



Government of the People's Republic of Bangladesh
Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase- III
Resettlement Action Plan-II

Along Demra-Jatrabari Road up to Middhabari Sluice Gate (6.5 km.)

Prepared by



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CURRENCY EQUIVALENTS

(as of May 14, 2019)

Currency unit	–	Bangladeshi Taka (BDT)
BDT1.00	=	\$ 0.0118371
\$1.00	=	BDT 84.48

LIST OF ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
ARIPA	Acquisition and Requisition of Immovable Property Act
ARIPO	Acquisition and Requisition of Immovable Property Ordinance
BBS	Bangladesh Bureau of Statistics
BDT	Bangladesh Taka
DWASA	Dhaka Water Supply and Sewerage Authority
CBO	Community-Based Organization
CCL	Cash Compensation under Law
DAE	Department of Agriculture Extension
DC	Deputy Commissioner
DLAC	District Land Allocation Committee
DLR	Directorate Land & Revenue
DSC	Design and Supervision Consultant
DSCC	Dhaka South City Corporation
DTW	Deep Tube Well
EA	Executing Agency
EC	Entitlement Card
EIB	European Investment Bank
EP	Entitled Person
E&S	Environmental and Social
FO	Field Office
GoB	Government of Bangladesh
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism

GTL	Grant to cover temporary loss of income
GWL	Grant to cover loss of workdays
HCG	House Construction Grant
HDA	Homestead Development Allowance
HIES	Household Income and Expenditure Survey
HIV	Human Immunodeficiency Virus
HTG	House Transfer Grant
ID	Identity
JVS	Joint Verification Survey
KMC	Knowledge Management Consultants Ltd.
LAP	Land Acquisition Plan/Proposal
LARS	Land Acquisition and Resettlement Specialist
LCS	Labour Contracting Societies
LEC	Loss and Entitlement Card
LGI	Local Government Institutions
M&E	Monitoring and Evaluation
MIS	Management Information System
MLD	Million Liter per Day
MoLGRC	Ministry of Local Government Rural Development and Cooperatives
NGO	Non-Government Organization
PAP	Project Affected Person
PAVC	Property Assessment and Valuation Committee
PD	Project Director
PIU	Project Implementation Unit
PRAC	Physical Relocation Assistance Committee
PSC	Project Steering Committee
PWD	Public Works Department
RA	Rental Allowance
RAP	Resettlement Action Plan
RCC	Reinforced Cement & Concrete
SDE	Sub-Divisional Engineer
SGB	Shifting grant for Goods and Belongings
RPF	Resettlement Policy Framework

STG	Structure Transfer Grant
SWTPP-	Saidabad Water Treatment Plant Project
TA	Transition Allowance
TOR	Terms of Reference
UP	Union Parishad
VNR	Vested and Non-Resident
WB	World Bank
XEN	Executive Engineer

DEFINITION OF SELECTED TERMS

Compensation: Payment made in cash to the project affected persons/households for the assets acquired for the project, which includes the compensation provided under the Acquisition and Requisition of Immovable Ordinance 1982 and subsequent amendment until 1994 and others stipulated in this Resettlement Action Plan (RAP).

Cash Compensation under Law (CCL): Refers to the compensation assessed for the acquired lands and other assets, such as trees, houses/structures, etc., by different government agencies as per the methods provided in the Land Acquisition Ordinance 1982, and paid by the Deputy Commissioners (DC).

Consultation Framework: In view of their stakes and interests in the project interventions the framework is prepared to guide the project preparation/detail design team about who are to be consulted about the project and the positive and negative social impacts of the interventions, and to seek their inputs and feedback in different stages of the project cycle.

Cut-off Dates: These are the dates on which censuses of the project affected persons and their assets to be affected are commenced in a particular area (mauza/village). Assets like houses/structures and others which are created after the cut-off dates, and the persons or groups claiming to be affected, become ineligible for compensation and assistance. For private lands, these dates will however not constitute “Cut-off Dates”, if the legal Notice under Section 3 (Notice-3) as per ARIPO 1982 is already issued before the censuses are taken. In such a situation, the Notice-3 dates are considered “Cut-off Dates”, as the acquisition ordinance prohibits changes in the appearance of the lands after issuance of Notice-3.

Encroacher: Households or persons having land of their own attached to the public land or elsewhere but occupy the land proposed for acquisition or in the government land (for residence and/or income earning) without legal arrangements with the GoB or any of its concerned agencies are defined as encroacher.

Entitlement: Refers to mitigation measures, which includes cash payments by DCs and DWASA, as well as any non-cash measures stipulated in this RPF e.g., allowing the project affected persons to keep felled trees, salvaged building materials, employment in civil works construction, etc.

Household: A household is a group of persons who commonly live together with common incomes and take their meals from a common kitchen.

Income Restoration: Refers to re-building the capacity of the project affected households to re-establish income sources at least to restore their living standards to the pre-acquisition levels.

Involuntary Resettlement: The situation arises where the States power of eminent domain requires people to acquiesce their rights to personal properties and re-build their lives and livelihood in the same or new locations.

Khas Land: Khas lands are public lands those are not recorded in the name of any private citizen/entity of the country as per latest settlement record or owned by any government agencies. Deputy Commissioner in a respective district is the custodian of all khas lands in a district.

Khai-khalashi Right: It is a usufructuary right to a land for a specified period obtained through a loan given to the land owner that is recovered through produces from the land during that period. The lender cultivates the land or leases it out either to the borrower or to any other farmer. Though the land is mortgaged against a specific amount of credit, no interest is paid to the lender for this loan.

NGO: Non-Government Organizations (NGOs) are private voluntary organizations registered in Bangladesh with the Department of Social Welfare or with the Joint Stock Company. NGOs, as per World

Participation/Consultation: Defined as a continuous two-way communication process consisting of “feed-forward” the information on the project’s goals, objectives, scope and social impact implications to the project beneficiaries, and their “feed-back” on these issues (and more) to the policymakers and project designers. In addition to seeking feedback on project specific issues, the participatory planning approach also serves the following objectives in all development projects: public relations, information dissemination and conflict resolution.

Physical Cultural Resources: Defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or under water. Physical cultural resources are important as sources of valuable scientific and historical information, as assets for economic and social development, and as integral parts of a people’s cultural identity and practices. Their cultural interest may be at the local, provincial or national level, or within the international community.

Project-Affected Persons: Project Affected Persons (PAPs) refer to all persons impacted by the land acquisition and involuntary resettlement, including all members of a household (women,

men, girls, boys, incl. several generations in the case of extended households); the owner and employees of a business; members of an ethnic minority group; tenants; land owners and sharecroppers; informal settlers (i.e. lacking formal titles); holders of customary land-rights; informal business-operators and their employees/assistants. Eligible PAPs may be in any of the following situations: (i) have formal legal rights to the land/structure they occupy; (ii) do not have formal legal rights to land, but have a claim to land that is recognized or recognizable under the national laws (e.g. ancestral, traditional lands); (iii) are dependent on the impacted land for their livelihood by way of customary access to natural resources; (iv) have no recognizable legal right or claim to the land or structure they occupy; and/or (v) economically displaced persons who face loss of assets or access to assets.

Rehabilitation: Refers to improving the living standards or at least re-establishing the previous living standards, which may include re-building the income earning capacity, physical relocation, rebuilding the social support and economic networks.

Relocation: Moving the project-affected households to new locations and providing them with housing, water supply and sanitation facilities, lands, schools and other social and health care infrastructure, depending on locations and scale of relocation. [Homestead losers may also relocate on their own in any location they choose.]

Resettlement Action Plan: Resettlement Action Plan (RAP) is the document in which the promoter of a project or other responsible competent authority describes the impacts of the involuntary resettlement, specifies the procedures that will be followed to identify, evaluate and compensate the impacts and defines the actions to be undertaken during all phases of the resettlement.

Resettlement Policy Framework (RPF): Resettlement Policy Framework (RPF) is a document similar to a RAP carried out when the exact physical and/or economic displacement is unknown due to the nature (existence of multiple components or sub-projects) and/or stage of development of the project. This is typically the case for linear infrastructures. The document should include a commitment for the later implementation of a RAP, outline the general principles of resettlement that shall apply to the (sub-) project(s) and establish the criteria that shall make it necessary to develop a RAP for the underlying (sub-) project(s).

Replacement Cost: According to EIB Environmental and Social Standard-6 on Involuntary Resettlement Replacement Cost refers to the value determined to be fair compensation for: (i)

land, based on its productive potential; (ii) houses and structures, based on the current market price of building materials and labor without depreciation or deductions for salvaged building material, and (iii) residential land, crops, trees, and other commodities, based on their market value. Such cost needs to further account for any removal costs, utility connection costs, taxation costs imposed on new housing/re-established businesses etc. Where markets do not exist, surrogate values must be determined

Squatter: Household or person occupying public lands without legal arrangements with the GoB or any of its concerned agencies is a squatter to the lands. Households/persons those displaced by riverbank erosion, cyclones or landlessness squat embankment /road slopes for residential, commercial and community purposes. In this project, many road squatters have their own land elsewhere for residing but they built structure beside the road for mostly commercial purposes. .

Stakeholder: Refers to recognizable persons, and formal and informal groups who have direct and indirect stakes in the project, such as affected persons/households, shop owners, traders in haats/bazaars/kitchen markets, squatters, community-based and civil society organizations.

Top-Up Payment: Refers to DWASA's payment supplement replacement cost of land and other assets where the cash compensation under law (CCL) determined and paid by DCs is less than the replacement cost.

Tribal Peoples: Tribes, minor races, ethnic sects and communities living in the Chittagong Hill Tracts and dispersed in other plain districts in Bangladesh are distinct indigenous cultural groups having customary cultural, economic, social, or political institutions separate from those of the mainstream society and culture; and they have their own indigenous language different than the mainstream Bangla language. These small groups of peoples have similar characteristics of indigenous peoples recognized in the EIB Environmental and Social Standard.

Vulnerable Household: Households those may suffer disproportionately or face the risk of being marginalized from the effects of resettlement and specifically include: (i) poor female headed households with dependents, (ii) disabled headed households with dependents, (iii) nationally designated poor households, (iv) elderly headed households with no means of support, (v) Orphan headed households, (vi) landless households or the households became landless due to the project, and (vii) poor tribal peoples or ethnic minorities.

EXECUTIVE SUMMARY

A. The Project

Dhaka Water Supply and Sewerage Authority (DWASA) was established with the prime objective of providing adequate safe water supply and sewerage disposal facilities to the entire population of Dhaka City. To do that, the government has approved a project titled “Saidabad Water Treatment Plant Project Phase-III”. The project requires private land acquisition of about 34 acres from which mostly (32 acres) from Naryanganj district and 2 acres in Dhaka district. Approximately 300 HHs and other entities including shops and community properties will be affected within the pipeline right of way.

Table 0:1 Project Alignment at a Glance

Transmission Line	Transmission Line Length	Remarks
From Raw water pumping station to near Darikandi Bus stand of Dhaka- Chittagong Highway	6 km.	RAP-I
Along Dhaka-Chittagong Highway up to Kanchpur Bridge Circle:	8.5 km	RAP-III
Along Dhaka-Sylhet Highway up to the cross-section of Dhaka-Sylhet Highway and Demra-Jatrabari Road:	2.3 km	RAP-III
Along Demra-Jatrabari Road up to Middhabari Sluice Gate:	6.5 km.	RAP-II
Primary & Secondary Distribution Mains for Saidabad Phase-III WTP	around 54 km	

Source: DWASA

According to the Resettlement Policy Framework of this project, Three Resettlement Action Plans (RAPs) will be prepared of the project. Table above stated the proposed alignment and RAPs to be prepared respectively. This RAP II is along Demra-Jatrabari Road up to Middhabari Sluice Gate alignment under Dhaka district based on the 100% census and survey of the affected HHs.

B. Land Acquisition and resettlement Impacts

The Project will require acquisition of 2.0276 acre land under RAP -II. Due to the acquisition of land, a total of 54 project affected units will be affected including 53 titled households and one Dhaka WASA structure. Of the affected households, 12 are residential structures, 37 commercial structures, and 4 both residential & commercial structures. Apart from these impacts, 246 wage

laborer, 76 tenants and 11 trees will also be affected by the project. This is to note that, no IPs communities or small ethnic groups affected by the project, therefore no FPIC is triggered.

Table 0:2: Summary of Impact

Sl. No.	Project Impacts	Total
A	Amount of Private Land acquisition (acre)	2.0276
B	No of Affected HHs	53
B1	No. of HHs affected by only Residence structures (titled)	12
B2	No. of HHs affected by only Commercial structures (titled)	37
B3	Residential cum commercial structures (titled)	4
C	Affected Dhaka WASA structure	1
B+C total Affected Units		54
D	Tenants	76
E	Number of wage laborer	246
F	Number of trees affected	11

Source: Census and IOL survey, February 2019

C. Socioeconomic profile of the affected HHs

- The total project affected unit is 54 (including Dhaka WASA structure), of them the Households number is 53. The total number of PAPs is 227 of the affected HHs
- In percentage ratio, 52% are male and (117 no.) 48% are female (110 no.)
- The average household size among the affected people is 4.28
- 7.93 of the people (5.13% male and 2.73 female) were recorded as being over 60 years old
- The education level in the project-affected area is about 90%
- Business and Agriculture is the main profession dominated by male

D. Information Disclosure, Consultation and Responses

The primary stakeholders of the Project are land owners, traders, farmers, service holders, day laborers, tenants, lessee, as well as small shop owners. Stakeholder consultation meetings were held during (i) social surveys (e.g. census, SES, land market survey, and video filming), followed by formal community-wide Stakeholder Consultation Meeting (SCM), and (iii) Focus Group Discussion (FGD). The cut-off dates (a) for land and (b) eligibility for resettlement benefits were discussed during the surveys and local consultation meetings/FGDs. The affected people support the Project that they see will enable faster transportation as well as improve the connection with other parts of the country. However, they raised concerns over timely and fair compensation as well as availability to relocate their businesses in proximity to the stations. Most of these

concerns have been integrated into the compensations and resettlement measures outlined in the RAP.

A Project information brochure, will be distributed to every affected household unit prior to RAP implementation. A Grievance Redress Mechanism (GRM) will be put in place prior to the implementation of the RAP to ensure complaints and feedbacks from affected people are adequately and timely addressed.

E. Legal and Policy Framework

The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance (ARIPO 1982), and EIB Environmental and Social Standard-6 on involuntary Resettlement triggered to ensure fair value for (i) land and assets permanently acquired (including standing crops, trees, houses); and(ii) any other damages caused by such acquisition. The Deputy Commissioners (DC) in all the cases, determine the market value of acquired land based on the assessment of transacted deeds of the 12 months prior to the date of notice under Section 3. However, the value provided is generally lower than the true “market value” as owners customarily report lower rates in land transaction prices to avoid duties and taxes.

To ensure fair compensation, additional surveys and studies have also been undertaken under the Project to assess current market value of land and other assets for payments at replacement cost. These have been synthesized in the Land and Property Valuation methods, which is summarized along with the land acquisition and resettlement budget in Chapter 10. The values assessed during Land and Property Valuation survey will be further reviewed and verified by the Property Valuation Advisory Committee (PVAC) during implementation of the RAP.

F. Entitlements, Assistance and Income-Restoration Measures

Table 0:3: Entitlement Matrix

Loss Item	Entitlement
Loss of Agricultural Land	<ul style="list-style-type: none"> •Cash compensation under law (CCL) that includes premium to be paid by DC following latest LA law. •A top-up payment on DC's amount if the DC price seems significantly lower than the replacement cost to be assessed by PAVC. • Stamp duty and registration cost on purchasing of replacement land using an amount not exceeding total price of land. Stamp duty and transaction costs will be paid if the replacement land is purchased within 12 months of receiving CCL or within RAP implementation period whichever is longer.
Loss of homestead, commercial, industrial land and community property resources	<ul style="list-style-type: none"> • Cash compensation under law (CCL) that includes premium to be paid by DC following latest LA law. •A top-up payment on DC's amount if the DC price seems significantly lower than the replacement cost to be assessed by PAVC. •Land development cost @ 10% of land value (replacement cost) •Dislocation allowance @BDT 200 per decimal maximum BDT20,000 to each entitled person. • Stamp duty and registration cost on purchasing of replacement land using an amount not exceeding total price of land. Stamp duty and transaction costs will be paid if the replacement land is purchased within 12 months of receiving CCL or within RAP implementation period whichever is longer
Loss of water bodies (ponds, both cultivated and non-cultivated)	<ul style="list-style-type: none"> • Cash compensation under law (CCL) that includes premium to be paid by DC following latest LA law. • A top-up payment on DC's amount if the DC price seems significantly lower than the replacement cost to be assessed by PAVC.

	<ul style="list-style-type: none"> • Dislocation allowance @ BDT 100 per decimal not exceeding BDT 20,000 to each entitled person • Stamp duty and registration cost on purchasing of replacement land using an amount not exceeding total price of land. Stamp duty and transaction costs will be paid if the replacement land is purchased within 12 months of receiving CCL or during RAP implementation period whichever is longer.
Loss of residential structures with or without title to land	<ul style="list-style-type: none"> • Replacement cost of residential structure assessed. • Transfer Grant of affected structure @ BDT10 per sft. • Reconstruction Grant of affected structure @ BDT 15 per sft. • Owner will be allowed to take away all salvageable materials free of cost within DWASA declared deadline.
Loss of commercial/industrial structures with or without title to land	<ul style="list-style-type: none"> • Replacement cost of structure. • Transfer Grant of affected structure @ BDT10 per sft. • Reconstruction Grant of affected structure @ BDT 15 per sft. • Owner will be allowed to take away all salvageable materials free of cost within DWASA declared deadline.
Loss of community properties on private or public lands	<ul style="list-style-type: none"> • Replacement cost of structure. • Transfer Grant of affected structure @ BDT 10/sft. • Reconstruction Grant of affected structure @ BDT 15/sft. • Owner will be allowed to take all salvageable materials free of cost within DWASA declared deadline <p><u>OR</u></p> <ul style="list-style-type: none"> • The project authority will construct a new community property from the project budget. In that case compensation and other benefits will not be paid for structures
Loss of trees with title to land owner and owner of trees on public land or lessees	<ul style="list-style-type: none"> • Cash Compensation under law to be paid by DC. • Value of fruits @ 30% of timber value for each grown up trees. • Owner of the tree will be allowed to fell and take the trees free of cost within the DWASA declared deadline.

Loss of standing crops/fish stock with title to land	<ul style="list-style-type: none"> • Market value of standing crops/fish stock as per LA law to be determined by DC. • Owners will be allowed to harvest crops and fish stock within DWASA declared deadline.
Loss of leased or mortgaged land	<ul style="list-style-type: none"> • CCL of crops/fish stock. • Dislocation Allowance will be paid by DWASA to the actual cultivator of the acquired land. • The cultivator will be allowed to take the crops/fish within the DWASA declared deadline
Loss of income (wage earners in agricultural, small business and industry (excluding owners or employers))	<ul style="list-style-type: none"> • Grant to cover temporary loss of regular wage income for 30 days @ 400/day if lost due to the project interventions.
Loss of income from business (structure owners and tenants)	<ul style="list-style-type: none"> • Restoration Grants for business loss for the minimum days of closing the business temporarily or partially (not over 15 days) during construction of the project in case of temporary & partial loss of business premises. • In case of permanent dislocation the business owners will be paid maximum 45 days net income identified by PAVC or during census survey. • Right to take away business material from demolished structure. • Tenants business operators will be entitled for moving assistance equivalent to wage labourers (@ 400/day for 30 days
Shifting of household's belonging/inside materials	<p>An amount of BDT 5,000 will be given to each HH who will lose shelter including tenants if shifted within the deadline declared by DWASA</p>
Loss of Income and livelihood (Vulnerable PAPs)	<ul style="list-style-type: none"> • BDT 10,000/- as one time grant in addition to other compensations for each vulnerable household. • BDT 5,000/- as one time grant to poor female headed households in addition to other compensation.

	<ul style="list-style-type: none"> • Skill Training for vulnerable households on IGA. • Preferential employment in project civil work and during operational period of the project
Unforeseen adverse impacts	Entitlements will be determined as per the resettlement policy framework

G. Resettlement and Relocation

Among the HHs losing structures, about 16.98% preferred for the Self-Relocation by purchasing new land and Relocation on Residual Land (83.02%). Among the land losers, 100% preferred cash for land. Since there is scarcity of land in the country, so land for land option cannot be entertained and therefore adequate compensation for lost land will be paid at replacement cost so that landowners can purchase alternative land with compensation money. Regarding compensation assistance for the affected structure owners, more than 100% opted for cash compensation for structure and remaining preferred receiving replacement structures.

H. Income Livelihood Restoration

About 16.98% of affected HHs indicated that they required help with employment opportunities in construction work, about 28.30% want assistance or loan from other ongoing development scheme, and about 54.72% showed their interest in vocational & Skill development training on IGA.

H. Grievance Redress Mechanism

A Grievance Redress Committee (GRC) at local level will be formed for each Union with union level representation to ensure easy accessibility by the affected persons. Two-tier grievance redress mechanism (GRM) has been proposed here for giving the affected people freedom of their choices to appeal to the higher level if they are not satisfied with the decision of the GRC at any level. They will also enjoy the opportunity to go to the court of law for final resolution. The grievance mechanism of this project is free of charge.

Table 0:4: Members of Grievance Redress Committees (GRCs)

Level	Members of the GRC at different levels
Project Level (PIU)	i. Project Director : Convener ii. Executive Engineer (PIU) : Member iii. Team Leader RAP Implementing : Member Secretary Consultant

Level	Members of the GRC at different levels
Local Level at Union Parishad/ Municipality	i. Executive Engineer (DWASA, Field Office) : Convener ii. Representative (Deputy Team Leader) of the RAP Implementing Consultant : Member-Secretary iii. Local UP Chairman/Member/Ward Councilor : Member iv. Affected People's representative : Member v. Female PAP representative (In case of female aggrieved persons) : Member

I. Resettlement Cost and Budget

The cost is estimated on the basis of inventory of losses identified through census and IoL and property valuation/market surveys. Replacement value of land, structures and other assets are calculated using the market rates. The Property Valuation Advisory Committee will confirm the rates by types of land and location during the RAP implementation. The costs for relocation and special assistance are consistent with the entitlement matrix.

The total estimated budget for implementation of the Resettlement Plan is BDT 458,185,172 from which BDT 140,269,773 to be paid as additional pay. Budget summary for LA&R is presented the table below.

Table 0:5: Budget Summary for LA&R

	Budget Summary	Budget	DC Budget	Additional Pay	% of the total Budget	USD in million
	1	2 (3+4)	3	4	5	6
A	Compensation for land	262,667,412	230,823,425	35,261,092	57.33	3.13
B	Compensation for Structure	99,097,886	66,640,532	32,457,354	21.63	1.18
C	Compensation for Tree	17,960	-	17,960	0.00	0.00
D	Other Resettlement Benefits	60,882,980	1,450,000	59,432,980	13.29	0.72
E	RAP Implementing Agency/ INGO	10,350,000	-	10,350,000	2.26	0.12
G	DC Contingency @ 7.5% as per DC payment sheet	22,418,547	22,418,547	-	4.89	0.27
F	Additional Contingency 2% of Total Additional Budget	2,750,388	-	2,750,388	0.6	0.03
	Total cost	458,185,172	321,332,504	140,269,773	100.00	5.45

J. Implementation Arrangement

- DWASA will establish a Project Implementation Unit (PIU) at its headquarters to prepare and implement the entire project
- PD will oversee preparation and implementation of the phase-wise land acquisition and the RAP
- Executive Engineer (XEN)- assigned for land acquisition and resettlement activities, will implement the project on the ground
- RAP implementing agency (consultant) to identify the project affected households/business enterprises and persons relating to the enterprises, estimating their losses and dislocations, and processing their entitlement as per the packages to be contained in the RAP
- The Deputy Commissioners will pay compensation to the legal owners of the affected properties following the land acquisition law of Bangladesh (ARIPO 1982)
- DWASA will pay additional compensation (if any) on top of DC's payment and resettlement benefits as per policy of the RPF
- The PAVC will verify and cross check the field book of the joint verification survey (JVS) conducted jointly by DWASA and the Deputy Commissioners at respective project area

J. Monitoring and Evaluation

- DWASA will set up an internal monitoring system to report on regular basis involving the SDEs/XENs at the field level
- The RAP implementing consultant will primarily be responsible for collection of monitoring data on land acquisition and implementation of resettlement action plans
- PIU will prepare six-monthly reports on monitoring of land acquisition and implementation of resettlement plans to be implemented by the consultant
- Independent reviews of the DWASA land acquisition process will be carried out at regular intervals through the SWTPP-III integrated performance audit procedure on a 15% sample of affected households.
- DWASA may engage national level consultant to prepare monitoring report independently on bi-annual basis

1. PROJECT BACKGROUND

1.1 Introduction

1. Dhaka Water Supply and Sewerage Authority (DWASA) was established with the prime objective of providing adequate safe water supply and sewerage disposal facilities to the entire population of Dhaka City and surrounding other urban areas e.g. Narayanganj, Demra, Tongi, Joydebpur, Savar. DWASA is mandated to supply piped water to the dwellers of Dhaka Metropolitan City and its adjacent area. To do that DWASA has been implementing two mega water supply project titled 'Padma (Jashaldia) WTP Project Phase-1' and 'Dhaka Environmentally -Sustainable Water Supply Project' through total 950 MLD potable water will be supplied for the city dwellers. Now, the government has approved a project titled "Saidabad Water Treatment Plant Project Phase-III".
2. The project requires private land acquisition of about 34 acres from which mostly (32 acres) from Naryanganj district and 2 acres in Dhaka district. This RAP approximately 53 HHs and 1 community properties will be affected within the pipeline right of way. Only 7.6 km alignment is on the private land (6 km at Naryanganj and 1.6 km in Dhaka district) and remaining is along the RHD road (Dhaka-Chittagong, Dhaka-Sylhet and Dhaka-Demra road). The first 6 km of the alignment passes through 18 numbers of mouzas under 4 Unions and one Municipality under Sonagaon Upazila of Naryanganj district and remaining about 1.6 km across Matuail mouza is under Demra Thana of Dhaka district. Major portion of the alignment has been designed alongside the existing RHD road i.e. Dhaka-Chittagong road, Dhaka-Sylhet road, and Dhaka (Jatrabari)-Demra road on RHD land (Table 1). Along the RHD road the alignment passes through two (02) Upazila/ Thana under Naryanganj and Dhaka districts.

Table 1:1: Project Alignment at a Glance

Transmission Line	Transmission Line Length
From Raw water pumping station to near Darikandi Bus stand of Dhaka-Chittagong Highway	6 km.
Along Dhaka-Chittagong Highway up to Kanchpur Bridge Circle:	8.5 km
Along Dhaka-Sylhet Highway up to the cross-section of Dhaka-Sylhet Highway and Demra-Jatrabari Road:	2.3 km
Along Demra-Jatrabari Road up to Middhabari Sluice Gate:	6.5 km.
Primary & Secondary Distribution Mains for Saidabad Phase-III WTP	around 54 km

Source: DWASA

3. The RAP is prepared following the Acquisition and Requisition of Immovable Property Ordinance (ARIPO) 1982 and EIB Environmental and Social Standard -6 on Involuntary Resettlement. The RAP contains project information, socioeconomic profile of the PAPs, project impacts on land & other properties and livelihoods, consultation and participation outcomes, legal framework, policy matrix based on impacts, relocation and livelihood restoration strategy, grievance redress mechanism, institutional arrangement, budget and flow of funds and monitoring & evaluation mechanism.

1.2 Impacts of the project

4. The Project will require acquisition of 32.277 acre land for the project, this RAP is prepared for the land acquired for 2.0276 acre under Dhaka District. Due to the acquisition of land, a total of 54 project affected units will be affected including 53 households and one Dhaka WASA structure. All the affected households are titled households. Of the affected households, 12 are residential HHs, 37 households are affected by losing only commercial structures and 4 households are affected by losing both commercial and residential structures. Apart from these impacts, 76 tenants, 246 wage laborer and 11 trees will also be affected by the project. This is to note that, no IPs communities or small ethnic groups affected by the project, therefore no FPIC is triggered.

1.3 Survey Methods

5. A complete Census and Inventory of Losses (IOL) survey was conducted to assess impacts of the project. Field level consultation meetings were held to let the affected people and other stakeholders know about the project goals & objectives, potential impacts and mitigation measures, compensation mechanism, grievance resolution process and other information related to project implementation. A property valuation survey was also conducted to assess current market prices of land and other affected properties. For conducting such surveys and consultation meetings, a group of professionals and field level staff were deployed. Household numbers of the potential displaced entities have been pasted on the wall of the affected structure and a video clip of each affected property, along with the household owners or senior proxy was prepared and catalogued.

Table 1:2: Adopted Methodologies

Methodologies	Tools and techniques
Conduct consultation meetings	Conducted consultation meetings with affected people and various stakeholders before or during starting census and IOL survey to disclose the project and adopted resettlement policies under the RAP and establish cut-off-date for the non-title holders
Census and IOL	Carried out census and IOL of the 100% affected households and other entities irrespective of title to the land (title holders and squatters) for preparation of RAPs.
focused group discussion	Hold Focused group meetings with various occupational groups identified during census and IOL survey
Property Valuation Survey	Carried out property valuation survey of the affected land and other properties using a structured questionnaire to ascertain replacement value to facilitate preparation of the land acquisition and resettlement budget. Rates of land were collected from each of the affected Mouza from various cross sections of the people such as potential seller & buyer, religious leader, teacher, deed write, etc. to ascertain replacement cost.
Video filming of the affected properties	Carried out video filming of the affected properties along the right of way. Household number (census number) was pasted on the wall of the structure with permanent ink during video filming. Household head or his/her senior proxy captured in video film with affected properties.
Preparation of Resettlement Action Plan	Resettlement Action Plan (RAP) is prepared based on census and IOL data following GoB rule and EIB Environmental and Social Standard-6 on involuntary resettlement.

2. LAND ACQUISITION AND RESETTLEMENT IMPACTS OF THE PROJECT

6. The Project will require acquisition of 32.277 acre land for the 6 km alignment from Raw Water Pumping Station to Dhaka-Chattogram Road under Narayanganj district and for the 6.5 km. alignment from Along Demra-Jatrabari Road up to Middhabari Sluice Gate Under Dhaka District. Due to the acquisition of land, a total of 54 project affected units will be affected including 53 households and one CPR under RAP II. Apart from these impacts, tenants, wage laborer, and trees will also be affected by the project interventions. HHs losing only land with or without crops have been identified by the DC office based on record of rights to their property. Record of rights are available in the name of recorded owners but current owners/users will be identified as per succession certificates/transacted deeds and other document as per law. DC office will pay compensation to the current owners as per updated record of rights. Based on the DC's payment, DWASA will pay additional compensation (if any) and resettlement benefits as per the Resettlement Policy Framework of this project. This is to note that, no IPs communities or small ethnic groups affected by the project, therefore no FPIC is triggered.

Table 2:1: Summary of Impact

Sl. No.	Project Impacts	Total
A	Amount of Private Land acquisition (acre)	2.0276
B	No of Affected HHs	53
B1	No. of HHs affected by only Residence structures (titled)	12
B2	No. of HHs affected by only Commercial structures (titled)	37
B3	Residential cum commercial structures(titled)	4
C	Affected Dhaka WASA structure	1
B+C total Affected Units		54
D	Tenants	76
E	Number of wage laborer	246
F	Number of trees affected	11

Source: Census and IOL survey, February 2019

2.1 Scope of Land Acquisition

7. A total of 2.0276 acre private land is required acquisition for this proposed alignment. By category of these affected lands, homestead is the highest (43%) followed by null (40%) and vita (17%). Table below shows the details.

Table 2.2 Category of affected land

S.L	Category of land	Acre	%
1	Null	0.8099	40
2	Vita	0.3405	17
4	Homestead	0.8772	43
	Total	2.0276	100

Source: Census and IOL survey, February 2019

2.2 Severity of land acquisition

8. The survey revealed that no HHs will lose less than 20%, all the affected HHs are losing more than 20%. Table below shows the frequency of land acquisition.

Table 2:3: Frequency of land acquisition

Impact Range	Number	%
<10	0	0.00
10-20%	0	0.00
21%-50%	40	74.07
51%-80%	13	24.07
81%-100%	1	1.85
Total	54	100.00

Source: Census and IOL survey, February 2019

2.3 Affected Primary Structure

IOL survey result indicates that different types of fixed assets such as Pucca Structure, Semi Pucca, Tin-made and Katcha structures will be affected. Total 69,972 sft primary structure will be affected by the project including 22,647 sft pucca, 33176 sft semi-pucca, 13,905 sft tin made, 202 sft Katcha and 42sft thatched structures.

Table 2:4: Quantity of affected primary structure

Type of structure affected	Unit	Quantity
Pucca	sft	22647
Semi-pucca	sft	33176
Tin-made	sft	13905
Katcha	sft	202
Thatched	sft	42
Total	sft	69972

Source: Census and IOL survey, February 2019

2.4 Affected Secondary Structure (fixed assets)

9. Apart from the primary structures some secondary structures will also be affected by the subproject such as pucca boundary wall, stairs, gate, tin boundary wall, tube well, water tank toilet, R.C.C Pillar, Road etc. Table below shows that 309 rft pucca boundary wall(10), pucca boundary wall(5) 276 rft tin made boundary structure, 126 rft stairs, 1777sft under 23 gates, 3 tube wells, 120 cft water tank, 11sanitary latrine and 4 slab latrine, 5 RCC pillar and 268 sft roads.

Table 2:5: Quantity of affected secondary structure

Affected Secondary Structure	Unit	No.	Quantity
Boundary Wall (10’)	rft	5	309
Boundary Wall (5’)	rft	3	276
Boundary wall (tin made)	rft	2	126
Stairs	sft	1	60
Gate	sft	23	1777
Tube well	no	3	3
Water Tank	cft	1	120
Toilet, (Sanitary)	no	11	11
Toilet, (Slab)	no	4	4
R.C.C Pillar	no	5	14
Road	sft	1	268

Source: Census and IOL survey, February 2019

2.5 Affected Trees

10. A total of 11 trees will be affected, out of which 8 are fruits, 2 are timber trees and 1 is Papaya tree. These trees are affected on private land and compensation will be paid by Dc

office. People will be allowed to fell and take away trees free of cost after payment of compensation.

Table 2:6: Types and numbers of trees affected

Type of Tree	Unit	No.	%
Fruit (no.)	no.	8	73
Timber (no.)	no.	2	18
Papaya	no.	1	9
Total (no.)		11	100

Source: Census and IOL survey, February 2019

11. Out of the 11 affected trees, 1 is large, 2 are medium, 2 are small, and 6 are plant trees. Size of trees has been determined based on the girth category but the DoF will further assess it during land acquisition process.

Table 2:7: Size of the affected trees

Size of trees	Number	%
Large	1	9.09
Medium	2	18.18
Small	2	18.18
Plant	6	54.55
Total	11	100.00

Source: Census and IOL survey, February 2019

2.6 Vulnerable Groups

12. The project is adopted the lower poverty line income for every HHs is BDT 10,000¹. As per the socioeconomic survey, no HH was identified below the BDT 10000. The project does not affect any minor or small ethnic community people.

¹ According to Bangladesh Bureau of Statistics (BBS) the upper poverty line for HH size of 4.72 in 2011 for Dhaka region was Tk. 6,458.86 per HH/month. Acknowledging the national inflation rates by Bangladesh Bank based on consumer price for the country (Average 6.5% per year) and an average HH size for the affected population being 4.46, BDT 10,099 say 10,000 income per HH/month has been adopted for the project.

3. SOCIOECONOMIC PROFILE OF AFFECTED HOUSEHOLDS

3.1 Demographic Characteristics in Project Affected Area

13. The total project affected unit is 54 (including 1 Dhaka WASA structure), of that the Households number is 53. Plain land owners are not surveyed since they will be finally identified by the DC office based on record of rights. The people who will be finally identified by the DC office as land owners and paid compensation as per law, additional compensation will be paid to them by DWASA. The total number of PAPs identified during survey are 53 of the affected HHs. The male population is higher than that of the female. In percentage ratio, 52% are male and (117 no.) 48% are female (110 no.). The average household member size is 4.28. It is noted that there is no ethnic minority in the project area. Besides, all of the affected households in the project area recognized as Bengali.

Table 3:1: Distribution of households and Population

Area	Total Affected Unit	HH	Male		Female		Total Population		HH Size
		No	No	%	No	%	No.	%	
Total Alignment of the sub project	54	53	117	51.54	110	48.46	227	100	4.28

Source: Census and IOL survey, February 2019

3.3 Distribution of Household Head

14. In the perspective of Bangladesh, men are predominantly heading the household. In case of the project affected area, no female HH was identified.

3.4 Age Composition

15. According to National demography, there are 109 males for every 100 females in Bangladesh (BBS 2011). This area is also following the regular trend of Bangladesh and male population is higher in almost all age groups. About 7.93 of the people were recorded as being over 60 years old, which is higher than the national percentage of 5.74% (BBS 2011). The survey also identified about 26% are children (age 1-14) and about 8% are adolescent (age 15-18) of the total population.

Table 3:2: PAPs age composition by sex

Age group	Male		Female		Total	
	No	%	No	%	No	%
Age (1 - 14)	29	12.39	31	14.09	60	26.43
Age (15 - 18)	10	4.27	9	4.09	19	8.37
Age (19 - 20)	2	0.85	4	1.82	6	2.64
Age (21 - 30)	20	8.55	20	9.09	40	17.62
Age (31 - 40)	14	5.98	16	7.27	30	13.22
Age (41 - 50)	13	5.56	17	7.73	30	13.22
Age (51 - 60)	17	7.26	7	3.18	24	10.57
(Age 60+)	12	5.13	6	2.73	18	7.93
Total	117	50.00	110	50.00	227	100.00

Source: Census and IOL survey, February 2019

3.5 Marital Status

16. The table shows the marital status of the population (HH members). It is found that about 51% are married (male 26% and female 25%) among which only 0.91% female are found married in the age below 18 years of old. It means child marriage is not so much available in the project area. About 44.93% are unmarried, about 3.52% are widow/widower and 0.44% separated.

Table 3:3: Marital Status by sex

Marital Status	Total	%	Male	%	Female	%
Married(<18 Years)	1	0.44	0	0.00	1	0.45
Married(>18 Years)	115	50.66	60	25.64	55	25.00
Unmarried	102	44.93	56	23.93	46	20.91
Widow/widower	8	3.52	0	0.00	8	3.64
Separated	1	0.44	1	0.43	0	0.00
Total	227	100.00	117	50.00	110	50.00

Source: Census and IOL survey, February 2019

3.6 Household by Religion

17. The census identified that all the affected PAPs are Muslim by religion. The population influx is very low at the sub project area. The people living at the area for a long time who are Muslim by religion. So that no population affected from other religion even from Hindu religion which is reverse to the National Population Survey.

3.7 Education

18. The education level in the project-affected area (about 90%) is higher than the National average (62.7%, Bangladesh Economic review, 2017). The SE survey revealed that only 9 %

(male 5% and female 4%) of all PAPs were illiterate. The survey also identified that the education level above SSC level is satisfactory.

Table 3:4: Education level of the PAPs

Education	Total		Male		Female	
	No	%	No	%	No	%
No Schooling	21	9.25	13	5.56	8	3.64
Only signature	12	5.29	4	1.71	8	3.64
Primary	44	19.38	21	8.97	23	10.45
Below SSC	41	18.06	19	8.12	22	10.00
SSC or equivalent	36	15.86	13	5.56	23	10.45
HSC or equivalent	35	15.42	21	8.97	14	6.36
Degree or equivalent	19	8.37	12	5.13	7	3.18
Master or equivalent	19	8.37	14	5.98	5	2.27
Total	227	100.00	117	50.00	110	50.00

Source: Census and IOL survey, February 2019

3.8 Income and Expenditure of HHs

19. Based on Bangladesh Bureau of Statistics (BBS 2011) and yearly inflation (average 6.50% per year) as of 2018, the poverty line² of the affected HHs has been considered up to BDT 10000 per month for the HHs size of 4.28 people. The survey identified that there is no PAP below poverty line. Survey also identified that 64.15% (above BDT 30001) income level is highest where upto 10,001-20,000 is 18.87% and upto 20,001-30000 is 16.98.

Range	Income		Expenditures	
	No.	%	No.	%
Up to 10,000	0	0	0	0
10,001-20,000	10	18.87	10	18.87
20,001-30000	9	16.98	10	18.87
Above 30,001	34	64.15	33	62.26
Total	53	100.00	53	100.00

Source: Census and IOL survey, February 2019

3.9 Occupation Pattern

20. Among the affected people, businesses, Housewife and student appears to be the main occupations. Among the male population, most of the eligible and capable members are involved in income generating activities. Female are mostly housewife and also involved in

²According to Bangladesh Bureau of Statistics (BBS) the upper poverty line for HH size of 4.72 in 2011 for Dhaka region was BDT 6,458.86 per HH/month. Acknowledging the national inflation rates by BBS based on consumer price for the country (Average 6.5% per year for 8 years up to 2018) and an average HH size for the affected population being 4.28, BDT 9,691 say 10,000 income per HH/month has been adopted as the 2018 poverty line for the project.

allied activities focusing on maintaining the home and families. As per the socioeconomic survey, 2.14 % male are found to be totally unemployed. Income and livelihood restoration program can enhance capacity of the people particularly female and vulnerable people for doing more income generating activities.

Table 3:5: Principal occupation of the affected population in the Project area

Occupation of member	Total	%	Male	%	Female	%
Business	49	20.97	48	20.51	1	0.45
Housewife	62	28.18	0	0.00	62	28.18
Child	17	7.43	11	4.70	6	2.73
Day labor	1	0.43	1	0.43	0	0.00
Service (Private /Government)	12	5.16	11	4.70	1	0.45
Student	74	32.68	35	14.96	39	17.73
Unemployed	5	2.14	5	2.14	0	0.00
Retired	7	3.02	6	2.56	1	0.45
Total	227	100	117	50.00	110	50.00

Source: Census and IOL survey, February 2019

3.10 Status of Access to Different Amenities

21. The survey indicates that 7.55% of APs use slab latrine and 92.45% use sanitary latrine. The data also shows that 94.34% HHs use gas and 5.66 use wood for cooking. In case of sources of lighting about 100% HH use electricity.

Table 3.6 HH access to amenities

Sl. No	Types of Amenities	No.	%
A	Type of Toilet		
A1	Sanitary	49	92.45
A2	Slab latrine	4	7.55
A3	TOTAL	53	100.00
B	Fuel for cooking		
B1	Gas	50	94.34
B2	Wood	3	5.66
B3	TOTAL	53	100.00
C	Sources of lighting		
C1	Electricity	53	100
C2	Diesel/Kerosene	0	0
C3	TOTAL	53	100.00

Source: Census and IOL survey, February 19

4. PARTICIPATION AND CONSULTATION

4.1 Key Stakeholders of the Project

22. A wide range of stakeholders were informed of details of the project and possible adverse impacts related to land acquisition and involuntary resettlement. Timing, frequencies, and topics were different from stakeholders to stakeholders according to their degree of involvement, positions, and responsibilities.
23. The potential stakeholders were identified during personal contact with people and identification of settlement affected by the project. Lack of legal rights to the affected assets did not hinder the entitlement. Influential community persons and PAPs were closely consulted. Views of these stakeholders were incorporated properly.
24. Contractors, sub-contractors and suppliers during the construction period should also be informed of the contents of RAP prior to the commencement of their works. KMC will directly contact with PAPs during RAP implementation.
25. During census and IOL survey, different levels stakeholders were consulted through formal and informal consultation meetings. People were informed with prior notice through verbal, public announcement about the time, venue and issue of the meetings. Two consultation meetings were held at project area. Both the meeting was conducted at the project site with local land owners, residential households and business owners and Dhaka WASA and KMC officials persons

4.2 Particulars of the consultation meetings

26. Total 65 participants including local LGI representative, Dhaka WASA XEN, TL of the RAP implementing agency, local affected people and different stakeholders were participated in two consultation meetings,. Attendance sheet of SCM has been attached at Annex 1

Table 4:1 Participants of SCM

Date and time	location	Total participants
03/02/2019,11.00am	Mirtha bari	41
03/02/2019,3.30 pm	Kagla	24
		65

Stakeholder Consultation Meeting 1:



Figure: Team Leader of RAP Implementing agency and Executive Engineer of Dhaka WASA facilitating the SCM

Table 4:2: Outcome of SCM-1

Issue	Question/feedback	Responses
Compensation	They received very small amount of compensation against the current market price. How can they relocate with the paid amount of compensation from DC office?	They were paid compensation from DC office as per land acquisition law of GOB. Dhaka WASA is assessing current market price to fill the gap of compensation. RAP Implementing agency is assisting Dhaka WASA in this work
Supply of water	They always face crisis of supply drinking water, whether this project will remove this problem	Yes, the project is being implemented targeting for that
Hassle from the DC office	They always face hassle getting compensation from the DC office	Both Dhaka Wasa and RAP implementing agency will coordinate with respective DC office to make easy payment to the APs
Payment of compensation	Some APs told that they did not yet receive compensation from the DC office and even notice.	The people will be affected within the proposed alignment only will be paid, however the issue to be checked and informed accordingly

Loss of business	Some tenants will lose their business, whether they will be compensate	Tenants will get business loss if they have format agreement with the owner of the structure for rent.
Loss of wage labor	In the business shops, there are some wage labor, they will be job less by the project	They will be also compensate for their loss of wage labor.

Table 4:3: Outcomes of SCM-2



Figure: Resettlement Expert from RAP implementing Agency is delivering information about the Resettlement Policy of this project.

Issue	Comments of the participants	Responses
Rate of compensation	An AP informed that he received compensation from the DC office with a very low amount compare to other APs in the same area and same category of building. What can he do now?	DC paid based on their measurement done during joint verification survey. In case of any confusion they have to communicate with them.
Compensation	They received very small amount of compensation against the current market price. How can they relocate with the paid amount of compensation from DC office?	They were paid compensation from DC office as per land acquisition law of GOB. Dhaka WASA is assessing current market price to fill the gap of compensation. RAP Implementing agency is assisting Dhaka WASA in this work

Supply of water	They always face crisis of supply drinking water, whether this project will remove this problem	Yes, the project is being implemented targeting for that
Hassle from the DC office	They always face hassle getting compensation from the DC office	Both Dhaka Wasa and RAP implementing agency will coordinate with respective DC office to make easy payment to the APs
Duration of the project	How much time is needed to implement the project?	Total 42 months are needed to prepare and implement the project.
Working Opportunities	Will we get any working opportunities in the project?	During construction you may get opportunities depend on your eligibility.

4.4 Consultation Outcomes and Policy Issues

27. Affected people were informed about the project objectives, goals, and were made aware of the probable project impacts, the process for defining the mitigation measures, procedure of compensation payment to legal owners, squatters and unauthorized occupants. They were informed about cut-off date i.e. date (commencement date of census). It was made clear that any encroachment or changing of category of structure on the government land after that date will not be compensated. It was also mentioned that all PAPs will be entitled to have compensation for lost assets at replacement cost as per RAP policy and the DC. The participants were also informed that employment opportunity for local people would be possible during the construction of water treatment plant. Such benefits will prioritize the poor and vulnerable as identified in the RAP. Probable positive and adverse impacts of the project during construction and operation and necessary mitigation measures to be taken by the project were also explained to the people attending.

4.5 RAP Disclosure Requirements

28. With the RAP completed and generally approved, the DWASA (EA) and KMC (IA) will disclose key findings to all PAPs and responsible entities. The consultation will aim to identify the present status of feasibility study sites and all elements of land acquisition and all compensation measures. That session will also disclose the up-to-date implementation timetable of the RAP and the process of delivery of compensation by the DWASA and KMC.

5. LEGAL AND POLICY FRAMEWORK

29. The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982 including amendments up to 1994- ARIPO 1982) and other land laws and administrative manuals relevant to alluvion/diluvion land, char and khas land administration in Bangladesh. The 1982 Ordinance requires that compensation be paid for (i) land and assets permanently acquired (including standing crops, trees, houses); and (ii) any other damages caused by such acquisition. The DC determines (a) market value of acquired assets on the date of notice of acquisition (based on the registered value of similar property bought and/or sold in the area over the preceding 12 months), and (b) 100% premium on the assessed value for land due to compulsory acquisition. However, it is well known in Bangladesh that people under-quote land value in the transaction deeds to pay lower registration fees. As a result, compensation for land paid by DC including premium remains less than the real market price or replacement value. The 1994 amendment made provisions for payment of crop compensation to tenant cultivators.
30. The Ordinance, however, does not cover project-affected persons without title or ownership record, such as informal settler/squatters, encroachers, occupiers, and informal tenants and lease-holders (without legally constituted agreements) and does not ensure replacement market value of the property acquired. The act has no provisions for resettlement of the affected households/businesses or any assistance for restoration of livelihoods of the project affected persons. As a result, land acquisition potentially diminishes productive base of farm families and those affected and displaced by development projects.
31. Since the 1982 Ordinance falls short of the requirements of the EIB E & S standard, the project land acquisition and resettlement policy has been developed in compliance with the EIB E & S standard. The project policy has also benefited from the experience in resettlement in similar others projects within DWASA and other infrastructure agencies of the Government of Bangladesh.
32. In essence, the law is largely indifferent to the landowners' present socio-economic conditions, or the long-term adverse impacts on incomes and livelihood that the acquisition and displacement may cause on the affected people. Also, there are no other policies that complement the acquisition ordinance in ways to assess, mitigate and monitor adverse

impacts that the affected people may suffer. Some of the salient gaps in the existing legal framework are summarized below:

- 1. Avoiding/Minimizing Land Acquisition:** The law only implicitly discourages unnecessary acquisition, as lands acquired for one purpose cannot be used for a different purpose, and lands that remain unused be returned to the original owners. However, there are no mechanisms to monitor if these conditions are actually adhered to.
- 2. Eligibility for Compensation:** The law stipulates compensation only for the persons who appears in the land administration records as the owners. It does not recognize the rights of those, such as squatters, who do not possess legal title to the lands they live in. There is thus no provision to mitigate the adverse impacts they suffer.
- 3. Income Losses not recognized:** The Land Acquisition Act provides for compensation for lands and other fixed assets built and grown on them (structures, trees and orchards, crops and any other developments like ponds, built amenities, etc.). There is no provision to assess the impacts on peoples' incomes and livelihood and loss of employment and businesses and for mitigation measures to restore loss of incomes and livelihood.
- 4. Compensation Standards:** Although the law stipulates payment of compensation at 'market prices' for acquired lands as the just compensation, the legal assessment procedures used almost always results in prices that are far below the actual market prices or replacement value.
- 5. Relocation of Displaced Persons:** There is no provision in the existing laws for relocation of displaced families who are affected by the loss of their assets: land, structures or trees.
- 6. Ensuring Payment/Receipt of Compensation:** The legal process to determine entitlements are too cumbersome and time consuming and do not ensure payment of compensation prior to their displacement. Lands are legally acquired and handed over to the project execution agency (requiring body) as soon as the authority (Deputy Commissioner) identifies the owners (or 'awardees'), by examining the records, and sends a legal notice advising them to claim the compensation (or 'awards'). The onus is left on the affected land owners to prove, by producing an array of documents, that the acquired lands legally belong to them. As gathering these documents is a long,

expensive and cumbersome process, many landowners may be unable to claim their awards. The project has meanwhile started to use the lands.

- 7. Socio-economic Rehabilitation:** Existing legal framework does not have any provisions to mitigate long-term impacts on peoples' livelihood caused by their displacement. Except for the compensation at the 'market price' for the loss of land, there are no other provisions, in the acquisition or other laws that require the government to mitigate the resultant adverse impacts caused by the acquisition. Socio-economic rehabilitation of the involuntarily displaced persons is totally absent in the legal regime of the country (Table 3).

5.1 DWASA Policy Framework

33. A policy framework was developed for Dhaka and Chittagong WASA in 2006 on Social and Resettlement Issues. DWASA aims to promote environmentally sound, socially acceptable and economically viable urban infrastructure projects. It believes that each of its projects will improve the living standards of populations covered by the projects.
34. DWASA commits each project to social relevance and acceptability by:
- Providing opportunities and avenues for informed stakeholder consultation, and, where appropriate, their participation in decision-making in project preparation, implementation and evaluation, in order to foster greater ownership and sustainability;
 - Avoiding or minimizing resettlement due to land acquisition;
 - Where involuntary resettlement is unavoidable, ensuring responsible resettlement and rehabilitation plans are prepared and implemented in a timely manner and that those to be resettled are provided opportunities to improve their livelihood and income levels, and are aware of their entitlements and of the grievance mechanisms open to them should they seek redress;
 - Paying particular attention to the protection of marginalized, disadvantaged, and vulnerable groups, including women and children, and promoting and providing, wherever possible, opportunities for such groups to take advantage of the investment; and
 - Minimizing health and safety hazards and providing opportunities for enhancing public and environmental health;
35. DWASA recognizes the importance of addressing environmental and social issues in urban infrastructure investments, and seeks to promote stakeholder involvement in the pursuit of sustainable projects. Compensation of the affected land and other assets would be paid at market price following the GoB law. It also recognizes that displacement of households from

private and government land along the project right of way and disruption of their livelihood is likely to occur. Where such displacement and disruption is inevitable DWASA aims to ensure that affected households are appropriately relocated by their own, and their livelihoods are restored in a fair and transparent manner, and to link mitigation measures with project development opportunities (civil works of the project).

36. To mitigate adverse social, land acquisition and resettlement impacts due to the project necessary safeguard measures will be taken by the project following the Acquisition and Requisition of Immovable Property Ordinance 1982 (ARIPO 1982) with its subsequent amendment until 1994 and European Investment Bank Environmental and Social Standard on Involuntary Resettlement.

5.2 European Investment Bank Environmental and Social Standard-6 on Involuntary Resettlement

37. The EIB Environmental and Social Standard (Standard 6) is consistent with and supports international and EU human rights law. It specifically supports the right to property, to adequate housing and standard of living and food. The right to adequate housing of those affected by involuntary resettlement under EIB-supported projects and associated operations, shall be respected with non-discrimination as a central human rights principle. This applies to affected persons, groups and communities subjected to involuntary resettlement as well as host communities at relocation sites. It applies to all such persons, whether or not they hold a legal title to their home or property under domestic law. To ensure respect for this right in practice, certain procedural safeguards must be in place, such as involvement of affected persons in decision-making processes and access to grievance mechanisms, as further described in this Standard.
38. The right to housing is one component of the right to an adequate standard of living. Other components include the right to adequate food, clothing and to continuous improvement of living conditions. Resettlement of project-affected persons can threaten their standard of living, for instance, through loss of access to employment or loss of access to natural resources where communities depend for their livelihood on land or resources attached to the land such as water sources, fishing or hunting areas. People are entitled to enjoy the right to an adequate standard of living without discrimination on grounds such as gender, race, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth or other status. This entails the requirement to

give special consideration to the position of groups at risk of vulnerability or marginalization such indigenous and tribal peoples and pastoralists.

39. The promoter is required, as a minimum, to restore the living conditions of those affected by the project and ideally, to work on the continuous improvement of their living conditions. In addition, the EIB is committed to upholding the Aarhus Convention, which emphasizes the citizens' rights to justice, to be consulted and to enjoy access to information on projects and plans and programs that will have environmental and social impacts on them, their assets and their lives.
40. Forced evictions shall not take place. In rare cases when they do, evictions must be carried out lawfully, only in exceptional circumstances and in full accordance with relevant international human rights and humanitarian law. Experience with involuntary resettlement underlines the importance of planning and managing it properly as early as possible in the project life cycle, in consultation with all key stakeholders.
41. Both RPFs and RAPs need to include measures to ensure that the displaced persons are:
 - I. Informed about their options and rights pertaining to resettlement;
 - II. Effectively consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives which take into account the suggestions made by the affected community as much as possible;
 - III. Provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project;
 - IV. Provided assistance (such as moving allowances) during relocation;
 - V. Provided with residential housing, or housing sites, or, as required, agricultural or business sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site (in exceptional cases when this is not possible, adequate compensation must be provided);
 - VI. Offered compensation for loss of income for a transition period as a form of support after resettlement, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living. Compensation for loss of income is initially advised for the first three (3) months; only a singular repetition of this period is foreseen, not exceeding a total of six(6) months whereby loss of income may be compensated for;
 - VII. Offered assistance for livelihood restoration or improvement through provision of training, credit, job placement, and/or other types of assistance; and,

VIII. Offered an appropriate grievance mechanism that will allow prompt response to specific concerns related to compensation and resettlement by affected people and host communities.

42. A comparison between GOB LA Ordinance (ARIPO 1982), EIB Environmental and Social Standard-6 on involuntary Resettlement and gaps between these policies has been presented in the table underneath. Mitigation measures adopted in this project to bridge the gaps between these policies are also described here (5.1)

Table 5:1: GOB 1982 Ordinance, EIB E&S standard-6 and adopted mitigation measures to bridge the gaps

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
1. Avoid involuntary resettlement	Avoidance of resettlement is not specifically mentioned in the 1982 Ordinance– focus on mitigation than avoidance.	Involuntary resettlement should be avoided where feasible	Gaps with regard to this principle to avoid resettlement impact thru alternative options.	SWTPP-III RPF adheres to this principle - i.e., avoid resettlement impacts where feasible
2. Minimize involuntary resettlement	The law only implicitly discourages unnecessary and excess land acquisition, as excess land remains idle and unused and lands acquired for one purpose cannot be used for a different purpose. Land that remains unused should be returned to the original owner(s).	Minimize involuntary resettlement by exploring all viable alternative project designs	Section 3/under 1982 Ordinance requires notification only; no consultation is required	<p>Minimize displacement of people as much as possible by exploring all viable design alternatives.</p> <p>If unavoidable, provide for prompt payment of just compensation, replacement cost (for lost assets and income) and rehabilitation and livelihood assistance, towards <u>better</u> condition than before relocation for all displaced households, regardless of (land) tenure.</p> <p>Unused land be returned back to the original</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
				owners through de-acquisition.
3. Mitigate adverse social impacts	The mitigation measures are cash compensation only for lost assets. The complexities of resettlement is not addressed by the Ordinance	Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.	Only cash-based compensation for acquired assets. The impacts of loss of land, houses and the need for resettlement are not considered.	<p>Provision for replacement value for assets lost (i.e., land, structures, trees etc.) at replacement cost.</p> <p>Resettlement of the people by themselves with salvaged materials of structures free of cost.</p> <p>Livelihood and Income Restoration assistance</p> <p>RAPs to be disclosed to the community and available in Bangla.</p> <p>The “good practices” are derived from the PJWTP and DWSSP of DWASA</p>
Core Principles				
1. Identify, assess and address the potential social and economic impacts	The 1982 Ordinance requires preparation of a Land Acquisition Plan (LAP) for land acquisition (if any) and compensation purposes.	Through census and socio-economic surveys of the affected population, identify, assess, and address the potential economic and	1.Impact assessments are typically done in the case of externally funded projects; otherwise, a land acquisition plan is	1.RPF requires identification of impacts caused by displacement whether or not through land acquisition (maintaining the

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
	<p>However GOB environmental rules/guidelines (1997) synchronize various applicable laws and policy frameworks of the country for early identification of impacts on biophysical, socioeconomic and cultural environment of a project intervention and their mitigation.</p> <p>Requires the assessment of technical alternatives, including the no action alternative to minimize adverse environmental impacts, including impacts on human health and safety.</p>	<p>social impacts of the project that are caused by involuntary taking of land (e.g. relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood, whether or not the affected person must move to another location) or involuntary restriction of access to legally designated parks and protected areas.</p>	<p>prepared for acquisition purposes.</p> <p>2.Project impacts on properties, livelihoods and employment, health and environment are discussed in IEE/EIA reports, but do not provide enough information to determine losses and basis for compensation.</p> <p>3.Existing laws do not have provision for identification of indigenous people to recognize their particular problem and inconveniences due to a project.</p>	<p>principle that lack of formal title to land should not be a bar to compensation and resettlement assistance), including number of affected persons.</p> <p>2.The Framework also addresses both direct and indirect impacts.</p> <p>3.The RPF has provision for identifying the Indigenous people if affected within the project right of way.</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
2. Prepare mitigation plans for affected persons	<p>The Deputy Commissioners (DCs) have the mandate in their respective jurisdiction as per law to acquire land for any requiring person (public agency or private person). The requiring body requests the Deputy Commissioners for acquisition of land for their project/scheme. DCs investigate physically the requirement of land and carry out Joint Verifications of assets and type of land for assessing the quantity of losses (u/s 8(1) of the law). Affected titled holders receive the assessed value and 50% on that for compulsory acquisition</p> <p>Fair compensation is required for acquisition of land which is dependent on recorded</p>	To address the Project impacts, prepare resettlement plan or a resettlement policy framework prior to Project appraisal, estimating to the extent possible the total population to be affected and the overall resettlement costs.	<p>1.Existing law and methods of assessment do not ensure full replacement cost of property at current market price.</p> <p>2.The law does not consider resettlement or rehabilitation of affected persons or their loss of income or livelihood resources.</p> <p>3. “Market value” of property is often found low in respect of current market price, it can be raised, if appealed, by a maximum of 10 percent each time which in most case is not sufficient to match with real market price.</p>	<p>1.SWTPP-III RPF requires full census for preparation of the database. RAPs will be developed on the census survey data</p> <p>2.Provide guidelines to ensure displaced persons and communities’ compensation for lost assets at full replacement costs and other assistance to help them improve or at least restore their standard of living at pre-project level. Includes special attention to gender and preparation of gender action plan</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
	data with relevant government agencies (sub-registrar's office for land, PWD for structure, DAE for crops, DOF for trees, etc.). Affected owners have the right to appeal to the court of arbitrator on acquisition or on the compensation amounts determined as per law.			
3. Consider alternative project design	Feasibility studies including social, political, cultural and environmental impact assessments, detailed engineering surveys as basis for acquisition of private property or rights.	Assess all viable alternative project designs to avoid, where feasible, or minimize involuntary resettlement.	<p>1. No specific laws for considering project design to avoid or minimize involuntary resettlement.</p> <p>2. Feasibility study considers cost-benefit more from technical than socio-cultural considerations.</p>	SWTPP-III RPF considers feasible alternative project design to avoid or at least minimize physical or economic displacement, while balancing environmental, social, technical and financial costs and benefits.
4. Involve and consult with stakeholders	<p>The 1982 Ordinance has provisions (Section 3 and 3/2) to notify the owners of property to be acquired.</p> <p>Any party having any</p>	Meaningfully consult project-affected persons, host communities and local non-governmental organizations, as appropriate. Provide them opportunities to	1. There is no provision in the law for consulting the stakeholders but the land allocation committees at district, division and central	1. SWTPP-III RPF has provisions for community consultation and public disclosure of impacts as well as mitigation measures, including disclosure of

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
	<p>objections can appear to DC for a hearing within 15 days of notification. But there is no provision in the law to hold meeting with stakeholders at the field during acquisition process.</p>	<p>participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms. Pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who</p>	<p>government level.</p> <p>2. People have limited scope to negotiate with the government on the price of land, but have no right to refuse acquisition.</p>	<p>Resettlement Plan.</p> <p>2. Further, grievances redressal procedures involving cross-section of people, including representative of affected persons, have been established for accountability and democratization of the development process</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
		may not be protected through national land compensation legislation.		
5. Disclose and inform APs of mitigation measures	The 1982 Ordinance requires a “notice” to be published at convenient places on or near the property in a prescribed form and manner stating that the property is proposed to be acquired (under section 3).	Disclose draft resettlement plans, including documentation of the consultation process, in a timely manner, before appraisal formally begin, in an accessible place and in a form and language that are understandable to key stakeholders.	Disclosure takes place in case of donor-funded projects.	<p>1. SWTPP-III RPF requires disclosure of Draft RPs to the affected communities in a form or language(s) that are understandable to key stakeholders, civil society, particularly affected groups and the general public in a national workshop.</p> <p>2. Further, RAPs will be disclosed based on material changes as a result of the concerns of affected families.</p>
6.Support existing social and cultural institutions of the affected persons	No specific guideline. Only joint verification of the affected properties is done by acquiring body (DC) and requiring body.	To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers’ preferences with respect to relocating in pre-existing communities	No provision in any existing laws.	<p>1. The RPF has provision for reconstruction of the two mosques affected on the private land in the Naryanganj section.</p> <p>2. Any social and cultural institution to be</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
		and groups are honoured.		affected by the project will be rebuilt with project costs following other development projects in Bangladesh.
7. Resettlement Plan	There is no urgency for preparation of Resettlement Plan as per GOB law	<p>1. To cover the direct social and economic impacts that are caused by the involuntary taking of land and/or the involuntary restriction of access to legally designated parks and protected areas, the borrower will prepare a Resettlement plan or resettlement policy framework.</p> <p>2. The RP or framework will include measures to ensure that the displaced persons are provided assistance during relocation; provided with residential housing, or housing sites, or as required agricultural sites; offered transitional</p>	There is no provision of preparing resettlement plan	<p>1. Resettlement Plans are to be prepared for each component of the project.</p> <p>2. Three resettlement plans will be prepared from which one for the land acquisition impacts under Naryanganj district, second for land acquisition impact under Dhaka district and third for squatters and other unauthorized occupants under Narayanganj and Dhaka districts.</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
		support; provided with development assistance in addition to compensation.		
8. Supervision	Supervision of the project activities is usually done by project executing agency. Deputy Commissioner oversees compensation payment progress.	The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument.	There is no law or directives on the supervision of the land acquisition process by Deputy Commissioner.	Resettlement supervision in this project will follow the PJWTPP-I and DWSSP of DWASA. CSC Social Safeguard Specialist will supervise the implementation of RAPs on bi-annual basis. DWASA will regularly supervise the activities through assigned officials.
9. Monitoring	The 1982 Ordinance II has provision that the DC will monitor and submit a statement to the Government annually about the properties acquired for different requiring bodies and mode of utilization of the land.	The borrower is responsible for adequate monitoring & evaluation of the activities set forth in the resettlement instrument.	Existing laws not have any provision for rehabilitation of project affected persons and therefore, no monitoring is done.	The RPF has provision both for internal and external monitoring by the DWASA, CSC and development partner.
10. Evaluation	No provision for evaluations of the post-displaced lives of the	Assess whether the objectives of the resettlement instrument	No provision in any laws	1. An independent evaluator or CSC Safeguard Specialist will

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	EIB E&S Standard -6 on involuntary Resettlement	Gaps between GOB LA laws and EIB Standard-6	Mitigation measures adopted to bridge the gaps in this project
	affected households and communities	have been achieved, upon completion of the project, taking account of the baseline conditions and the results of resettlement monitoring.		<p>conduct annual evaluation of the performance of resettlement operations as well as impacts of resettlement during and after implementation of resettlement plans to assess resettlement efficiency, effectiveness, impacts, and sustainability.</p> <p>2. EIB will also conduct evaluations to reflect broadly on the success or weaknesses in RAP implementation and “lessons learned.”</p>

5.3 Guiding principles for Land Acquisition & Resettlement

43. 48. As stated under Legal and Policy Framework, the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982 with amendments) is used to legalize acquisition in the country's land administration system. DWASA will use the following principles and guidelines to acquire private lands and resume public lands from private uses, and adopt impact mitigation measures.

44. **Land Acquisition Principles:** DWASA will finalize alignment/location of the proposed project for land acquisition requirements relocation of the households if involuntary resettlement is envisaged. In that case land acquisition will be done as per GOB law by concerned Deputy Commissioner i.e. Narayanganj and Dhaka districts. To minimize adverse impacts, DWASA will use the following principles:

- The ARIPO 1982 will be used to legalize acquisition, and the EIB Environmental and Social Standards will be the basis to adopt and implement impact mitigation measures. DWASA will
- Avoid or, at least minimize, project-induced resettlement whenever feasible by exploring alternative project designs;
- Avoid and/or prevent forced evictions and provide effective remedy to minimize their negative impacts should prevention fail;
- Ensure that any eviction which may be exceptionally required is carried out lawfully, respects the rights to life, dignity, liberty and security of those affected who must have access to an effective remedy against arbitrary evictions;
- Respect individuals', groups' and communities' right to adequate housing and to an adequate standard of living, as well as other rights that may be impacted by resettlement;
- Respect right to property of all affected people and communities and mitigate any adverse impacts arising from their loss of assets, or access to assets and/or restrictions of land use, whether temporary or permanent, direct or indirect, partial or in their totality. Assist all displaced persons to improve, or at least restore, their former livelihoods and living standards and adequately compensate for incurred losses, regardless of the character of existing land tenure arrangements (including title holders and those without the title) or income-earning and subsistence strategies;

- Uphold the right to adequate housing, promoting security of tenure at resettlement sites;
- Ensure that resettlement measures are designed and implemented through the informed and meaningful consultation and participation of the project-affected people throughout the resettlement process; and,
- Give particular attention to vulnerable groups, including women and minorities, who may require special assistance and whose participation should be vigilantly promoted

5.4 Principles and objectives governing resettlement preparation and Implementation

45. Where adverse impacts are found unavoidable, DWASA will plan to mitigate them in accordance with the following principles:

- ❖ Land owners will be paid compensation at market rate to be determined by the DC offices following the Land Acquisition law, i.e. Acquisition and Requisition of Immovable Property Ordinance 1982 (Ordinance No. II).
- ❖ A committee constituted by the MoLGRC namely ‘Property Assessment and Valuation Committee (PAVC)’ will assess replacement cost of the affected properties following best practices of other development projects and recommend reasonable price for the affected properties.
- ❖ Physically displaced households/shops will be encouraged for self relocation by their own arrangement after having compensation from the DC office and or by the DWASA for structure.
- ❖ Absence of legal titles in cases of public land users (Squatters) will not be considered as bar to resettlement and rehabilitation assistance.
- ❖ The affected people especially private land owners will be given assistance by the consultant staff in collecting and or updating record of rights to the acquired properties to have compensation from the DC offices.
- ❖ No compensation will be paid for temporary inconveniences faced by business operators and traders on the government land.
- ❖ Land owners will be eligible for stamp duty and registration fees if they purchase land with compensation money within 12 months of receiving CCL from DC office or during RAP implementation period whichever is longer.

- ❖ Create opportunities for the affected people especially vulnerable group for getting preferential employment during construction and operation of the project.
- ❖ Where the project activities cause community-wide impacts affecting community facilities, access to common property resources, etc., DWASA will provide assistance to rebuild them with its own resources and/or provide alternatives in consultation with the user communities.

5.5 Eligibility Criteria for defining various Categories of Affected People

46. The affected people will be identified on the private land and on government land as well within the project right of way. The titled holder on private land will be initially identified during joint verification survey by DC office and DWASA and finally identified by the DC office during land acquisition process. The non-titled affected people will be identified during the census and inventory of losses survey to be carried out by the RAP implementation consultant and recognized by the property assessment and valuation committee (PAVC). These affected people will be identified based on some criteria as under-
- (a) **Legal owner of the land:** The land owners will have to update record of rights to their property and produce it before the Deputy Commissioner's office during receiving compensation. The DC offices have set criteria for finalization of the award book based on updated record of the land and other properties. Affected people have to fulfill the requirement of the DC office for getting payment.
 - (b) **Owner of Structures:** Ownership of structure on private land will be identified by the DC office based on joint verification survey result. Structure owners have to lawfully prove their ownership status during joint verification. On public land the structure owners have to prove their ownership during census and IOL survey and JVS by the PAVC. They are to be socially recognized to have compensation for structures.
 - (c) **Owner of Trees:** Ownership of trees on private land will be identified by the DC office based on joint verification survey result. Tree owners have to lawfully prove their ownership status during joint verification survey. On public land the tree owners have to prove their ownership during census and IOL survey and JVS by the PAVC. They are to be socially recognized to have compensation for trees. In case of timber trees on government land planted by a group of people as social afforestation, they will be paid

compensation as per clauses of the agreement with Department of Forest and land owning agency.

- (d) **Owners of Crops and Fish Stock:** Ownership of standing crops and fish stock on private land will be identified by the DC office during joint verification survey. In case of lessees or sharecroppers, the cultivators have to lawfully prove their ownership of crops and fish with lease agreement to have compensation. On public land the crops and fish stock owners including lessees and sharecroppers are to be socially recognized during census and IOL survey and JVS by the PAVC.
 - (e) **Business Owners:** Business owners will be identified during census and IOL survey and Joint verification survey by the PAVC. On private land the business owners will be identified by the DC office based on Income Tax Certificate or Trade License as per law while on public land the business owners would be socially recognized during census and IOL survey. Business restoration grants will be paid based on their capital invested and monthly income. In case of large business the business owners will have to produce Income Tax Certificate to get business restoration grant at higher rate.
 - (f) **Wage Loss:** Wage laborers working at the business institutions will be identified during the census and IOL survey by the PAVC. The business operators have to recognize the wage laborers and they are to be monthly salaried employees for at least preceding six months from the date of census survey.
 - (g) **Vulnerable People:** Vulnerability will be determined based on set criteria to be adopted in the RAP based on income level and other parameters following other development projects of DWASA. Vulnerable people will be paid resettlement benefits on top of other compensation and benefits for their lost assets.
47. A cut-off date (commencement date of census) for the non-titled people will be established to identify the non-land assets that will qualify for compensation and discourage abuse of the mitigation policies by defrauding the project. For legal titled holder the cut-off date will be the date of notice under section 3 of the DC and for unauthorized occupants, dates of census survey or any designated date declared by DWASA will be the cut-off date for each mouza/village. No person or his/her assets will qualify for compensation unless they are recorded in the census taken on the cut-off dates.

6. COMPENSATION AND ENTITLEMENT MATRIX

48. Following compensation and entitlement matrices for various categories of impacts so far assessed at project preparation in the light of GOB land acquisition laws (ARIPO 1982), EIB Policy and standard practice of other development projects. The Government of Bangladesh has enacted Acquisition and Requisition of Immovable Property Act (ARIPA) 2017 in September 2017. This law will be applicable for the land acquisition after the ARIPA 2017 is enacted. As the land acquisition process has been started in Narayanganj before the ARIPA is passed so the DC office Narayanganj has followed the ARIPO 1982 (Amendment until 1994). In case of additional land acquisition after the ARIPA 2017 is on board, the DC office will follow latest LA Act (ARIPA 2017). In the case of land acquisition in Dhaka district same procedure will be followed. Any other impacts that might be identified during social screening of the project and PAP census, as well as those that might be encountered during implementation of the civil works will be mitigated through measures in compliance with these RPF guidelines. A person could be eligible for compensation/entitlement in more than one category of impacts and in more than one mouza. DCs will pay cash compensation under law (CCL) for each mouza separately for one person whose lands/assets have been acquired in more than one mouza.³

³The awards or CCLs are determined under units of mouza (revenue village, minimum boundary under land administration system in Bangladesh). As a result, a person becomes entitled to as many awards or CCLs as the number of mouzas where his/her properties are acquired. The awards are paid separately for each mouza.

Table 6:1: Entitlement & Policy Matrix

Loss Item 1: Loss of Agricultural Land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/ titleholders as identified by Deputy Commissioner (DC)	<ul style="list-style-type: none"> • Cash compensation under law (CCL) that includes premium to be paid by DC following latest LA law. • A top-up payment on DC’s amount if the DC price seems significantly lower than the replacement cost to be assessed by PAVC. • Stamp duty and registration cost on purchasing of replacement land using an amount not exceeding total price of land. Stamp duty and transaction costs will be paid if the replacement land is purchased within 12 months of receiving CCL or within RAP implementation period whichever is longer. 	<ul style="list-style-type: none"> • Replacement Cost will be recommended by PAVC. • DC will pay (cash compensation under law) CCL for the land. • Top-up payment (if required) will be paid by DWASA directly to EPs. Consultant will assist DWASA in this process. 	<ul style="list-style-type: none"> • Legal owners will be assisted by Consultant staff to organize legal documents (record of rights) in support of their ownership. • Consultant will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from DC office.

Loss Item 2: Loss of homestead, commercial, industrial land and community property resources			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • Cash compensation under law (CCL) that includes premium to be paid by DC following latest LA law. • A top-up payment on DC’s amount if the DC price seems significantly lower than the replacement cost to be assessed by PAVC. 	<ul style="list-style-type: none"> • Replacement Cost will be recommended by PAVC. • DC will pay (cash compensation under law) CCL for the land. • Top-up payment (if required) will be paid by DWASA directly to EPs. Consultant will assist DWASA in this process. 	<ul style="list-style-type: none"> • Legal owners will be assisted by Consultant staff to organize legal documents (record of rights) in support of their ownership. • Consultant will identify loss and entitlement of female owners and co-sharers through

Loss Item 2: Loss of homestead, commercial, industrial land and community property resources			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
	<ul style="list-style-type: none"> • Land development cost @ 10% of land value (replacement cost) • Dislocation allowance @ BDT 200 per decimal maximum BDT20,000 to each entitled person. • Stamp duty and registration cost on purchasing of replacement land using an amount not exceeding total price of land. Stamp duty and transaction costs will be paid if the replacement land is purchased within 12 months of receiving CCL or within RAP implementation period whichever is longer. 		<p>share determination at the field upon receipt of payment data from DC office.</p> <ul style="list-style-type: none"> • DWASA will encourage people to find alternative land and relocate by their own as soon as possible. No government sponsored resettlement site will be provided in this project.

Loss Item 3: Loss of water bodies (ponds, both cultivated and non-cultivated)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • Cash compensation under law (CCL) that includes premium to be paid by DC following latest LA law. • A top-up payment on DC's amount if the DC price seems significantly lower than the replacement cost to be assessed by PAVC. • Dislocation allowance @ BDT 100 per decimal not exceeding BDT 20,000 to each entitled person • Stamp duty and registration cost on purchasing of replacement land using 	<ul style="list-style-type: none"> • Market Price will be recommended by PAVC. • DC will pay (cash compensation under law) CCL for the land. • Top-up payment (if required) is paid by DWASA directly to EPs, consultant will assist DWASA in the process. • Fish cultivator will be allowed to catch the fish after having compensation 	<ul style="list-style-type: none"> • Legal owners will be assisted by Consultant staff to organize legal documents (record of rights) in support of their ownership. • Consultant will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from DC office.

Loss Item 3: Loss of water bodies (ponds, both cultivated and non-cultivated)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
	an amount not exceeding total price of land. Stamp duty and transaction costs will be paid if the replacement land is purchased within 12 months of receiving CCL or during RAP implementation period whichever is longer.		

Loss Item 4: Loss of residential structures with or without title to land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/ titleholders as identified by DC Or Socially recognized owners as identified by PAVC or during census	<ul style="list-style-type: none"> • Replacement cost of residential structure assessed . • Transfer Grant of affected structure @ BDT10 per sft. • Reconstruction Grant of affected structure @ BDT 15 per sft. • Owner will be allowed to take away all salvageable materials free of cost within DWASA declared deadline. 	<ul style="list-style-type: none"> • Applicable to all structures (shiftable and non-shiftable) located on the Right of Way (ROW) at cut-off dates. • DC will pay CCL for structure and additional money will be paid (if required) on top of DC's payment following the PAVC recommended rates. • DWASA will provide resettlement benefits directly with assistance from RAP consultants. 	<ul style="list-style-type: none"> • Assistance (counsel/ encourage) to relocation in new site by their own within the given time (maximum 30 days after getting compensation for structures.

Loss Item 5: Loss of commercial/industrial structures with or without title to land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services

Loss Item 5: Loss of commercial/industrial structures with or without title to land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/ titleholders as identified by DC Or Socially recognized owners as identified by PAVC or during census	<ul style="list-style-type: none"> • Replacement cost of structure. • Transfer Grant of affected structure @ BDT10 per sft. • Reconstruction Grant of affected structure @ BDT 15 per sft. • Owner will be allowed to take away all salvageable materials free of cost within DWASA declared deadline. 	<ul style="list-style-type: none"> • Applicable to all structures (shiftable and non-shiftable) located on the Right of Way (ROW) at cut-off dates. • DC will pay CCL for structure and no additional money will be paid on top of DC's payment. Only transfer and reconstruction grant will be additionally paid. • DWASA will provide these resettlement benefits directly with assistance from RAP consultants. 	<ul style="list-style-type: none"> • Assistance (counsel/ encourage) to relocation in new site by themselves.

Loss Item 6: Loss of community properties on private or public lands			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> • Legal owners identified by DC in the process of CCL payment. • Socially recognized owners of structures built on the ROW as identified by PAVC 	<ul style="list-style-type: none"> • Replacement cost of structure. • Transfer Grant of affected structure @ BDT 10/sft. • Reconstruction Grant of affected structure @ BDT 15/sft. • Owner will be allowed to take all salvageable materials free of cost within DWASA declared deadline <p><u>OR</u></p> <ul style="list-style-type: none"> • The project authority will construct a new community 	<ul style="list-style-type: none"> • Applicable to all community properties located on private land or public land along the ROW at cut-off dates. 	Assistance in relocation and reconstruction.

Loss Item 6: Loss of community properties on private or public lands			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
	property from the project budget. In that case compensation and other benefits will not be paid for structures		

Loss Item 7: Loss of trees with title to land owner and owner of trees on public land or lessees			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> • Legal owners/ titleholders as identified by DC. • Socially recognized owners of trees grown on public or other land, as identified by PAVC. • Owners of trees such as Forest Department, Zilla Parishad, Society, Union Parishad, Lessee on public land 	<ul style="list-style-type: none"> • Cash Compensation under law to be paid by DC. • Value of fruits @ 30% of timber value for each grown up trees. • Owner of the tree will be allowed to fell and take the trees free of cost within the DWASA declared deadline. 	<ul style="list-style-type: none"> • Applicable to all trees and plants located on ROW at cut-off dates. • DC will pay CCL as applicable for trees/plants. • PAVC will recommend market price of trees and fruits. • If any additional payment required on top of DC's payment, DWASA will directly pay it with assistance from RAP consultant. 	<ul style="list-style-type: none"> • Consultant to explain RAP policies regarding compensation for the trees of different categories and size and make the EPs aware that they could take the timber and fruits free of cost. DWASA will not make any bar of taking the trees away by the owners within the specified deadline.

Loss Item 8: Loss of standing crops/fish stock with title to land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Owner cultivators as identified in joint verification by DC, DWASA and PAVC.	<ul style="list-style-type: none"> • Market value of standing crops/fish stock as per LA law to be determined by DC. • Owners will be allowed to harvest crops and fish stock within DWASA declared deadline. 	<ul style="list-style-type: none"> • Applicable for all crops/fish stock standing on land/pond within ROW at the time of dispossession. • DC will pay CCL for crops/fish stock. • DWASA will pay additional payment on top of DC's CCL, 	RAP Implementing Consultant will assist APs in the process of claiming compensation from DC offices for organizing necessary documents.

Loss Item 7: Loss of trees with title to land owner and owner of trees on public land or lessees			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
		if required.. • PAVC will recommend market price of crops/fish stock at take away.	

Loss Item 9: Loss of leased or mortgaged land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Leaseholder with legal papers or Socially recognised lessees	<ul style="list-style-type: none"> • CCL of crops/fish stock. • Dislocation Allowance will be paid by DWASA to the actual cultivator of the acquired land. • The cultivator will be allowed to take the crops/fish within the DWASA declared deadline 	<ul style="list-style-type: none"> • With legal agreement: Legal owner and mortgagee/ leaseholder will be paid CCL by DC in accordance with the law. • In case of tenancy agreements, including socially-recognized verbal agreements: DWASA will ensure payment of crops to the cultivator if CCL is not paid. 	<ul style="list-style-type: none"> • Implementing Consultant will assist in ensuring that the lessee receives all eligible payments. • Implementing Consultant will mediate refund of outstanding lease money by the owner to the lessees.

Loss Item 10: Loss of income (wage earners in agricultural, small business and industry (excluding owners or employers))			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Regular wage earners affected by the project interventions as identified by census and or by the PAVC.	<ul style="list-style-type: none"> • Grant to cover temporary loss of regular wage income for 30 days @ 400/day if lost due to the project interventions. 	<ul style="list-style-type: none"> • EP must have been an employee of landowner or business located in the acquired lands for at least twelve months, as identified by Joint Verification and/or Census. 	<ul style="list-style-type: none"> • Vulnerable EPs will be brought under income and livelihood regenerating program. • Involvement of qualified EPs in construction work and during operational period of

Loss Item 10: Loss of income (wage earners in agricultural, small business and industry (excluding owners or employers))			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
		<ul style="list-style-type: none"> • The needs of vulnerable groups will be assessed. • The resettlement benefits will be paid by DWASA directly with assistance from RAP consultant. 	the project.

Loss Item 11: Loss of income from business (structure owners and tenants)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> • Legal owner/ titleholders of the structure as identified by the DC • Socially recognized owners identified during census/PAVC verification. 	<ul style="list-style-type: none"> • Restoration Grants for business loss for the minimum days of closing the business temporarily or partially (not over 15 days) during construction of the project in case of temporary & partial loss of business premises. • In case of permanent dislocation the business owners will be paid maximum 45 days net income identified by PAVC or during census survey. • Right to take away business material from demolished structure. • Tenants business operators will be entitled for moving assistance equivalent to wage labourers (@ 400/day for 30 days 	<ul style="list-style-type: none"> • Each of the affected business owners (structure owners or tenants) will be entitled for business restoration grants. • If the business premise is dislocated due to other projects being implemented on same alignment, the business operators will not be entitled for any assistance under SWTPP-III. • But if the business is closed particularly for the SWTPP-III, the business owners will be entitled for business restoration grants for 45 days. 	EPs will be brought under income and livelihood regenerating program.

Loss Item 12: Shifting of household's belonging/inside materials			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<p>Legal owner as identified by DC in the process of CCL payment</p> <p>Or Socially recognized owners & tenants identified during census</p>	<p>An amount of BDT 5,000 will be given to each HH who will lose shelter including tenants if shifted within the deadline declared by DWASA</p>	<p>DWASA will make payment of this additional entitlement with assistance from consultant</p> <p>This grant is only for residential HHs (Owners and Tenants)</p>	<p>As appropriate</p>

Loss Item 13: Loss of Income and livelihood (Vulnerable PAPs)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> • Vulnerable household such as (i) poor female headed households with dependents, (ii) disabled headed households with dependents, (iii) nationally designated poor households (iv) elderly headed households with no means of support (v) landlessness, and (vi) poor tribal peoples or ethnic minorities. 	<ul style="list-style-type: none"> • BDT. 10,000/- as one time grant in addition to other compensations for each vulnerable household. • BDT. 5,000/- as one time grant to poor female headed households in addition to other compensation. • Skill Training for vulnerable households on 	<p>The EPs will be identified as per the census and income and livelihood support will be provided by DWASA with assistance from consultant if the livelihood opportunities are at risk due to the project. Cost of trainer will be borne by DWASA.</p>	<p>Consultant will motivate EPs for appropriate skills training.</p>

Loss Item 13: Loss of Income and livelihood (Vulnerable PAPs)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> • EPs losing main source of income and have no alternative source of income as identified by PAVC. 	IGA. <ul style="list-style-type: none"> • Preferential employment in project civil work and during operational period of the project 		

Loss Item 14: Unforeseen adverse impacts			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Households/ persons affected by any unforeseen impact identified during project implementation	Entitlements will be determined as per the resettlement policy framework	The unforeseen impacts will be identified through special survey by DWASA as per request from impacted population. The entitlements will be approved by DWASA Board.	As appropriate

7. REETTLEMENT &RELOCATION

7.1 Introduction

49. The census & IOL survey indicates that 53 residential HHs, and one CPR will be fully dislocated by this project. As per the RPF of this project there is no provision for Government sponsored relocation sites for the affected residential and business premises. Affected HHs will be encouraged and assisted by the DWASA to find alternative land for relocation.

Table 7:1: Category of lost assets required relocation

Category of Loss Due to	Units	No	%
Residential structures (No.)	No.	12	22.22
Commercial structures	No.	37	68.52
Both structures	No.	4	7.41
Dhaka WASA structure	No.	1	1.85
Total	No.	54	100.00

Source: Census and IOL survey, February 19

7.2 Relocation Preferences

50. Table below lists relocation options based on feedback from APs. Among the HHs losing structures, about 16.98% preferred for the Self-Relocation by purchasing new land and Relocation on Residual Land (83.02%). Among the land losers, 100% preferred cash for land. Since there is scarcity of land in the country, so land for land option cannot be entertained and therefore adequate compensation for lost land will be paid at replacement cost so that landowners can purchase alternative land with compensation money. Regarding compensation assistance for the affected structure owners, 100% opted for cash compensation for structure and remaining preferred receiving replacement structures.

Table 7:2: Preferred relocation assistance by the displaced people

Sl. No	Resettlement/Relocation Option preferred	Total AHs	%
A	Resettlement or Relocation		
a1	Self-Relocation through purchasing new land	9	16.98
a2	Relocation on residual land	44	83.02
a3	Project Assisted Resettlement	0	0.00
	Total	53	100.00
B	Compensation option for anyone losing land		
b1	Compensation for land	Total	%
b2	Land for land lost	0	0
b3	Cash for Land lost	37	100
	Total	37	100
C	Compensation option for anyone losing structure (s)		
c1	Compensation losing type structure	Total	%
c2	House/Shop for House/ Shop Lost	0	0
c3	Cash for House/ Shop Lost	53	100
	Total	53	100

Source: Census and IOL survey, February 19

8. INCOME RESTORATION, REHABILITATION AND GENDER

8.1 Introduction

51. Mitigating the loss of land, assets and livelihoods is the main focus of the RAP. RAP policy dictates that the standard of living and livelihood opportunities of the displaced people are upheld to at least the pre-project level. DWASA will therefore focus on implementing this requirement for both titled and non-titled PAPs. Additional measures will be taken to provide appropriate support in terms of livelihood restoration for the PAPs failing to cope with relocation.

8.2 Livelihood Impact and Risks

52. If proper planning for income and livelihood restoration is not taken, land acquisition and displacement of the residential and commercial premises may severely impact the livelihood of PAPs. Landowners may not purchase alternative land with compensation money and may fail to utilize their money in income generating alternatives. These occurrences may push the affected people into conditions worse than before the project began. Quick payment of compensation and other benefits as per policy and proper planning and guidance by the INGO concerning the utilization of compensation money by the affected people will improve the chances for the restoration of livelihoods.

8.3 Income and Livelihood Restoration

53. According to the impacts identified, relocation of households out of their own community will disrupt their normal way of living. This change will take significant adjustment, not just due to new living conditions but also a new or at least altered community relationship. The income and livelihood restoration strategy will focus on the PAPs' post-relocation problems and adopt appropriate mitigation measures to uphold their standards of living. Short-term and long-term mitigation measures are suggested to undertake as per policy of the RAP. Business enterprises will also get support from the project in terms of relocation and income restoration. Adequate compensation/resettlement assistance will be given to these PAPs before relocation. It is expected that the short-term measures such as training on income generating activities and compensating loss of productive assets and income will mitigate somewhat the dislocations removal of some livelihood resources.

54. About 16.98% of affected HHs indicated that they required help with employment opportunities in construction work, about 28.30% want assistance or loan from other ongoing development scheme, and about 54.72% showed their interest in vocational & Skill development training on IGA.

Table 8:1: PAPs preferences for income and livelihood restoration

Options for Income restoration assistance	Number	%
Employment opportunities in construction work	9	16.98
Assistance/loan from other ongoing development scheme	15	28.30
Vocational & Skill development training	29	54.72
Total	53	100.00

Source: Census and IOL survey, February 19

8.4 Rehabilitation Measures

55. Necessary rehabilitation measures have been suggested in the entitlement matrices of the RAP. It is expected that proposed rehabilitation measures for restoration of income and livelihood would help the affected people to uphold or at least restore their livelihood standard.

8.4.1 Support for Lost Work Days and Income

56. The household heads, business owners and wage labourers will lose work days during and construction period. In such case they will be entitled to:

- cash compensation for lost income based on the number of months the facility is inaccessible and unusable ;
- Additional compensation and assistance is given the vulnerable households; and,
- Preferential employment opportunity during the project's construction period

8.4.2 Assistance to Re-establish Business/Enterprises

57. Owners of the business structures and operator/proprietor (tenants) of business will loss income from business and will be entitled for resettlement benefits as cash compensation equivalent to the number of months the business must be closed and inaccessible to customers/clients, due to the construction work. Noise and dust will also be considered in determining the length of the assistance period.

58. Assistance to Landlords losing Rental Income and Tenants losing a Place to Live. Affected people including renters losing their income from rented premises will be entitled to have their income restored. Titled land owners, tenant, sharecropper, lessees, and unauthorized occupant such as squatter and encroacher will be given-

- 60-day advance notice before removal
- Provision of land rental value during the duration of access loss
- Restoration and enhancement of affected land, structures and other assets once work is over;
- Additional compensation and assistance for the vulnerable households
- Employment opportunity in the civil work of PAPs affected by the project.

8.4.3 Assistance to Affected Employees/Wage Earners

59. Affected employees of the agriculture or business institutions will be entitled for

- Cash compensation for lost income based on three months lost income or minimum wage rates
- Employment opportunity in the civil construction of the project

8.4.4 Assistance to Vulnerable Groups

60. Vulnerable households including informal settler, squatters, women headed household, elderly headed households and households below poverty line will be entitled to:

- additional allowance for loss of land or structure (will be determined); and,
- prioritized employment once the work begins

8.4.5 Employment in Construction Work

61. Physically capable vulnerable PAPs will be given preferential opportunities to work on the project, including earth carrying, bricks carrying, slope turfing, watering, and some other technical jobs as per the PAPs capability and skills. Women and vulnerable groups will be given priority for available jobs. Equal wages for male and female for similar types of works will be ensured. Standard labour law of Bangladesh and ILO will be followed during the period the PAPs are employed, as well as the entire construction period.

8.4.6 Future Plans for Income and Livelihood Restoration

62. Two types of actions will be offered to the PAPs seeking help with income and livelihood restoration. These will be, i) payment of compensation and resettlement benefits and ii)

training in alternative income generating activities. According to the preferences of the PAPs, training in alternative income generating activities was the most popular mitigation action. A needs assessment will be conducted during implementation of the RAP by the DWASA or the implementing agency, to seek opinion of the PAPs regarding their option for training on IGA for income restoration.

8.4.7 Gender Considerations

63. Compensation for lost assets including land, structure, trees, furniture, wells and toilets will be paid to actual owners irrespective of gender considerations as per LA law and RAP policy. Separate toilets, shaded rest areas, calm breast-feeding corners, etc. for the female workers will provided in the construction camps. by DWASA and the contractors undertaking the work.

9. GRIEVANCE REDRESS MECHANISMS

64. The Land Acquisition Ordinance 1982 allows landowners to object to acquisitions at the beginning of the legal process. Once the objections are heard and resolved, there is virtually no provision to address grievances and complaints that individual landowners may bring in the later stages of the process. Since the ordinance does not recognize them, there is no mechanism to hear and redress grievances of people who do not have legal titles to the acquired lands. As seen in various projects, complaints and grievances may range from disputes over ownership and inheritance of the acquired lands to affected persons and assets missed by the censuses; valuation of affected assets; compensation payment; and the like. Considering the need, DWASA will establish a procedure to answer to queries and address complaints and grievances about any irregularities in application of the guidelines adopted in this RPF for assessment and mitigation of land acquisition and resettlement impacts. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal action. The procedure will however not pre-empt a person's right to go to the courts of law.
65. A Grievance Redress Committee (GRC) at local level will be formed for each Union with union level representation to ensure easy accessibility by the affected persons. This local level GRC (LGRC) and the process for resolving land acquisition related grievances will be local focal point of the project Grievance Redress Mechanism (GRM). The GRM sets out the information and communications strategy to ensure that PAPs are fully informed about their rights to offer suggestions and make complaints, and the different mechanisms through which they can do so, including grievances related to the land acquisition process. All grievances received through the GRM process will primarily be forwarded to the GRC. The secretariat for each LGRC will be at the office of the Sub-Divisional Engineer/Executive Engineer (Field Level). If any grievance is not resolved at LGRC, the aggrieved person may request the convener of GRC to forward the case to the Project Director. The GRC will officially forward the cases with their comments to the Project Director at PIU level. Meeting of the LGRC would be held at Convener's office or at Union Parishad/Ward Councilor's office as agreed by the committee members. The GRCs will be two tiers from the field level

to DWASA level (Figure 1) and committee members will be from DWASA, consultants and local people (Table 5).

Table 9:1: Members of Grievance Redress Committees (GRCs)

Level	Members of the GRC at different levels
Project Level (PIU)	iv. Project Director : Convener v. Executive Engineer (PIU) : Member vi. Team Leader RAP Implementing Consultant : Member Secretary
Local Level at Union Parishad/ Municipality	vi. Executive Engineer (DWASA, Field Office) : Convener vii. Representative (Deputy Team Leader) of the RAP Implementing Consultant : Member-Secretary viii. Local UP Chairman/Member/Ward Councilor : Member ix. Affected People's representative : Member x. Female PAP representative (In case of female aggrieved persons) : Member

66. The project level GRC will hear and resolve the grievances within 5 weeks from the date of receiving it from LGRC. The Executive Engineer (PIU) and the Team Leader (RAP Implementation) will assist the Project Director in making decision. The PAP may even go to the court of law for resolution if the decision of LGRC or PGRC is not acceptable to them. The Member Secretary will review and sort the cases in terms of nature of grievance, urgency of resolution, and schedule hearings in consultation with the Convener of GRC.
67. The GRC will be constituted by the Ministry of Local Government Rural Development and Cooperatives by issuing a circular (Paripatra) and finally this will be published in Bangladesh Gazette. Members of the GRCs will be nominated by the Project Director, PIU and approved by the Managing Director of DWASA. The membership of the GRCs will ensure proper presentation of complaints and grievances as well as impartial hearings and investigations, and transparent resolutions.
68. Two-tier grievance redress mechanism (GRM) has been proposed here for giving the affected people freedom of their choices to appeal to the higher level if they are not satisfied with the decision of the GRC at any level. They will also enjoy the opportunity to go to the court of law for final resolution.

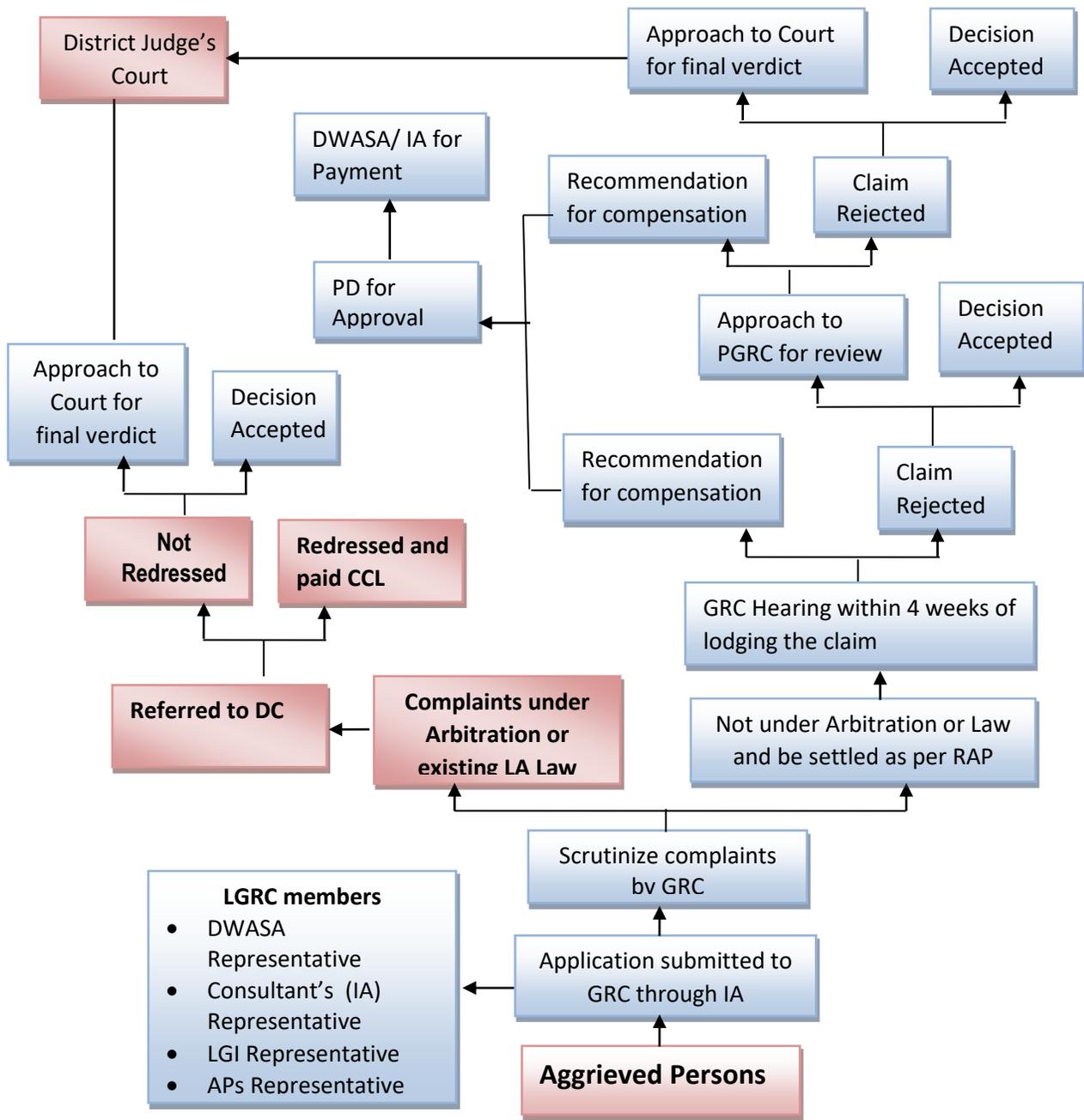


Figure 9.1: Grievance Redress Flow Chart

Steps of grievance redress mechanism are presented in Table -7.

Table 9:2: Steps of Redressing Grievances

Step 1	<ul style="list-style-type: none"> • The Implementing Agency (Consultant) on behalf of DWASA informs PAPs and counsels them on land acquisition and resettlement policy, compensation and entitlement modalities, entitlement packages, and eligibility and process to obtain the entitlements etc. in the focused group sessions. • PAPs with clear understanding approach DC and DWASA for compensation under law and assistance under RAP as applicable. • PAPs with confusion and valid complaints on land acquisition and resettlement process and entitlements, environmental issues, approach GRC for resolution.
Step 2	<ul style="list-style-type: none"> • The implementing agency assists the aggrieved PAPs to produce a written complaint to the convener of GRC with stories, expectations and any parties. The agency counsels the aggrieved persons on the mandate and procedure of grievance resolution. • GRC scrutinize the case records and sort out cases might be settled under arbitration, to be advised to aggrieved persons to submit cases to DC or be deferred to the DC from the GRC. • Hearing is organized on cases with merit at the GRC secretariat or at Union Parishad Offices at local level and resolution is given by the GRC in 4 weeks of receiving the complaints. • Aggrieved PAPs satisfied with the resolution approach the DWASA for resettlement assistance under the provision of the RAP. The agreed resolution is forward to PMU for approval by the PD before processing entitlements for the entitled person. • In case the resolution is not acceptable to the aggrieved person, he/she may approach the PMU through the GRC convener with assistance from the implementing agency for further review.
Step 3	<ul style="list-style-type: none"> • Cases with all proceedings are placed with the PIU, where the PD reviews them at PIU with assistance from the Deputy Project Director. If found necessary, field investigation is carried out and the resolutions are given within five weeks of receiving the complaints. • Aggrieved PAPs satisfied with the resolution approach the DWASA for resettlement assistance under the provision of the RAP. The resolution will be sent to the Conveners office to communicate to the aggrieved persons for acceptance.
Step 4	<ul style="list-style-type: none"> • The resolution accepted by the aggrieved person is then approved by the PD. • In case the resolution is not acceptable to the aggrieved person, he/she approaches the court of law for final verdict.
Step 5	<ul style="list-style-type: none"> • The resolution accepted by the aggrieved persons at any level (GRC, PIU) is approved by the Project Director and forwarded back to the Conveners' office keeping records at his/her office. • Based on the approved grievance resolution, the Implementing Agency processes his/her entitlements and assists DWASA in arranging payment.

69. This is to be ensured that grievance redress decisions are made in formal hearings and in a transparent manner, and the Conveners will apply the following guidelines:

- Reject a grievance redress application with any recommendations written on it by a GRC member or others such as politicians and other influential persons.
- Remove a recommendation by any person that may separately accompany the grievance redress application.
- Disqualify a GRC member who has made a recommendation on the application separately before the formal hearing:
- Where a GRC member is removed, appoint another person in consultation with the Project Director.
- Ensure strict adherence to the impact mitigation policies and guidelines adopted in this RPF and the mitigation standards, such as compensation rates established through market price surveys.

70. Inform affected persons and their communities of the project's grievance redress mechanism in open meetings at important locations and in PAP group meetings. Bangla translations of the RPF and the GRM in the form of information brochures will be distributed among the affected persons. The PAPs will also be briefed on the scope of the GRC, the procedure for lodging grievances cases and the procedure of grievance resolution at the project level.

71. Ensure impartiality and transparency, and hearings on complaints will remain open to the public. The GRCs will record the details of the complaints and their resolution in a register, including intake details, resolution process and the closing procedures. DWASA will maintain the following three Grievance Registers:

(a) Intake Register: (1) Case number, (2) Date of receipt, (3) Name of complainant, (4) Gender, (5) Father or husband name, (6) Complete address, (7) Main grievance regarding social (loss of land/property or entitlements) or environmental impact, (8) Complainants' story and expectation with evidence, and (9) Previous records of similar grievances.

(b) Resolution Register: (1) Serial no., (2) Case no., (3) Name of complainant, (4) Complainant's story and expectation, (5) Date of hearing, (6) Date of field investigation

(if any), (7) Results of hearing and field investigation, (8) Decision of GRC, (9) Progress (pending, solved), and (10) Agreements or commitments.

(c) Closing Register: (1) Serial no., (2) Case no., (3) Name of complainant, (4) Decisions and response to complainants, (5) Mode and medium of communication, (6) Date of closing, (7) Confirmation of complainants' satisfaction, and (8) Management actions to avoid recurrence.

72. Grievance resolution will be a continuous process in RAP implementation and free of charge. The PIU will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available. The PIU will also prepare periodic reports on the grievance resolution process and publish these on the DWASA website.

10. RESETTLEMENT COST AND BUDGET

10.1 Introduction

73. The cost is estimated on the basis of inventory of losses identified through census and IoL and property valuation/market surveys. Replacement value of land, structures and other assets are calculated using the market rates. The Property Valuation Advisory Committee will confirm the rates by types of land and location during the RAP implementation. The costs for relocation and special assistance are consistent with the entitlement matrix.
74. The total estimated budget for implementation of the Resettlement Plan is BDT 458,185,172 from which BDT 140,269,773 to be paid as additional pay (Table 10.1). Budget under DWASA head includes additional compensation for land and other resettlement benefits, INGO operation cost and contingency @ 2% in additional budget. The budget will be updated and adjusted once the land acquisition boundaries is finalized and the Government adopts a price of land and other assets based on the recommendations of the PVAC prior to implementation.

Table 10.1: Summary of Costs for land acquisition and resettlement

	Budget Summary	Budget	DC Budget	Additional Pay	% of the total Budget	USD in million
	1	2 (3+4)	3	4	5	6
A	Compensation for land	262,667,412	230,823,425	35,261,092	57.33	3.13
B	Compensation for Structure	99,097,886	66,640,532	32,457,354	21.63	1.18
C	Compensation for Tree	17,960	-	17,960	0.00	0.00
D	Other Resettlement Benefits	60,882,980	1,450,000	59,432,980	13.29	0.72
E	RAP Implementing Agency/ INGO	10,350,000	-	10,350,000	2.26	0.12
G	DC Contingency @ 7.5% as per DC payment sheet	22,418,547	22,418,547	-	4.89	0.27
F	Additional Contingency 2% of Total Additional Budget	2,750,388	-	2,750,388	0.6	0.03
	Total cost	458,185,172	321,332,504	140,269,773	100.00	5.45

10.2 Replacement Value of Land

75. The replacement cost for the affected lands has been estimated based RC rate which is the highest between recommended rate (market rate + DC rate= $\div 2$) and the rate paid by the DC. The total estimated cost for acquisition of land is BDT 262667412.4 from which BDT 35261092.34 stands for additional land rate to be paid by DWASA. The top up rate will be finally determined by the PAVC.

Table 10:2: Estimated Amount for Compensation for Land

Sl. No	Compensation for land	Quantity in Acre	Recommended Rate (market rate + DC paid)/2	DC Rate (+50% Premium) Acre	Top up Value	Replacement cost of land	DC Budget	Additional Budget
	1	2	3	4	5 (3-4)	6 (2*3)	7 (2*4)	8 (6-7)
A	Compensation for land							
1	Matuail							
	Homestead	0.8099	174038375	152076750	21961625	140953679.9	123166959.8	17786720.09
	Viti	0.3405	164035550	174071100	-10035550	55854104.78	59271209.55	0
	Null	0.8772	75079375	55158750	19920625	65859627.75	48385255.5	17474372.25
	Compensation For Land	2.0276		381306600	31846700	262667412.4	230823424.9	35261092.34

10.3 Replacement cost of Structures

76. Replacement cost for both primary and secondary structures affected on private land or government land have been assessed during conducting surveys, Primary data collected from the people of various cross sections associated with construction has been considered. Apart from this experience from other development projects in the recent past have also taken into account for assessing the replacement cost.

10.3.1 Replacement cost for Primary Structure

77. The replacement cost of affected primary structure has been assessed based on DC rate including 100% premium. Table 10.3 The total estimated amount for structure compensation is BDT 96 million.

Table 10:3: Estimated Cost for Primary Structures

Affected Primary Structure	Unit	Quantity	Rate	Budget
pucca	sft	22647	2,207	49,970,606
Semi-pucca	sft	33176	1,100	36,477,012
Tin-made	sft	13905	690	9,594,450
Katcha	sft	202	420	84,840
Thatched	sft	42	210	8,820
Total		69972		96,135,728

10.3.2 Replacement Cost for Secondary Structures

78. The replacement cost for secondary structures such as Toilet, tube well, boundary wall, stair, drain, etc. has been calculated following the same manner as used for primary structures. Table 10.4 presented unit costs and budget for affected secondary structures. The total estimated amount for secondary structure compensation is BDT 2.9 million.

Table 10:4: Estimated Compensation Amount for Secondary Structures

Affected Secondary Structure	Unit	Quantity	Rate (BDT)	Cost in BDT
Boundary Wall (10")	rft	309	2,205	681,345
Boundary Wall (5")	rft	276	1,832	505,632
Boundary wall (tin made)	rft	126	1,299	163,674
Stairs	sft	60	2,200	132,000
Gate	sft	1777	60	106,620
Tube well	no	3	16,928	50,784
Water Tank	cft	120	300	36,000
Toilet, (Sanitary)	no	11	60,003	660,033
Toilet, (Slab)	no	4	4,452	17,808
R.C.C Pillar	no	14	1,333	18,662
Road	sft	268	2,200	589,600
Total				2,962,158

10.4 Market Price of Trees

79. The compensation for trees in the Project are presented in Table 10.5. The estimated amount for compensation for trees is BDT 17,960.

Table 10:5: Estimated Amount of Compensation for Trees

Compensation For tree	Unit	No	Rate	Cost in BDT
Large	No	1	5,000	5,000
Medium	No	2	4,500	9,000
Small	No	2	1,800	3,600
Plant	No	6	60	360
Total Compensation For tree C	No	11		17,960

10.5 Other Resettlement Benefits

80. The total estimated resettlement benefits is BDT 60 million that includes stamp duty and registration cost, structure transfer grant, reconstruction grant, business restoration grant, , special assistance for vulnerable HHs to be paid by DWASA. Table 10.6 shows detailed of the estimated amount of resettlement benefits.

Table 10:6: Estimated Amount of Resettlement Benefits

SL No	Other Resettlement Benefits	Quantity in /No./%	Rate (BDT)	Cost in BDT
1	Stamp Duty and Registration Cost @ 15% of replacement cost of land in 25% probable cases	0.15	262,667,412	39,400,112
2	Land development cost for home and commercial land @ 10% of land value (replacement cost)	0.10	140,953,680	14,095,368
3	Dislocation allowance @Tk 200 per decimal maximum Tk 20,000	37	20,000	740,000
4	Transfer Grant of affected structure @ BDT 10/sft	10	69972	699,720
5	Reconstruction Grant of affected structure @ BDT 15/sft.	15	69972	1,049,580
6	Grants for wage loss for 30 days @ 400/day	246	12000	2,952,000
7	Business moving assistance (@ 400/day for 30 days	41	12,000	492,000
8	Value of fruits @ 30% of timber value for each (large and medium) tree.	30%	14,000	4,200
	Sub Total of E			60,882,980

10.7 RP implementation cost

81. The estimated RP implementation cost is BDT 10.35 million including operation cost for RP implementing NGO/Firm, Training on Income generating alternatives of the vulnerable groups. Table 10.7 shows the detailed of estimated amount of RP implementation.

Table 10:7: Estimated Amount of RP implementation

Head Of Expenditure	Quantity	Amount in BDT
Capacity building training for officials of Executing Agency	LS	1,000,000
Skill Training for vulnerable households on IGA.	LS	350,000
Operation cost for RAP Implementing Agency/ INGO	LS	4,000,000
CPR Relocation	LS	5,000,000
Total		10,350,000

10.8 Contingency for RP implementation

82. The estimated administrative cost is BDT 2.75 million. Contingency budget @ 2 % of the total estimated budget has been kept to meet unforeseen expenses including cost for grievance redress mechanism. Table 10.8 shows the detailed of Estimated Amount of contingency for RP implementation

Table 10:8: Estimated Amount of Contingency for RP Implementation

Head Of Expenditure	Quantity	Amount in BDT
Additional Contingency 2% of Total Additional Budget	LS	2,750,388
Total		2,750,388

11. IMPLEMENTATION ARRANGEMENT

83. Headed by a Project Director (PD), DWASA will establish a Project Implementation Unit (PIU) at its headquarters to prepare and implement the entire project. The PD is accountable to the DWASA Board through the Managing Director for successful implementation of the project. Among other responsibilities, the PD will oversee preparation and implementation of the phase-wise land acquisition and the RAP. The PD will ensure that the engineering designs identify the locations and magnitudes of the land to be acquired precisely, prepare and submit the acquisition proposals to the Deputy Commissioners (DC – head of the acquisition authority), and provide them with the acquisition funds, allowing sufficient time to complete the acquisition process. The PD will also ensure that compensation payment and measures to mitigate social impacts adopted beyond the provisions of the acquisition law are all completed before handing over land for civil works. The PIU will act for all activities that involve land acquisition and resettlement. The PD and the PIU will be actively assisted by the Consultant in carrying out the RAP preparation and implementation tasks.
84. Executive Engineer (XEN)- assigned for land acquisition and resettlement activities, will implement the project on the ground, on behalf of the PIU including land acquisition and resettlement action plans for the project. The XEN will be assisted by the Sub-Divisional Engineers (SDE) and Assistant Engineers (AE)/Sub-Assistant Engineer.
85. The project will finance consulting services for social survey, following up land acquisition, preparation and implementation of Resettlement Action Plan, in particular the resettlement activities proposed in this RPF. Services of the consultant have been recognized as instrumental in successful implementation of resettlement plans considering their experience of working with the grassroots level people. On the other hand, DWASA has limited manpower in its project Implementation unit to take up preparation and implementation of Resettlement Action Plan. It has therefore been adopted in this project to engage an experienced Consultant to assist PIU in the preparation and implementation of RAP. The principal task of the RAP implementing agency (consultant) would be to identify the project affected households/business enterprises and persons relating to the enterprises, estimating their losses and dislocations, and processing their entitlement as per the packages to be contained in the RAP. The ultimate main task would be to assist PIU in disbursing

entitlements, which are provisioned under the project beyond the provision of the law on land acquisition of the Government of Bangladesh.

86. The Deputy Commissioners will pay compensation to the legal owners of the affected properties following the land acquisition law of Bangladesh (ARIPO 1982) while DWASA will pay additional compensation (if any) on top of DC's payment and resettlement benefits as per policy of the RPF. The consultant will assist the entitled persons to prepare/update their record of rights to the property and receive compensation from DC office and DWASA. Necessary papers for payment of compensation and assistances such as Entitled Persons File (EP file) and Entitlement Card (EC), Debit Vouchers, Photography of EPs, ID cards of EPs, etc. would be prepared by the consultant to facilitate DWASA for making payment of compensation and benefits. In case of community property is affected, DWASA will pay compensation to the authorized person of the Management Committee of the Community Property. The cheque will be in the name of the affected community property, not in the name of any person. The tenants and wage laborers will have to produce letter of authentication from the owner of structure/operator of business along with other documents as necessary. DWASA will issue ID cards to each of the entitled persons and the consultant will distribute it among the EPs. The photograph of the EP would be attested by the local government representatives (Union Parishad Chairmen/ City Corporation Mayor or Councilor). Compensation cheques (account payee) will be delivered at the door step of the people by the DWASA with assistance from the consultant. The assigned consultant (KMC) has employed experienced and trained staff for field survey, data collection, data management and development and production of implementation tools in the effect under the leadership of an experienced Team Leader (Land Acquisition and Resettlement Specialist).

11.1 Property Assessment and Valuation Committee (PAVC) and its role

87. Deputy Commissioners (DC) and DWASA will conduct joint on-site verification of affected physical properties on private land proposed for acquisition for SWTPP-III. DCs (Dhaka and Narayanganj) will also assess the market price of the affected lands, structures, trees and crops with data and assistance from Sub-Registrar's offices for land, Public Works Department (PWD) for structures, Department of Forest (DoF) for trees, and Agriculture Extension and Agriculture Marketing Departments for crops. The DCs will not compensate

the households, shops or any other entities affected on public lands. However, as per the project policy unauthorized occupants will not be entitled for full compensation for their lost assets rather they will be entitled for some resettlement benefits based on practices of other externally funded development projects. The land owners will be entitled for compensation to be assessed by Property Assessment and Valuation Committee (PAVC). The affected physical assets will be identified and market price of affected physical assets and income will be determined by the PAVC established under the project. The PAVC will prepare a comparative assessment between the DC's CCL price and the price obtained from different sources following best practices of other development projects and submit to PIU with recommendation for decision and approval. The PAVC will be a 4-member committee at field level. The members of PAVC will be nominated by the competent authority and approved by the Project Director. The committees will be constituted by the Ministry of Local Government Rural Development and Cooperatives (MoLGRC) through a notification which will be ultimately published in the Official Gazette.

Table 11:1: Membership of PAVC

1. Project Director (SWTPP-III)	Convener
2. Team Leader, RAP Implementing Agency	Member-Secretary
3. Representative of concerned DC (not below rank of Assistant Commissioner)	Member
4. Deputy Team Leader, RAP Implementing Agency	Member

11.2 Process of valuation of assets

88. The PAVC will verify and cross check the field book of the joint verification survey (JVS) conducted jointly by DWASA and the Deputy Commissioners at respective project area. The PAVC will also review and certify the census of affected households (titled and non-titled) and assets conducted by the DWASA appointed consultant. If there is major variation between Census and JVS data (more than 10%) in assessing affected properties, PAVC will consult the JVS for titled losses and the Census for non-titled losses. PAVC will assess quantity and category of affected physical property (structure, tree, business, common properties, etc.) on public lands. Unit rates of the affected physical property will also be

determined by the PAVC based on market price to be obtained from various sources. The PAVC will design and conduct a property valuation survey (PVS) through questionnaire survey and personal contact and consult secondary sources to recommend a reasonable price of land as well as amount of loss of income based on inventory of losses (IOL) survey result.

- 1. Legal Procedure to be followed by DC:** Deputy Commissioners will assess value of the land and other assets following the legal procedure. For land compensation the DC will collect transacted deeds form concerned Sub-Registrar's office for preceding 12 months from the date of serving notice under section 3 of the ARIPO-1982 and will add 50% premium (as per amendment of ARIPO 1994). For assessment of compensation for structure the DC will send the joint verification list of structure to Public Works Department for individual assessment of price of each affected structure. For Trees, joint verification sheet will be sent to Department of Forest to assess price of each affected trees. For crops and fish the DC will use rates of Department of Agriculture Extension and Agriculture Marketing Department and the Department of Fisheries.
- 2. Procedure to be followed by PAVC:** Rates of land will be collected from various cross sections of the people such as potential seller & buyer, religious leader, teacher, deed write, etc. to ascertain replacement cost. PAVC will also collect recorded price from Sub-Registrar's office for preceding three months from the date of assessing the price by PAVC and actual transacted price from the people. Therefore, collected data/ rate from three sources (reported, recorded and transacted) would be taken into account for preparation of the replacement cost for land. For affected structures, the IA will collect rates from knowledgeable people such as businessmen of construction materials, construction laborers, etc. and for trees and crops from the forest department and agriculture extension and marketing department respectively.

11.3 Training and Capacity Building of DWASA Official

89. Land acquisition and resettlement experience in former and ongoing projects of DWASA formed the basis for this RPF. DWASA has prior experience of dealing with land acquisition and resettlement in compliance with Donor's policy on Involuntary Resettlement. SWTPP-II (DWASA) staff will be oriented on preparation of resettlement action plans and implementation of the plans at the field level. An experienced Consulting Firm (KMC) has been employed for social survey and preparation & implementation of RAPs.

90. However, in monitoring land acquisition and RAP implementation activities, the DWASA PIU will identify any issues that may be impeding progress and coordinate them with the PD for actions by the XENs at PIU level. The RAP implementing consultant will also train the DWASA officials (PIU and field staff), especially those who will implement project, on social safeguards compliance issues relating to involuntary resettlement as well as implementation of the various impact mitigation policies and measures adopted in this RPF. Gender mainstreaming in project activities will be given special attention in all training and capacity building activities.

11.4 RPF Disclosure

91. DWASA will disclose this RPF to the public and in its website. DWASA will ensure that copies of the translated document (executive summary of the RPF) are available at its headquarters and field level and other places accessible to the general public. Executive Summary of the resettlement action plan for the project will be translated into Bangla and made available at public places accessible to the project-affected persons and other stakeholders before award of civil works contract.

11.5 Roles And Responsibilities Of Dwasa Officials And Rap Implementing Consultant

A. Project Implementation Unit, DWASA

1. Project Director

Overall responsibility: Coordinating preparation and implementation of the land acquisition and resettlement activities in time.

Specific responsibility:

- Perform as convener of the Property Assessment and Valuation Committee (PAVC) and ensure that all properties within the proposed area have been enumerated and replacement value of the affected properties has been determined in a transparent manner.
- Routinely reviews and updates the schedules for design & implementation of civil works and other tasks, and coordinates them with the process tasks required for land acquisition, and RAP preparation and implementation.
- Coordinates, facilitates and monitors all activities performed at PIU and Field Office (FO) levels related to land acquisition needs and their ground locations; and placement of acquisition funds with DCs are all completed in time.

- Monitoring the PAP censuses and other tasks for RAP preparation and implementation, and that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensures that all information on land acquisition, RAP reparation and implementation activities are collated and reported to DWASA Board on a regular basis.

B. Field Office (FO) of DWASA

1. Executive Engineer

Overall responsibility: Monitoring the process tasks of preparing and implementing land acquisition and resettlement activities in time, analyzing and collating all related information in the field office and report to PIU.

Specific responsibility:

- Review, update and coordinate with project schedules for design and implementation of civil works and other tasks, vis-a-vis the process tasks required for land acquisition, and RAP preparation and implementation.
- Perform as convener of the local grievance redress committee and ensure that all PAPs are aware of their right to make grievance on valid ground regarding land acquisition, resettlement and environmental issues. Ensure that all grievances so far received by the GRC are heard and resolved in time in a transparent manner as prescribed in the RAP.
- Coordinate and facilitate PAP censuses, market price surveys and other process tasks for RAP preparation and implementation, and monitors the RAP implementation process ensuring that 'the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensure that all information related to land acquisition and resettlement are generated and collected from the field and secondary sources and are analyzed, collated and instruct consultant to prepare the RAP accordingly.
- Routinely monitor progress in land acquisition and RAP implementation activities and keep Project Director informed on a regular basis.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments at the District level.

2. Sub-Division Engineer (SDE)

Overall responsibility: Monitoring data collection and assessing valuation of affected property, providing assistance to DC office regarding land acquisition and support to consultants in resettlement activities, analyzing and collating all related information in the field office and reporting to PIU.

Specific responsibility:

- Assist XEN in project schedules for design and implementation of civil works and other tasks, vis-a-vis the process tasks required for land acquisition, and RAP preparation and implementation.
- Preparation/correction of land acquisition proposal in association with the other staffs and consultant and submit it to the PIU.
- Coordinate and facilitate PAP censuses, market price surveys and other process tasks for RAP preparation and implementation, and monitors the RAP implementation process ensuring that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensure that all information related to land acquisition and resettlement are generated and collected from the field and secondary sources and are analyzed, collated and instruct consultant to prepare the RAP.
- Routinely monitor progress in land acquisition and RAP implementation activities and keep PIU informed on a regular basis, and assist with the preparation of status reports for the DWAASA board.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments at the District level.

C. RAP Implementing Consultant

Overall responsibility: Assist DWASA in social mobilization, preparing and implementing the resettlement plans for the project. The principal tasks will be to identify the project affected households/business enterprises and persons relating to the enterprises, estimating their losses and dislocations, and processing their entitlements. The next main tasks would be to assist DWASA in disbursing entitlements.

Specific responsibility:

- Resettlement and Rehabilitation of PAPs
- Design and carry out disclosure campaign including tools for disclosure and information dissemination among the potentially displaced persons and collect their feedback.
- Liaise with the Deputy Commissioners' offices in the process of land acquisition including joint verification, notifications and payment of cash compensation.
- Carry out social surveys and public consultations under the guidance and supervision of the XEN/SDE at FO level and the PIU at central level.
- Carry out PAP censuses, market price surveys and other process tasks under the guidance of the Property Assessment and Valuation Committee (PAVC) for RAP preparation or updating and implementation ensuring that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Assist DWASA in preparation of land acquisition plan and following up of the land acquisition process by Deputy Commissioners.
- Participate in grievance redress process and facilitate the aggrieved PAPs and their communities in producing grievance petitions to the GRC focal points. Communicate GRC decisions to the PAPs and take necessary measures as per the decisions agreed by the aggrieved persons.
- Develop PAP database containing information from the Deputy Commissioners' payment of compensation under law, PAP census and inventory of losses by the PAVC and design and operate automated Management Information System (MIS) for determining and making payment of entitlements to the eligible PAPs and generate reports on progress monitoring and evaluation.
- Identify eligible PAPs and determine their loss and entitlements based on DC's payment data, updated inventory of losses and GRC decisions. Assists the MIS staff to process the data for cross checking the resettlement budgets, as required to prepare and implement the phase-wise RAP.
- Provide assistance to find alternative land for relocation of the PAPs by their own as per RAP and the RPF.
- Prepare entitled persons file and entitlement cards (EP&EC) for individual entitled persons (EPs) and assist DWASA in payment of entitlements.

- Assist DWASA in documenting issuance of photo ID cards and payment of entitlements including ID register, payment register, payment vouchers, etc.
- Assist eligible PAPs in opening Bank accounts for receiving payment of entitlements.
- Assist entitled PAPs in organizing documents for receiving compensation under law from the respective Deputy Commissioners' offices.
- Identify problems and place them with the resettlement officers of DWASA for corrective measures.
- Document updates on land acquisition, payment of compensation under law, identification of EPs, payment of entitlements, grievance resolution and relocation, and include them in the regular progress reports for submission to the PIU and the field offices.
- Providing support to the squatters and unauthorized occupants on the project ROW to relocate their structure and belongings within given time to facilitate civil works.
- Assist DWASA in preparing any updates and reports from time to time as required.

11.6 RAP Implementation Time Line and Linkage with Construction Schedule

92. It is understood that land acquisition process in Bangladesh is cumbersome and time consuming. In the SWTPP-III land acquisition process has been started well ahead of the RAP implementation and civil construction. At Naryanganj district the DC office has already started payment of compensation for the land and other properties in 6 (six) km alignment (Dhaka-Chittagong road to Raw Water Pumping Station). It is good sign for the project that the DC office has started payment because land acquisition is very much time consuming and cumbersome process.
93. The implementation schedule is based on the principle that (i) all displaced persons and families are paid their due compensation and assistance prior to relocation; and (ii) relocation of the families and businesses will be synchronized with the schedule. The activities listed include vacating lands for construction, payment of additional grant over CCL to reach replacement cost, income and livelihood restoration activities, and social development for vulnerable families. This schedule will be finalized once the detailed design is completed and accurate surveys are in place and the RAP budget is updated and finalized

As per the proposal efforts will be made to complete the RP implementation process in about 19 months.

Table 11:2: Implementation Schedule of RAP

SL. No	Implementation Stage	Months																		
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	19	
B.1	Develop Implementation Tools/Mechanism	Green	Green	Green																
B.2	Land Acquisition	Green																		
1	Liaise with DC office in case of land acquisition and compensation payment	Orange																		
2	Assist DC offices in land acquisition process	Purple																		
3	Assist in serving notice u/s 3 and Joint Verification																			
4	Assist is serving notice u/s 6																			
5	Assist in preparation of LA estimate and award book																			
6	Assist in serving notice under section 7 by DCs																			
7	Assist PAPs in updating record of rights and receiving compensation	Grey																		
8	Assist DC office during transfer of Land						Red	Red											Blue	
B.3	Social Preparation	Green																		
1	Formation of focused groups with various occupation groups at the field	Yellow															Blue			
2	Information Campaign		Blue																	
3	Disclosure of RAP policy		Grey	Grey																
4	Regular meetings with affected people for updating record of rights and other documents for receiving compensation from Dc office and DWASA		Orange																	
5	Consult the displaced people to get ready for relocation after getting compensation		Purple																	
B.4	Payment of Compensation		Green																	

SL. No	Implementation Stage	Months																		
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	19	
1	Collection of award book from the DC office																			
2	Collection of CCL from PAPs after getting compensation																			
3	Prepare CCL statement as per DC payment																			
4	Devise ID number for each of the entitled persons																			
5	Preparation of EP file and EC																			
6	Preparation indent (EP payment list)																			
7	Opening Bank Account by the APs																			
8	Prepare ID cards for the EPs using photograph																			
9	Calculate Individual entitlement based on category of losses and policy of the RAP																			
10	Prepare Debit voucher and other necessary documents for making payment of additional compensation and other benefits																			
11	Payment of additional grants and resettlement benefits																			
12	Assist EPs in producing Grievances, if any																			
B.5	Relocation/Resettlement																			
1	Payment of resettlement benefits to EPs																			
2	Assess relocation options of the PAPs and provide facilities in relocation choices																			
3	Assist displaced households/EPs in relocation and resettlement																			
B.6	Establishment of Grievance Mechanism																			
1	Development/finalization of format for grievance cases including																			
2	Assist PAPs in producing grievances																			
3	Disclose GRM process among the people																			

SL. No	Implementation Stage	Months																		
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	19	
4	Resolve grievances																			
B.7	Monitoring & Reporting																			
1	Internal Monitoring by DWASA																			
2	Inception Report																			
3	Half Yearly Progress Report																			
4	Final Report																			

12. MONITORING AND EVALUATION

94. DWASA will set up an internal monitoring system to report on regular basis involving the SDEs/XENs at the field level. The RAP implementing consultant will primarily be responsible for collection of monitoring data on land acquisition and implementation of resettlement action plans. The PIU will prepare six-monthly reports on monitoring of land acquisition and implementation of resettlement plans to be implemented by the consultant.
95. The DWASA PIU will be responsible for monitoring, reporting and evaluation, including the design of the M&E system. Independent reviews of the DWASA land acquisition process will be carried out at regular intervals through the SWTPP-III integrated performance audit procedure on a 15% sample of affected households. In this regards, DWASA may engage national level consultant to prepare monitoring report independently on bi-annual basis. This will provide timely feedback on the effectiveness of the planning and implementation process for land acquisition and resettlement of affected persons and on its monitoring. It will generate prompt feedback on problems and issues to be addressed by the Project. This is to evaluate the adequacy of the mitigation policies, the socio-economic impact of the project on the persons affected, and the achievement of the social development goals as well as lessons for future projects. This independent monitoring will require inputs at project-start (to collect baseline data), during implementation (to expand the baseline database and collect interim evaluation data) and at project-end (for evaluation). DWASA will have a contract with local consultants to carry out the independent monitoring. A TOR for Independent Monitoring is to be prepared and enclosed with the Resettlement Action Plan (RAP) if DWASA plans to engage External Monitoring Agency.
96. The following indicators will be used to monitor the status of major tasks involved in land acquisition and in preparation and implementation of resettlement activities.
- A. Land Acquisition:** Engineering Design is a pre-requisite for starting the land acquisition activities. Once the design decisions are finalized determining the acquisition needs and their ground locations, the following tasks will be monitored to assess progress in land acquisition:
- Preparation of the LAPs, by using standard formats required by land acquisition authority.

- Dates of LAPs submitted to the MOLGRD for administrative approval.
- Dates of LAPs submitted to the Deputy Commissioners (DCs).
- Dates of LAPs approved by the District Land Allocation Committees (DLACs) and, if required, the Central Land Allocation Committee (CLAC).
- Dates of Notice-3 issued by DCs of the project districts (These dates serve as cut-off dates for the legal owners of the lands under acquisition).
- Dates of Joint Verifications by acquiring body (DC) and requiring body (DWASA) completed in the individual project districts.
- Dates of Notice-6 issued by DCs of project districts.
- Dates of Compensation Estimates submitted by DCs to DWASA.
- Dates of DWASA Board approved the Compensation Estimates.
- Dates of DWASA placed the compensation funds with DCs.
- Dates of Notice-7 issued by DCs in the project districts.
- Dates of DCs started the CCL payment process in the project districts.
- Continuing monitoring of progress in CCL payment by DCs.

B. Preparation & Implementation of Mitigation Plans. Preparation of impact mitigation plans begins once decisions on engineering designs are finalized and ground locations of the acquisitions are identified. The following are the major tasks that will be monitored during preparation and implementation:

- Census of the project affected persons (PAPs) and assets, and fixing of the cut-off dates for squatters.
- Survey of replacement costs and market prices of the affected lands and other assets.
- Consultation and information dissemination with regard to compensation payment procedure and the documents required to claim compensation from the DCs (a continuing activity).
- Formation of the GRCs.
- Preparation of Compensation Budgets for squatters and others not covered by the acquisition ordinance, and top-up for titleholders.
- Preparation and submission of RAP to DWASA for review and clearance.

- Preparation of the individual entitlement files for entitled persons, with all applicable entitlements.
 - Approval of the Compensation Budgets by DWASA.
97. Continuing monitoring and reporting of progress in payment of CCL, top-up (where applicable) and other applicable entitlements to titleholders and squatters and similar PAPs; and relocation of homestead losers, and displaced businesses and other activities. Data on following indicators will be essentially collected for continuous monitoring and reporting:
- PAPs are aware of their entitlements, and of the procedures for receiving them, before start of land acquisition;
 - PAPs are satisfied that they were properly consulted at all relevant stages of project identification, selection, design and implementation with focus on land acquisition;
 - PAPs are aware of the Grievance Redress Mechanism and their grievances are satisfactorily resolved;
 - PAPs are fully compensated in accordance with the entitlement matrix for all assets at market price;
 - Valuation of land and other assets was done in a participatory method to ensure reasonable price;
 - PAPs receive their entitlements (CCL, top-up, & other allowances) prior to taking possession of land for project civil works construction; and
 - Livelihoods of the PAPs are fully restored.
98. Any other tasks that may have remained unknown will be included in the monitoring system. Progress in land acquisition and RAP and implementation activities will be reported in appropriate formats on land acquisition and resettlement. Format on land acquisition process will update on the status of land acquisition including preparation of LAP, administrative approval, submission of LAP to DCs, notifications under the law, assessment, valuation, and placement of fund and disbursement of compensation under law. Format on resettlement will provide updates on payment of resettlement assistance including top-ups for replacement value after compensation under law, relocation assistance, vacating project right of way and livelihood restoration measures.

Annex 1: List of the participants on the SCM

Knowledge Management consultants (KMC) Ltd.

Attendance sheet

For

Saidabad Water Treatment Plan Project (SWTPP), Phase-3

Time: 11.30 Am

Union/Ward:

Date: 03-2-19

Venue: মুর্শিদাবাদ

Thana:

District: Dhaka

Sl. No.	Name of the Participant's	Gender		Occupation	Address	Contact No.	Signature
		M	F				
01	Kh. Khairul Matin	✓		Managing Director		01839-929400	
02	Mustafizur Rahman	✓		Job	DWARA		<i>[Signature]</i>
03							
04							
05	Md. Masaul Haq	✓			KMC		<i>[Signature]</i>
06	মহাশয় আল বশরাত	✓		কাজ	মুর্শিদাবাদ	01748564157	<i>[Signature]</i>
07	আব্দুল হক	✓		কাজ	মুর্শিদাবাদ	01819431326	<i>[Signature]</i>
08	মোঃ আমিনুল হক	✓		চাকরি	মুর্শিদাবাদ	01643877301	<i>[Signature]</i>
09	মোঃ মোঃ হোসেন	✓		কাজ	মুর্শিদাবাদ	01960670978	<i>[Signature]</i>
10	মোঃ মাহমুদ	✓		কাজ	মুর্শিদাবাদ	0183429621	<i>[Signature]</i>
11	মোঃ মাহমুদ হোসেন	✓		কাজ	মুর্শিদাবাদ	03962258902	
12	মোঃ মাহমুদ হোসেন	✓		কাজ	মুর্শিদাবাদ	01778030012	<i>[Signature]</i>
13	মোঃ মাহমুদ	✓		কাজ	মুর্শিদাবাদ	0157822607	<i>[Signature]</i>
14	মোঃ মাহমুদ	✓		কাজ	মুর্শিদাবাদ	01711444651	<i>[Signature]</i>
15	মোঃ মাহমুদ হোসেন	✓		কাজ	মুর্শিদাবাদ	01683926812	<i>[Signature]</i>
16	মোঃ মাহমুদ হোসেন	✓		কাজ	মুর্শিদাবাদ	01818757665	<i>[Signature]</i>
17	মোঃ মাহমুদ হোসেন	✓		কাজ	মুর্শিদাবাদ	01981840727	<i>[Signature]</i>
18	মোঃ মাহমুদ হোসেন	✓		কাজ	মুর্শিদাবাদ	0162-9191049	<i>[Signature]</i>
19	মোঃ মাহমুদ হোসেন	✓		কাজ	মুর্শিদাবাদ	01626395710	<i>[Signature]</i>
20	মোঃ মাহমুদ হোসেন	✓		কাজ	মুর্শিদাবাদ	01819139862	

Knowledge Management consultants (KMC) Ltd.

Attendance sheet

For

Saidabad Water Treatment Plan Project (SWTPP), Phase-3

Time: 11.30 Am

Union/Ward:

Date: 03-02-19

Venue:

Thana:

District: Dhaka

Sl. No.	Name of the Participant's	Gender		Occupation	Address	Contact No.	Signature
		M	F				
21	শ্রীমতী সুলতানা	✓		কাজ	মুন্সিবাড়ী	01865026074	সুলতানা
22	শ্রীমতী: সুলতানা	✓		কাজ	মুন্সিবাড়ী	01672224300	সুলতানা
23	শ্রীমতী সুলতানা	✓		কাজ	৷	01933238498	সুলতানা
24	শ্রীমতী: সুলতানা	✓		কাজ	৷	01862283333	সুলতানা
25	শ্রীমতী: সুলতানা	✓		কাজ	৷	01715567476	সুলতানা
26	শ্রীমতী: সুলতানা	✓		কাজ	সাইদাবাদ	0222562226	সুলতানা
27	শ্রীমতী: সুলতানা	✓		কাজ	সাইদাবাদ	01818009292	সুলতানা
28	শ্রীমতী: সুলতানা	✓		কাজ	সাইদাবাদ	01914574944	সুলতানা
29	শ্রীমতী: সুলতানা	✓		কাজ	সাইদাবাদ	01913386918	সুলতানা
30	শ্রীমতী: সুলতানা	✓		কাজ	সাইদাবাদ	02220666666	সুলতানা
31	শ্রীমতী: সুলতানা	✓		কাজ	সাইদাবাদ	01835437247	সুলতানা
32	শ্রীমতী: সুলতানা	✓		কাজ	সাইদাবাদ	01819114079	সুলতানা
33	শ্রীমতী: সুলতানা	✓		কাজ	সাইদাবাদ	0297296092	সুলতানা
34	শ্রীমতী: সুলতানা	✓		কাজ	৷	0171529593	সুলতানা
35	শ্রীমতী: সুলতানা	✓		কাজ	৷	01855363151	সুলতানা
36	শ্রীমতী: সুলতানা	✓		কাজ	৷	01724103427	সুলতানা
37	শ্রীমতী: সুলতানা	✓		কাজ	৷	01920486127	সুলতানা
38	শ্রীমতী: সুলতানা	✓		কাজ	৷	01829095308	সুলতানা
39	শ্রীমতী: সুলতানা	✓		কাজ	৷	01885842830	সুলতানা
40	শ্রীমতী: সুলতানা	✓		কাজ	৷	01732014861	সুলতানা

Knowledge Management consultants (KMC) Ltd.

Attendance sheet

For

Saidabad Water Treatment Plan Project (SWTPP), Phase-3

Time: ৩.৩০ pm

Union/Ward:

Date: ০৩.০২.১৭

Venue: Kagla

Thana: Jathrabari

District: Dhaka

Sl. No.	Name of the Participant's	Gender		Occupation	Address	Contact No.	Signature
		M	F				
1	শ্রী: হামিদুল হক	✓		চাকুরী	কগলা		
2	শ্রী: মোহাম্মদ রহমান	✓		"	"		
3	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	কগলা	০১৭৩৭ ০১৪৪৫১	
4	শ্রী: মোহাম্মদ	✓		"	"		
5	শ্রী: মোহাম্মদ	✓		চাকুরী	কগলা	০১৭১২১১৯৪৭৬	
6	শ্রী: মোহাম্মদ	✓		"	"	০১৭১৪৪৭৪১৬২	
7	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	কগলা	০১৭১৪৩৭১৭৭২	
8	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	কগলা	০১৭২০৬৭৬৭৩৩	
9	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	কগলা	০১৭২৬৩৪৪৪১১	
10	শ্রী: মোহাম্মদ আলী	✓			"	০১৭১৬৩৭১২৭৭	
11	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	কগলা	০১৭২৪৩১৪৭৪৬	
12	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	"	০১৭২৬০৭২০৭২৯	
13	Mohammed Hossain			Business	কগলা	০১৭১৩০৬৪৬৬৩	
14	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	কগলা	০১৭২৭৫৪৪৩৩	
15	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	কগলা	০১৪১৪৫৭৬৩৩	
16	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	কগলা	০১৪৫৪৭৪০৪০৭	
17	শ্রী: মোহাম্মদ আলী	✓		চাকুরী	"		
18	শ্রী: মোহাম্মদ আলী	✓		"	"	০১৭৭৭৭০৭৬৪	
19	শ্রী: মোহাম্মদ আলী	✓		"	"	০১৭১৬৫৫১৩৪২	
20	শ্রী: মোহাম্মদ আলী	✓		"	"	০১৭৪৭৭০৪১৪	

