way communication.(Armstein, 1969)
General education: This method can be used as a measure in order to make local people actively engage in various issues and to enhance their knowledge about society by empowering them to take part actively in the public related issues.

Land information system (LIS): Land information system (LIS) consists of human and technical resources which together with appropriate organizing procedure are applied to collect, store, retrieve, disseminate and use land related information. It serves as a tool for decision making regarding legal, administrative and economic purposes and it is very important in the context of planning and development of the land (UN, 1996). The effectiveness of such system depends upon the level up to which it has been designed to serve the user. So, in order to make easy and understanding of the information, it should consist of highly interactive visualization.

One stop shop via Internet: One stop shop is the method for information dissemination where people can get the required information easily at one place and also the services. It provides specialized assistance related to bill payment, filing property tax, making various payments. The location of this institution should be in public space where it is easily accessible with clear sign board and direction. Thus one stop shop reduces delay in services delivery with increase in transparency and decreasing the institutional complexity. (UN-HABITAT & TI, 2004). Moreover, it can be the web base shop which still serves the same objective as one stop shop and it can play important role in disseminating all information regarding land.

2.4.3. Institutional Reform/Performance
The approach of institutional reform is to simplify administrative procedures and organizational structure meaning structuring various offices of organization which in turn increases the performance of the institution. It is necessary to reform institute as much of the process like allocation of land depends upon complex and time consuming administrative process and further if the process as such are not understood by the general public they are likely to generate unfavourable comment because the decision that are made may not be viewed as fair. Therefore, various tools to support this strategy have given by (UN-HABITAT & TI, 2004). The following are the tools for institutional reform which in turn increases the performance of the institution thus enhancing the transparency.

Mandate of the organization: The mandate of the organization which gives the information regarding the purpose of the organization and its key responsibilities towards the particular task is need to be clear to the general public. It should publish in the manner that it is easily accessible (UN/HABITAT & ITC, 2008a)

Service Charter: The service charter explains about the level of services it is supposed to provide. It consists of a kind of commitments to the customers which brings a trust between organization and customers and in general public. As it assure the public about the compensation for the things if the service it suppose to be provided goes wrong, public can trust the organization and pay for the service without fair. So, clear and accessible service charter of any organization is vital (UN/HABITAT & ITC, 2008a)
Municipal Front office: Municipal front office is one of the approaches which can improve local government communication with the citizens and further increased public accessibility to information. It also helps the decision maker to know the public attitude towards a particular decision. However, the effectiveness of front office lies in the information flow from the back office.

2.5. Needs of Transparency in Various Urban Applications

Since this research relates to the urban planning and infrastructure applications specifically on land acquisition/land readjustment for road development, the needs of transparency are reviewed and discussed in different sectors of urban applications using various literatures below.

2.5.1. Transparency in Land Use Planning

Land use planning is to allocate land for a particular purpose to achieve maximum efficiency and the welfare of the community. The implementation of new plans changes the land use of the area. In urban case the plan is prepared to achieve various activities like to control haphazard growth, to accommodate urban expansion, for urban renewal or to improve existing environment. Indeed, for any purpose of land use planning there is a relation between land rights and land management (UN, 1996). Therefore, it requires a proper land information system because failure to identify right ownership can affect the development plan.

Land use planning should be participatory. Nknya (1999), have given the clear overview of Tanzania case regarding disputes which arises during the implementation of land use plan. The consequence of the opposition from the affected citizens is not the unwillingness to have planned area but the fact is that they have not given the opportunity to participate in the planning stage. The platform to express the local interest has not been created Indeed, the author has suggested that the non participatory approach and less information about what was going around them have blocked the possibility to express their views during planning process and failure to regulate land use change. Thus, it can be seen that transparency in the planning stage might have solved all the disputes before.

2.5.2. Transparency in Land Management

According to Wehrmann, Kenea et al.(2002), information about objectives and procedure of land use planning, peoples’ rights and responsibilities as well as tasks and duties of institution involved should be clear for the transparent land management. Furthermore, transparency can only be achieved if there are easy access to all institution, which are dealing with urban land management, with respect to access to information concerning land market and as well as an arena where everyone can have open discussion.

In the case of State Land Management there should be the clear state land inventory regarding the information like which land belongs to the state, how public land be used with maximum benefit to the society. Various institutions (such ministry, municipality, local administration) at the different level (national, regional or local) takes responsibility to the use of land and therefore manage the land use rights, the right to identify the land users, the duty to define the kind of contracts and rights to generate the income from that land. Such processes, if informed clearly would lead to the transparency and can decrease the misuse of the land.
Therefore, transparency in urban land management can be obtained by encouraging participatory approach in different urban land management technique like land readjustment, empowering the people through information campaigns so that people can claim their rights, establishing legal authorities such as citizen advisory boards in order to facilitate the general public to participate in the plan.

2.5.3. Transparency in Water Management

Water is a subject in which everyone is a stakeholder but in few countries there is a less experience in conducting water resources management in an open and transparent manner which leads to counterproductive to assuring broad participation of public in general and also private sector investment in water management (Agarwal et al., 2000).

Furthermore, while doing land acquisition for the infrastructure provision for water supply it is required to be transparent. According to project management manual, PMM (2003), Indonesia, transparent means all the information which is related to land acquisition phase like planning of the project, project implementation, land acquisition process and other aspects should be easily accessible and should be distributed and socialized to the public or at least to the project affected people.

The participative approach is often used in water management project. It is important that the involvement of the project affected people in the land acquisition process is active from the planning phase, implementation and up to the monitoring of the implementation of land acquisition. Such participation can be achieved with or through consultation between projects affected people and Water User Association. “Only institutions that are inclusive, open, transparent, and accountable can bring legitimacy to decisions affecting the many conflicting water values with a realistic expectation of implementation”(Ingram, 2006). Such process can thus resolve many conflicting interest over the distribution of water uses.

2.5.4. Transparency in Infrastructure Development

The success of the infrastructure development depends upon the communication among the participants and stakeholders (Chavez et al., 2007). The transportation project can maintain trust throughout the project by maintaining regular communication with project team members, stakeholders and public in general. Trust helps public to be positive towards the project. Lack of trust creates less interest towards project and willingness to participate in the project will be less which can affect severely in the implementation stage. Therefore, dissemination of information regarding actual cost, time of completion, environmental, cultural and historical effects regarding project can maintain trust (Sinnette, 2004).

The public involvement from the conceptual layout in road planning have been given by (Tsunoda, 2008) as an example of Japanese case in Yokohama City for Omimoto Road. The public opinion regarding road have been taken through questionnaire survey, and a campaign through a local cable television programme and tours of planned construction sites. Since, it became difficult to involve all stakeholders; the priority has been given to the people living along the planned route. Furthermore, the committee have been formed to create the link between the citizen and the city government thus monitoring the public participation and have given responsibility to give feedback of collective public
opinion, to study various options for alternative routes and road construction. The several alternate routes have been developed and final alignment has been selected through the questionnaire survey to the households. During questionnaire survey, the household was delivered with the brochures containing the alternative routes for road construction, results of engineering surveys and future plan of the project. This process has leads to transparent decision making.

2.6. Land Acquisition

Land acquisition is defined as a process to obtain land either by voluntary contribution, or by compensating the person who relinquishes the right to his land or the assets. Compensation is given to the affected people in exchange for the release of land or assets. Project management manual, Indonesia (PMM, 2003). According to Henssen (1988), it is a process of providing land for the public purposes like implementation of a planned development for the welfare of human settlements. The uncontrolled growth of cities creates the problems like inadequate access to well serviced land with basic infrastructure in suitable location and endowed with secure rights of tenure.

For example in case of Republic of China, land acquisition has been the action that on compulsory basis, the State acquires the collectively owned land, and converts them into the State-owned land. Then the developers are given the land use rights for the development purposes and give the compensation to the land owners. Therefore, characteristics of this action are compulsory acquisition of land, compensation and the changes of ownership (Fei Anling, 2003 as cited by (Dandan, 2008)). In such situation, land acquisition procedure should be implemented in a transparent, participated and fair manner.

2.6.1. Land Acquisition Techniques

The land can be acquired using various approaches. The approach differs on the basis if it is compulsory acquisition or voluntary acquisition. The Eminent domain, expropriation and nationalization are the approaches which lie in compulsory acquisition. The land banking is another approach which is categorized as both compulsory and non-compulsory approach. Similarly, land readjustment is an example of non-compulsory approach (UN, 1995). The short overview of various land acquisition techniques are given below.

2.6.1.1. Land Expropriation/Eminent Domain

The concept of land acquisition through land expropriation is based on sovereign’s power of eminent domain. This technique is popular worldwide in which States are allowed to take land for public purposes but the cost and time requirement in this technique had made it less useful. But, still voluntary land acquisition technique is successful when it is coupled with real threat of compulsory land acquisition (Kitay, 1985). In many cases, where land is required for public purpose development like road, the land is expropriated when negotiations between land owners and government fails through other technique of land acquisition (UN, 1995). In most of the countries this technique has been used for infrastructure development. In Denmark, land acquisition for road development is done through cadastral expropriation procedures in which land is acquired with freehold title. The land acquisition procedure is carried out by the Government Expropriation Commission for national road
where as for the local road municipal executive boards will handle the acquisition procedure (Norell, 2008).

2.6.1.2. Land banking

The concept of land banking is to acquire land through compulsory or non compulsory purchase in advance of needs. This technique seems relatively cheap as it can be purchased at the value of current land use. Moreover it helps to prevent the land speculation, which is the problem that arises prior the development plan has been disseminated (UN, 1995). However, the success of this technique depends upon the efficiency of instrument used for land use control and co-ordination between various agencies in planning (Henssen, 1988).

2.6.1.3. Land readjustment/Land consolidation/Land pooling

“Land readjustment is defined as a process whereby authority assembles numerous small parcels of raw land without paying monetary compensation to the owners subdivides the land and services it with infrastructure for human settlements use, returns most of the resulting housing sites to the original owners in proportion to the value of their land contribution and sells the remaining sites to recover all public costs” (Henssen, 1988). The concept of land readjustment and land pooling are same. Both are use for urban land development. The difference countries named this technique with different name. It is known as land readjustment in Japan and south Korea, land consolidation in Taiwan and Indonesia, land pooling in Australia and Nepal (Archer, 1994, as sited by (Karki, 2004b)

The details of this technique are elaborated in next chapter 3.

2.6.2. Legislation for Land Acquisition

All countries have their own laws and procedures for the public land acquisition of privately owned land. The extent of success in land acquisition depends upon the genuinely comprehensive laws and procedures, institutions and trained persons who are involved in these activities (Kitay, 1985).

2.6.3. Steps for Land Acquisition

The steps for land acquisition are different for different country for various reasons. So to understand general steps, we look at the following countries as cases.

a) Land acquisition in South Korea is responsible by one public agency known as Korean Land Development Corporation (KLDC) established in 1979. KLDC seeks as one of the important facilitator for efficient use of land by acquisition, development and supply of land. The KLDC uses several instruments in order to acquire the land. The instruments or steps followed are described below as a general procedure:

- Preliminary discussion between a seller and the KLDC takes place in which seller has chance to negotiate with KLDC.
- The application of sales will be received after the seller satisfies with the preliminary deal.
- The KLDC does the preliminary survey, regarding size, location and marketability of the plot for the qualification of land.
Further KLDC does the survey regarding restriction, zoning which affect the land.
The KLDC will further notify the application about the interest of KLDC with the deal. If KLDC is positive with the application further steps take place.
In this stage, methods for price determination, means of payment and condition for sales and preliminary sales contract will be made.
Finally the survey of road, upon the request of KLDC, will be conducted by Korean Survey Corporation.
Korean appraisal board and private assessor will conduct appraisal.
The final negotiation will be carried out for final price.
The KLDC will forward notification for the approval of intended purchase to its board of directors and after approval final sales contract is prepared.
Finally, the transfer of land title and payment of sales price takes place.

There are other instruments such as Non business purchase, Idle Purchase, Pre-emptive purchase, Consignment acquisition, and Eminent Domain.

b) Land acquisition for infrastructure development in Finland, special procedure is applied to acquire land with freehold title for road development. The land acquisition procedure is carried out by government survey agencies which consist of cadastral surveyor and two trustees. Before the land acquisition procedure proceeds, the general plan with alternative routes for the road is prepared. Thereafter, road plan is prepared which shows the final alignment with the affected road corridor and also the details of its effect on the existing properties. During this process of planning and design land owner have access to put comment on the plan and to appeal against the decision to prepare a detail plan, in a court of law. (Norell, 2008).

In Finland land acquisition is done in voluntary base, compulsory base and even land readjustment technique is used for the development of infrastructure like highways, main roads... The detail procedure of the steps is given below.

The acquisition procedure works in close cooperation with government in one hand where as in other hand impartial treatment for land owners is always considered. Thus process starts with two objectives, the satisfaction to the acquisition in one hand and other hand less damage to the land owner. The Figure 2-1 shows the detail process of the land acquisition.
ASSESSING TRANSPARENCY IN LAND ACQUISITION FOR ROAD DEVELOPMENT (CASE OF OUTER RING ROAD IN KATHMANDU VALLEY)

Figure 2-1: Land acquisition procedure in Finland (Source: Seppanen, 2004)

The process gives option for the project leader who is the NLS (National land survey of Finland). First the leader examines the possibilities for voluntary agreement and then the possibilities for land consolidation (land exchange or reallocation of parcels of land). The third options is carried out if above mention technique are not possible but in general only 5% land owners shows opposition in voluntary agreement.

The land acquisition process starts by looking for the option of land consolidation in which local land survey office are asked to carry out the project of land consolidation. Then the land survey office nominates a land surveyor, who calls the trustees for the project. The surveyor prepares a project plan in co-ordination with the acquisitor and experts. The plan consists of detail information like:

- The detail of new areas, which will be needed for a project
- The general plan with alternative routes with affected road corridor
- The effect on the existing properties and land owners
- Time table of the project and resettlement plan
- Cost estimation of the project

The process starts with an openings meeting which are organize mainly for acquisitor, landowners and other interested parties including supporting experts (e.g. forest surveyor). The plan will be presented to landowner and the plan will be officially accepted by a State representative when the land owners and relevant stakeholders approve the plan.

The examination of the objects starts during or very soon after the opening meeting. The land owners have opportunity to express their ideas and views regarding present circumstances and the kind of solution they prefer. This process enables the surveyor to assess the situation prior to the land acquisition decision.

The landowners can put their views about the kind of solution they regard as the best solution for themselves. The main issue, however, is that the needs of the acquisitor will be secured.
committee valuates the object, disadvantages and damages using the support of experts for each alternative choice of implementation.

The next step is to consult landowners and the acquisitor about different implementation possibilities. The first preference is given for the voluntary agreement in which committee try to convenience landowners of voluntary acquisition which can be an agreement of sale, land exchange or land consolidation. Land consolidation includes reallocation of the rights on the land (e.g. right of passage) and an exchange or a reallocation of parcels of land.

However, if the possibility of voluntary agreement is less, the survey committee will make a decision about land consolidation and prepares the compulsory reallocation. The plan is displayed to the interested parties. But still there is a provision to complain to the land court against decision made.

Finally, if the solution for the acquisition process is not possible through the above mentioned two methods (voluntary and compulsory consolidation), the acquisition starts with the separate expropriator process.

The survey committee will acquire the land after land court finishes its considerations. The committee provides the decision regarding real property formation, rights and compensation to be given. The changes in cadastre will be registered. After completion of whole process, the project can be carry out in the newly acquired area.

The general goal is that the duration of the process is possible to carry out in two years. But according to the experience about 95 % of cases are possible to solve in the land consolidation process and only about 5 % of the cases go to the acquisition process.

Landowners’ participation in the land acquisition process in Finland, is seen in the whole process. The detail plan with alternative route will be shown to land owners with the possibilities to the damage of their property in the road corridor in the beginning of the land acquisition process. During this process of planning and design land owner have access to put comment on the plan and to appeal against the decision to prepare a detail plan, in a court of law.(Norell, 2008). Then on the first step of the land acquisition process, there will be an opening meeting where the landowners can tell about their views of present circumstances and can tell what kind of solution they regard as the best solution for themselves. During the process, the landowners are consulted about different implementation possibilities, there are three choices: voluntary agreements, compulsory purchase and land consolidation.

2.7. General Indicators of Transparency in Land acquisition

From the above description and discussion, the following general indicators can be laid for making transparent procedure for land acquisition. These general indicators are elaborated in next chapter for making transparent processes for land readjustment as a part of land acquisition in infrastructure development of Outer Ring Road in Kathmandu Valley. The general indicators are:
a) **Public Participation**
   - Timely involvement of citizens/stakeholders in the procedures starting from planning, implementing, monitoring and evaluating projects
   - Empowering the citizen in decision making

b) **Access to Information**
   - Dissemination of reliable information (laws, procedures and land information)
   - Timely supply of reliable information (on Client/stakeholders)
   - Access point for timely service delivery and products
   - One Stop Shop
   - Compensation policy: it must be known and accepted by land owners/users. Compensation. This will be elaborated in the next chapter

c) **Institutional Reform/Performance**
   - Policies and laws: Policies and laws should be transparent to all stakeholders and affected land owners/users.
   - Organizational mandates and Service Charter
   - Land Information Systems
   - Transparent procedure: All steps should be known to all stakeholders and affected land owners/users.

### 2.8. Concluding Remarks

Transparency is one of the principles of good governance. Transparency literally means not only to inform the citizens but to build trust between citizens and governments which will lead towards the achievements of common goal. It empowers the citizen to influence in decision making. Three main elements of transparency are public participation, access to information and institutional reform/performance. The public participation is effective if the involvement of citizens is timely and rely upon the level of participatory approach adopted which is (information, consultation, co-operation, and mobilization) Participation is necessary to reinforce the capacity of citizens to achieve the specified target. Similarly, access to information is important for the effective public participation. The information provided needs to be on time and reliable. Land information system is important for access to information. Institutional reform/performance is another element for transparency which comprises of mandate of organization, service charter, field offices and committee. It also reveals that transparency has been felt as a core of success in the different application field, and it is crucial in the sector where land is required to be acquired.
3. **Land Acquisition through Land Readjustment and Reallocation Plan**

3.1. **Introduction**

The previous chapter discusses theoretical aspects of transparency under the principles of good governance as applied to various kinds of Land Acquisition Techniques. This chapter illustrates the overview of land readjustment and its use in various contexts. It further discusses phases of land readjustment and reallocation planning. Then it provides detailed issues and experiences of land pooling projects as applied in Kathmandu Nepal. The advantage of such land pooling projects is that it avoids the complexities of land acquisition and brings many benefits on provision of urban infrastructure and services to the local people.

3.2. **Land Readjustment (LR) and its Characteristics**

Land readjustment is often used as land management tool when suitable reformation of private land is necessary for residential purposes in urban areas. Joint partnership with land contribution by the private sector and land servicing by the public sector is generally referred to as “land readjustment” or “land pooling”. This is one of the methods for land acquisition which is non compulsory acquisition, and delivers service land efficiently with public support. But it can also be compulsory depending upon the percentage of landowners required to take consensus (Kitay, 1985).

Land readjustment is also a popular technique used for both the development of new areas and the reorganization of the structured areas in urban regions (Larsson, 1997). The characteristics of land readjustment are development of areas without any displacement of original landowner, provision of urban infrastructure and services through voluntary contribution of land, financing project cost covered by contributing sales plot for commercial use, and public participation (Agrawal, 1999). Since financing urban infrastructure is an issue in both developed and developing countries due to high cost of infrastructure provision, Land readjustment might be used as a technique for the provision of infrastructure like roads, water supply and sewerage within public/partnership concept (Azizi, 1995).

The effects of land readjustment can be viewed in two perspectives. First one deals with individual improvements in living style and environment condition, land value rises after developing plot and availability of the official land titles. Second one deals with public perspectives in development of public facilities, reduction in public investment, issuance of statutory land titles and increase in tax revenue from real state tax (Hashimoto, 1995). However, land readjustment is considered success and guaranteed, when there are good socialization, partner cooperation and communication (i.e. exchange and accessibility of information) and between individual people and public (central and local governments).
It is often seen that the characteristic of land readjustment is continuously changing. Originally, the concept was focused on the agricultural land consolidation as a way to improve its productivity through the regularization of small land parcels. Now a day the main principle remains to be a cooperative based planning system in optimizing and efficient use of resources. According (Arvanitis & Balla, 2005) various characteristic of land readjustment are given below

**Comprehensive urban development with extensive use:** LR is an urban development measures that construct urban development facilities such as roads, parks, utilities and develop building lots within project area. Its purpose is to adapt land structure and facilities to a new or modified urban use.

**Fair distribution of development benefits and costs:** Each landowner fairly contributes land for the expenses of the urban facilities. LR are a self financing tool. The benefits that accrue from the development are also fairly distributed among the land owners.

**Preservation of land titles:** Under a LR project, land titles are transferred to the original land owner after the completion of the project. Thus the land titles are preserved in this system. In principle, however the process must be completed with land titles unimpaired (i.e. undamaged).

![Figure 3-1: Characteristic of Land Readjustment](Arvanitis & Balla, 2005)

**Participation by land owners and leaseholders:** The cooperative general meetings is organised to regulate transparency in the project. The procedure is characterized by partnership or co-operation between the owners concerned within area and public authorities for processing including decision making.

**Impartial procedure:** One of the most relevant characteristics to understand the technique is that since the LR system is based on the equity principle, it is expected that charges and compensations to be shared in a proportional way among all actors of the project. In this sense all participants become joint venture associated. All actors participate proportionally to their own contribution and under the same perspective; they take part of the charges as well. Land readjustment involves land owners to
take part in the procedure. If the project is led by the land owners association general meeting is held before deciding upon the final planning. If the local body is implementing the project the discussion and meetings with the representatives of the landowner is conducted to ensure the transparency of the LR procedure.

### 3.2.1. Objectives of Land Readjustment

The Objectives of the land readjustment is to achieve good standard of subdivision and layout of the proposed area, to achieve timely subdivision of urban fringe land holdings for orderly urban expansion, to ensure adequate supply of land for new housing development, to provide land for infrastructure and social services, to share the costs and benefits in equitable basis among land owners, to carry out the construction of the road works and public utility in efficient and economic manner (Henssen, 1988).

### 3.2.2. Components of Land Readjustment (LR)

The land readjustment is a technique which reduces the transaction costs of coordinating property exchange in land assembly but the models of LR vary according to countries and depend upon institutional design and its success relies upon the existence of favourable condition. In general, Land Readjustment has four components. First one is project initiation, secondly Community support development, thirdly land re subdivision and servicing and last but not least land reallocation (Hong & Needham, 2007).

**Project Initiation:** The project commences only when either public (municipality) or private (landowners) institutions initiate LR projects in a neighbourhood. In most countries initiation is done to build the necessary local infrastructure by assembling irregular subdivision of land. Private developers may initiate land readjustment where potential of land has not been fully realized. Land owners initiates LR projects as it adds value resulting in their financial benefits.

**Community Support Development:** Approval from the government is obtained and the community group will be formed for the targeted area for land readjustment. The organizing committee is responsible for the preparation of the detail plan of the area. All the land owners including lease holders have to contribute their property rights to the committee as their investment capital. Negotiation between the developers and the land owners takes place for the agreement of the parcel of land to be contributed for the infrastructure. The guiding principle is to keep the net worth of owner’s equity unchanged. Sometimes negotiation process takes long time depending upon the organizational structure of landowners, the communication between them and common interest among them. In a democratic society preference is given to the community to decide the benefits. However it can be time consuming but the mechanism is essential to conduct the project. Since the disputes can arise in such technique, separate legislation with full guideline is necessary for the success of LR projects.

**Land Re subdivision and Servicing:** The organization which is implementing the project prepares master plan of the area in co-operation of the planning department. All the land parcels will be combined to provide infrastructure in the existing area. The subdivision of the area and land sites exchange is done by map or computer simulation. Actually land readjustment is the self-financed...
project with very less public fund. In this phase some parcels of land is set aside for raising fund for the provided infrastructure. Sometimes local government also provides subsidy to make the project financially viable. Subdivision of land depends on the percentage of the contributed land.

**Land Allocation:** After the readjustment of the plots and the infrastructure development, the subdivided plots are provided to the original landowners. The new land parcel will have at least the same may get more land than they are entitled. The implementing agency (in cooperation with landowners) balances on land distribution by compensating land owners who gets less and gets money from those who got more land. In the areas where high-density is permitted, the land is smaller in size to increase the number of plots to recover the cost of the infrastructure and also to have some profit to invest in other development activities. In many cases the new land value increases than the original holdings. In some projects there may be the unexpected downturn in the real estate market. In this situation landowners will have to contribute more either by contributing the land or by cash to recover the loss.

In land readjustment some parcels of land is reserved for the organization which is investing for the project. These parcels will be sold in increased market value which will bear the cost of all the infrastructures. The surplus will then be divided among the participating landowners. In this technique the landowners who do not want to have the land in the same area can act as investor. The private developers will benefit by selling the reserved plots and benefit is divided among the shareholders of the company. After all the debt is settled, the organizing team dissolves the land readjustment agency. The maintenance of the existing infrastructure and community facilities will be the responsibility of the local government.

### 3.2.3. Pre-Conditions for Efficient Application of LR Method

There are pre requirements which should be visualized before the implementation of LR method in order to achieve success in the LR project. The following are the pre requirement which needs to be pre consider as given

**Conditions of infrastructure construction and costs to LR process**

The LR model in which the infrastructure construction is included as in the case of Japan (Larsson, 1997) and Nepal (Karki, 2004b), the cost of construction for infrastructure is accumulated from the sales plot. The landowner has to contribute for the sales plot also. The LR model as in the case of Indonesia (Archer, 1992), in which cost of infrastructure is not included, the financing is the obligation of local government. In the later case infrastructure cannot be constructed timely due to financial problem which could be worst later on when the plot will be developed.

**Sharing of the project benefits and costs**

The LR can be applied efficiently if there is transparency in the process. The most critical stage of LR is the reallocation stage. Since, the cost of the project is equally shared; benefits should also be able to be shared equally. In this stage equality and fairness are the crucial matters. The LR model can use two approach i.e. area base approach and value base approach. In area base approach, developed plot is given back to original land owner as far as possible in the same location or adjacent to it or adjusted in within the project area. In value base approach, the land is given back according to prior value of the land. The value of the property prior to and after project needed to be determined very carefully in
order to have fair allocation (Turk, 2007). Whatever the approach is adopted, the distribution criteria
should be easy to understand for the land owners in order to reduce conflict of unequal allocation.

Conditions arising in terms of planning
The size of the project is an important factor for the efficient application of LR technique. In small
projects it is easy to convince the landowners as participation approach can be well organized
relatively easily as compared to the large project. The second is to make connection with the existing
master plan (Turk, 2007). Furthermore, urban-fringe lands where land readjustment is to adopt, should
have potential of urban development in near future with main utility nearby and market demand in
order to recover the cost of the project with the sale of sales plots (Henssen, 1988).

Public participation
The LR can be implemented successfully only when the land owners are willing to participate on the
projects. In most of the countries the consensus of land owner is required but the percentage may be
varied. The LR which is launched by public authorities, participation of the public is provided by
public announcement at different stages of the planning process. Although the different stages of
planning is announced to the public, it is hard to convince the landowner regarding the contribution to
be made and the reallocation of the plot after development. This type of indirect participation leads to
serious interruption in the project and also hard to get consensus. In the case of LR project initiated
under private initiative the land owner will be familiar with each stage and relatively easy to get
consensus (Turk, 2007). Therefore, majority of land owners in the proposed area needs to understand
and support land readjustment and also relevant local government should be genuinely interested in
achieving planned pattern of urban land use (Henssen, 1988).

Number of technical personnel and management
The LR is a simple technique but its implementation is not easy as it requires a consensus from the
land owners. The LR requires the skill personnel who can convince the land owners. Apart from this
the technically sound personnel is required for the formulation of the plan and implementation of it
(Henssen, 1988).

Quality of cadastral maps
The cadastral map is the basic requirement for the LR technique on the basis of which the design of
the infrastructure, replotting and reallocation of the plot is performed. The transparent data base of the
land parcel with correct boundary is required for the successive implementation of LR (Turk, 2007).
Otherwise lots of conflict during reallocation of the plot will arise. Therefore up-to-date land
registration system should exist prior to the commencement of LR method (Henssen, 1988).

3.2.4. Legal and Institutional Framework
The institutional design of Land Readjustment is unique in itself in each country. For the
implementation of the land readjustment it requires special legislation. Legislation plays the important
role in land readjustment as the main purpose of law is to facilitate negotiations between involved
parties. It aims for the right incentive to the participating landowners. However, the law also should
provide the legal basis for the case, if the certain percentage of landowners does not agrees for the LR
projects. For example, compulsory purchase participation could be the other option to minimize the
problem of opposition. In the case of Japan, two-third of land owners’ consent is enough, to
commence the project but seeing the implementation difficulties this has changed to take consensus before the implementation of the project (Sorensen, 2000). In Germany and Israel there is the law which allows land readjustment without the consent of property owners. In The Netherlands, there are four types of land readjustments; agriculture land readjustment, land readjustment to redevelop the urban areas, land readjustment which involves public developer (municipality) and land readjustment which involves commercial developers for large-scale development. All the land readjustment practiced in Netherlands has different legal and administrative procedure whereas the principle remains the same. All four LR systems require the co-operation from landowners but the level of participation differs. The active participation in first, second and third type whereas passive participation in second type.(Needham, 2007).

3.2.5. Implication of Transparency for Land Readjustment

According to (Archer, 2006), degree of success in the land readjustment depends upon the institutional arrangements and cultures of the country also. LR is built on economic principles and usually informal social arrangements. Land owners who seeks the potential benefits due to accessibility and increase in land value, tends to be co-operative towards the projects. In order to get consensus from the land owners, strong collaboration of implementing authorities, local authorities and land owners is required.

The benefits of land readjustment are not equal and positive from all perspectives. The benefit which landowner seeks is mainly the increase value of their land. The tenant whose source of income is totally depends upon agriculture and not interested in exchange value seeks less beneficial. Apart from this the person who owns small house on a small plot results a net loss in the aspect of use value and exchange value (Inoue, 1985; Honjo and Inoue, 1984 as cited by Sorensen (2000)). Therefore, in this context it is important to perform feasibility study from the land owner’s point of view in order to know if there is a real need of land readjustment scheme (Xu, 2005) and also make them aware of benefits that the planned development can bring in future. Since, land readjustment technique is based upon the land contribution by the landowner for provision of infrastructure and public facilities as well as for service plots the strategy is highly participatory and time consuming also. The process would be impartial if the project is transparent and regulated with legal provision.

To make the project transparent, the process should be known for the equitable sharing of costs and benefits among all the affected households/landowners/tenants. In this aspect, using land values as a norms rather than land size helps to achieve equity in a project (Agrawal, 1999).

The most important factor which governs the success of the project is the willingness of the landowners to participate in the project. In order to initiate the people to participate in the project, trust should be built between public and implementing authorities and make them feel reliable about the implementing authority. Usually this kind of trust can be gained by demonstrating the benefits of successfully finished similar schemes by the authority. Moreover, they should be assured that the schemes are designed in such a way that optimizes their land use and the reallocation of their land will be on a fair basis Therefore, local authority should provide communication channel to land owners, by formulating land owners in committee and several meetings with land owners (Xu, 2005).
3.3. Land Readjustment in Nepal

The land use regulation is not strong in the context of Nepal. The land is mostly developed by individuals' decisions which has resulted in the mixed development pattern like residential and commercial. The only tool in order to guide the Kathmandu valley’s urban development is building bye laws, therefore, various techniques of land development like guided land development, site and services, and land readjustment have been introduced for the local area planning (Karki, 2004a).

The guided land development and site and service technique have not been able to implement successfully. Therefore, to overcome the failure of these techniques, land readjustment technique was introduced in Kathmandu valley in 1988 which was initiated by the Ministry of Physical Planning and Works. Land readjustment is enactment of Town development Act 1988, and is termed as land pooling in the context of Nepal (Karki, 2004b).

Land Readjustment is the most popular one. This technique allows raw land parcels of certain area to be converted into developed residential plots with basic infrastructure. It has been defined as the method, by which public facilities in a certain area such as roads, parks, sewerage, drinking water and communication that are necessary for living are created and improved, individual sites are made easier to use and the site is increased by dividing them into more regular shapes (Karki, 2004b).

3.3.1. Existing Legal and Institutional Framework

The highest level of government organization is Ministry of Physical Planning and Works (MPPW) which is responsible for physical planning tasks. Under this ministry, the Department of Urban Development and Building Construction implements various urban development projects. Under this department, 23 divisional offices located in various parts of the country. A Kathmandu valley Town development committee (KVTDC) is responsible for planned urban development in the Kathmandu valley which is under MPPW. KVTDC is confined to the enforcement of building bye laws and implementation of land pooling projects (Karki, 2004b). The DUDBC supports KVTDC by providing technical and administrative manpower.

Under the KVTDC, three town developments Plan implementation committee (TDPICs) for Bhaktapur, Kathmandu and Lalitpur is formed and is responsible in implementing and monitoring the land pooling projects in Nepal. Under each TDPIC, land pooling projects are implemented (Karki, 2004b).

Town Development plan implementation Committee is the authorized body for conducting land readjustment in Kathmandu after it is approved from the KVTDC. It has several authorities such as acquiring the land for development, selling of the developed plots, formulate the building bye laws within the area, control of development rights and restrict the land subdivision during the project period. Institutional and technical skills are needed within the organization. The DUDBC supports KVTDC by providing technical and administrative man power. Under this committee, management committee and users committee is formulated.
The role of the institution which is responsible for the land readjustment are clearly specified with strong legal backing. The town development Act 1988 (Section 12.1) provides such legal basis for implementing town development plans using land pooling technique. The Act has empowered both the central as well as local government agencies to carry out the land pooling projects. After the enactment of the Local Self Government Act 1999, the municipalities and the Village Development Committees are also authorized to carryout town development plans using Land pooling technique but this legal provision has not been practiced yet. The project which was implemented by municipalities mostly followed town development Act 1988. (Karmacharya, 2008)

According to the guideline for land pooling projects, Sanghache and Gorkhali (2004), the land readjustment can be carried out in two approaches.

For the land readjustment projects of the area, the first approach can be made by the landowners and tenants themselves. The land owners put forward their application regarding the land readjustment of their area, thereafter; feasibility study is conducted by Town development committee. The result of the feasibility study has to discuss with landowners and tenants for their consent. Then approval of the landowners is collected by implementing organization like Town development committee of Municipality and then formal decision for the commencement of the land readjustment project is then made.

Second, the LSGA Act 1999 enables the municipality to conduct the LR projects for the urban development of the area under the jurisdiction of the respective municipality. The feasibility study and survey of the area will be done. The interaction program for the development of the area has to be conducted with the government and non-governmental agencies for the necessary suggestions. The landowners are informed about the decision of the project and consent from the landowners is collected to start the project by the Municipality or the TDC.
The Central Government of Nepal can also select the area for LR projects for the urban development in the country, but the consent from the landowners has to be taken. Under the Ministry of Housing and Physical Planning Works, DUDBC can also carry out the LR projects.

### 3.3.2. Procedure in Land Readjustment and Reallocation Plan in Kathmandu

The planning and implementation process of land pooling projects differs from country to country. In Nepal, first of all, the government authority Town Development Committee (TDC) makes the preliminary study of the area by studying the existing maps and by the interaction with the local people and the representatives. The feasibility study is carried out in the project area. The cadastral survey is carried out to measure the total area of the private and public land. The conceptual plan of the areas prepared which includes preliminary infrastructure planning. With this plan the land needed for road, sewerage, open spaces and parks for the new development is calculated.

According to guideline in land pooling, 15% to 25% of total land area is allocated for infrastructure. For open space, 2-6% of total land area is allocated. After calculating the land value before and after the project, the need of the sales plots is calculated. About 25% of the total project area is separated for the implementing organization for the cost recovery of the project.

![Figure 3-3: Implementing process of land readjustment projects Source: (Karki, 2004b)](image)

A Land Management Sub-Committee is formed under the chairmanship of either the Mayor or the VDC chairman depending upon the jurisdiction of the area going to be developed by TDC. The committee usually comprises the officials of TDC, local representatives, technical experts, representatives from the landowners and tenants.
A notice for the acquisition of land is published after obtaining approval from the sub-committee. Agreements between the TDC and every landowner are made and the landowner certificates are deposited in the office of TDC. The land then comes under the legal possession of TDC. The construction of building, land transaction and land subdivision cease until the land titles of replots are distributed. But in some of the recently completed projects the land transaction has been allowed.

A landowners’ support committee known as user’s committee, consisting of landowners and tenants is formed to take part in the field level decision. The committee comprises of the seven to fifteen members. The committee acts as the intermediate body which correspond the landowners as well as the management team.

Alternative arrangements and redistribution criteria are formulated with continuation discussion with the landowners. The design is approved by the cooperative committee and management sub-committee. Actual planning in site and the construction of work is initiated with the mobilization of revolving fund or bank loan till the service plots are sold.

The plots to the original owners and transfer of ownership certificate are redistributed. The landowners’ right is re-established. Lastly the handover of the project to the VDC or municipality is done which ensures the execution of the project. LR projects led by Kathmandu Municipality are handed to the User’s Committee for its management and maintenance. The figure 11 illustrates the general procedure of the land readjustment of Kathmandu.

### 3.3.3. Weaknesses in Land Readjustment/Land Pooling Projects in Kathmandu Valley

Although, the land pooling projects seems successful in Nepal, but there exist weakness which can be categorised in three levels. The first one is Policy level weakness, the second one is Management weakness and third one is Implementation difficulties.

#### Policy Level weakness

The one of the weaknesses in the current implemented land pooling projects is from the policy level. The lack of policy to decide and investigate the suitability of project location before launching the projects had brought the negative impacts such as damage of the building due to lying in the flood plain.

The second weakness in the current land pooling project is that the central government do not provide infrastructure and services in the planning area. The landowners in the land pooling area have to contribute their land for the facility like road, water supply, sewerage line and the fund required to construct the services is accumulated by after sale of service plot. The service plot is the land parcel which is produced from the land contribution made by land owners.

The third policy level weakness is that, the land pooling area serves only the land owner of the project area. There is no policy of providing plots to middle and low income families and time limitation up to which the land can remain vacant. The value of plot within the project area becomes so high that only the wealthier people can afford it. Moreover, the land owners holds the plot vacant without building
the house for their plot for speculative purpose in order to gain the higher value in the future. The consequences of this are that the area outside the project will develop rapidly.

The fourth weakness is the legal obligation to hire lowest bidding contractors which cause the chance of selecting in competence contractor. This is one of the causes of delay in the project and also as the bidding rate being 40%-50% less than the estimated cost, the contractor’s fails to ensure adequate cash flows and cause substantial delays.

Management weakness
The other most important factor for the current land pooling projects of Nepal to be delay and less successful is the lack of skilled personnel in management who can handle the landowner’s issue. The 11 land pooling projects have been implemented in Nepal but still there is a lack of inter-project cooperation, co ordination and sharing of experience and information because there is no analytical data base of land pooling projects in Nepal.

The lack of system in order to document and monitor project progress is one of the constraint in land pooling schemes. The staffs who are dealing with land pooling projects are trained to deliver only physical reports not analytical reports and there was an in adequate system in place to access information and for inter project coordination, cooperation and knowledge sharing. Managers could not dedicate appropriate attention to the project since they were also Town controllers. Additionally, they were regularly transferred due to frequent changes in government set up. The frequent changes in manager cause more delay in the project. One of the land pooling project took nine month to appoint new manager(Karki, 2004b). This weakness will make the local less trust in the land pooling project.

Implementation difficulties
The land owner’s consensus is required in every stage (Conceptual stage, planning stage, re plotting map finalization stage, implementation stage and title distribution stage), it generates considerable controversy and disagreement throughout the life of the project, and therefore subject to repeated interruption and delay. The consensus literally means the process of decision making in which the participants eventually comes in common agreement with the capacity to change the already made decision. But, in practice different persuasive technique is adopted to bring the land owners to already designed plan(Sorensen, 2000).

The main cause for this opposition is the less knowledge about the benefits of land pooling by the less educated group and farmers. Apart from this, the influential groups, who will see less benefit from this project, will create the environment of conflict by mobilising those groups who finds difficult in understanding the land pooling project.

In Nepal, none of land pooling projects has been free from the land owner’s opposition at the time of commencement. There are the cases in which Project Manager has been threatened and abused by land owners. The reason behind is the less trust of the people and fair for unequal distribution of the land. The cases of unequal distribution have been seen in such projects. Therefore, success of land pooling project is unforeseen till the bulldozer is allowed to enter into the field. The consensus of 75% land owners is required to start the project legally. Lots of meetings and negotiation with the land owners has to be carried out to reach in the agreements which causes to
substantially delays in the project. Since it's hard to get land owners' consensus, recent amendment in the Town development act has made the consensus percentage to 50%.

It is necessary to have adequate initial fund in order to start the project even though the scheme of such project is self-financing which means the project cost is recovered by the selling of the sales plots1. Therefore, lack of initial fund is another constrain which would lead to decrease in the landowner’s confidence towards project. The landowners start the protest campaigns after hearing the financial constrain of the project. In order to overcome this financial constrain, the project has adopted the strategy of investing the limited money in constructing the area where the maximum number of reserved plots has been proposed. Thus, the quick sale of this plot makes it possible to procure fund for further implementation of the project. However, the above strategy is not always successful due to difficulty in selling plots in the estimated price. In some cases, landowners have to bear additional financial burden due to the lack of fund in order to complete the project.

The land pooling needs to deal with a large number of land records and for its efficient implication, transparent data base of land records is required. In case of Nepal, the land owner data base has lots of problems like unclear name of landowner and parcel number, the shift in field boundary and map boundary, the existing land use of ground and map does not match as for example, land exist in the map but in ground it is already occupied by river. The inaccuracy of land records is the factor for delay in the project and the victims who suffer from this are the landowners who support the project. The prolonged delay will cause the obstruction in constructing their house, mortgaging property for business, marriage and for children education.

3.4. Overall view of Outer Ring Road Project

The peripheries of Kathmandu valley, especially those outside the existing ring road are being developed very rapidly without sort of planning and thought of provisions of physical amenities. The density of vehicles and pedestrians are increasing enormously along these areas. The inner ring road was built 30 years ago when the population and living pattern of Kathmandu was relatively low and easy. Intersection of radial roads originating from the Kathmandu city and existing Ring Road, especially since last two decades are becoming more unsafe to the pedestrians and inconvenient to vehicle. In the context of increase in population in the old and new settlements outside the existing Ring Road, the necessity of alternative roads to join these settlements has been felt since the last decade. In 1993, JICA had studied for the Transportation Master Plan and proposed for the connection of radial road for south east belt. Further more in the Land use Master Plan of 2020; it is mentioned of delineating the urban and rural area. Thus, the concept of ORR was developed and with the initiative of Department of Roads (DOR), Nepal Engineering consultancy services (NEPECON) carried out a Pre feasibility of the proposed ORR in the year 2000. After when government of Nepal felt the necessity of ORR, Outer ring road development project has been established in the year 2004.

3.4.1. Current Institutional Framework of ORR Project

The Figure 3-4 shows the current institutional framework of the ORR project. In the current status of the project, a steering committee has been formed under the chairmanship of the joint secretary of the
Ministry of Physical Planning and Works. The main role of the steering committee is to co-ordinate between different government agencies and other stakeholder’s. The committee discusses all the pertinent issues and present proposal to the government for final approval.

A technical co-ordinating committee comprising of the senior technical officials of DUDBC, Kathmandu valley Town Development Committee and Department of Roads (DOR) has been formed. The committee will discuss various technical issues and co-ordination issues faced during implementation of ORR.

![Current Institutional Frame work](image)

Figure 3-4: Current institutional framework of ORRDP (Source ORRDP)

### 3.4.2. Planning Process followed by ORR project

The Figure 3.5 shows the planning process followed by Outer Ring Road project. The first stage is the identification of the Outer Ring Road concept. The details is given in 3.4.1.

The second stage is the preliminary study which is carried out by the ORR project through the private consultancy. The alignment and the nodal points suggested in 2000 by NEPECON has been reviewed through field visit and studying the existing topographic map. In this stage the tentative proposed length of ORR which is 72 km and the tentative area through which the alignment is passing has been finalized. The figure 4-3 shows the proposed tentative alignment of the ORR.

In third stage, the construction of the ORR through land readjustment scheme is introduced. The proposed alignment has been divided into various subsectors and private companies are involved for the detail survey of the proposed alignment in this sub sectors. The EIA of the proposed alignment has
also been conducted parallel to the feasibility study by separate private companies. In this study, the analysis of the alternate route has been proposed by the consultancy after conducting the detail survey and before the design of the land readjustment area.

In fourth stage which is after design, when the detail design of the road and model readjustment plan has been designed the information is disseminated to the local level.

3.4.3. ORR Cross Section and Readjustment Model

The Figure 3-6, shows the road cross section and Model readjustment plan and Design prepared by ORRDP. The following information has been given in presentation through hearing to the local government and local people. The Figure a is the cross of the ORR alignment which consists of fast track, service track, cycle path, foot path. The figure b shows future vision after construction of ORR. The figure c shows the concept which have been followed for planning of the area. The division of the area has been done as Sector, Sub Sector, Neighbourhood, Blocks and Clusters. The Figure d shows the plan of land readjustment model which consists of internal road, open space, position of service plot which is required to cover the finance of the project. The Figure e is the condition of land before
subdivision, Figure f the subdivision stage according to the plan made and Figure g is the design of land readjustment model with the subdivided plot and.

![Typical Cross-Section of Outer Ring Road](image)

**a) Cross Section of ORR**

![Townscape View of ORR](image)

**b) Townscape View of ORR**

![The Conceptual layout plan](image)

**c) Conceptual layout of Land Readjustment Model**

![Planning Concept](image)

**d) Planning of the Land Readjustment Model**

![Before Land Readjustment](image)

**e) Before Land Readjustment**

![Land Subdivision](image)

**f) Land Subdivision**

![Design of Land readjustment](image)

**g) Design of Land readjustment**

Figure 3-6: Plan and Design of (Road and land Readjustment) Model Source: ORRDP

### 3.4.4. Socio-Economic and Cultural Issue Regarding Road alignment:

According to the EIA report, which have been done for the ORR, the issue socio-economic and cultural issue which have been raised are fertile land to be affected, settlements to be affected, houses to be demolished, temples and monuments to be demolished, culture and cultural sites to be
demolished, facilities and infrastructure to be damaged, issue of compensation and displacement, issue regarding land readjustment, issue of job and awareness raising (EIA Report).

3.5. Implication of Transparency for Land Readjustment in Kathmandu

**Public participation:**

The land readjustment projects, even it is said as successful, but in reality there are lots of weakness. The project which have been taken as transparent with the full participatory approach but in practice handful people are participating in real sense. Sorensen (2000) has given the clear overview of land readjustment implementation as in theory and in practice in the context of Japanese LR project. According to author, in theory of land readjustment, public participation is taken as one of the most important characteristic and consensus of land owner as one of the most important factor to be considered for LR project to be implemented successfully, the practical meaning of consensus is taken differently. Literally consensus means to come in common agreement with full satisfaction in the plan. The land owner should have power to alter the already designed plan if it does not fulfil their requirement. But in practice, the consensus to the plan which is already been design by municipalities is taken using different persuasive technique like to up zone permitted land uses or to downzone areas where landowners have refuse to co-operate. In this context period of usually 5-10 year will be spending in order to take consensus

Therefore, above mentioned weakness in the existing LR projects of Nepal highlights the implementation difficulties due to lack of public consensus. In this context, the strategy followed about public participation is misinterpreted. Moreover, recent amendment of the initiation of the project in the consensus of 50% landowners will bring more oppose and difficulties for the implementation of the project.

**Access to information:**

The non systematic arrangement of the record and rules for not preparing analytical report of the previous projects lack the valuable experience of the finished projects. The information of such projects can be the road way for the new project. Furthermore the lack of appropriate computerized data base of land registry are the another major constrain for the appropriate and reliable access to information.

**Institutional reform/performance:**

The management weakness due to excessive burden of the projects in the limited number of officials seems to reform the institution properly in order to distribute the work equally and effectively in different departments.

3.6. Framework for assessing transparency in Land Acquisition for Outer Ring Road development in Kathmandu

a) **Public Participation**

According to the literature reviewed in chapter 2 and this chapter the frame work have been developed to assess the transparency for the road project including land readjustment plan. The level of public
participation in different phases of the project is the assessment of public participation and the sufficiency for the given phases of the road design including land readjustment plan. According to Arnstein(1969), the different level of participation is explain.

i. Informed: The informed participation is the first step of public participation. The information flow is one way without the feedback mechanism for complain. The methods used for the one way dissemination of information are Television, radio, pamphlets, posters and responses to inquiries.

ii. Consulting: The consulting participation provides arena to put the views. This method is more effective then the former type of participation method as it provides the two way communication. However, the method remains less effective if it is not combined with the other number of repeated consulting participation.

iii. Co-operation: The co-operation participation is a form of participation in which the role of community in decision making increases and results as a partnership between the community and power holders. It is a process of intensive two ways or more way communication between all participating entities. Therefore, in this approach the power is in fact distributed through negotiation between citizens and power holders using different mechanism such as planning committees, policy boards for resolving the problems.

iv. Mobilization: This is the form of participation in which the communities themselves will come up with certain plan and they have full control in decision making. The community participates with full enthusiasm. The process consists of dialogue and partnership with a wide spectrum of community essentials. It allows a dialogue among members of the community to determine who, what and how issues are decided, and also to provide a opportunity for everyone to participate in decision making in the issues that affect their lives.

The public participation in the sense of timely involvement and empowerment of the citizen is the effective meaning of participation which is the way to transparent decision making. The informed citizen can provide effective input thus influencing in decision making.

b) Access to information
The access to information, which is the second parameter of transparency, is assessing according to the following indicators. The indicators which have been used for access to information are Media, Public meetings/Hearings, LIS and Computerized System, One stop shop via Internet, Information Service Centre, Municipal Front office. The two variables Information Service Centre, Municipal Front office are the access point where local citizen can get the information.

The level of information dissemination regarding different policies from the center level and the level of information in the local level is an indicator regarding access to information which measures the effectiveness of the access point of information. The different policies disseminated can be summarized and compared using the formula which is explained below
In order to measure the access to information regarding the different policies (compensation, payment schedule, land contribution, resettlement plan, time table/time frame) of land readjustment following formula has been used. First of all OMIA (over all mean access to information) is calculated as per given formula. The OMIA is the access to information per respondents. Then, OMOIA (Over all mean of OMIA) of total respondents is calculated as per given formula.

\[
\text{OMIA} = \frac{\sum (R_{\text{cp}} + R_{\text{ps}} + R_{\text{lci}} + R_{\text{rpi}} + R_{\text{tti}})}{\text{max score}}
\]

\[
\text{OMOIA} = \frac{\text{OMIA}}{N}
\]

Here “max score” is the maximum score that each parameter can score according to the given scale and “N” is the total number of respondents. In this study, the maximum score given to each parameter is 5. So, to calculate the OMIA, max score is 25.

In order to calculate the level of information given in each parameter

\[
R_{\text{cp}} = \frac{\sum R_{\text{cp}}}{\text{N}} ; R_{\text{ps}} = \frac{\sum R_{\text{ps}}}{\text{N}} ; R_{\text{lci}} = \frac{\sum R_{\text{lci}}}{\text{N}} ; R_{\text{rpi}} = \frac{\sum R_{\text{rpi}}}{\text{N}} ; R_{\text{tti}} = \frac{\sum R_{\text{tti}}}{\text{N}}
\]

Where \( R_{\text{cp}} = \) Compensation policies; \( R_{\text{ps}} = \) Resettlement Plan; \( R_{\text{lci}} = \) Land contribution; \( R_{\text{tti}} = \) Time table and \( n \) is a number of respondents.

c) Institutional Reform/Performance

The indicators which have been set for the Institutional Reform/Performance are Complain Box, Mandate/Service Charter, Users Committee, Field office and Municipal office. According to theory in chapter 2, the mandate of organization needs to be clear. The public should be aware regarding the service charter of the organization which will build trust and confidence regarding the project. The user’s committee and field office created strong connection between local level and central level.

3.7. Concluding Remarks

From the above study we conclude that the land readjustment is though highly participatory process, it has lots of hidden weakness in case of Nepal. The Japanese technique shows how the participatory context has been used. The meaning of consensus is interpreted as the total approval of land owners in the plan of LR project. However, this meaning has found to be misinterpreted in case of Nepal due to weaknesses in managerial, technical and policy level. The major role is yet attributed in the implementation phase due to lack of proper flow or transparency of information to local level. The unawareness of LR projects in uneducated group has led them to become the easy target to be mobilised by the land brokers and other opposition group in creating hindrance. Moreover, difficulty in getting the approval from the land owners has compelled the concerned authority to misinterpret the meaning of consensus and ultimately to decrease the percentage of approval to 50%. This has resulted in violation and diversion of initial policy and procedure of the project and ultimately its delay in the commencement. Further, constraint is marked by lack of computerized data base land registry. So transparency is only the way which will empower the citizen to gain the detail process and make them
4. Research Methodology

4.1. Introduction

In previous chapter, various literature regarding land readjustment are reviewed. The various weakness regarding land readjustment technique of Nepal has been studied. In this chapter, the details of the methodology which are carried out prior, during and after field work has been described. The tools and technique used for the collection of primary and secondary data needed to answer the research questions and to achieve research objectives are discussed.

4.2. Research Approach

The approach of the research is operationalized according to flow diagram as shown in Figure 4-1, taking into consideration objectives of the study. The research methodology comprises of three parts which have been explained below:

- Pre-field work phase which comprises of literature study on the area of interest, theoretical background, development of indicators
- Field work phase comprises of data collection in the identified indicators
- Post field work phase where analysis of data collected is done and conclusions drawn from findings and recommendations is given

4.2.1. Pre-field work phase

This phase comprises of the problem identification and set the research objectives based on relevant scientific literature, text books, papers presented in professional meetings, and internet sources. According to the conceptual framework which has been designed in chapter 1, Figure 1.1, the questionnaire has been designed for the interviews with groups of stakeholders in order to capture different views from different perspectives. (Central government, Local government, Expert groups, land owners/tenants).

Questionnaire design used for primary data collection

The questionnaires are designed according to the conceptual framework which consists of viewing Transparency (Public Participation, Access to Information and Institutional Reform) from the different perspectives.

a) Central government

The unstructured questionnaires for the interview with central government are designed to know the public participation in road design including readjustment phase and how the information regarding road alignment, laws and policies of land readjustment and land information are disseminated to the local people and the strategies to make aware about the scheme in the public level.
b) Local government
The structured and unstructured questionnaire are designed for the interview with Local government to get the information about level of participation, information they have received, the institution which have been formulated, and the strategies to disseminate the information to the local affected people.

c) Expert group
The structured and unstructured questionnaire are designed for the Experts groups who have been involved in the ORR project in order to know their views about the level of public participation, access to information in the local level and institutional aspect of ORR project.

d) Local residents/landowners/tenants
The structured questionnaires are designed for the local level to get the data regarding their participation and level of information that have been received regarding different policies of land readjustment and process.

Figure 4-1: Research Approach
4.2.2. Field Work Phase

This is the data collection phase and involved the collection of Primary and Secondary data. This is achieved through the interviews with the Government officials in central level, Expert groups who are working as consulting companies, Local government officials and Local effected peoples. The purpose of conducting the field work is to collect the required data in order to assess the level of public participation in different phases of road design (including land readjustment plan), access to information to the local level and institutional reform by looking at institutional performance.

4.2.3. Post Field Work Phase

In this phase data entry of quantitative data and transcription of interviewed data is done. The analysis is carried out in each stakeholder’s perspective which is focused by this research then finally the transparency of the organization has been assessed according to three parameters (public participation, access to information and institutional reform/performance). As well as analysis is carried out in relation to the research objective and questions which leads to conclusion of the study.

4.3. Field work Approach:

The field work has been conducted to collect primary and secondary data according to the flow diagram as shown in Figure 4-2. The first steps which are followed in the field work are the collection of spatial and non spatial data in order to demarcate the affected areas where the survey needs to be conducted. The approach which has been adopted by this research is to interview the local government officials of the affected Municipalities, VDC’s and Wards. Therefore, the affected areas are studied and survey to the local levels is done in the influence zone of 250m along both side of the road corridor.

Figure 4-2: Flow diagram of the Field work approach
a) Techniques for collecting primary data
The technique which is adopted by this research is questionnaire and formal interviews in order to collect the primary data from different target groups for this research.

Central government: The interview has been taken with the central government officials in (central level and department level) using unstructured questionnaire who are involved directly with the ORR project and the officials are not involved with the project. The interview have been taken in various department (ORR project office, DUDBC, Land use planning). The interview have been recorded and written down.

Local government: The interviews with the local government officials are taken using structured and unstructured questionnaire. The officials selected for the interview are of District development committee, Municipalities, VDC and Wards in the two study areas. The total respondents is 20 .The interview have been written down and recorded.

Expert group: The interview with the expert who are involved directly with the ORR project as consulting form and those who are indirectly involved are conducted using structured and unstructured questionnaire and total respondents is 15 including transparency International. A formal discussion has been held with Transparency International of Kathmandu Valley.

Local residents/landowners/tenants: The structured questionnaires are used to take the local respondents view. The local residents/ land owner and tenants are interviewed with the structured questionnaire. The questionnaire survey has been conducted along the influence zone of the ORR which is 250m in both side along the road corridor.

b) Techniques for collecting secondary data
The collection of secondary data was conducted before starting the field questionnaire in affected areas. The data has been collected focussing on ORR related documents, laws and policy documents. The list of collect data has been attached in Annex. Similarly, required spatial data in order to conduct field survey have been collected.

4.4. Selection of Study Area
The field study was carried out in the Kathmandu Valley which is the capital city of Nepal. The total area of the Valley is 667 sq km in which, 82.53 sq km covers core area .The rest of the area categories is rural area. The estimated population density of the Valley is more than 500 individuals per ha.

The Figure 4-4 shows the proposed alignment of ORR after feasibility study. It covers three districts, one metropolitan city, two municipalities and 46 VDCs. The proposed alignment of the ORR (length 72 km) runs between existing Ring Road (namely, inner road) and the foot hills of the Valley. The alignment consists of 29 nodal points (intersection point of proposed ORR alignment and the existing road). The immediate impact area is the 550m along road corridor in which land readjustment technique is applied to acquire the require land for the 50 m road width (ORR, 2008).
Criteria for selection of study areas
The alignment of the proposed “Outer Ring Road” passes through whole periphery of the Kathmandu Valley and it has been divided into different sub-sectors as shown in Figure 4-3.

![Figure 4-3: The division of alignment into different sub-sectors](image)

Since the design of the whole alignment has not been completed yet the two study areas are selected from the two sub-sectors of which the design has been completed.

The study site “A” is selected from sub-sector 1, which is named as Kirtipur. This sector lies in South west belt of Kathmandu valley touching two nodal points which is shown in Figure 4-3 (Chovar to Satungal). The rationale for selecting this sector is that the construction of this area has been planned to start soon.

The study site “B” is selected from sub-sector 3, which is named as Bhaktapur. This sector lies in South east belt of Kathmandu valley which is shown in Figure 4-3. The rational for selecting this sector is that the planning has been finished but the plan for construction have not been fixed yet.

![Figure 4-4: Location of two study site in the proposed outer ring road alignment (Source ORRDP)](image)

4.4.1. Study Area Kirtipur (Study Site “A”)
The study area is connected between two major highways. The detail design of the road including reallocation plan has been completed by the private company namely (Full bright consultancy) and the ORR project have plan to go for the implementation in this sector. The Figure 4-5 shows the effected Municipality, VDC’s along the of road corridor of 250m in both side.
According to the data obtained from the consulting office involved in this sector, the whole alignment has been divided into six neighbourhoods as shown in Figure 4-7. The neighbourhood has been delineated according to natural topography such as river, existing road networks. Each neighbourhood is of length 1km approximately. The length of the proposed road in given sector Chovar Nodal points to Satungal Nodal points is 7km.

The sample houses has been selected randomly which lies in 250m on either side of road corridor and as there is ample of vacant agricultural land and moreover the land owners of this plot do not stay in the study area it is very hard to take the questionnaire of these categories. However, since there was the time of harvesting the crops that landowner from outside the study area has also been interviewed on the spot. The total number of respondents taken is 90.
In order to get the equal distribution of the sample along the road corridor, the 30 respondents from the combination of each neighbourhoods (N1 and N2), (N3 and N4) and (N5 and N6) as shown in Figure 4-7 have been taken. The purposive sampling method is adopted to interview the local government officials.

4.4.2. Study Area Bhaktapur (Study Site “B”)

The study site B departs from main highway, Northward. Administratively, the alignment passes through eight VDC and one small portion of Municipality as shown Figure 4-8. The VDC are Chitapol, Tathali, Sudal, Bageshowri, Nagarkot, Challing, Jhaukhel, Duwakot and Chsgunarayan. The alignment passes through small hillslocks and agriculture land. The figure 4-7 shows the affected VDC/ Municipality and wards along the alignment of the road.

![Study Area Bhaktapur](image)

The detail design of the road including readjustment plan of this study area has been completed by the private company (silt consultants (P) Ltd) but the construction work have not been fixed yet. This site has been chosen to know the awareness of the people in the level when the implementation has not been fixed. In this sector, one VDC (Jhaukhel) has been taken for the field survey to the local people.

The questionnaire survey to the landowners/tenants has been conducted along the houses which lies in the influence area of 250m from either side of the road corridor. The houses are chosen randomly for the questionnaire survey. The total respondents taken from this site are 50. The purposive sampling method is adopted for the interview through structured and open questionnaire to the local government officials of the affected VDC’s and Municipalities.
4.5. **Rationale for choosing different Perspective for assessing transparency**

The rationale for the technique used in this research to assess transparency from different view is it is not sufficient enough to look transparency from one angle. In order to triangulate the reality, it is necessary to compare different perspective in order to conclude the present situation with fair assessment (UNHABITAT and TI, 2004).

4.6. **Validity and Quality control:**

The pre testing of the questionnaire has been done with five land owners who came for meeting in Satungal VDC. The two enumerator for the field work has been selected who has been involved in the questionnaire survey and also familiar with the site chosen. The detail description of the questionnaire has been given and trained them. The questionnaire which has scale and the time duration has been given more focused as it is little difficult part of the question. The enumerator was allowed to do questionnaire from the second day of the field visit. The questionnaire has not been left behind. After it has been filled up, it was cross checked in the field. The views obtained from the local residents and landowners/tenants will cross checked with the local officer views.

Since, the approach taken is from different perspective, the data collected is analysed which have been received. For example, the views received from the local respondent about the period when they had been informed will be cross checked with the duration phase of the project cycle commencement of survey, local government’s views.

4.7. **Limitation on Execution of Field work and Data Collection Methods**

The field work has been conducted in two selected site along the ORR alignment. Since, the involvement of civil society and NGO’s were limited, no such group who involved in outer ring road is available, and interview to such group has been dropped. The alternate to collect local views are through questionnaire survey to individual land owners and local residents. The land matters being very sensitive and the landowners and local respondents are in confusion about the outer ring road project it takes time to convince them the purpose of the investigation. They are in fair of taking land by government and in reluctance to give interview. Few landowners became very aggressive. In study site B, a sample VDC has been taken instead of road corridor because of accessibility. The interview with the stakeholders of different department could not be conducted as the interview schedule is difficult to get and moreover the study area being far from the central office.

4.8. **Concluding Remarks**

This chapter have outlined the research approach. The field work approach are explained in detail with the different technique adopted for the data collection (primary and secondary). The details of description of study area and criteria for selection of particular area are highlighted. Finally, the validity control and limitations of field work are described.
5. Results of Transparency in Road Design Including Land Readjustment Plan

5.1. Introduction

The previous chapter describes the research approach, fieldwork techniques and study areas namely Kirtipur and Bhaktapur in Kathmandu Valley used for this research work. As indicated in the previous chapter, this research approach is of both qualitative and quantitative natures. So this chapter focuses on analysis of transparency elements on land readjustment as land acquisition technique based on the data collected through primary and secondary sources during fieldwork.

This chapter presents analysis of fieldwork findings on three elements of transparency (i.e. participation, access to information and institutional performance) for the development of Outer Ring Road (ORR) in both study areas from four perspectives (central government, local government, expert group and local citizens).

In this chapter, the following section 5.2 describes findings purely from the central government perspectives, while section 5.3 presents the views from local governments. Similarly, the sections 5.4 and 5.5 describe views by experts (mainly private consultants who are involved in various phases of ORR development) and local citizens. Lastly it provides with concluding remarks in section 5.6.

5.2. Results/ findings from Central government Perspectives

In order to structure findings, ORR development phases are divided into two main phases i.e. Road design and implementation phases. Road design includes project identification, feasibility and detail survey. Implementation phase then includes land acquisition through land readjustment process.

In each of these above phases, the results on transparency elements are presented as follows.

5.2.1. Public participation and Access to Information in Road design phase

Fieldwork data are analyzed separately in three phases of Road design, namely project identification phase, feasibility phase (fixing nodal points and preliminary alignment) and detail survey phase after which land readjustment plan is proposed. Issues on public participation and access to information are qualitatively described as follows.

a) Project identification phase

Open interviews with ORR project officials (project manager and his officials from department of urban development and Building committee) indicate that the ORR concept was originated from the public needs. These needs are based on the conditions of the existing roads, traffics and connecting roads to the old settlements. Accordingly, in 1993, JICA studied the needs for the Transportation Master Plan and proposed the connecting radial roads for south east belt to the ORR. Further more Land Use Master Plan of 2020 also mentioned its needs for delineating the
urban and rural areas. Thus, the concept of ORR was identified. ORR project official also mentioned that a private engineering firm (as expert team) namely Nepal Engineering consultancy services (NEPECON) then carried out Pre-feasibility for the proposed ORR in the year 2000. Thus the needs of ORR have been identified mainly on the basis of JICA studies and 2020 Land Use Master plan with inputs of socio-economic study, transport and environmental studies. ORR also indicates that the participation of local citizens is not seen as necessary at this stage of Project identification Phase of ORR.

During field interview with Land Use Planning office (of MLRM), it also reveals that there has not been any efforts or approaches for informing all concerned stakeholders as a part of Access to Information about proposed ORR alignment.

b) Feasibility phase: This phase requires fixing nodal points and preliminary alignment. During fieldworks, ORR project manager indicates that the proposed ORR alignment and the Nodal points are also discussed at different levels (expert, local government and politician levels). The different stakeholders who involved are various departments (road department, electricity department, water supply & sanitation department, Municipalities, District development committee, Kathmandu valley town development committee). When discussion with local government takes place at various parts of ORR, minor changes in alignment are also made.

From interviews it is found that the road alignment with fixed nodal points of the proposed ORR is approved by the governmental cabinet\(^2\). After approval, information about road alignments and establishment of ORR office is provided to the public via newspaper, TV broadcasting and radio.

c) Detail survey phase: Once the alignment and nodal points are approved from the government, the private consulting companies are involved for the design of the road including land readjustment plan and indicated to do interaction with public\(^3\) as per Terms of Reference (TOR).

Public hearing to public and interaction with local government are done regularly. One of the government official from Urban Development Division mentions that the Outer Ring Road (ORR) is the National road. So local public from grass root level are not stakeholders and the involvement of the general public will only create conflicts in the project. The Public in general will be involved only when the alignment is demarcated in their land. Thus, emphasis of public participation in full phase has been given in the time of implementation of project during readjusting the parcels.

However, according to ORR manager, DUDBC Director General and Department head (Urban development division), the series of interaction programme are taking place. In the survey phase, the interaction programme is conducted in VDC and Municipalities giving benefits of all features of the Outer Ring Road and planned development. This shows that the project has informed about the benefits of the ORR but not local participation in decision making.

\(^2\) Director general, DUDBC & Project Manager, ORRDP
\(^3\) Project Manager, ORRDP
According to project manager, notices are given for the information in newspaper. The information regarding ORR can be obtained by the local people from the information service centre of the project office.

According to the project manager of ORR and Director General of DUDBC, the information regarding planning concept and the detail description of the work made so far are disseminated in different levels (Central level, Department level, District level) through presentation in interaction programme.

The concept of the Land readjustment plan is presented with explanations to the local people by presentation slide in interaction programme. According to Department head of Urban Development, in the present stage, the strategies are to inform public in general about land readjustment concept, and to analyse their willingness on their participations towards the project.

### 5.2.2. Public participation and access to information in implementation

As far as public participation is concerned, Director General (DUDBC) and Department head (Urban development) indicate that two committees (management and user levels) would be formed at the sites during implementation phase.

The members of user committee will be mainly the representatives selected by landowners/tenants, while the members of management committee will be government officials of different departments (DUDBC, survey department, land revenue department, road department, water supply department, law division, planner, including local government officials, ORR project officials and one representative of land owners/tenants).

The Land readjustment plan will be discussed with the user committee and land owners/tenants, and the reallocation of the plots will then be conducted. In case of conflicts, the user committee will be involved to persuade the landowners.

In Nepal, the plan must be approved by the users committee with the written consensus of 51% land owners/tenants; otherwise the project cannot be implemented.

### 5.2.3. Access to information

Institutionally ORR project organisation is evaluated on the basis of availabilities of Land Information Systems (LIS), Information Service Centre, to support ORR information service delivery. Following are results from field interviews with the ORR officials.

- **LIS or Computerised system:** There are no computerised systems to put all the land records in order to make them local citizens understand in the information service desk. However, there is possibility to examine on paper maps if certain land parcels are affected by ORR. According to project manager, the provision of websites about the project to provide information about service charter has not been done yet.
In relation to access to information regarding ORR, it is important to observe the following issues (ie. Compensation, contribution, resettlement plan and time frame.

- **Compensation**: In land readjustment or land pooling technique, there are no payments involved as compensation for land. As the developed plots are given back, there is no need of monetary compensation for land. But the structures such as houses are required to demolish, compensation will be given according to the market value of properties. The strategy of the project is to implement land acquisition and readjustment on off season when all crops are harvested. Otherwise the crop during harvest period will be disturbed in the road alignment only. Once the entire consensus had been gained, the construction work will begin and the reallocation of each farmers plot would be decided and can resettle. The new plot would be shown to the owner/farmer where he can start his farming again.

- **Contribution**: ORR officials indicate that the consulting companies usually provide information on the amount of contribution on land by each land owners. However, the exact contribution would be known only in the field after calculation of each property. At this stage, the information is disseminated through interaction programme.

- **Resettlement**: According to the Task force Secretariat on land acquisition, the present land acquisition procedure has no strong legal support regarding resettlement plan and rehabilitation. The present legislation is non-transparent procedure regarding the issue of resettlement plan. According to ORR mission, the information regarding resettlement is not provided as their mission is not to displace local citizens.

- **Time Frame**: The project takes a long time to bring consensus of land owners/tenants. According to previous land pooling projects, lots of exercise needs to be done in field in order to convince land owners. Various techniques such as personal contacts and individual promises are used by the members of user committee to convince the land owners. Thus information on the exact period of time frame cannot be disseminated.

### 5.2.4. Institutional Performance

Institutionally ORR project organisation is evaluated on the basis of availabilities, Complaint Boxes, number of committees formed and field offices to support ORR information service delivery. Following are results from field interviews with the ORR officials.

- **Information service centre**: An information service centre was established within the ORR office to provide information about the processes and data to the people. The people who come to visit office for information are handled by the ORR staff by showing maps and discussion. As such there are no designated staffs to handle complains that are filed at the ORR project office. The figure 5-1 shows the location of ORR office where information service centres is located. This is a single access for information.
Complain box: Only one complain box has been established in the ORR office to receive complains from the local citizens. But project manager indicates that local citizens do not come to put complains because information required to complain in the office is not easily accessible or available for the affected areas.

Committee formed: Interviews with central and local governments show that the two committees would be formed in the implementation stage. The users committee would be the members selected by land owners/tenants. In management committee, the members of government officials (central/local) would be active members. But it is not clear what responsibilities and tasks are for these committees.

Field offices: There is indication that until now any field offices in the project sites have not established in the design stage. However, there is a target of establishment before the start of implementation stage.

5.3. Results/ Findings from Local Government Perspectives

This section provides the overview of the Local Government Participation in the road design phase and the planning of the readjustment model. This section further provides the role of local government towards Local people for access to information.

5.3.1. Participation of Local Government in Design Phase

The interviews using both structured and unstructured questionnaire were carried out to the ward leaders, VDC chief s and Municipality chiefs in both study areas. The Figure 5-2 shows the different level of participation in both areas and the results are analyzed below.
a) Project identification phase: The participation of the local government in project identification phase was not seen at all. As discussed earlier, the project has been identified with initiation from the central government. This study shows that the local governments in both study areas were not informed officially. Therefore the level of participation is none at this stage.

b) Feasibility phase (fixing Nodal points and preliminary alignment): In feasibility phase, according to 15% respondents, the views have been taken for the road alignment while 15% respondents said they have been informed when the reconnaissance survey of the Nodal points had been done. The 70% respondents said in this stage they have not been participated. However, it is found that, in this phase, the interaction with the District Development Committee (DDC) has taken place. The road alignment has also been discussed in the broader aspect.

According to the Bhaktapur Municipality Chief, the three alternate road alignments (ORR 73km, 113km and 68km has been provided via the letter corresponding after the discussion held in DDC. But it seems that such suggestions have not been taken into account by the ORR project office incorporate totally the Local plan of the Municipality. Therefore it can be concluded that only informative participation and consultative participation took place in this stage with local and district government levels, but participation as such by each VDC and ward level did not take place.

c) Detail Survey phase: In this phase, 40% respondents from ward levels said they have been informed through meeting held in municipality (Kirtipur) about the commencement of survey and request for the co-operation but have not taken the view as such. The 55% respondents from local government said, in this phase they have been asked to put their views. According to the respondents, certain modifications in the alignment have been suggested like alignment should be followed from foot hills, below high tension line, and discarded area. But Local government are unaware either their views has been considered or not as the final alignment in the parcel base has not been disseminated officially.

Thus, in this phase the participation of Local government has been taken place with the target of consultative participation but the lack of feedback seems the consultative participation less effective.
d) **After Design (Preparation of Detail planning report):** After design of the road, according to 75% of the local government officer they have been informed whereas 20%, they have been consulted. The information regarding ORR concept, townscape, cross section of road has been given. According to the respondents’ alignment which has been shown in the map during presentation is not clear. The 5% respondents, the officer from land revenue office indicates that he has not been involved and he does not have much knowledge about the ORR concept.

### 5.3.2. Participation of Local Government in Land Readjustment Phase:

The Figure 5.3 below shows the level of participation in Land readjustment and is explained below.

a) **Selection of land readjustment areas:** In the selection of land readjustment project areas, none of the government officers said they have been informed or consulted during the process. They have only been informed after the 250m on both sides of the road corridor has been decided for a planned development.

![Figure 5-3: Level of participation of local government in land readjustment model](image)

b) **Planning of land readjustment model:** In the planning phase of the readjustment model, 95% of the local government said they have been informed that the planning of the 250m in the road corridor will be prepared, but have not consulted in the planning phase. The Readjustment plan has been prepared by the planners and Engineers of private companies.

c) **Design of land readjustment model:** After the design land readjustment plan and model, according to 75% respondents, local government officials have been informed through the interaction program by visual presentation. The information regarding land readjustment concept, plan and design of land readjustment model are shown. In this phase, according to local government view, the information given is to inform the project activities and further plan of the Project for implementation. Therefore, 75% respondents think that it is just informed, but 20% respondents said they have been consulted partially and asked to put the views which will be incorporated in the implementation phase.

But in overall aspect the participation seems to be informed. Therefore after design, the *informative participation* took place.
5.3.3. **Access to information to the Local government:**

This section will give an overview of the level of information to the local government regarding road alignment and land readjustment model.

a) **Tools of access to information:** The tools which are used for measuring Access to Information for the Local government are shown in figure 5-4. They are i) through meeting, ii) through discussion, iii) interaction program and iv) written letters.

30% respondents said written letters were used to give alternate routes according to Municipality chief, and other respondent said it is used for notice and information regarding EIA of the ORR.

Interaction programs are held for providing information regarding the benefits of ORR, design of road (Townscape, cross-section) and the land readjustment model and policy issues. Meeting and discussion for the issue related to ORR. According, to a VDC chief, the request to provide CD (Compact Disk) with the land readjustment model and clear picture of road alignment was not done. According to local government, the information given is not timely and not enough clear. The feedbacks of the meeting and discussion did not take place according to time schedule.

![Figure 5-4: Tools for access to information](image)

The figure 5-4 shows the views of the local government regarding the tools (meeting, discussion, interaction) for access to information.

Regarding the objectives for which the meeting or discussion have been taken place, 20% respondents strongly agree whereas 75% respondent only agree. According to the local government, the objective of the meeting and discussion has been only to inform about the activities of project but not included in decision making. Since land readjustment scheme cannot be implemented without the cooperation with the local government and individual land owners, the study reveals that they have been ignored totally by the project office on decision making process.

30% of the respondents partially agree regarding the frequency of the meetings because strategy of the project is to make aware about the work which has been finished. Therefore, in order to provide the information only, the frequency is reasonable whereas 30% of the respondents disagree and 35% strongly oppose about the meeting frequency. The current frequency of meeting
is not enough to make understand the whole process about the implementation. The plan is very ambitious, and the project needs to work hard during implementation phase.

![Graph showing views about access to information](image)

**Figure 5-5: Local government views about meeting**

Regarding the location of meeting, only 50% respondents agree, as they were held in DDC offices and Municipality office, while 40% partially agrees. According to VDC chief, the *interaction program* has been held combining the number of VDCs in one place, which is not convenient to all. Furthermore in the interaction program, only few of the local VDC officials have participated, because the participants are informed only before few days verbally through telephone. Since the meeting have been held in the place considering two to three VDC together, the discussion with one of the VDC secretary of Bhaktapur pointed about out that, the meeting should be held in each VDC and should have discussion about the alignment passing through that VDC with the representative of local people so that people can get to know the benefits of the road in proper way with less damage.

20% of the respondents agreed that the given message is clear but all the message has not been given whereas 30% are partially agree regarding the clarity. The 25% of the respondents disagree and 5% strongly disagree as the process has not been made clear.

Regarding the influence on participation in the meeting, discussion, and interaction program, only 25% partially agree, as the local government has asked to incorporate the local plan. The alignment has been slightly adjusted as per the requests but still the plan as a whole was not designed in accordance to local needs. The respondents who disagree and strongly disagree among regarding the participants influence are 15%. According to these respondents; the suggestions and requests have not been entertained by the project.

Considering on public views, only 20% respondents partially agree as the views regarding the alignment follow through the discarded areas but avoid the request to follow high tension lines whereas the respondents who disagree and strongly disagree are 20% and 20% respectively. According to the respondents, the alignment has not been redesigned for the benefits of the local
people such as the alignment toward the foothills without the agriculture land. Other 35% of the respondents said that they are not aware if ORR has taken consideration of public views.

From the above, it can be concluded that the local governments are not satisfied with the objectives and frequency of the meeting. Providing information through meeting and discussion do not induce local government participants the real essence of the participation.

b) Information regarding ORR alignment:

The information regarding ORR alignment, 95% respondents from local government knows the road alignment more tentatively. They know the nodal points (main intersection point of the ORR alignment and existing road network) and the tentative area along which the alignment is passing but exactly through which area and parcel is not given. The Figure 5-6 shows knowledge about the ORR alignment.

![Figure 5-6: Information regarding road alignment](image)

![Figure 5-7: Information regarding alternative route](image)

According to the Local official views, the small map of road alignment overlaid in the topographic map has been given which is not enough to locate the alignment of Outer Ring Road and the alignment which has been shown in the presentation in not clear enough to understand. Apart from this Local officials are in confusion as survey has been done in different areas and have not been told officially which route will be followed by the ORR\(^4\). The demarcation of alignment up to VDC level has been shown. The respondent from the land revenue office knows less about road alignment.

According to Figure 5-7, the Municipality planning officers said that alternate routes have been given through letters, whereas 75% respondents said the alternate routes were not provided and discussed with them for the possible best alignment and other 20% of the government says they do not know about the information regarding alternate routes.

According to 95% respondent from local government, which is shown in Figure 5-8, they had been involved partially regarding the issue related to ORR. The local government has been involved as a facilitator for arranging meetings with few local land owners where as respondent from land revenue officer pointed out that he has not been involved regarding any issue except in

\(^4\) Discussion with local government officer
providing cadastral map as requested by the private companies that are involved in design of road. Therefore, the participation of Local government is not visible in the decision making process.

Figure 5-8: Involvement in the issue related to ORR

c) **Information regarding land readjustment:** According to Local government the access to information regarding various policies (such as resettlement plan, compensation, land contribution, payment schedule and time frame) are shown in the Figure 5-9.

35% respondents have said there is moderate information given regarding compensation policies have been given, as ORR policy is to reduce demolishing houses. But 45% respondents have said “less information” as it will be decided more in the field. 15% said not at all and 5% not aware.

20% out of 50 respondents have said there is “less information” regarding the payment schedule within which compensation to be made whereas 75% said this information have not been given and 5% are not aware.

About information provision regarding land contribution, 15% respondents said very much, 65% respondents said moderate, 15% less and 5% does not know.

Only 25% out of 20 respondents have indicated the information on resettlement plan has been provided as ORR policies is not to displace local people. But 70% respondents are saying that such information had not been given.

Regarding the information regarding time frame of the project within which the project is to be completed, 30% said “less” information, whereas 65% respondents say information had not been given. Local people have opposed in this matter.
According to the formula derived in chapter 3 for access to information, the calculation of Overall Mean Information Access (OMIA) regarding different policies has been performed.

The calculated OMIA (overall mean information access) to local government is approxiamtely 0.54 which is 54%.

The above OMIA value shows that according to local government only 54% of information regarding ORR policies is clear. For each policy, access to Information can be estimated as:

- Compensation policies \( R_{cp} = 62\% \),
- Payment schedule is \( R_{Ps} = 43\% \),
- Percentage of contribution is \( R_{LC} = 77\% \),
- Resettlement plan is \( R_{Rp} = 44\% \)
- Time table is \( R_{TT} = 45\% \)

Figure 5-9: The access to information regarding different policies of Land readjustment
5.3.4. Access to Information from Local Government to Local people

The local citizens (land owners/tenants) residing or using land within the project areas have to get appropriate information from the central or local governments depending upon the purposes. In this section we analyze the situation on access to information from local government to Local citizens separately in both study areas (i.e. Kirtipur and Bhaktapur).

a) Access to information in Kirtipur

Easy to get information from Local Government: The Figure 5-11 shows the views of local government regarding the access to information about ORR to the local people. 80% from the respondents from Kirtipur sector indicated that it is fairly easy to get the information from local government offices as the local bodies themselves are not fully aware regarding the ORR. Thus the general information will be given to the local people who will visit local government office where as 20% indicates not easy at all to receive the information from local bodies because people will come to know the issue related to land and the local bodies are not aware about the alignment through which parcel it will pass and also the detail regarding the compensation.

![Figure 5-10: Frequency of visit to local government office](image)

![Figure 5-11: Accessibility of information to local people](image)

Frequency of visit of local people to local office: The figure 5-10 shows the frequency of visit of local people to the local government office. According to 70% officials in Kirtipur sector, the local people often visit to office for the information regarding the land in project area. The people have visited more frequently when the land had been restricted informally for the sub division and for the construction in the affected area. The local will come to know detail about the ongoing process of ORR and the probability of their parcel in the road alignment where as 20 % of the official’s reveals that the local does not have faith and trust regarding such a huge project.

Provision to make the local understandable: All the respondents said there no computerised system in the local office to keep the record of the local people regarding land information. The Figure 5-12 shows how the local people have been making understandable regarding land readjustment. The 90% respondents are making the people understandable about the policies and plan in verbal way. According to officials there is no mechanism to make then understand visually.
b) Access to information in Bhaktapur:

**Easy to get information from Local Government:** According to local government of Bhaktapur, the Figure 5-11, shows that the views of 60% respondents said it is fairly easy to get the information from the local office whereas 20% said it’s not very easy to get the information as the officials themselves are less aware of full information where as 20% said it is not easy at all to get the information from local government.

**Frequency of visit of local people to local office:** Similarly in Bhaktapur District, as shown if figure 5-10, 10% of the officials said the local people visit often whereas 60% said they do not visit so often and 30% said they have not visited as such with the issue related to ORR. The people will be aware in the implementation time when the actual work on field will be start.

**Provision to make the local understandable:** There is no provision of computerised system in the local level offices. The provision to make the land readjustment concept is verbally. There is not any visual system for making the concept understandable.

5.3.5. Observable Conflicts

The chart given below shows the view of local government regarding the conflict that was arising among the local residents regarding the redevelopment policies of ORR.

**a) Conflicts in the Kirtipur:** As shown in Figure 5-14, in study area Kirtipur, 60% respondents from local government pointed out the conflict among local residents that has been arise regarding the ORR policies of land contribution to be made, the time frame of the projects. Moreover, people became more aggressive when their land was stopped informally and have to visit ORR office for the further development like to make house, to sale the plots. This informal approach has created a difficult situation to the local government to handle the local people. 40% of the respondents pointed out people are having no believed that the project will be started. Therefore, local are calm as they do not know much about ORR policies of land contribution. The conflicts will arise during the implementation stage when the ORR will start to work on the field. According to 40% of the local government as shown if figure 5-13, the planning project is ongoing. The problem arises
was the project have been stopped by the land owners due to high land contribution. The project has been taken to the court and the land is in moratorium. The landowners cannot do anything in the land. According to local government, alignment will not hamper the cultural land of the area.

b) Conflicts in the Bhaktapur: Similarly, in study area B, according to Figure 5-14, 40% has pointed out the conflicts between the land owners and tenants. Land owners are selling land to other customer and tenants who are relying upon the agriculture have to suffer. Now tenants cannot buy the land from owner as the price of the land is high. Thus they have to rely on half land then before. The respondent from land revenue office is not aware of any conflicts as land owners have not been visited to the land revenue office regarding outer ring road yet. As shown in Figure 5-13, 30% of the respondents reveals about the ongoing land pooling project. The VDC chief, Jhaukhel pointed out that in land pooling project, the case like need to pay for own house after development have been raised. Therefore, ORR project have to give clear and transparent policies before implementation. The cultural land will not hamper as there is no significant cultural land.

5.4. Results/Findings from Expert Group Perspectives

We now analyze public participation, Access to Information and institutional reform from the perspectives of Expert group (mainly from consulting private companies) involved in the ORR project.

5.4.1. Public Participation of Local Government and Locals Citizen in Road design Phase

The figure 5-15 shows the level of Public Participation of the local government and 5-16 shows the Local people in the different stages of road design phase.

a) Identification phase: In Identification phase of the ORR project, there is no participatory approach have been adopted. The project has been identified form top down approaches in 2000, seeing the existing scenario of road condition and urban growth. 14% of the respondents from expert level have indicated that Local government has been informed as the media has disseminated the information regarding ORR project whereas according to 86% respondents no approach has been taken. Thus in identification phase, even the local government have been informed but there is no actual participatory approach. Similarly, general public have not been involved in this stage.
b) Feasibility phase: In feasibility phase, while fixing Nodal points, according to 43% respondents Local government have been informed because, in this period the media has given the news about ORR construction so Local government has been informed through media whereas 57% respondents declare in this phase the local government have been consulted in DDC. Therefore, it seems that in this phase, local government has been consulted for the intersection point and the alignment in broader aspect but not in VDC or ward level. According, to design engineer (involved in the preliminary alignment phase), the alignment in this stage has been decided on the basis of topographic map following contour line and considering the criteria set by the project office. The length of 72.3 km of the ORR alignment has been decided in this stage.

Similarly, 21% respondents said Local people have been informed as the news has been given in the news paper and 14% of the respondents said they have been consulted where as 65% respondents said in pre feasibility phase general public as such have not been involved.

c) Detail Survey Phase: After the pre-alignment has been fixed, in the phase of survey, the entire respondent said the local government has been consulted. Since the scoping of the EIA process was started parallel to the survey work, the local government has been consulted regarding various socio-economic and cultural issues.

Similarly, 43% of the respondents said the general public as such has been informed about the survey through public hearing and request for the co-operation from the public where as 57% respondent said in hearing their opinion has been taken thus they have been consulted also.
5.4.2. Participation of Local Government and Local citizen in Planning of the Land Readjustment Model

The Figure 5-17 shows the involvement of the local government and Figure 5-18 shows of the local people. The figure is explained as below.

**d) After Design of the Road:** According to the 14% respondents of expert group, local government have been informed where as 86% said they have been consulted for the suggestion. Similarly for local people, 57% said informed and 43% said consulted.

**Figure 5-16: Level of participation of local people in different phase of road design**

**Figure 5-17: Level of participation of local government in redevelopment phase**

**a) Selection of land readjustment area:** According to the expert views, both the local government and the local people are informed during the selection of land readjustment area. The concept of the ORR with land readjustment have been introduced after pre-feasibility phase and given in Newspaper.
b) **Planning of the Area:** According to 57% of the expert views, the local government has been informed where as 36% said the local government has been consulted and 7% in this phase, the local government have not been involved. In planning the area, according to 43% of the respondents, local people have been informed where as 57% respondents said the consultative participation took place through questionnaire survey.

![Figure 5-18: Level of participation of local people in redevelopment phase](image)

**Figure 5-18: Level of participation of local people in redevelopment phase**

c) **After Design of the area:** After the design of the area has been finished, according to 14% respondents, local government have been informed about the concept where as 86% said the local government have been consulted and asked for the comments. Similarly, 57% respondents said local people have been informed where as 43% said it has been consulted too.

According to the experts, the local people need to be mobilized in implementation phase. Otherwise the project cannot be implemented without their consensus.

### 5.4.3. Access to Information

The following section elaborates the results regarding access to information.

#### 5.4.3.1. Tools used in Access to Information and Public Participation

According to Expert group, the technique used in order to take view of the affected people is the questionnaire survey, public hearing and written comments and public meetings as shown in figure 5-20.

The 64% respondents out of 14 said the questionnaire survey had been used for socio economic survey and to collect the base data in order to incorporate in planning and designing of the readjustment model. 79% respondents out of 14 respondents said public hearing have is done for the access to information to the local people. 14% of the respondents said public meetings and out of 14 respondents 7% said written comments.
According to the respondents as shown in figure 5-19, the view which is possible to consider has been taken into account. 64% of the respondents said the view has been considered partially where as 36% said less partially.

![Figure 5-19: Public views considered](image)

![Figure 5-20: Tools used for access to information](image)

5.4.3.2. Access to Information about Land Readjustment Policies

According to the Expert views who has been involved directly and indirectly to the ORR project, the access to information regarding various policies to the public have been given in figure 5-21.

The information regarding compensation policies, 43% of the respondents said the less information has been given to the local as the vision of the project is to acquire land through land pooling concept (land readjustment). The 7% said not at all as compensation as such to land is not required.

The 29% said moderate information has been given and according to 21% very much. The compensation regarding crops and house demolition has been given. However, according to the associate director of private companies involving in the ORR pointed out that the issue of compensation not clear have been raised. The compensation needs to be work out from the project office and all the details have to be provided to the landowners whose house will be demolish. This seems that the compensation policies have not been given in a clear way to the general public.

The information regarding payment schedules, 57% of the respondent said it has not been given as such as the monetary payment is not required. The 22% of the respondent said less, where as 21% said moderate information have been given as it is hard to say before implementation of the project. According to the associate director, the information regarding payment schedule is given but cannot make people understand. Since there is no fund, the infrastructure development of the plot has to done from the sale of service plot. The local does not understand that the land will be given back after sale plot will be sold and cost of the project finance will be received.

The information regarding land contribution, 64% said moderate and 36% said much. The contribution regarding land base on different criteria (land condition, distance from the ORR alignment, and existing infrastructure of the land) will be done.
The information regarding resettlement plan, 57% said it has not been given where as 22% said the information given is less and 21% said its moderate. As per the view, the resettlement plan in this scheme is to relocate the parcel in the same position or near to the existing position as far as possible.

The information regarding time frame, 14% said moderate information is given as the project intention is to develop the 4000ha area of the ORR road corridor in 10 years whereas 57% said less and 29% said not at all. According to the report, the normal land pooling area of 400 ropianies (20 Ha) have taken 8 years to complete under the Town Development Act. Thus it is not possible to complete the project under the same act within 10 years. Therefore separate “development act” is required to complete the project in the time frame.

According to the formula provided in the chapter 3, the calculation for Access to Information regarding different policies has been performed.
The Calculated OMIA (overall mean information access) from the Expert group perspective is approximately 0.70 (70%). That means that 70% of information about the policies of land readjustment has been disseminated to local level.

- Compensation policies is $R_{cp} = 74\%$
- Payment schedule is $R_{Ps} = 54\%$
- Percentage of contribution is $R_{LC} = 87\%$
- Resettlement plan is $R_{Rp} = 53\%$
- Time table is $R_{TT} = 57\%$

5.4.4. Observable Conflicts

The different types of conflict are shown in the figure 5-22. According to the experts view the various conflicts have been faced during planning and design. 71% out of total respondents have said there is a interest conflicts of various stakeholders regarding ORR alignment. The different stakeholders have different views regarding the alignment. The 57% of the respondents said the data which is the base for planning is not updated and accurate. The cadastral map consists of error. The problem like parcel boundary not matching, the wrong information of ownership, the difference between the cadastral area and the field has been raised. According to the planner in some cases no one could get the exact parcel number, area associated with it and or landowner who owns it are not clear. Even the employee of the land revenue is not aware. So the problem can be sort out when the land owners will come individually then can be investigated. Several parcel number does not consists of ownership.

![Figure 5-22: Conflicts from the expert views](image)

The structural conflicts are indicated by 25%. Since the present institutional structure of the ORR, does not have field offices, the gap between the local people and the project office will create the problem in gaining consensus in the implementing stage. According to the expert, the current institutional frame work is not enough to handle this project. The project office is required to be sub divided into different sub projects under the umbrella of one main project office.

Furthermore the legal framework which has been used for the small land readjustment project is not sufficient enough to deal with the current aspect. The problem like those who have small land holdings and the person whose land will come to less than the maximum allowable parcel size in the project have not been sorted out. The separate law of land readjustment is required to gain the strong law back up and this would bring the trust in the local citizen. 7% of the respondents indicate about the value conflicts. The local government and local people are in request to make an alignment in the way to hamper the less agriculture land.
The other conflicts arises is the faith of the local people in the project and the consulting companies. The people needs to know the process how the ORR will be functional. The funding process is another conflict which is not clear to the local. According to expert the government need to take initiate to make the local understandable about the plan. The conflicts are regarding definite and clear solution to water supply, electricity supply for a newly planned area which needs to be ascertained by the geological and soil study of the proposed alignment.

5.5. Results/ Findings from local citizen perspectives

This section provides the findings regarding the local citizen.

5.5.1. Local Citizen views in Kirtipur:

In the study area Kirtipur, the 90 respondents have been interviewed using the structured questionnaire. This section will provide the findings and analysis for this area.

a) General respondents Characteristics: In the study area of Kirtipur sector, out of the total respondents 90, 4% are illiterate, 6% can read and write, 9% Primary education, 18% secondary, 37% SLC, 22% intermediate and 4% are bachelor or higher. The respondents are either house owner or the family members. In the study area, 41% of the respondents’ primary source of income is agriculture, 31% are involved in micro business and trade, 26% are in service and 1% is in pension. The availability of media in the respondents is all of the respondents have television and 91% has radio. The 7% have computer without internet. Out of 90 respondents 21% have newspaper subscriptions in their house. The bar chart given below shows the ownership distribution. Out of 90 respondents, 64% are owner and 36% are tenants.

b) Public Participation: The local residents in different phases of the road design will be analyzing in this section. Therefore the section will provide an overview of the local respondent’s participation in Road design in Kirtipur

Identification and feasibility phases: The figure 5-25 has given the period when the respondents came to know about the ORR project. Out of 90 respondents, 22% are aware when the ORR
office has been established, 30% are aware during the pre feasibility phase where as 48% came to know during the survey phase of the ORR alignment.

From the figure 5-24, it can be seen that multiple sources through which the local respondents came to know about the project. Among total respondents, 43 % have seen about the project in the newspaper. 11% out of total (90) respondents from television and majority of the respondents indicates about the informal sources (public places). None of the respondents have attended any public hearing or public meeting in identification, and pre-feasibility phase of the ORR alignment. It reveals that the (22% and 30%) are aware about the project in the pre-feasibility phase of the ORR project. But no participatory approach is seen in the selected area.

![Figure 5-24: Source of information about ORR project first time in Kirtipur](image)

![Figure 5-25: Information of ORR project first time](image)

**Detail survey phase:** The figure 5-26 has given the multiple sources through which the respondents came to know about the ORR alignment in the local area.

According to 39% of the total respondents, the general overview of the alignment has been received from the newspaper but not as such in detail level. 69% out of total have seen from the survey and the tentative alignment was guessed. 19% respondents out of total have attended the hearing which have been organised by the concerned private companies before the field survey of the area. The hearing has been organized to request the local people to allow the work with cooperation.

The leaflet is another source through which according to 34% respondents, a general overview of the ORR project have been obtained but not in detail about alignment. The 2% have attended the discussion meeting in ORR project office when the respondent became aware that his land had been restricted informally for the sale with further division of the plot and to develop any structure on it. So, from the discussion, they receive the information regarding ORR alignment. The majority of respondents said public space is an informal source from where they are receiving the information.

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5 Discussion with the project manager(Full bright consultancy)
As shown in table 5-1, according to 6% of the respondent the views have been taken for road alignment during EIA process where as majority of the respondents declares of not taking their views.

Therefore, it can be seen that public hearing have been conducted to inform the Local citizens prior to the survey. Thus informative participation has been conducted in this stage to inform local residents about the survey. However; the entire local affected person has not attended the meeting.

<table>
<thead>
<tr>
<th>Source of Information of ORR alignment in Kirtipur</th>
</tr>
</thead>
<tbody>
<tr>
<td>(%) of Respondents</td>
</tr>
</tbody>
</table>

**Figure 5-26: Source of information of alignment in the local area**

As shown in table 5-1, according to 6% of the respondent during EIA process certain views have been given but have been taken or not respondents are not aware where as majority of the respondents declares of not taking their views.

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid Yes</td>
<td>5</td>
<td>5.6</td>
<td>5.6</td>
</tr>
<tr>
<td>No</td>
<td>85</td>
<td>94.4</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>90</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

**Table 5-1: Views taken for the road alignment Kirtipur**

**Land Readjustment Phases:** The figure 27 shows the source through which the respondents got the information regarding land readjustment process and the policies.
Figure 5-27: The source of information regarding land readjustment policies

39% of total respondents said in newspaper the general idea about the ORR through land pooling concept is given but not the concept as such of the land pooling. The 29% respondents out of 90% said the house hold surveyor visited for house hold survey regarding socio economic status and land readjustment concept and given general overview of the land pooling concept which is not enough.

The 17% of the respondents out of 90 have attended the hearing which has been conducted after the preparation of land readjustment model and design of the road. The hearing has been conducted to disseminate the information regarding the plan of readjustment model. The 34% respondents out of 90 respondents said the leaflet is another source in which general information given regarding land readjustment. 2% said they got the concept when the respondents visited ORR office for the issue regarding the land. The 71% out of 90 respondents said they got the information in public place also.

The local have attended the hearing which is after design of road and design of land readjustment model. Therefore it can be seen that the informative participation have been taken place after the design of the readjustment of the model.

c) Access to Information

i. Source of information and level of information received about road alignment:

As the alignment has not been given in public in detail none of the respondent knows the exact alignment. As shown in figure 5-28, 59% respondents out of 90 respondents know the tentative alignment and the nodal points where as 41% knows the road alignment less tentatively and does not have a detail idea about nodal points (the intersection points of the outer ring road).

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6 Discussion with project co-ordinator of private companies
ii. Source of Information and level of information received about land readjustment concept and policies

In the study area, as shown in the figure 5-29, 16% out of 90 respondents knows well about the land readjustment concept. 52% knows moderately about the concept where as 30% knows little and 2% are not aware about the concept.

According to the figure 5-30, 44% of the respondent said the compensation policies have not been given i.e they are not clear regarding this where as 8% are not sure about compensation policies if it is given or not. The minority of the respondents said the compensation policies have been given properly where as 17% said they know moderate and 29% are less clear.

About payment schedule, 72% said the time of the payment regarding land is not clear at all. According to the respondents” The project talks about taking land but does not talks about giving back”. Whereas 4% said moderate, 10% said less where as 14% don’t know either the payment schedule information has been given as such or not.

The information regarding land contribution, 69% knows less about how much contribution they have to make because the contribution varies regarding the existing condition of land and distance.
from the ORR alignment of the parcel where as 27% are clear moderately and 4% are very much clear.

The information regarding resettlement plan, 13% respondents said less information as they are not sure what provision will be made to the people whose house needs to be demolish and those whose livelihoods will be hampered. 74% of the respondents said it has not been given at all and they know nothing about this information.13% of the respondent even does not know either the policies have been given or not.

The information regarding time frame of the project, 74% said the exact time when the project will start and when it will end have not been given. The lack of information regarding appropriate time frame has made the people less trust and believe in the project. According to the respondents, the
project talks about ambitious plan but how it will be implemented in practice has not been given yet.

The 8% of the respondent said less as 10 years plan has been given but have not heard a strong commitment regarding the time frame 1% of the respondent said moderate and 17% are not aware regarding the time frame either it has been given or not.

The calculated OMIA (overall mean information access) of the Local people regarding land readjustment is 43%.

The different value regarding different policies is:

- Compensation policies is $R_{cp} = 52\%$,
- Payment schedule is $R_{ps} = 41\%$,
- Percentage of contribution is $R_{LC} = 67\%$,
- Resettlement plan is $R_{Rp} = 40\%$,
- Time table is $R_{TT} = 39\%$

The given value shows that information regarding land contribution and compensation is highest compared to the rest of policies.

d) Institutional Performance

For institutional performance, we have considered the following indicators namely committed formed and Information service centre. The results are provided below.

**Information Service centre:** As there is not any other access point for the information in the study area, as shown in figure 5-31, 37% of the respondent said they will visit the Municipality or VDC office for the information regarding ORR. 51% said they know the ORR office for the information. 12% said they are not aware where to put complain as there is no such strict provision to make complain and to take information.

The Figure 32 shows, 28% have visited ORR office, 38% said they have not visited the office yet whereas 34% said they don’t know the place where is the ORR office.

According to the respondents as shown in figure 5-34 who have visited the office, 2% said they visit the office very often, 10% said often and 16% said not very often where as 72 % are the respondents who have not visited the office and the respondent who does not know the place. According to respondent views as shown in Figure 5-33, only 1 % said it’s very easy to get the information where as 20% fairly easy. The respondents who said not very easy are 3% whereas 3% said not easy at all.
Committee formed: In the study area, there is no committee formed by local people or committee involved as such to disseminate the information regarding outer ring road as 64% of total respondents said there is no committee as such where as 36% said they don’t know about the committee which is shown in Figure 5-35.
5.5.2. Local citizens views in Bhaktapur

a) General respondents characteristics

In the study area of Bhaktapur sector, out of the total respondents, 24% are illiterate, 10% can read only, 8% can read and write, 8% secondary education, 30% SLC, 16% intermediate and 4% are bachelor or higher. The respondents who have been interviewed with structured questionnaire are either house owner or the family members. In the study area, 66% of the respondents’ primary source of income is agriculture, 10% are involved in micro business and trade, 18% are in service and 6% are in pension. The availability of media in the respondents is all of the respondents have television and 94% has radio. Out of 50 respondents 94% don’t have newspaper subscriptions in their house. The bar chart given below shows the ownership distribution. The figure 5-36 shows that out of 50 respondents, 52% are owner and 30% are tenants where as 18% are combining i.e. they are owner of one parcel where as tenants of

Figure 5-35: Views of respondent regarding committee formed

![Committee formed: Bhaktapur](chart1)

Figure 5-36: Ownership type in study area

![Type of Ownership: Bhaktapur](chart2)
b) Public Participation

This section will give an overview of the local respondent’s participation in Road design phase.

**Identification and Feasibility phase:** The Figure 5-38, shows the respondents knowledge about ORR Project for the first time. 20% of the local respondents were aware four years before which are during establishment of the ORR project. 20% became aware before 2 years which mean in the period of feasibility phase (fixing alignment). The 50% respondents were aware during the survey phase where as 10% are non respondent. According, to the respondents, the number of sources through which the information about the ORR project have been received are television, Newspapers .10% respondent out of total respondent indicates that the general news regarding ORR construction have been given from the television and 20 % out of total respondents have read in. The news has been disseminated when the construction of ORR through Chinese assistance has been declared in 2005. Therefore, the concept of ORR became popular but not about the alignment. According to entire respondents, the information has been received in public spaces which are not the formal source for access to information which is shown in figure 5-38.

![Source of Information about ORR Project First Time](image1)

**Figure 5-37: Source of information for the first time**

![Information about ORR Project First Time: Bhaktapur](image2)

**Figure 5-38: Information about ORR project for the first time**

Thus, it can be seen that minority of the people were conscious about the outer ring road project in broader level before the survey phase. However, the awareness level seems low. Since none of the participants has been involved in any hearing or meeting in this phase, it can be seen that there have not been any types of participatory approach. The media have disseminating the general information regarding ORR construction but not the alignment itself.

The general public participation in identification and prefeasibility phase has not been found in the selected study area.

**Detail survey phase:** The multiple sources of information for the ORR alignment passing through the local area is shown in figure 5-39. According to 82% out of total respondents, the alignment survey is one of the sources to predict the alignment of the ORR. Leaflet is another source which has given the general overview of the alignment but not in detail. 20% of the respondent’s state newspaper has given the general idea in broader aspect. Therefore, majority of the respondents are receiving information in public spaces which is not the reliable source.
According to the consultancy report, the formal discussion had been taken place in the selected study area when the local people had interrupted the survey. The local people pointed out the fate of inner ring road (some still to get compensation). The people are in fear of the same mistake from the ORR project. The people wanted to be clear and will not allow any sort of physical changes in the area without seeing, discussing and approving the whole plans and concepts along with a very strong commitment from government side.

This shows that in the selected VDC, the people have not been informed well prior to the survey therefore, the local people had interrupted the survey. Since none of the respondents came to know about the survey from any formal hearing or meeting, it can be concluded that awareness program has not been conducted as such to make the local people well informed about the activities in the selected area.

As shown in table 5.2 the public consultation in the road alignment, according to 98%, the views for road alignment has not been taken, whereas 2%(1) of the respondent, retired VDC chief said during EIA process, the general views has been asked regarding various issues (social, cultural and environmental) for the alignment in the meeting held in DDC.

Therefore, the views of general public during survey phases have not been taken.

<table>
<thead>
<tr>
<th>Views taken for the road alignment</th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid Yes</td>
<td>1</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
</tr>
<tr>
<td>No</td>
<td>49</td>
<td>98.0</td>
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</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Table 5-2: Views taken for the road alignment Bhaktapur

**Land Readjustment phase:** According to the local respondents, the multiple sources through which the concept regarding land readjustment is shown in figure 5-40.
The household survey has been conducted in the project area to get the base line data. 32% out of 50 respondents told household surveyor has visited for the socio economic questionnaire and given the information about planning but very nominal information regarding land readjustment have been received during the period. 34% out of 50 respondents said in leaflet general information has been given. 12% out of 50 respondents have attended the interaction programme held in District development committee after the design of the road and Model readjustment plan. The programme is to inform the about the work. Therefore, in the selected area, the informed – Participation has been conducted.

![Source of Information of Land readjustment in Bhaktapur](Figure 5-40: The multiple sources for land readjustment concept)

c. Access to information

The access to information regarding road alignment and different policies to the local residents are given in this section

**Information regarding Road alignment:** As the alignment has not been given in public in detail none of the respondent knows the exact alignment. 12% respondents out of 50 respondents know the tentative alignment and the nodal points where as 88% knows the road alignment less tentatively and does not have a detail idea about nodal points (the intersection points of the outer ring road).

![Knowledge about Alignment Bhaktapur](Figure 5-41: Knowledge about the alignment to local people)
Information about land readjustment concept and policies: According to figure 5-43, in the study area, 42% out of 50 respondents knows less about the land readjustment concept. 50 % knows moderately about the concept. The respondents of this category know that they are supposed to get the plot in the same location after certain contribution. The 8% respondents know well about the concept.

![Knowledge of Land Readjustment Concept Bhaktapur](image)

Figure 5-42: Knowledge about land readjustment concept to local people

The calculated OMIA (overall mean information access) of the Local people regarding access to information of different policies of the land readjustment is 39%.

This value shows that the local respondents of this study area know 39.36% regarding different policies of land readjustment. The different value regarding different policies are $R_{cp}= 39\%$, $R_{ps}= 34\%$, $R_{lc}= 54\%$, $R_{rp}= 34\%$, $R_{tt}= 35\%$.

According to the figure 5-43, 42% of the respondent , the compensation policies have not been given where as 26% said the policies given is less and 32% are not aware of the policies.

About payment schedule, 58% said the time of the payment regarding land is not clear at all where as 6% said they are less aware of the payment. The payment of the plot is given back after it has been developed. The 36% respondent does not know about the payment policies.

The information regarding land contribution, 56% knows less about how much contribution have to made in present context where as 8% are moderately aware of the policies but 36% do not know about the policies regarding compensation.

The information regarding resettlement plan, 56% said there is no information regarding resettlement plan so are less clear. 8% said they are less clear of this policies where as 36 % does not know.

The information regarding time table, 48% said they are not clear at all regarding when the project will starts and how long it takes where as 36% said they don’t know either this information is given or not where as 14% said they know less about time frame.
The calculated OMIA (overall mean information access) of the Local people regarding land readjustment policies is 39%.

The different value regarding different policies is:

- Compensation policies is $R_{cp} = 39\%$,
- Payment schedule is $R_{Ps} = 34\%$,
- Percentage of contribution is $R_{LC} = 54\%$,
- Resettlement plan is $R_{Rp} = 34\%$,
- Time table is $R_{TT} = 35\%$.
The given value shows that information regarding land contribution is highest compared to the rest of policies.

5.5.1. Institutional Performance:

**Information Service centre:** The access to information according to respondents views as shown in Figure 5-44, 36% of the respondents said they will visit the VDC office for the information and complain whereas 12% said information service centre, 2% said Malpot office, and 50% are not aware for the complain media.

Among the respondents, only 6% have visited the office, and 62% said they don’t know the place of ORR and 32% respondent have not visited even the office place is known which is shown in Figure 5-45.

In Bhaktapur, only those respondents (6%) have visited the office but not frequently which shows the respondents does not have interest to know about the project phase in detail whereas 94% have not visited the office yet.

Among the respondent 4% said its fairly easy to get the information where as 2% declare not easy at all where as 94% have not visited the office which is shown in Figure 5-46. According to Figure 5-47, the 6% respondent have visited the office not very often.

![Figure 5-44: Local people view for the place to take information and put complain](image1)

![Figure 5-45: Local people visit to ORR office](image2)
Committee formed: In the study area, the formal committee have not been formed yet to handle the issue related to the ORR project and to disseminate the information regarding project to the local residents. The Figure 5-48 shows that 72% of the total respondents declared about not any committee formed whereas 28% are even not aware about the committee have been formed or not in the local area. However, the informal committee of certain local people have been formed to handle the issue.

5.6. Concluding Remarks

The above results show that the public participation has been taken place in different phase of the road design. The local government have been involved in different phase but the hierarchy of involvement of local government is different. The ward leaders who are the close intact with local people of the area have been involved after feasibility phase. The level of participation used is mostly informative and consultative. Furthermore in local government concept, the frequency of the meeting, hearing is less which has resulted to less feedback of the decision on time.
Regarding access to information, different tools have been used. The central government have taken the attempt to give the information to the local level but the reliable information regarding the land which is the concern matter of to the local level have not been provided. The tools used for access to information are not been used effectively covering the affected people in reality.

The information service centre has been kept in the project office but the trained designated staffs in order to handle public have not been appointed. The mandate of the organization has been provided in brochure and in leaflet. There is a lack of computerised system to provide the information promptly to the people. There is a lack of appropriate data base for information regarding land. The improper land information system can raise a conflict during implementation. Furthermore the lack of field office has created the gap between the local people/ local government and the project office. The lack of information access point has degraded the institutional performance of the organization.
6. Discussion on Transparency issues in Road Development and Readjustment

6.1. Introduction

The previous chapter five provides detail results of fieldwork data on three issues of transparency (namely public participation, access to information and institutional performance) for development of ORR and land readjustment based on the perspectives of stakeholders i.e. governments (central and local), expert groups (from consulting companies involved in the processes), and finally local citizens involved in the construction of ORR.

This chapter now discusses critically the results against theoretical background on element of transparency and land acquisition with phases of road development and land readjustment as applied in the ORR project (i.e. identification, feasibility study, design including detail surveys and land readjustment, and implementation).

In order to give thorough discussion on elements of transparency, this chapter integrates summary of field work findings as elaborated in the previous chapter with the views of the stakeholders (central and local government, expert group and local citizen) in each phase of ORR project.

6.2. Public participation

This section assesses the level of public participation in different phases of road development and readjustment plan. As indicated in the chapter 2, there are mainly four types of tools used for the public participation depending upon level of involvement of stakeholders. These four types are informative participation, consultative participation, cooperation participation, and mobilization participation. We discuss these types of public participation with respect to the phases of ORR project.

6.2.1. Findings and discussion on field results

In order to make good understanding of transparency, the discussion below are presented from both stakeholders as well as phases of road development and land readjustment perspectives.

a) Identification Phases: Studying the results presented in section 5.2.1 from the view points of Central government, the public participation in identification phase has not been taken place in visible manner during ORR project. While local government also indicates that there is no public participation in any forms (see section 5.3.1); the minority of expert group says that there is participation by “informative”. Studying sections 5.5.1 and 5.5.2, the survey results in both study areas shows majority of local citizens have heard news but not really participation in any form. Theoretically public participation is required from the early phase of the project even in the identification phase in order to get full support and confident of local governments and as well as local citizens on the decision of ORR project. It is argued that ORR was initiated on the
basis of JICA study (see section 5.2.1a) by the central government. But only some sort of “consultative” participation took place during household survey of JICA study to identify broad needs of such roads but not for getting supports and confident from the public and local government. If we follow principles of good governance (section 2.2 a), all phases or processes should be transparent and be participatory for effectiveness during all project phases. This research indicates that identification phase do not require full participation (such as cooperation and mobilization), but local governments and local citizens must be informed during identification phase.

b) Feasibility Phase: After identification phase, ORR project is established, and then the project office conducts feasibility study taking the alignment as proposed by JICA. As indicated in section 5.2.1, the consultative participation to the local government along the road alignment corridor has taken place. However, while taking opinion with the expert group it has been found that participation of local governments varies between informative and consultative (section 5.4.1), as shown in figure (6-1).

![Figure 6-1: Analysis of expert and local government views](image)

The local governments indicate that their participation varies from none to informative and consultative participations. The non-participation is mainly by the lower level of government such as ward leaders, and the public as such has never been involved. Looking through the transparency aspects, the public participation, in this phase, specifically by local government of each jurisdiction (i.e. VDCs and ward) through which road alignment passes should have been at least cooperative participation (not consultative) so that local governments and local citizens get satisfied with the decision made. That means that feasibility study for ORR requires cooperative participation of both local governments and local citizens in order to have transparent decision.
c) **Detail survey phase:** This phase consists of firstly detail survey (existing topographic features, cadastral parcels, etc.) along approved alignment, and secondly detail layout design based on detail survey. From the central government perspective, consultative participation has been taken place through hearing and interaction programme at both levels of Local government and local people as described in (section 5.3.1). Similarly expert group also say the consultative participation has been taken place with the local government where as seeing from the local government the participatory approach varies between informative and consultative. Moreover, visualizing the field data in figure 5-26 and 5-39 as given in (sections 5.5.1 and 5.5.2), it reveals that public hearing are used and local citizen get “informed” in this phase.

In parallel with detail survey, there was also activity called Environmental Impact Assessment (EIA). The respondents who have kept the view during EIA are shown in tables 5-1 and 5-2 where as majority of respondents are not aware for the views taken regarding the road alignment. The study shows that the ORR project office has taken consultative approach in this phase considering local views, and it seems only the handful and known people of the grass root level has been picked up for such consultative meeting.

It is well known fact that the general public as a whole is not possible to be engaged in layout of road alignment but the public participation can be involved in a form of individual or collective voices (Smith, 2003). In the case of collective voice from communities or organization the voiced should be able to come up in the shared message representing the affected people. Therefore, in order to collect the voice, it is necessary to have the community involved in the issue related to the ORR project explicitly. But there are no such communities representing local citizens except local government and ward offices.

With formation of community groups, the mobilization participation both from communities and local citizen seems appropriate in this phase and the theory in section 2.5.4 can be applied leading towards transparent decision making thus generating trust towards the government.

**d) After design of road:** All plans are disseminated to all stakeholders. The results show that consultative participation is used by ORR as discussed in section 5.4.1. But in reality, majority of the local government officials consider such dissemination as informative participation only.

In Bhaktapur, interaction program was conducted while in Kirtipur the local citizen gets informed through public hearing. Here, the public participation has not been seen explicitly and the information flow after design does not look sensible. Furthermore, only the handful people get informed through hearing and majority are getting informed in public spaces. The less frequency of hearing does not work out in reality for participation. Theoretically, it is sake for evidence that the participatory approach have been adopted refers (section 2.4.1.b). Therefore, even the hearing has been conducted, but the citizen still lags with the “informed citizen”.

**e) Land readjustment Planning:** This phase is most critical phase of ORR project from the point of views of both local governments and local citizens. Road Act provides guidance as 250 m wide on each side of road for ORR to consider as influence zone. Within this 500m corridor along the road, land parcels need to be readjusted so that original land owners are reallocated with their equivalent land area within this 500m corridor.
In term of participation, the Figure no. 6-1 shows the contradictory views between the expert and local government on involvement of land readjustment planning. While expert group mentions that there is informative participation, the local government indicates then they have not been informed formally regarding selection of areas. So it remains non-participatory from the viewpoint of local government. Theoretically this research finds that there should be cooperative participation in selection of areas.

In planning and design in readjustment of land parcels, ORR project conducted these activities through contracts by the private consulting companies in which TOR is provided with for interaction as participation (see section 5.2.1). In their views, informative and consultative participation have taken place to local government. The expert further indicates about the local citizens were consulted through the questionnaire survey (section 5.5.3). In view of local government, the informative participation has only been reflected as participation.

The field study shows that one of the ORR strategies is to mobilize the local citizen during the implementation stage. If a high level of participation (such as cooperation and mobilisation) is realised, ORR seems to worry about creating unnecessary land speculation with high land prices and opposition on planned land areas. But the informative participation in the late stage of the planning would provide less opportunity for the people to influence the plan, as such participation is only one way flow of information with no mechanism for the feedback (Smith, 2003). Therefore, it is required to mobilize the communities and local citizens during the planning and design of the land readjustment areas through intensive interaction and participatory see section (2.5.5). Affected local citizens must agree on to land allocation plan that is going to be implemented. ORR project office should have alternative land readjustment models and allocations with benefits and losses for compensations so that local citizens can make themselves decisions on the plans. Therefore, this activity of planning and design of land readjustment plans requires mobilisation participation by local government and affected local citizens.

6.2.2. Remarks/discussion

The above discussion shows that the only limited participation of the local government has been taken place in different phases. The level of participation varies between mainly informative and consultative participation in the different phases of road design and land readjustment plans. Additionally the frequency of meetings conducted by ORR is much less than required meetings according to the local government. This study reveals that the adopted feedback mechanism is not effective. According to the participatory theory, the consultative participation remains window-dressing ritual when the citizen’s ideas have not been considered. Similarly, consultative participation if not combined with the feedback mechanism, remains informative. Finally, the research in terms of public participation concludes that a) identification phase requires at least informative and consultative participation, b) feasibility study needs support of the stakeholders in term of cooperative participation, c) detail survey requires mobilisation participation, d) lastly planning and design of land readjustment plan require strong support of local citizen through mobilization leading to agreements on plans and implementation. The informative and consultative participations only are not sufficient to make the phases transparent.
6.3. **Access to information**

This section provides the findings and discussion on the access to information at the local level (local government and local citizens) for road design and land readjustment plan. The discussion is structured into tools used, land information system or computerized system and one shop via internet to be adopted in Access to Information. And finally discussion is made on dissemination of land information, because the effectiveness of the tools depends upon the dissemination of reliable information and timely supply of the information indicated in the chapter 2.

### 6.3.1. Findings and discussion on the results for tools used

Although the tools used by the central government for disseminating broad initiative are mainly through television broadcasting and radio, the fieldwork results do not indicate that information has been disseminated correctly during identification phase even to all stakeholders (i.e. various ministries, expert groups, local government and local citizens). But, during other phases of road design and land readjustment, the consulting form on behalf of government makes presentations in the interaction programme for dissemination in form of public hearing to convince public about the benefits and processes of ORR project.

The tools used by the expert groups in order to disseminate the information to the local level (including local government and local citizens) as given in (section 5.4.3.1, figure 5-20) are questionnaire survey, public hearing, written comments and meeting. These are done mainly in phases of feasibility study, detail surveys and design of land readjustment plans. While taking the local government view, written letters, presentation in interaction programme, discussion, meetings and written letters are used for dissemination of information (see section 5.3.2, figure 5-4). But there is a point to be noted that the most frequent use tools are the discussion.

Studying sections 5.5.1 and 5.5.2, the tools through which the local citizens are receiving the information are newspaper, survey alignment, household survey, hearing, leaflet, discussion and public places in Kirtipur. Similarly, in Bhaktapur newspaper, survey alignment, household survey, hearing, leaflet, interaction programme. But the majority of the respondents say that the information regarding road alignment and readjustment policies have only been received through informal sources.

Theoretically, the given tools used by the ORR are the effective tools for access to information. Despite these tools, the information provided to local citizens as well as local governments regarding the road alignment, land readjustment plans and their policies is not adequately sufficient. Referring to the previous chapter, none of local government and local citizen knows the exact alignment of the road.

The media can be effective to disseminate the information to the grass root level (see section 2.4.2). But, in this case, media is not playing any significant role as it is also required to give relevant information with repeated broadcasting. Perhaps, the information at the land parcel level is not possible to disseminate from television, but interview with transparency international (in Kathmandu office) indicates that, to make the process transparent and for accountability of the citizen, the parcel based alignment should be disseminated after design stage in the field site because the alignment have
been already known at top government levels. The printed media helps to provide the information, if it is easily available. Therefore, it should be provided in the important places and need to be available sufficiently. This means that the tools cannot effectively be used for the dissemination of reliable information without appropriate Land Information systems (LIS) and access points at local municipal offices for local citizens.

6.3.2. Computerised Land information systems:

The lack of computerised LIS with proper structured and reliable land records is the main reason for not having timely delivery. Field study shows that there is no such LIS that the local citizens can go and see the details of his land parcels with respect to planned road and land readjustment plan. It is also found that the conflicts regarding the land (see section 5.4.4) is the constraint in the planning, because that there is no reliable the land information in the plan.

Referring to theory of land governance, conflicts regarding land can be resolved by the participation of the public in planning, and according to Tuladhar (2006), the transparent land administration or LIS can help to build trusts towards resolving conflicts in land and handling various activities. In the context of ORR project, one of the reason behind the opposition regarding the land readjustment process is the mobilization of the group of land owners, who have less knowledge regarding the land readjustment scheme, by the elite groups (these groups are generally the people those who have more land on ground then in certificate). Therefore, it is necessary step to have easy access to land information to the affected citizens. It will be late to disseminate information at implementing stage.

Without appropriate LIS in back office and information delivery in front office, all tools (i.e. meeting, discussion, interaction programme and written letters) remain inefficient and ineffective.

6.3.3. One stop shop via Internet:

As per section (5.2.3) according to the government, there is no provision for the websites for the information dissemination where the landowners can visit websites and see the information regarding road design and land readjustment model. Referring to the section 2.4.2, it is one of the important access points for the absentee land owners (the landowners who stay outside the city or country). This provision plays a vital role to enhance transparency as the information will flow to the general public as whole.

6.3.4. Access to information on land readjustment policies

Talking about the land readjustment policies related to the compensation policies, payment schedule, land contribution, resettlement plan and time frame, the Figure 6.2 shows land contribution followed by compensation is one that expert group provides high access to information during interaction program, as they are one that does planning of land readjustment.
The results from the Figure 6.3 further indicate that local governments and local residents have received less information as compared to the supply of information given by expert group.

Another cause for getting insufficient information is lack of access points as a result there is no enough information about different land readjustment policies for the local people. There should be effective dissemination tools (booklet, visual technique, etc.) in the local office in order to provide reliable information to the citizen.
Analysing the leaflet provided, details about the policies are lagging. Similarly, newspaper has not been used for the dissemination of detail information regarding laws and policies. Moreover media has been giving the suggestion for the information dissemination to the general public in local level. Thus, it can be seen that there is no easy access to information to the local citizen except, informal sources.

The dissemination of information regarding laws and procedure is required in early stage (before implementation) which helps to empower citizen so that they can influence in decision making with the reasonable inputs. In order to empower the citizen the education program should be launched in the grass root level.

From the theoretical background of land readjustment, the highly skilled managerial officer who can deal with public management is required to make the general public understandable about the plan. Currently, this is not sufficient in scenario of ORR project. These are the causes of less information flow in the public even though the information has been disseminated to some extent.

The strategy of the ORR project is to give full information in full fledge about different policies regarding land readjustment during implementation (see section 5.2.2). Such strategy created the conflicts (see 5.3.5) from land owners on the ground. It is important that the early consultation to the public in general regarding all policies, time frame and transparent procedure can leads to less opposition from the public. At the local level the conflict regarding the time frame, payment schedule, exact land contribution to be made have occurred. Therefore, the process itself seems less transparent.

### 6.4. Institutional Performance

When we discuss about transparency issues, institutional performance is important element in order to deliver transparent services and products. For the ORR project, institutional performance refers to organisational mandate and service charter, formation of various committees for decision making processes, supporting laws and policies, establishment of field offices and lastly transparent procedure for services and information delivery. The existing law, policies of institution reveals the performance of the institution. The strong back up of the laws and policies is required for proper function to the activities of institution smoothly.

#### 6.4.1. Organizational Mandate and Service Charter

The analysis of the ORR brochure collected during the fieldwork reveals that the objectives of the organization with the vision and mission of the project are clearly laid down without clarifying how mandate of ORR has been established. For example, the proposed road alignment needs to be approved by the government cabinet. That means the mandate has not been assigned to the ORR office in an appropriate way. Currently only town planning Act is used as a legally binding law. Other supporting laws and acts are to be yet developed for effective performance of the project organization and stakeholders.

The leaflet distributed for the local people also consists of general process description, brief description on benefits of project and criteria of land contribution for land readjustment. As such this is not Service/Citizen Charter of the organization.
6.4.2. Information Service Centre/Municipality Front Office

The access point for the information in the present context, according to field survey is information service centre in project offices and Municipal front offices. According to the local respondents regarding access point as explained in (section 5.5.1 and 5.5.2), the 34% in Kirtipur and 62% in Bhaktapur do not know the location of the service centres. The majority of the respondents who have visited the service centre also reveal that it is very difficult to get the correct information from project office. The majority of the local government officials said it is difficult to give information to the local citizen, as local government themselves are not fully informed regarding different policies and plans. Hence, it is noticeable that the local citizen does not have easy access to information.

In principle, the municipality or VDC offices can serve the local citizens as front with the easy access to information only if it is supported through back office, where LIS is placed. It is also important that enough access points are available at various locations of the ORR. Currently ORR office has only one access point for providing information.

6.4.3. Formation of various Committees for ORR

The field study shows the relevant committees have not been formed so far during identification and design phases. Central government indicates that two committees (management and users) are likely to be formed during the implementation phase. However, it would not be timely formation . The field studies in both areas (Kirtipur and Bhaktapur) show that there have not been any committees formed explicitly to handle the conflict issues related to these stages. Theoretically, as given in section 2.5.4, for effective public participation and transparent decision making, the committees such as representatives of land owners, representatives of local governments, representatives of expert groups, civil society and NGOs should be available after the feasibility phase so that the voices of local can be link with the project office.

6.4.4. Field Offices

The field offices are essential to fill up the communication gaps between the central government, the local governments and the local citizens. These offices can bring local citizens for better access to information and increase high level of public participation especially for cooperation and mobilization of affected local land owners/tenants.

The field study shows that non-existence of field offices has created mistrusts by the citizen towards the ORR works. Such field offices should act as one stop shop providing services about ORR with supply of required information to the local citizens. They should be established under the mandate of ORR after feasibility study of the proposed road alignment.

6.4.5. Transparent Procedures

The results from the previous chapter indicate that phases adopted for identification, design and implementation are not clearly documented. This creates misunderstanding of responsibilities and obligations on the stakeholders including local citizens. For example, ORR faces many conflicts regarding compensation, land contribution, payment schedules and time frame for the local people due to unclear policies and procedures in land readjustment plans.
Thus all steps of all phases should be clearly documented with responsibilities and obligations of all stakeholders and these documents should be available to facilitate public decision making process effective in all steps. Since Land readjustment concepts require strong supports of local citizen, all steps need to be explained in detail.

6.5. Concluding Remarks

This chapter clearly discusses the results of transparency issues (public participation, access to information and institutional performance) in all phases of Outer Ring Road (ORR) project in Kathmandu Valley.

Regarding public participation on identification phases, local governments and local citizens should be informed and consulted, while in feasibility study phase requires cooperative participation. In case of detail survey and land readjustment plan, these three types of participation are not sufficient to get consensus of land owners/tenants. To avoid any future conflicts in the processes, the full cooperation and mobilization of individual land owners and user committees must be utilized. Although the field survey indicates that mobilization participation (including cooperation participation) would be employed in the implementation stage, these would be too late to resolve any conflicts causing delays in land acquisition and readjustment for ORR.

With respect to access to information, tools used are required to be supported by LIS or computerized system as back office, information service centre at various locations, one stop shop via internet website. In present level, access to information by local governments and local citizens are unsatisfactory.

Similarly institutional performance seems poor, as the mandate of ORR office is not clearly mentioned by law. There is lack of various committees to support in resolving conflicts in land readjustment. Finally all processes should be documented for the sake of transparency to the local governments and local citizens.
7. Conclusions and Recommendations

7.1. Introduction

The previous chapter 6 provided discussion and the analysis of results concerning the indicators on transparency elements (i.e. public participation, access to information, and institutional performance) in the different phases of road design and land readjustment for road development (i.e., road design including design and plan of land readjustment).

This chapter firstly presents conclusions on the transparency on the design phase of the road including the land readjustment model in the light of the research objectives. Secondly it draws out a series of recommendations that are still to be researched on transparency elements.

7.2. Conclusions

As laid down in the section 1.5, there are three main objectives of this research. The conclusions are drawn along these three objectives addressing the answers of the research questions described in the section 1.6.

The first research objective is to assess public participation (at local level) in the design phases of the proposed Outer Ring Road alignment including land readjustment plan and design. This objective has been fulfilled as discussed in the previous chapters especially discussion made in the chapter 6 on the basis of theoretical aspects described in the chapters 2 and 3.

This research clearly indicates who the stakeholders are and how they contribute in the design phases of road and land readjustment plan. The stakeholders involved in horizontal level are Urban Planners (ORR project), Engineers, Environmentalist and Land Surveyors and Land Administrator from various government departments of Road, Water Supply, Sanitation, Electricity, land reform and management, Land use planning, and Survey Department. Private consulting companies as expert groups are actively involved in all phases. The stakeholders in vertical level are Political Representatives, local government (District Development Committees, Municipalities, Village Development Committees and Wards), Civil Society, and NGOs. However, most active stakeholders in this have been considered in this research. They are Urban Planners from the department of Urban Development and Building Constructions, local governments (municipalities and VDC), expert groups and local citizens as land owners/tenants. Most important conclusion is lack of adequate involvement, commitments and coordination among these active stakeholders.

As discussed in the chapter 6, there are only two types of public participation, namely “informed” and “consulted” taken place at the design of the road and land readjustment planning depending upon their needs. However, for these phases, it is important to have full participation as mobilization. In order to get local governments and local citizens involved in participation, the different methods of public
participation such as public hearing, questionnaire survey and interaction programme have been used at the sites. ORR project office and expert groups are one that initiates such public participations.

According to experts, there are various conflicts in road alignment and land readjustment plan. These conflicts relate to the discrepancies spatial and non spatial data, conflicting interests of the stakeholders regarding road alignment, the project organizational structure and the trust of the local citizens towards the project. In this research, approaches for conflict resolution have not been studied.

By default, planners need to avoid the uses of socio-cultural land use for road alignment. These socio-cultural land categories are the fertile land, settlements, culturally important houses, temples, culture and culture sites and land that affect on existing utilities and infrastructure. In the study areas, it is observed that such land use categories are not affected by the proposed alignment and land readjustment plan.

Lastly regarding question if public participation has affected road alignment and land readjustment, according to the interviews with expert groups and the local citizens, there have not been any significant changes in road alignment despite their participation. This may be due to the two reasons, first there are many conflicting interests or views which are very difficult to integrate into one reasonable alignment of road. Secondly there are no mechanisms for resolving conflicts, although the stakeholders sometime tried to adopt “negotiation” technique.

Second objective is to assess access to information to the local people regarding readjustment policies. This objective has been achieved by studying based on the perspectives of the central and local governments, expert groups and local citizens.

Tools used for enabling Access to Information are often TV broadcasting, radio, newspapers, leaflets, interaction programme, meeting/discussion and public hearing. These are very effective means for providing general information about the benefits and announcement of events. But the local citizens and the local governments, who are affected by the ORR project design, require access to detail information about affected lands and land readjustment plan at individual persons of each land parcels.

The expert groups in design of the road and readjustment plan often provide information via household survey, public hearing and interaction program. It can be argued that even though such tools are used, they cannot provide valid indicators for the opinion of the communities/local citizens until they have complete knowledge about the situation of their land and houses (Armstein, 1969). Moreover, dissemination of reliable information regarding laws, acts and procedures is required to empower the citizen so that the citizen can influence the decision making with the reliable inputs.

With respect to delivery points for disseminating information, currently there is only one access point established within the ORR project office. Service delivery method is purely verbal with some or no maps. There is no computerised land information system that provides reliable and consistent information. Similarly, there is no any provision for the web- base information dissemination system such that the local citizens or absentee land owner can get information. The provision like one stop shop via internet plays a vital role regarding access to information.
The third objective of this research is to discuss the institution reform for road design and land readjustment plan.

This research indicates that the present institutional tools for legislation and organizational set up of the office seem ineffective or insufficient to handle the readjustment plan along the corridors of the ORR. This has caused misunderstanding on the responsibilities and the roles of the stakeholders in the design and planning of ORR and land readjustment areas. It can thus be argued that the mandate of the organization is not clear. That means that ORR project does not have sufficient legal backup to perform their tasks independently.

The lack of field offices and the committees located in the site area have created the information gap between the project office and local level (local government and local citizens). The policies regarding land readjustment in term of compensation, land contribution, time frame and payment schedule are not clear to the local citizen. These issues have generated many conflicts which need to be resolved in the field level regarding. The procedure for conflict resolution is not transparent to the local citizen.

The separate legislation such as “development act” for implementation of ORR and land readjustment is required. The separate land readjustment act is required to gain strong law back support. With provision of such act at the national level act, there would be enthusiasm, confidence and trust of development activities at the local level.

The organizational setup needs to be changed. The project office needs to be subdivided into different sub project for each project areas under the umbrella of one main project office. The committees need to be established in the detail survey phase and land readjustment so that the collected voice of the affected person can reach the project office and further more a channel for the flow of reliable information will be created. The field office is required from the design phase in order to develop trust to the local citizen. This would make the local aware with the up to date information regarding planning thus enhancing towards transparent decision making. Thus, strong institutional performance can lead to better access point of information with Land Information System making participatory approach more effective.

Finally this research draws the conclusion that the ORR or any land related project must consider transparency on public participation, Access to information and Institution reform

7.3. Recommendations

To enhance this research, the number of recommendations can be provided as follows:

This research work considers the views on transparency elements from the limited (but important) stakeholders only i.e. planner/engineers from few central government department, local governments, expert groups and local owners/tenants. Therefore, it is recommended that complete stakeholder analysis be carried out as a further research.

Further research is required to analyze more details in the aspect of institutional reform/performance.
There are many conflicts regarding the different interest of different stakeholders on the road alignment and land readjustment plan. To take full advantages of tools used in three transparency element, further research is needed to identify how conflicts can be resolved.

Similarly further research is needed to identify what kind of and how LIS for back office, one stop shop and web technologies for field/front offices can be used for improving access to information.

Since we have considered in this research only two areas where ORR passes through, it is recommended that other areas covering different land use zones be covered in the further research.

This research covers only road design and land readjustment plan of the ORR project. So further research would be necessary to see how transparency can be enhanced during implementation phase of the project.
8. References


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9. Appendices

9.1. Appendix 1: Questionnaire to Central Government

Interview to National Government

Interview No…………….Date of interview…../……./2008 Time……………………………
Interviewer’s Name………………………………………………………………………………
Organization……………………………………………………………………………………
Position of interviewee…………………………………………………………………………..

This Research seeks to study the public participation and access to information to the local people in land acquisition for road development. The information given will be treated with confidentiality and only serves to help accomplish this purpose. Any assistance given is highly appreciated.

Checklist interview with National level government

In the Planning and Design Phase of road
1. What are the main issues behind the construction of this road?
2. Who are the key stakeholders during project identification period?
3. During which stages (planning, surveying, designing) public views has been taken?
4. Who are the representatives that were involved from the affected landowner/ Farmer?
5. If they have been involved in which stages (planning, surveying, and designing) phase of the road?
6. If they have been involved, on what basis they have been involved?
7. How the information regarding tentative road alignment has been disseminated to the concerned stakeholders?
8. What are the provisions to handle the complaint of the affected people?
In the land redevelopment phase of either side of the road

9. According to land use plan 2020, the ratio of built-up: non built-up is to maintain by 40:60. In your views, will it hamper this ratio as lots of agricultural land will be converted into other land uses.

10. Do you think it is necessary to redevelop the road corridor?

11. Who are the stakeholders involved during the selection, planning and designing phase of the area along the road?

12. While making plan for redeveloping the side area, are the local people views or voices has been taken into account?

13. If taken into account, how it was done?

14. Is the redevelopment plan has been disseminated?

15. Is there any provision to show and make understand the plan to the local people who are mainly farmers?

16. What are the provisions to handle the complaint of the affected people?

Land acquisition procedure/ land Pooling/ Land readjustment

17. Is there any clear booklet that introduces in helping people know about readjustment policies, reallocation procedure and compensation for land acquisition?

18. Is there any institution formulated prior to the land acquisition process starts.

19. Is there any provision to explain relevant policies, laws and rules to the affected people before implementation of the land acquisition?

20. How the Farmers will be made understandable about the procedure of reallocation of the lands, compensation policies, payment schedules, land Contribution, resettlement planning and possible relocation sites and time frame.

21. How long before the land acquisition, there is provision of informing people about compensation scheme including compensation standards for both land acquisition and house demolition?
22. The proposed road alignment passes through lots of agricultural lands and other lands. Does your legislation have any policy regarding land to lessen the socio-economic life of those farmers?

23. The road alignment may pass through various cultural sites which is very important to the indigenous people, have these things been considered while aligning the road. How it has been considered?

24. Does your legislation have program in order to encourage public participation?

25. Do you have designated staff who will handle the public opinion?

26. Have the staff have any special training in the area related to public participation, or other relevant areas like public relations, media contact, civic education etc?

27. How many staff is there to handle complains related to land which will be acquired for the road?

28. Is there any provision of public hearing/ public meeting for the affected community so that they can have chance to put their views or problems?

29. Do you have any approach to the media strategy like TV, radio, website for dissemination of information in the clear and understandable manner?

30. Does your legislation have budget for public participation?

31. If you don’t have how public participation activities are performed?

32. Who do you invite for the approval of the road alignment from the local level and the experts? (Community base organization, NGO, business groups, political parties, experts, ordinary citizens)

33. Do you have set list of people or organization that you always invite?

34. What is basis to select your participants?

35. Do you ask for feedback?

36. What form of feedback do you receive about the issue in the public participation (verbal, filled out forms prepared by legislative, letter).

Thank You For Your Co-operation
9.2. Appendix 2: Questionnaire to Local Government

**Questionnaire to Local Government**

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<thead>
<tr>
<th>Block 1(B1)</th>
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<tbody>
<tr>
<td>R1: Interview No…………………. Date of interview……/……./2008 Time……………………………………</td>
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<tr>
<td>R2: Interviewee Name………………………………………………………………………………………</td>
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<td>R3: District……………………………………………… VDC……………………………………………</td>
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<td>R3: Local Government : Municipality [ ] Place…………………………………………</td>
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<td>DDC [ ] Place…………………………………………</td>
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<td>VDC [ ] Place…………………………………………</td>
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<td>Ward [ ] Place…………………………………………</td>
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This Research seeks to study the public participation and access to information to the local people in land acquisition for road development. The information given will be treated with confidentiality and only serves to help accomplish this purpose. Any assistance given is highly appreciated.

(SA: strongly agree, A: agree PA: partially agree, D: disagree, SD: strongly agree, DK: don’t know)

**Section one: Participation of local government in ORR Planning/design phase**

1. What is your opinion about the “Outer ring road”?

<table>
<thead>
<tr>
<th>Opinion about ORR</th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
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<tbody>
<tr>
<td>ORR will effectively manage urban growth</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>ORR will help to develop settlements outskirts</td>
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<td>ORR will provide access to remote areas</td>
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<tr>
<td>ORR will increase the economic condition of local people</td>
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<td>☐</td>
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<td>ORR will reduce traffic of the inner city</td>
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<td>ORR will affect culture of the area</td>
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<td>ORR will affect Social life</td>
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<td>(landowner/tenant/Family)</td>
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<td>ORR will increase environmental pollution</td>
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2. Do you know through which area the road alignment will pass?
   a) ☐ Exactly    b) ☐ More Tentatively   c) ☐ Less Tentatively   d) ☐ Not at All

3. Are you/representative from your organization involved in the issues related to “ORR”?
   a) ☐ Fully    b) ☐ Partially    c) ☐ Not at all

4. In which stages of the ORR Project you/representative have been involved?
5. If you/representative have been involved what is your level of participation?
(Please tick in each phase)

<table>
<thead>
<tr>
<th>Phase</th>
<th>Informed</th>
<th>Consulted</th>
<th>Co-operation</th>
<th>Mobilization</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project identification phase</td>
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<tr>
<td>Project planning phase (Fixing Nodal points)</td>
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<td>Survey of the road</td>
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<tr>
<td>After design of the road (Preparation of Detail planning report)</td>
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<tr>
<td>Redevelopment Phase</td>
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<td>Selection of land pooling area</td>
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<td>Planning of the area</td>
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<tr>
<td>Survey of the area</td>
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<tr>
<td>After Design of the area</td>
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</table>

6. How do you get involved in the matter related to ORR?
   a) ☐ Through Meeting   b) ☐ Through Workshop
   c) ☐ Through Discussion d) ☐ Others..............................................

7. What is your opinion about the meeting?

   **Opinion about meeting/public hearing**
   - Meeting objectives are clear
   - Meeting objectives is understandable
   - Meeting frequency is appropriate
   - Meeting location was convenient
   - Meeting messages is clear
   - Participants were able to influence outcome meeting
   - Public views were considered

<table>
<thead>
<tr>
<th></th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
</tr>
</thead>
</table>
   - Meeting objectives are clear | ☐  | ☐ | ☐  | ☐ | ☐  | ☐  |
   - Meeting objectives is understandable | ☐  | ☐ | ☐  | ☐ | ☐  | ☐  |
   - Meeting frequency is appropriate | ☐  | ☐ | ☐  | ☐ | ☐  | ☐  |
   - Meeting location was convenient | ☐  | ☐ | ☐  | ☐ | ☐  | ☐  |
   - Meeting messages is clear | ☐  | ☐ | ☐  | ☐ | ☐  | ☐  |
   - Participants were able to influence outcome meeting | ☐  | ☐ | ☐  | ☐ | ☐  | ☐  |
   - Public views were considered | ☐  | ☐ | ☐  | ☐ | ☐  | ☐  |
8. How many times meeting was held in your area?
   Specify………………………………………………………………………

9. Have you given information about alternative route?
   a) □ Yes       b) □ No       c) □ Unknown

10. Do you think there is good coordination between local government and ORR project?
    a) □ Yes       b) □ No

Section two: Participation and Access to information in land readjustment Policy

11. What is your opinion about land readjustment of the area along the ORR?

<table>
<thead>
<tr>
<th>Opinion of land readjustment</th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Effects agricultural lands</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>B Increase economic condition of farmers.</td>
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<tr>
<td>C Development of the planned area</td>
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<tr>
<td>D Hap hazard’s sprawl will be controlled</td>
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</tr>
</tbody>
</table>

12. Are you/ representative from your organization involved in policy formulation for the readjustment of the area along the ORR?
    a) □ Fully       b) □ Partially       c) □ Not at all

13. Are the following information about land readjustment is clear?

<table>
<thead>
<tr>
<th>Information about land readjustment</th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Compensation policies</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Payment schedules</td>
<td></td>
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</tr>
<tr>
<td>c. Percentage of land need to be contribute</td>
<td></td>
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</tr>
<tr>
<td>d. Resettlement plan</td>
<td></td>
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<tr>
<td>e. Time Table</td>
<td></td>
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</tr>
</tbody>
</table>

14. Is there any conflict in your area regarding readjustment policies between local people?
    a) □ Yes       b) □ No       c) □ Don’t know

Section three: Information regarding Public participation

15. What is your opinion about land acquisition methods for ORR Project?

<table>
<thead>
<tr>
<th>Opinion about land acquisition</th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Should be acquired for the right of way of the road only</td>
<td></td>
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</tr>
<tr>
<td>• Should be acquired for the Redevelopment of the road corridor</td>
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</tr>
</tbody>
</table>

16. Has there been a land Acquisition project in your area before?
17. What do you think about Public participation in the different phase for Land acquisition through land readjustment?

<table>
<thead>
<tr>
<th>Phase</th>
<th>Should be participated fully in relevant matters</th>
<th>Should be participated partially in relevant matters</th>
<th>Should be informed only</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>In Planning phase of alignment (Fixing of alignment)</td>
<td></td>
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<tr>
<td>In Planning/ Design of the readjustment Phase</td>
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<tr>
<td>In reallocation of the plot</td>
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</tbody>
</table>

18. What is your opinion about Public Participation for ORR project?

<table>
<thead>
<tr>
<th>Opinion about public participation</th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td></td>
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<tr>
<td>B</td>
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<tr>
<td>C</td>
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</tbody>
</table>

A: Should be informed from the beginning of the project.
B: Should be consulted from the beginning of the project.
C: Should be involved in the implementation stage only.

19. What are the socio-economic cultural effects when land will be acquired?
   (Land broker, land owner tenants, selling land due to fear)
   Specify ........................................................................................................................................
   ........................................................................................................................................
   ........................................................................................................................................

Section four: Dissemination of information to the Local Citizen

20. Do you disseminate the information to the local about ORR?
   a) □ Yes       b) □ No

21. Are the Local People aware about the Proposed “Outer Ring Road”? 
   a) □ Very well   b) □ Well       c) □ Moderately   d) □ Not at all

22. Are the Local People aware about land Redevelopment along ORR?
   a) □ Very well   b) □ Well       c) □ Moderately   d) □ Not at all

23. If there any type of committee formed by Local people to handle issue related to “ORR project”
24. Is any representative involved in the planning phase of the ORR from local level?
   a) □ Yes  b) □ No

25. If yes who are involved from community group?
   Specify ……………………………………………………………………………
   ……………………………………………………………………………
   ……………………………………………………………………………

26. In which phase of the “ORR Project” Local people have been involved?
   a) □ Environmental impact assessment  b) □ Social impact assessment
   c) □ None  d) □ Others …………………………………………

27. Do the Local people visit the office for the information about ORR?
   a) □ Yes  b) □ No

   If Yes, Do they come?
   a) □ Very Often  b) □ Often  c) □ Not very often  d) □ Never

28. How easy is it the Local people to get information?
   a) □ Very easy  b) □ Fairly easy  c) □ Not very easy  d) □ Not easy at all

29. How do Local people get informed about the ORR?
   a) □ Public Hearing  b) □ Public Meeting
   c) □ Notices  d) □ Others …………………………………………

30. If Public Hearing/Public meeting is held whom are invited?
   a) □ Ordinary people  b) □ Committee members  c) □ NGO
   d) □ Representatives  e) □ Others …………………………………………

31. How often these Public Hearings/Public Meetings are conducted?
   (Public Hearing) (Public Meetings)
   a) □ Very Often  □  □
   b) □ Often  □  □
   c) □ Not very often  □  □
   d) □ Never  □  □

32. If you have to inform local about ORR plan where do you place notices and state the media or other institutions used? (more than one answer possible)
   a) □ On television  b) □ On radio  c) □ In newspapers
   d) □ In magazines  e) □ On the internet  f) □ In public places
   g) □ Other …………………………………………
33. Are public notices available in all relevant languages?
   a) ☐ Yes  b) ☐ No

34. Is there any provision for local people to put their complaints regarding “ORR projects” in your office?
   a) ☐ Yes  b) ☐ No

   If Yes what are they
   a) ☐ Complaint Box  b) ☐ Municipal Front office
   c) ☐ Information service centres  d) ☐ Others .................................

35. Do you have computerized system for record keeping?
   a) ☐ Yes  b) ☐ No

   If yes please indicate are the following services available
   Official body with legal duty
   Clear administrative instruction
   Right to access personal files

   If no, please specify how you will handle the public files
   ...........................................................................................................

36. What is the provision for the local people to make understand the reallocation policy?
   a) ☐ Information booklet  b) ☐ Verbally  c) ☐ Distributing information leaflet
   d) ☐ Posters  e) ☐ None  f) ☐ Others .....................................

37. While making readjustment plan along the road corridor are the local view taken into account?
   a) ☐ Yes  b) ☐ No

38. What is your opinion about the participation of affected people in the ORR project?
   (More than one answer is possible)

   Opinion about public participation  SA  A  PA  D  SD  DK
   • Have been informed only  ☐  ☐  ☐  ☐  ☐  ☐
   • Have been consulted  ☐  ☐  ☐  ☐  ☐  ☐
   • Have been participated in identification stage only  ☐  ☐  ☐  ☐  ☐  ☐
   • Have be participated in planning stage only  ☐  ☐  ☐  ☐  ☐  ☐
   • Have been participated in implementation Stage only?  ☐  ☐  ☐  ☐  ☐  ☐

39. What types of cultural land will be effected by proposed road in your area?
   a) ☐ Temple  b) ☐ Religious space  c) ☐ Meeting place  d) ☐ Others .................

40. Did any conflict arise with Local people about ORR in your area?
   a) ☐ Yes  b) ☐ No  c) ☐ Unknown

41. What are conflicts arises in the issue of the ORR?
Specify …………………………………………………………………………
…………………………………………………………………………
…………………………………………………………………………

42. Does the road pass through historical site/ monuments?
   a) ☐ Yes  b) ☐ No  c) ☐ Unknown

43. If Local Government = Municipality
   a) ☐ Yes  b) ☐ No
   If yes then
   Do you have local land use plan?
   a) ☐ Yes  b) ☐ No  c) ☐ Unknown
   If yes, is the land development along ORR adjusted in that plan?
   a) ☐ Yes  b) ☐ No

Thank You for Your Co-Operation
9.3. Appendix 3: Questionnaire to Experts Group

Questionnaire Applicable to Expert Groups

<table>
<thead>
<tr>
<th>Block 1(B1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1: Interview No …………Date of interview ……/……/ 2008  Time ……………………</td>
</tr>
<tr>
<td>R2: Interviewer’s Name ……………………………………………………………………</td>
</tr>
<tr>
<td>R3: Position of interviewee …………………………………………………………….. ……….</td>
</tr>
<tr>
<td>R4: Expert Group: ………………………………………………………………………………..</td>
</tr>
</tbody>
</table>

Environmentalist  Organization……………………………………... |
Sociologist  Organization……………………………………... |
Archeologist  Organization……………………………………... |
Planners  Organization……………………………………... |
Civil Engineers  Organization……………………………………... |
Experts  ………………………………………………………………………………….. |

This Research seeks to study the public participation and access to information to the local people in land acquisition for road development. The information given will be treated with confidentiality and only serves to help accomplish this purpose. Any assistance given is highly appreciated.

(SA: strongly agree, A: agree PA: partially agree, D: disagree, SD: strongly disagree, DK: don’t know)

1) Are you involved with the Orr projects?
   - [ ] Directly  [ ] Indirectly  [ ] Not at all
   - If involved are you designated staff of ORR  [ ] Yes  [ ] No
   - If no how you involved?
     Specify………………………………………………………………………………..

2) What is your opinion about the “Outer ring road”?

<table>
<thead>
<tr>
<th>Opinion about ORR</th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>ORR will effectively manage urban growth of the valley</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
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<td>[ ]</td>
</tr>
<tr>
<td>ORR will help to develop settlements outskirts</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>ORR will provide access to remote areas</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
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<td>[ ]</td>
</tr>
<tr>
<td>ORR will increase the economic condition of local people</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
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<td>[ ]</td>
</tr>
<tr>
<td>ORR will reduce traffic of the inner city</td>
<td>[ ]</td>
<td>[ ]</td>
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</tr>
<tr>
<td>ORR will affect culture of the area</td>
<td>[ ]</td>
<td>[ ]</td>
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<td>[ ]</td>
</tr>
<tr>
<td>ORR will affect Social life of the Local people</td>
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<td>[ ]</td>
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<tr>
<td>ORR will increase environmental pollution</td>
<td>[ ]</td>
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</tr>
</tbody>
</table>
3) What is your opinion about land readjustment of the area along the ORR?

**Opinion of Land Re-adjustment**

- Effects Agricultural lands of the country
- Increase economic condition of farmers
- Development of the planned area
- Haphazard’s Sprawl will be controlled
- No relevant policy to reallocate the parcel
- Takes long period of time so farmers have to suffer for that period

4) What is your opinion about acquiring land for ORR projects?

**Opinion about Land Acquisition**

- Should be acquired for the right of way of the road only
- Should be acquired for the redevelopment of the road corridor

5) Do you think the proposed ORR will fit in the country’s land use master plan “According to land use plan 2020, the ratio of built-up: non built-up is to maintain by 40:60. In your views, will it hamper this ratio as lots of agricultural land will be converted into other land uses.”?

Specify: …………………………………………………………………………………………………………………………………………………

6) What is your opinion about the quality of meeting held by ORR?

**Opinion about Meeting**

- Meeting objectives was clear/ understandable
- Meeting frequency was appropriate
- Meeting location was convenient
- Public views were considered
- Participants were able to influence meeting outcome

**Opinion about Public Hearing**

- Public hearing objectives was clear/understandable
- Public hearing frequency was appropriate
- Public hearing location was convenient
- Public views were considered
- Public hearing were able to influence outcome
7) In which stages of the ORR Project Local government has been involved? (more than one option is possible) (If involved in ORR)

- Project identification phase (Need of the project)
- Project planning phase (while fixing Nodal points)
- Survey of the road (while fixing the actual alignment)
- Design phase (Before preparing Detail planning Report)
- None

8) What is their level of participation (Please tick in each phase)?

<table>
<thead>
<tr>
<th>Phase</th>
<th>Informed</th>
<th>Consulted</th>
<th>Co-operation</th>
<th>Mobilization</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project identification phase</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project planning phase (Fixing Nodal points)</td>
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</tr>
<tr>
<td>Survey of the road</td>
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<tr>
<td>After Design of the road (Preparation of Detail planning report)</td>
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</tbody>
</table>

Redevelopment Phase

<table>
<thead>
<tr>
<th>Phase</th>
<th>Informed</th>
<th>Consulted</th>
<th>Co-operation</th>
<th>Mobilization</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selection of land pooling area</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Planning of the area</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Survey of the area</td>
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<td></td>
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<tr>
<td>After Design of the area</td>
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</tr>
</tbody>
</table>

9) What is your opinion about Public Participation for ORR project?

**Opinion about Public Participation**

- Should be informed from the beginning of the project
- Should be consulted from the beginning of the project
- Should be involved in the implementation stage only

<table>
<thead>
<tr>
<th></th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Should be informed from the beginning of the project</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Should be consulted from the beginning of the project</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Should be involved in the implementation stage only</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
<td>☐</td>
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</tbody>
</table>

10) In which stages of the ORR Project Local People / Local Community group have been involved? (More than one option is possible) (If involved in ORR)

- Project identification phase (Need of the project)
- Project planning phase (while fixing Nodal points)
- Survey of the road (while fixing the actual alignment)
- Design phase (Before preparing Detail planning Report)
- None
11) How many times the public hearing/public meeting has been done in affected sector? (If involved in ORR)

<table>
<thead>
<tr>
<th>Bhaktapur Sector</th>
<th>Kirtipur Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-2 times</td>
<td>1-2 times</td>
</tr>
<tr>
<td>3-4 times</td>
<td>3-4 times</td>
</tr>
<tr>
<td>4-6 times</td>
<td>4-6 times</td>
</tr>
<tr>
<td>Don’t know</td>
<td>Don’t know</td>
</tr>
</tbody>
</table>

12) Which is the appropriate media for disseminating the concerned information to affected people? (If not involved in ORR) Please rank in order of importance (Most important=1; Less important=9)

How the information is given to the effected people? (If involved in ORR)

**Information about road alignment**
- On Television
- In Newspaper
- On the internet
- Leaflet
- In public spaces
- On Radio
- In magazines
- Information booklet
- Notices

If others specify ……………………………………………………………………….

**Information about land redevelopment Plan**
- On Television
- In Newspaper
- On the internet
- Leaflet
- In public spaces
- On Radio
- In magazines
- Information booklet
- Notices

If others specify ……………………………………………………………………….
Information about land Reallocation and compensation procedure

- On Television
- On Radio
- In Newspaper
- In magazines
- On the internet
- Information booklet
- Leaflet
- Notices
- In public spaces

If others specify ………………………………………………………………

13) How the public views have been taken?
   1. Through questionnaire survey
   2. Public hearing
   3. Others ………………..

14) Have the public Views have been considered in the final road alignment?
   1. Totally
   2. Partially
   3. Less Partially
   4. Not at all

15) How much information regarding land acquisition through land readjustment has been disseminated to the public?

<table>
<thead>
<tr>
<th>Options</th>
<th>VM</th>
<th>M</th>
<th>L</th>
<th>NAT</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Compensation policies’</td>
<td></td>
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<td></td>
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<tr>
<td>b. Payment schedules</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>c. Percentage of land needed to be contributed</td>
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<tr>
<td>d. Resettlement Plan</td>
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<tr>
<td>e. Time Table</td>
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</tbody>
</table>

16) What types of conflicts arises in planning the project?

- Data conflicts (“Expert group are interested in different data then the collected by the Project”)
- Interest conflicts (“Different expert have interest in different issues. Environmentalist care for environmental matter, geologist care for geological matter”)
- Structural conflicts (“With no coordinating agency, consensus is difficult and each step involves considerable time.”)
- Value conflicts (“Criteria for success in Road project is different for various stakeholders.”)
- Relationship conflicts (“Only one platform, for communicating, with other agencies but lacks structure and mandate to play any mediating role”).

If others Specify………………………………………………………………………..

17) In your opinion how the conflicts are resolved among expert groups? (More than one answers possible)

- Withdrawing
- Compromising
- Forcing
- Smoothing
- Confronting
- Negotiating

If Others Specify ………………………………………………………

18) From the answer of question number 17, how it is done?
If Expert Group = Environmentalist

19) In your viewpoint, how much importance has been given in the ORR to the environmental aspects?
☐ Very High Importance ☐ Moderate Importance ☐ Less Importance ☐ No Importance

20) Who are participated in the impact assessment processes?
☐ NGO ☐ Community based organization ☐ Local Government
☐ Trust Groups ☐ Local people ☐ Farmers
☐ Others ..............................................................

21) In which stages of the project EIA has been performed?
☐ After Project identification phase
☐ After Project planning phase (Fixing Nodal Points)
☐ After Preliminary Design phase (Preparation of DPR)
☐ Survey of the road

22) What can be the social impacts of the ORR in the affected area?
Specify ..............................................................
...........................................................................

23) What can be the economic impacts in the affected area?
Specify ..............................................................
...........................................................................

24) What can be the environmental impacts in the affected area?
Specify ..............................................................
...........................................................................

If Expert Group = Planners

25) In your viewpoint, how much importance has been given in the ORR to the planning aspects (i.e. road alignment in the area easy for land readjustment, parcel)?
☐ Very High Importance ☐ Moderate Importance ☐ Less Importance ☐ No Importance

26) While making the redevelopment plan, how the landowners are involved?
Specify ..............................................................
...........................................................................

27) While reallocating the land, whom will get preference?
Specify ..............................................................
...........................................................................

28) Is there any guideline to reallocate the parcel after readjustment?
☐ Yes ☐ No
Is there a provision of evaluating land condition before the project?
☐ Yes  ☐ No
If yes how?
Specify  ..........................................................................................
..........................................................................................

If Expert Group = Archeologist

29) In your viewpoint, how much importance has given in the ORR to archeological aspects?
☐ Very High Importance  ☐ Moderate Importance  ☐ Less Importance  ☐ No Importance

30) What will be the impacts when Orr will pass through the cultural site like Changunarayan, Mathatirtha?
Specify  ..........................................................................................
..........................................................................................

31) What do you think about the effect on the culture?
Specify  ..........................................................................................
..........................................................................................

If Expert Group = Land Administrator

32) What types of problems raised while making readjustment plan of the area along road corridor regarding parcel?
Specify  .................................................................
..........................................................................................

33) How did you deal the problem related to land with land owner when making readjustment plan?
Specify  .................................................................
..........................................................................................

34) Are the problem has been discussed with the land owners?
Specify  .................................................................
..........................................................................................

35) Which types of land will be appropriate for Orr alignment to pass(private, guthi, public)?
Specify  .................................................................
..........................................................................................

36) What will be the impact of the land price rise in the affected area?
Specify  .................................................................
..........................................................................................

Thank You For Your Co-operation
9.4. Appendix 4: Questionnaire to Local Residents/Land owners/Tenants

Questionnaire to Land Owner/House Hold

Form No:                                Date:                                   Name of Interviewer:

Section 1. General Information(B1)

1. Location
   a) District:                                 b) VDC/Municipality:
   c) Ward No.:     d) Tole:

2. Description of Respondent:
   a) Name of Respondent:  Mr. / Mrs. ………………………………………..…………...
   b) Age:
   c) Gender:  1.Male  2.Female
   d) Martial Status:    1. Married           2. Unmarried  e) Ethnicity/Caste:
   f) Family Members:  h) Occupation:
   g) Education: Respondents and in house

<table>
<thead>
<tr>
<th>Code</th>
<th>Education</th>
<th>Code</th>
<th>Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Can not read and write</td>
<td>1</td>
<td>Service</td>
</tr>
<tr>
<td>2</td>
<td>Can read only</td>
<td>2</td>
<td>Business/Trade</td>
</tr>
<tr>
<td>3</td>
<td>Can read and write</td>
<td>3</td>
<td>Agriculture</td>
</tr>
<tr>
<td>4</td>
<td>Primary</td>
<td>4</td>
<td>Livestock/Poultry</td>
</tr>
<tr>
<td>5</td>
<td>Secondary</td>
<td>5</td>
<td>Wages</td>
</tr>
<tr>
<td>6</td>
<td>SLC</td>
<td>5</td>
<td>Retired</td>
</tr>
<tr>
<td>7</td>
<td>Intermediate</td>
<td>7</td>
<td>Others</td>
</tr>
<tr>
<td>8</td>
<td>Bachelor and above</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. What is your source of income? (Multiple answer possible)

<table>
<thead>
<tr>
<th>Rank</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Service (1)</td>
</tr>
<tr>
<td>2</td>
<td>Business/Trade (2)</td>
</tr>
<tr>
<td>3</td>
<td>Agriculture (3)</td>
</tr>
<tr>
<td>4</td>
<td>Livestock/Poultry (4)</td>
</tr>
<tr>
<td>5</td>
<td>Pension (5)</td>
</tr>
<tr>
<td>6</td>
<td>Wages (6)</td>
</tr>
<tr>
<td>7</td>
<td>Remittances (7)</td>
</tr>
<tr>
<td></td>
<td>Others________________</td>
</tr>
</tbody>
</table>

4. What types of the media you have?

<table>
<thead>
<tr>
<th>Media</th>
<th>Yes</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>TV</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Radio</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Computer with Internet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newspaper</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone/Mobile</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Are you owner or tenants of the affected land?

1. Owner  2. Tenants  3. Combine (Owner & Tenants)
6. What is your opinion about the “Outer ring road project”? (SA: strongly agree, A: agree PA: partially agree, D: disagree, SD: strongly disagree, DK: don’t know)

<table>
<thead>
<tr>
<th>Opinion about ORR</th>
<th>SA</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>SD</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. ORR will increase the economic condition of local people</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. ORR will create Social problem (disharmony in family, among Owner/tenant, among local)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. ORR will increase environmental Pollution</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. ORR is important for your area for development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1-SA, 2-A, 3-PA, 4-D, 5-SD, 6-DK)

Section 2: Access to Information in Road alignment phase (B2)

7. How did you get information about the ORR project for the first time? (Multiple answer possible)

<table>
<thead>
<tr>
<th>Rank</th>
<th>Source</th>
<th>Rank</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>On television In meeting</td>
<td></td>
<td>On radio In Public hearing</td>
</tr>
<tr>
<td></td>
<td>In newspapers In public places</td>
<td></td>
<td>In magazines On the internet</td>
</tr>
<tr>
<td></td>
<td>Others..................</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. When did you know about proposed ORR project for the first time?
   1. 4-3 yrs  2. 2 yrs before  3. 1 yrs before  4. less than 1 yrs  5. Don’t know

9. Do you know through which area the road alignment will pass?

10. How did you get the information about ORR alignment? (Multiple answer possible)

<table>
<thead>
<tr>
<th>Rank</th>
<th>Period</th>
<th>Source</th>
<th>Rank</th>
<th>Period</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>On television</td>
<td>Brochure</td>
<td></td>
<td>On radio</td>
<td>Notice</td>
</tr>
<tr>
<td></td>
<td>In newspapers</td>
<td>House hold survey</td>
<td></td>
<td>In magazines</td>
<td>Alignment survey</td>
</tr>
<tr>
<td></td>
<td>In meeting</td>
<td>On the internet</td>
<td></td>
<td>In Public hearing</td>
<td>Others...............</td>
</tr>
<tr>
<td></td>
<td>Information Leaflet</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

11. Are the given information is

   VM- very Much, M- Moderate, L- Less, NAT – Not At All, DK – Don’t Know

<table>
<thead>
<tr>
<th>1. On media(T.V/Radio/Internet)</th>
<th>VM</th>
<th>M</th>
<th>L</th>
<th>NAT</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Easily seen</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Easily heard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Understandable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. On Newspaper/Magazine
3. **On Information leaflet /Brochure/ Notice**
   - Clear
   - Understandable
   - Accurate
   - Truthful

4. **On House hold survey/ alignment survey**
   - Clear
   - Accurate
   - Truthful
   - Detail
   - Understandable

12. **Have your views been taken for the road alignment?**
   1. Yes                2. No             3. Don’t know

13. **If yes when did they have taken your views?**
    Specify…………………………………………………………………………..

14. **How did they take your views?**
    1. Public hearings      2. Questionnaire survey      3. Others___________

**Section3: Information on land acquisition through Land Readjustment (B3)**

15. **How much do you know about land readjustment?**

16. **How much do you agree in land readjustment?**

17. **How did you get the information about Land readjustment? (Multiple answer possible)**

<table>
<thead>
<tr>
<th>Rank</th>
<th>Period</th>
<th>Source</th>
<th>Rank</th>
<th>Period</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>On television</td>
<td></td>
<td></td>
<td>Information Leaflet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>On radio</td>
<td></td>
<td></td>
<td>Brochure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In newspapers</td>
<td></td>
<td></td>
<td>Notice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In magazines</td>
<td></td>
<td></td>
<td>House hold survey</td>
</tr>
<tr>
<td></td>
<td></td>
<td>On the internet</td>
<td></td>
<td></td>
<td>Alignment survey</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In meeting</td>
<td></td>
<td></td>
<td>Others………………….</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In Public hearing</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

18. **Are the given information**

<table>
<thead>
<tr>
<th>VM</th>
<th>M</th>
<th>L</th>
<th>NAT</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. On media(T.V/Radio/Internet)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Easily seen</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Easily heard</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Understandable</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. On Newspaper/Magazine</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3. On Information leaflet /Brochure/ Notice

4. On House hold survey/ alignment survey

19. How much do you know about following information regarding land acquisition through land readjustment?

<table>
<thead>
<tr>
<th>VM</th>
<th>M</th>
<th>L</th>
<th>NAT</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Compensation policies</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Payment schedules</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Percentage of land need to be contribute</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Resettlement Plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Time Table</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 4: Public Participation (B4)

20. How often Public Hearings / Public Meetings are conducted?


21. How many times you have attended public hearing/meeting?


22. What is your opinion about the quality of meeting /Public hearing for ORR?

<table>
<thead>
<tr>
<th>Opinion about meeting/public hearing</th>
<th>S</th>
<th>A</th>
<th>PA</th>
<th>D</th>
<th>S</th>
<th>D</th>
<th>K</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Public hearing’s objectives are clear</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B Public hearing’s objectives is understandable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C Public hearing frequency is appropriate</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D Public hearing location was convenient</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E Public hearing’s messages is clear</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F Participants were able to influence outcome meeting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G Public views were considered</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

23. Did you raise any questions/issues in the Public hearing?  1. Yes  2. No

24. Is there any committee formed by local people to handle the issues related to ORR?

1. Yes  2. No  3. Don’t know
25. **If Yes, What are they? (Multiple answer possible)**
   1. Citizen advisory boards
   2. Women groups
   3. Farmer’s associations
   4. Others

**Section 5: Institutional Reform (B5)**

26. **Do you know about any provision where you can put your complain?**
   1. Yes  2. No

27. **If Yes what are they**
   1. Complaint Box
   2. Municipal/VDC Front office
   3. Information service centers (ORR)
   4. Others

28. **Have you visited the office of ORR for the information?**
   1. Yes  2. No  3. Don’t know

29. **If yes, how often have you visited?**
   1. Very Often  2. Often  3. Not very often

30. **In your views, how easy for you to get the information from ORR?**

31. **Are you informed about the outcome of the impact assessment in your area?**
   1. EIA report  2. SIA report  3. Not informed  4. Don’t know

**Section 4: Information of Land: (B6)**

32. **How much area of your land will be affected by the proposed Orr project?**
   Specify

33. **What percent of land you are ready to contribute for this project?**
   1. 60%  2. 50%  3. 30%  4. 25%  5. Less than 25%  6. don’t know

34. **What is the previous value of your land?**
   Rs. 

35. **What is the present value of your land?**
   Rs. 

36. **How much you expected to rise your land price after redevelopment?**
   Rs.

37. **Have you kept your land in bank for loan?**
   1. Yes  2. No

38. **If yes when you have kept the land for loan?**
   Specify

39. **Why did you kept your land in bank?**
   Specify

40. **Have you think of selling your land?**
   1. Yes  2. No  3. Not decided
If yes, why did you think of selling? .................................................................

41. What can be the economic effect in your life when you have to give part of your land for ORR?
   Specify ..............................................................................................................
   .........................................................................................................................

42. Do you want to change your occupation if road is developed?
   1. Yes  2. No  3. Not decided

43. How many times the land transaction has been increased in your area within one year?
   Specify ..............................................................................................................
   .........................................................................................................................

44. Have somebody approached for purchase of your land?
   1. Yes  2. No  3. Don’t know

45. Do you know any conflicts between landowner and Tenants in your area due to ORR?
   1. Yes  2. No  3. Don’t know

46. What will be your role in this project?
   4. Not support  5. Non-cooperation

Comments: ..............................................................................................................
   .........................................................................................................................

..............................................................