



Government of the People's Republic of Bangladesh

Dhaka Water Supply and Sewerage Authority (DWASA)

Saidabad Water Treatment Plant Project, Phase- III

Resettlement Policy Framework

Prepared by



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Table of Contents

LIST OF TABLES	3
LIST OF FIGURE	3
EXECUTIVE SUMMARY	4
LIST OF ABBREVIATIONS	28
DEFINITION OF SELECTED TERMS	30
1. INTRODUCTION: GENERAL FRAMEWORK	35
1.1 Project Background and Approach.....	35
1.2 The RPF Objectives	36
1.3 Project Area	37
1.4 Project Activities and Social Safeguards Implications	38
1.5 Safeguards Screening and Mitigation Guidelines	40
1.6 Estimated Population and categories of affected people	41
1.7 Assessment of Impacts and Risks	41
1.7.1 Severity of Impacts	43
1.7.2 Permanent and Temporary Impacts.....	43
1.8 Organizational Arrangements and Procedures for Delivery of Entitlements	44
1.9 Property Assessment and Valuation Committee (PAVC) and its role	45
1.10 Process of valuation of assets	46
1.11 Training and Capacity Building of DWASA Official.....	47
1.12 RPF Disclosure.....	48
1.13 Monitoring and Evaluation	48
2 LEGAL AND INSTITUTIONAL GUIDELINES AND REQUIREMENTS.....	50
2.1 Legal and Policy Framework	50
2.2 DWASA Policy Framework.....	52
2.3 European Investment Bank Environmental and Social Standard-6 on Involuntary Resettlement	53
2.4 Guiding principles for Land Acquisition &Resettlement	65
2.5 Principles and objectives governing resettlement preparation and Implementation.....	66
3. PREPARATION OF MITIGATION INSTRUMENTS	68
3.1 Steps and Process for preparation of Impact Mitigation Instruments	68
3.2 Community/Stakeholder Consultation.....	69
3.3 Documentation: Safeguard Instrument	70
3.4 Process for preparing and approving resettlement plans	72
3.5 Contents of Resettlement Action Plan (RAP).....	73
3.6 Eligibility Criteria for defining various Categories of Affected People	74
3.7 Entitlement for Various Losses	76
3.8 Compensation Payment Principle.....	77
3.9 Compensation and Entitlement Matrix	78
4. RAP IMPLEMENTATION GUIDELINES.....	88
4.1 Implementation procedures and steps	88
4.2 RAP Implementation Time Line and Linkage with Construction Schedule	92
4.3 Grievance Redress Mechanism	100
4.4 Monitoring and Reporting	105

ANNEX-01: ROLES AND RESPONSIBILITIES OF DWASA OFFICIALS AND RAP IMPLEMENTING CONSULTANT	107
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ANNEX-02: MONITORING LAND ACQUISITION AND PREPARATION &IMPLEMENTATION OF IMPACT MITIGATION PLANS	111
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List of Tables

TABLE 1: PROJECT ALIGNMENT AT A GLANCE	37
TABLE 2: THE PRINCIPAL COMPONENTS OF THE TOTAL PROJECT	38
TABLE 3: GOB 1982 ORDINANCE, EIB E&S STANDARD-6 AND ADOPTED MITIGATION MEASURES TO BRIDGE THE GAPS.....	55
TABLE 4: CONTENTS OF RAP	73
TABLE 5: ENTITLEMENT & POLICY MATRIX	79
TABLE 6: MEMBERS OF GRIEVANCE REDRESS COMMITTEES (GRCS)	101
TABLE 7: STEPS OF REDRESSING GRIEVANCES	103

List of Figure

FIGURE 1: GRIEVANCE REDRESS FLOW CHART	102
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Executive summary

E1. Introduction to the Project: Dhaka Water Supply and Sewerage Authority (DWASA) is mandated to supply piped water to the dwellers of Dhaka Metropolitan City and its adjacent area i.e. Narayanganj, Demra, Tongi, Joydebpur and Savar.. To do that, DWASA has been implementing two mega water supply project titled 'Padma (Jashaldia) Water Treatment Plant Project (Phase-I) and 'Dhaka Environmentally Sustainable Water Supply Project. About 950 MLD potable water will be supplied to the city dwellers by these two projects.

Now, the government has approved a project titled "Saidabad Water Treatment Plant Project Phase-III" to ensure supply of more water as per requirement of the city dwellers. The SWTPP-III is financed by European Investment Bank and Government of Bangladesh. The project requires fresh acquisition of about 34 acres of land under Narayanganj (32 acres) and Dhaka (02 acres) district. The concerned district administration has taken necessary initiatives to acquire the land in favor of the SWTPPP- III of DWASA

E 2. Project Background and Description: DWASA is mandated to supply piped water to the dwellers of Dhaka Metropolitan City and its adjacent area. At present, Dhaka WASA has been extracting 78% (approx) of its demand from the underground sources through more than 600 Deep Tube Well (DTW). This excessive extraction of water has been creating a negative impact on the ground water causing declination of the water table at an alarming rate of 2-3 meter per year. As a result the cost of construction as well as O&M of DTW has been increasing day by day. Therefore water supply from groundwater sources is no longer sustainable. In this situation, DWASA has implemented Saidabad WTP project Phase-I and Phase-II from where total 450 MLDpotable water is being supplied for the city dwellers. Now, The GOB has approved a project titled "Saidabad Water Treatment Plant Project Phase-III". The Saidabad water treatment plant phase III project will collect surface water from Meghna river, supply it to Saidabad Water Treatment Plant through pipeline. This project will provide more reliable and sustainable water supply in Dhaka by developing a new surface water source. The SWTP project (Phase-III) is scheduled to be executed in the period from 2015 to 2020.

E3. Objectives of Resettlement Policy Framework (RPF):According to the EIB Environmental and Social Standard-6 '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)'. The RPF is intended to provide general policies, guidelines, and procedures for integration of required mitigation measures of possible safeguard impacts into the selection, design and implementation of the project. Its objective is to help DWASA to ensure that the project (i) enhances the social development outcomes of implementation activities of the installation of the pipe; (ii) identifies and mitigates adverse impacts that the project might cause on people (men & women), including protection against loss of livelihood activities, with culturally, socially and economically appropriate measures; (iii) develops necessary safeguard mitigation measures to adequately disclose and consult with affected people on draft action plans, to compensate their lost assets and to improve (or at least restore) their incomes and livelihoods, and (iv) is prepared and implemented in compliance with relevant policies of the GoB, European Investment Bank (EIB).

E 4. Implications of social safeguard compliance: The major physical works that may require private land acquisition and use of the public land (mostly RHD) along the Dhaka Chittagong road, Dhaka Sylhet road and Dhaka-Demra Road are the installation of water supply pipeline and construction of structures at the Raw Water Pumping Station. The Consultant (KMC) has conducted social and economic survey in various location along the project right of way under Naryanganj and Dhaka districts particularly in the six km alignment where land acquisition and displacement is taking place. The Consultant also conducted social screening along the Dhaka Chittagong Road, Dhaka-Sylhet Road and Dhaka-Demra road where the project pipeline will be installed. Social screening indicated impact on communities and persons due to the likelihood of land acquisition and population displacement from private and public lands. The joint verification survey of the affected households following the detail design of the project indicates that about 53 households will be physically displaced due to the project at Narayanganj district. Some squatters along the Dhaka-Chittagong Road from Sonargaon to Kanchpur Bridge intersection, Dhaka-Sylhet road and Dhaka–Demra road via Sultana Kamal Bridge from Dhaka-Sylhet road to Saidabad will be affected temporarily due to loss of houses and business enterprises. Few households and shops will be affected at 1.60 km area due to land acquisition under Demra Thana of Dhaka district. The project therefore triggered European Investment Bank Environmental and Social Standards-6 on Involuntary Resettlement. The extent and magnitude of the

overall adverse impacts of the project will however be known only after detailed engineering design of the alignment alongside the RHD road sections (as mentioned above).

E 5. Impacts on Tribal people: Given the nature of works under the SWTPP -III, project interventions are highly unlikely to cause adverse impacts on the Tribal Peoples (TP). Some tribal people are living in the Dhaka city in scattered way but they will not be affected by the project. However, according to social screening during RPF, there is no TPs living in the vicinities of the project alignment. Therefore policy of EIB on tribal people will not trigger in this project.

E 6. Impacts on Women: SWTPP-III is expected to benefit both men and women in the project areas with improved access to resources, employment and benefit sharing. The project will provide a specific short or long-term employment opportunity for disadvantaged women, following established DWASA practice, through Labour Contracting Societies (LCS) for equitable physical works in the civil works construction. However, due to low access to resources and opportunities, women in the project areas may undergo disproportionate impact in the process of land acquisition, resettlement and project construction. The RPF, therefore, provides guidelines for gender sensitive actions in preparation, design, implementation, and monitoring and evaluation of RAP for each works package.

E 7: Severity of Impacts: Severity of impacts on the affected people will need to be identified during census and inventory of losses survey. The severity of impact would include the people, losing their productive assets (Land, business, etc.) due to the project interventions, poor female headed households, elderly (65 yrs and above) headed households, poor Tribal households, orphan headed households, landless households and the household becoming landless due to the project. Specific actions would be taken to provide grants for severely affected vulnerable households.

E.8 Temporary Impact vs Permanent Impact: The SWTPP-III has identified two categories of impacts on the affected people i.e. permanent impact and temporary impact. Permanent impact will be on the land owners who are losing land by the project (34 acres land) at Naryanganj and Dhaka districts. The affected lands will be categorized by the Deputy Commissioner. The homestead land losers have to find or purchase alternative land for relocation of their structure. The temporary impact will be on the share croppers of the agricultural land and unauthorized occupants (squatters, tenants, wage laborers, etc) along the alignment on the RHD land. Policy matrices have been proposed considering temporary and permanent impacts on the affected people.

E 9. Social impact assessment (SIA): The alignment is passing through Sonargaon Upazila (Sub-district) under Naryanganj district and Demra Thana under Dhaka district. A total of 3,67,764 people¹ are living in Sonargaon Upazila and 2,26,689 people² are living in Demra Thana. Among the total population of the aforementioned Upazila and Thana about 3,500 people (720 HHs)³ are potentially affected by the project interventions from which about 2000 people (410 HHs) at Sonargaon Upazila and remaining about 1500 people (310 HHs) are at Demra Thana. The affected HHs include residential HHs, commercial enterprises and arable land owners legal owners and informal settlers on the RHD land along the pipeline alignment. Census and Inventory of Losses survey will be carried out along the project alignment during preparation of the RAPs following the alignment design and land acquisition plan in compliance with the RPF guidelines. Actual number of affected households and population will be determined during preparation of the RAP for each of the component. Socioeconomic information and project impacts on the potential affected people in the acquired land and on GOB land along the project alignment will be collected through questionnaire survey. The social impact assessment will be prepared based on the collected information and incorporated in the RAP as a chapter of the RAP. The affected persons and their communities will be consulted during the census survey to understand the risks and options and devising measures for mitigation of social impacts. The results of the surveys and consultation will be decisive element in selection, design and civil works construction. Specific actions would be taken to avoid, minimize, or otherwise mitigate or remedy negative impacts and, as appropriate, to reinforce positive effects, including identifying opportunities and actions to promote benefit-sharing modalities for the communities

E 10. Preparation of RAPs: DWASA, through the consultant, will prepare social safeguard documents following the EIB Environmental and Social Standards-6 (Involuntary Resettlement) and submit to the European Investment Bank for safeguards review, clearance and public disclosure of RAPs. A Resettlement Action Plan will be prepared for the people to be affected due to land acquisition in Naryanganj District (titled EPs) the second one will be for the people to be affected due to land acquisition in Dhaka district (titled EPs) and the third one for the squatters to be affected in Narayanganj and Dhaka districts. All RAPs will be disclosed locally and in DWASA and EIB website before award of civil works contracts.

¹ Bangladesh National Portal 2018 .

² Bangladesh Bureau of Statistics -2011

³ DC's joint verification report, enumeration and screening result of the consultant

E 11. **Legal and Policy Framework:** At the time of starting the SWTPP-III the land acquisition was governed by Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982. But the GOB has enacted an Act named “Acquisition and Requisition of Immovable Property Act 2017 (ARIPA 2017)”- Law Number 21 that governs land acquisition and requisition at present. The ARIPA 2017, however, falls short of the requirements of the social safeguard policies of the development partners including World Bank, Asian Development Bank, European Investment Bank on Involuntary Resettlement in terms of participation and social inclusion, recognition of losses, compensation for loss of assets at replacement cost, livelihood restoration and social re-integration. The project land acquisition and resettlement policy has therefore, been developed in compliance with the EIB’s standards. The project policy has also benefited from the experience in resettlement from similar others projects within Dhaka WASA including Dhaka Water Supply and Sanitation Project (DWSSP), Padma Jashaldia Water Treatment Plant Project, Phase-1 and other infrastructure agencies of the Government of Bangladesh.

E 12. **Impact Mitigation Principles:** The principles and guidelines as proposed in this RPF will apply to all areas under SWTPP-III that will involve land acquisition from private ownership and/or displace people from the government land which they may have been using for residential, agricultural, commercial or other purposes with or without formal authorization. To mitigate adverse impacts, DWASA will prepare and implement Resettlement Action Plans (RAP) documenting the project affected persons (PAP) and valuation of affected assets, impact mitigation measures and budget, and an implementation schedule for each works package. 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

E.13 Non-title holders of lands and informal settlers alongside the RHD road (within SWTP-III right of way) will be compensated for their structures/relocation and livelihood restoration. The project policy for resettlement and rehabilitation of the project affected persons are as follows:

- (1) Compensation and assistance to the PAPs will be planned as an integral part of the project design.
- (2) Absence of legal titles in cases of public land users will not be considered a bar to resettlement assistance.
- (3) Vulnerability, in terms of gender, age, disability and social empowerment of the project affected persons/households, will be identified and mitigated according to the provisions adopted in this RPF.
- (4) Homestead-losers, including the poor and vulnerable households squatting on government land, will be compensated as per policy of the RPF.
- (5) All of the physically displaced households including titled and non-titled will be encouraged for self-relocation and assisted in the process of finding out alternative lands, where necessary.

- (6) The structure owners will be allowed to take away their salvaged materials free of cost after payment of compensation without delaying the project works.
- (7) The trees owners will be allowed to fell and take the trees, In case of standing crops are affected the crops owners will be allowed to harvest the crops or compensation will be paid for standing crops if it is damaged by the project.
- (8) People squatting public lands/properties under acquisition (without any legal agreement for right to use the land) will qualify for financial or any other form of assistance as per provisions adopted in this RPF.
- (9) Assets like equipment, machinery or parts/components thereof that can be dismantled and moved away intact will not be eligible for compensation, but the owners will be paid the actual costs of dismantling and moving them.
- (10) No compensation will be paid for temporary inconveniences faced by business operators and traders, unless they are required to stop completely their operations during the construction period. However, to ensure sustenance of their income streams, DWASA will undertake the following measures in consultation with the concerned communities and construction supervision consultant:
- Plan and implement the construction works in a manner to avoid/minimize inconvenience and disruption to the village road, irrigation canal, and to business/trading activities where applicable.
 - Ensure spaces for all temporarily displaced business/trading activities in the vicinities of their present locations, or allow them to relocate temporarily to spots they find suitable.
- (11) Where the project activities cause community-wide impacts affecting community properties (Mosque, Madrasah, etc.), access to common property resources, DWASA will rebuild them with its own resources or provide alternatives in consultation with the user communities.

E14 Land Acquisition Principles and standard: DWASA has undertaken land acquisition activities well ahead of award of civil works contracts so that Deputy Commissioners could complete land acquisition for respective project area before starting of civil works construction. Given the timeline under legal framework for acquisition of land, DWASA has requested the DCs for land acquisition at least 12 months before the expected

date of award of civil works contract. The land acquisition has been processed following the Acquisition and Requisition of Immovable Property Ordinance (ARIPO) 1982 since the land acquisition proposal was submitted to DC offices before passing the ARIPA 2017. If any change in design and alignment happen during construction DWASA will prepare land acquisition proposals for the same and submit to concerned DC office for processing as per ARIPA 2017 with prior consultation with the land owners. An informed agreement will be documented with the potential land owners that civil works construction will continue pending compensation payment but compensation will be paid to all legal owners without dispute on titles within a reasonable period of time acceptable to them. Compensation funds will be placed with the DCs for payment and the payment process will be coordinated to ensure timely disbursement to the land owners

E 15: Eligibility Criteria for defining PAPs: Any person (titled and non-titled) negatively affected by the project is eligible for compensation, livelihood restoration and/or other resettlement assistance. People with formal land title, land use rights, customary or traditional rights to the land as well as those who occupy/use the land but have no formal title for objective reasons are eligible for compensation for land. People who occupy the land but have no formal or informal claim to it, such as squatters, shall be provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives of the resettlement standards laid out in this acceptable to the EIB. Such affected persons shall not be compensated for land but for their land improvements or structures, such as houses and/or small businesses, and may qualify for other resettlement and rehabilitation assistance. Resettlement assistance can consist of land, cash, jobs, or other forms of assistance determined in consultation with affected people and acceptable to the promoter. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. In addition, seasonal resource users may not be present in the project area during the time of the census and thus appropriate consultation techniques should be used to identify those PAPs.

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).

E16. Eligibility for Compensation and Assistance: Regardless of tenure status to the lands used for the project, the project affected persons/households will be eligible for

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

compensation and assistance. The private land owners, squatters and encroachers, owners of displaced businesses, tenants, usufruct rights holders, community and groups will be entitled to have compensation and other assistances for the affected properties as per policy of this framework.

Table E-1: Summary of impacts and entitlements

Type of loss/impact	Unit of entitlements/ affected population	Entitlements/ compensation policy or package	Implementation guidelines/ other measures
Loss of LAND			
Permanent loss of cultivated land	Registered land holders To be determined by Deputy Commissioners (DC) during Land Acquisition Process. DWASA will follow the list of land owners to be finalized by DC offices.	1. Cash compensation under law (CCL) that includes premium to be paid by DC following latest LA law. 2. A top-up payment on DC's amount if the DC price seems significantly lower than the replacement cost to be assessed by PAVC. 3. Stamp Duty & registration Fees on purchasing of alternative land	<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. • 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.
Permanent loss of Non-cultivated land	Registered land holders: To be determined by Deputy Commissioners (DC) during Land Acquisition Process. DWASA will follow the list of land owners to be	1. Cash compensation under law (CCL) that includes premium to be paid by DC following latest LA law. 2. A top-up payment on DC's amount if the DC price seems significantly lower	<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

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

Type of loss/impact	Unit of entitlements/ affected population	Entitlements/ compensation policy or package	Implementation guidelines/ other measures
	finalized by DC offices.	than the replacement cost to be assessed by PAVC. 3. Land development cost @ 10% of land value in case of Homestead and commercial land 4. Dislocation allowance @Tk. 200 per decimal maximum Tk.20,000 to each entitled person in case of Homestead and commercial land 5. Stamp Duty & registration Fees on purchasing of alternative land	paid by DWASA directly to EPs. Consultant will assist DWASA in this process. • 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 of leased/ mortgaged land	List of Lessees and Mortgagees will be finalized during Land Acquisition and Resettlement planning process.	<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. • 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

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

Type of loss/impact	Unit of entitlements/ affected population	Entitlements/ compensation policy or package	Implementation guidelines/ other measures
			lessees
Loss of Standing Crops and Fish stocks	List of cultivators will be finalized during preparation of the Resettlement Action Plan	<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, if required.. PAVC will recommend market price of crops/fish stock at take away. RAP Implementing Consultant will assist APs in the process of claiming compensation from DC offices for organizing necessary documents
STRUCTURES (Residential, business, communal/ religious buildings/ structures)			
Loss of settlement utilities	Final list of the affected settlement will be prepared through census and inventory of losses survey	<ul style="list-style-type: none"> Replacement cost of residential structure assessed . Transfer Grant of affected structure @ Tk.10 per sft. Reconstruction Grant of affected structure @ BDT 15 per sft. Owner will be allowed to take away all salvageable 	<p>Applicable to all structures (shiftable and non-shiftable) located on the Right of Way (ROW) at cut-off dates.</p> <ul style="list-style-type: none"> 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.

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

Type of loss/impact	Unit of entitlements/ affected population	Entitlements/ compensation policy or package	Implementation guidelines/ other measures
		materials free of cost within DWASA declared deadline.	<ul style="list-style-type: none"> DWASA will provide resettlement benefits directly with assistance from RAP consultants. Assistance (counsel/ encourage) to relocation in new site by their own within the given time (maximum 30 days after getting compensation for structures
Public infrastructure		<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>OR</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 	<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.
Permanent loss of employment	List of affected wage laborers will be finalized during resettlement plan preparation for each	Grant to cover temporary loss of regular wage income for 30 days @ 400/day if lost	<ul style="list-style-type: none"> EP must have been an employee of landowner or business located in the acquired lands

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

Type of loss/impact	Unit of entitlements/ affected population	Entitlements/ compensation policy or package	Implementation guidelines/ other measures
	of the segments of the SWTPP-III.	due to the project interventions.	<p>for at least twelve months, as identified by Joint Verification and/or Census.</p> <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 • Vulnerable EPs will be brought under income and livelihood regenerating program. • Involvement of qualified EPs in construction work and during operational period of the project.
Impact to vulnerable people	Vulnerable people will be identified during census and Inventory of Losses survey for preparation of RAPs	<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 IGA. • Preferential employment in project civil work and during operational period 	Consultant will motivate EPs for appropriate skills training.

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

Type of loss/impact	Unit of entitlements/ affected population	Entitlements/ compensation policy or package	Implementation guidelines/ other measures
		of the project	
Loss of cultural property	Cultural properties and or community properties will be identified during census and Inventory of Losses (IOL) survey and joint verification survey	<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>OR</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 	<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.
OTHER LOSSES			
Loss of income from Business (On private land or GoB land)	List of businessmen will finalized during census and Inventory of Losses survey for preparation of RAPs	<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 	<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

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

Type of loss/impact	Unit of entitlements/ affected population	Entitlements/ compensation policy or package	Implementation guidelines/ other measures
		<p>will be paid maximum 45 days net income identified by PAVC or during census survey.</p> <ul style="list-style-type: none"> • 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) 	<p>SWTPP-III.</p> <ul style="list-style-type: none"> • 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.
Shifting of households belongings	Residential HHs will be identified during Joint Verification Survey and census and IOL survey	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • DWASA will make payment of this additional entitlement with assistance from consultant • This grant is only for residential HHs (Owners and Tenants)

E17. Acquired Lands and Other Assets

- Replacement costs for an equal amount of land of same use and quality, including the registration costs including stamp duties.
- Replacement costs of houses/structures and other immovable built items (e.g. water supply, sanitation, drainage, etc.), at current market prices of the same building materials plus the current costs of labour to build them.
- Current market prices of trees and other assets which are irreplaceable. Price of fruit trees will be determined considering the maturity and harvest price of fruits.
- Current market prices of crops in the field or on trees, if the lands are used before harvest.

- If the acquired land is agricultural and amounts to 20% or more of the total productive land owned by the affected household, a Transition Allowance (TA) at three times the value of the crops produced in a year on the acquired land.

E18. Displacement from Homesteads: *Displaced from private lands:* Relocation assistance will be paid as per policy of the RPF and the displaced people will personally arrange to buy alternative land for relocation. RAP implementing agency (KMC) will assist them in finding alternative land. All of the displaced HHs would be paid their dues at least 30 days prior to their physical displacement and they will be allowed to take away salvaged materials free of cost. The compensation will be assessed by the property assessment and valuation committee (PAVC) for the land and other assets.

Displaced from public lands: The RAP implementing agency will assist the PAPs during pre and post relocation period. They will be paid compensation as per PAVC recommended rates and benefits as per policy of the RPF for their structures and business/wages and given reasonable time for self-relocation. All of the displaced entities would be paid their dues at least 30 days prior to their physical displacement.

E19. Loss of Business, Employment and Rental Income Temporarily Closed Businesses:

***i.* Partially Affected Businesses:**

Where business premises are partially dismantled and the remainder is structurally safe and useable⁴, compensation, calculated by the PAVC, for the smaller of the number of days needed to repair and reopen the individual businesses, or to complete the civil works whichever is minimum, but not over 30 days.

***ii.* Businesses Completely Displaced from Present Premises:**

Owners of affected business will be compensated for loss of income for 45 days based on average daily net income⁵ from the business and assisted in relocating their business in new locations.

⁴ To be assessed by the Executive Engineer of the DWASA with assistance from Public Works Department (if necessary)

⁵ Obtained during census and socioeconomic survey by the RAP implementing agency

iii. Loss of Employment Income from Displaced and Temporarily Closed Businesses:

Persons who have been continuously employed by the displaced and temporarily closed businesses for at least six months up to the day of the PAP census (cut-off date) will be compensated for the period until their employers restart their operations, or for a maximum of 30 days. The daily rates will be based on their monthly/daily salary paid by the employers but not over BDT 400/day.

iv. Loss of Income from Rented-out Premises:

Three months" rent at the current rates for loss of rental income from premises affected on private lands and on public lands.

v. Agricultural lands:

- Present users/owners will qualify for transition allowance for one year for only agricultural land to be assessed by the PAVC.
- Current market prices of crops in the field or on trees to be assessed by the PAVC, if the lands are used before harvest; and
- Where acquisitions affect the lands partially, the owners/users will be allowed to use the remainder.

vi. Acquired homesteads (including houses/structures):

To deal with partial and full acquisitions, DWASA will consider the following alternatives in consultation with the present owners/users:

- **In case of partially acquired homestead**-Assistance to the present owners/users to move and rebuild the houses/structures on the remaining land.
- For Fully acquired homesteads (including houses/structures): Compensation for land and structure at replacement cost to be assessed by the PAVC. Relocation assistance as per policy of the RPF and encourage them for self relocation. The RAP implementing agency will provide assistance them to find alternative and to buy land for relocation.

E20. Participatory Management Bodies: For smooth implementation of the RAPs the Ministry of Local Government Rural Development and Cooperatives (MoLGRC) will form various committees including Property Assessment and Valuation Committee (PAVC) and Grievance Redress Committees (GRCs). 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 district. The PAVC will also review and certify the census of affected households (titled and non-titled) and assets by the DWASA conducted through consultant (KMC Ltd.). A Physical Relocation Assistance Committee (PRAC) will be formed by the Project Director at local level with representation of the DWASA officials, RAP implementing agency (KMC), local government institutions and affected people. The PRAC will be at project level and headed by the Executive Engineer, DWASA. The Grievance Redress Committee (GRC) will be two-tiered where at the local level it will be formed for each Union with union level representation to ensure easy accessibility by the project affected persons and communities. Another tier will be at Project Director level. The local GRC will be the local focal points of the project Grievance Redress Mechanism (GRM).

E 21. Cut-Off Dates: These 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. Cut-off date is set primarily to determine the affected population and their eligibility needs. It is usually the date of the census for identification of persons (socially recognised) who will be affected by the project. The cut-off date for the titled holder is the date of serving notice under section 4 of the ARIPA 2017. The cut-off date may also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx. No person or his/her assets will qualify for compensation unless they are recorded in the census taken on the cut-off dates.

E 22. Community consultation and participation: Selection of alignment and civil works will include extensive discussion on social safeguard issues associated with private land acquisition and displacement from the public lands; minimizing adverse impacts; gaining support and cooperation of local government bodies like Union Parishad/City Corporation; stakeholder groups like beneficiary communities including city dwellers, and any entities looking after community interests; and most of all the affected landowners, squatters, business owners, and traders within the project right of way, who would directly face the adverse impacts and temporary inconveniences. Special consultation will be carried out with the tribal communities if the project identifies tribal peoples among the affected people. The consultation and participation process will continue during implementation of the project and suggestions/feedbacks received from the consultations will be considered in project design, implementation, and monitoring and evaluation. The communities will be engaged through various committees i.e. Grievance Redress Committees (GRC), Property Assessment and

Valuation Committees (PAVC) and Physical Relocation Assistance Committees (PRAC). in the decision-making and implementation of the RAP.

E 23. Social inclusion and gender framework: In compliance with community feedback during consultation, DWASA's gender strategy and EIB strategy on gender mainstreaming, the project proposes the following principles, guidelines and procedures to identify social and gender actions in respect of project interventions and include those actions in RAP.

- Adopt a gender-sensitive approach to the management of environmental and social impacts, that takes into account the rights and interests of women and girls, men and boys, including specific attention to the differentiated burden of impacts that women and girls might face;
- Ensure that selection, design, implementation, and monitoring and evaluation of the project activities including land acquisition and resettlement are participatory and women are involved among others in the process.
- Carefully screen the project to identify needs and expectations of, and potential adverse impacts on, women and any other groups and document them.
- Identify the impact details and the most appropriate mitigation measures through intensive consultation with the affected women and their communities, NGOs and civil society organizations, professionals, and the like.
- Identify appropriate actions to ensure and maximize project benefits to women and vulnerable groups through the consultative process.
- If women are involved in civil works construction, operation and maintenance of project infrastructure, ensure: (i) equal pay for equal work; (ii) gender friendly work environment; and (iii) work place safety for women and children.
- The project will facilitate socially inclusive design and ensure increased participation of women in project process, maximize project benefits for them and safeguard them against social vulnerability during implementation of project components.

E 24. Process of valuation of assets: Compensation for the affected properties will be determined by the DC office as per land acquisition law (ARIPO 1982) for the title holder and by the PAVC for both title and non-title holder following best practices of other development projects in Bangladesh. PAVC will assess replacement cost for land and structure while current market price for trees and crops. To assess replacement cost for land and structures the PAVC will collect information from various cross sections of the

people. Rates for trees and crops will be obtained from Department of Forest and Agriculture and Marketing Department respectively.

E 25. Institutional and implementation arrangements: DWASA, under the Ministry of Local Government Rural Development and Cooperatives (MoLGRC), is the executing agency (EA) of the project on behalf of the Government of Bangladesh (GoB). A Project Steering Committee (PSC) would provide the forum for overall guidance, policy advice and coordination of the project activities and addressing the inter-agency issues. DWASA shall be responsible for the execution and implementation of the Project through the Project Implementation Unit (PIU) established at Dhaka (WASA Bhaban) and one field office (FO) established at suitable locations in the field.

E 26 DWASA In-house capacity: A Resettlement Unit (RU) under the Project Director would be functional for proper implementation of the Resettlement Activities. The Resettlement Unit (RU) would be headed by the Deputy Project Director at the rank of Superintending Engineer experienced in the resettlement field. The PMU will assign one Superintending Engineer as head of the Resettlement Unit to look after land acquisition and resettlement issues of the project. The field office (FO) will be headed by a Executive Engineer /Sub-divisional Engineer who will be directly responsible to DPD /Superintending Engineer (Resettlement). The PMU will be supported by the RAP implementing agency (IA)- Knowledge Management Consultants Ltd. for the activities related to preparation and implementation of the RAPs.

The activities of IA will be directly supervised by the Sub-Divisional/ Executive Engineer assigned by the Project Director.

Land acquisition and resettlement experience in former and on-going projects of DWASA formed the basis for this RPF of SWTPP-III. DWASA has prior experience of dealing with land acquisition and resettlement in compliance with World Bank OP 4.12 and ADB safeguard policy statement (SPS) 2009. However, the PMU staff will be oriented on preparation of RAP and implementation of them at the field level. KMC will provide overall briefing on RAP preparation implementation issues to the PMU staff.

E 27: Preparation of Resettlement Action Plan: Three Resettlement Action Plans (RAPs) will be prepared for the three sections of the project. First RAP will be for the land acquired for raw water pumping station and 6.00km pipeline alignment (six km) under Narayanganj district. Second RAP will be prepared for the land acquired for 1.60km alignment under Dhaka district while third RAP will be prepared for the squatters and unauthorized occupants along the Dhaka-Chittagong, Dhaka-Sylhet and Dhaka-Demra

road. The RAP will be prepared following the Acquisition and Requisition of Immovable Property Act (ARIPA) 2017 and EIB Environmental and Social Standard -6 on Involuntary Resettlement. The RAP will contain 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.

E 28. Process of RAP Implementation: RAP will be implemented after concurrence from the EIB and approval from the DWASA/MOLGRC. Each of the entitled persons will be paid compensation by the DC and or by the DWASA. Affected People will be consulted in group meetings about their role in updating record of rights to have compensation from DC office and DWASA. ID cards with photograph will be prepared for the entitled persons by the RAP implementation Consultant. Individual entitlement for each of the EPs will be prepared in the name of entitled persons file (EP file) and entitlement card (EC). Necessary documents such as bank account number, deed on non-judicial stamp, photocopy of the national ID card, trade license (where applicable), photocopy of DC's cheque (in case of titled EPs) will be collected from the EPs before making payment. Physically displaced people will take away salvaged materials after payment of compensation. RAP implementation timeline will be linked with the construction schedule since compensation will need to be paid and project alignment/site will be handed over to the contractor encumbrance-free. A time-bound RAP implementation schedule taking into account of the construction schedule will be adopted in the RAP. RAP implementation would start at least six months ahead of civil construction for social preparation and complete RAP implementation after six month of the construction period to pay additional compensation and address grievances.

E 29. Grievance Redress Mechanism (GRM): DWASA will establish a two-tiered grievance redress mechanism to address grievances and complaints that affected persons or their communities bring during implementation of the project. GRCs will be formed at each union /Ward of City Corporation for receiving complaints and grievances related to land acquisition, resettlement and other social and environmental issues. All complaints will be received at the LGRCs facilitated by the IA. The aggrieved persons may opt to appeal to the Project Director (second tier of GRM) of DWASA if he/she is not satisfied with the decision of the LGRC. The IA (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 (XEN, DWASA). All cases will be heard within four weeks from the date of receiving the complaints. The GRM will not restrict any aggrieved person in lodging their complaints to the court of law, if the incumbent opts so.

E 30. The affected persons and their communities will be informed of the project's GRM in open meetings at important locations and in PAP group meetings. Bangla translations of the RAP (executive summary) including the GRM in the form of information brochures will be distributed among the project 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. To ensure impartiality and transparency, 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.

E 31. **Resettlement budget and financing arrangement:** Given that the land acquisition needs and the associated impacts will be known with the phased selection of project interventions and design of the civil works, DWASA has kept a provision for land acquisition, resettlement and other social mitigation measures for SWTPP-III implementation. An estimated amount of BDT 1144.30 million has been provisioned for land acquisition and 438.84 Million for Resettlement measures in the DPP for the SWTPP-III. This amount includes compensation for land and other assets and resettlement benefits as per policy of the RPF/RAP. Land acquisition and resettlement fund will be provided from GoB revenue budget.

E32. **RPF Disclosure:** DWASA will disclose this RPF to the public, and authorize the EIB to disclose the RPF at its Website. DWASA will ensure that copies of the information brochure (in Bengali) are available at its headquarters and local government offices in the project area, and other places accessible to the general public

E33 **Monitoring and Evaluation:** Monitoring of resettlement implementation will be carried out by DWASA, Construction Supervision Consultants and the EIB. They will monitor or audit all the documents including accounts and records involved according to the RAP with compensation delivery. The Construction Supervision Consultants will establish appropriate monitoring indicators (process, output and outcome) that would be used to monitor the progress of resettlement implementation.

E 34 Time schedule for preparation and implementation of RAP

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

According to the Development Project Proforma (DPP) of the SWTPP-III, the RAP preparation and implementation schedule has been designed for 42 months out of which six months for preparation of the Resettlement Policy Framework (RPF) and three Resettlement Action Plans (RAPs) and remaining 36 months have been kept for implementation of the RAPs. It is known that the land acquisition process in Bangladesh is very much time consuming and cumbersome process. Following the land acquisition steps and process and priority of the resettlement planning and implementation for three segments of the SWTPP-III, some of the activities relating to RAP preparation and implementation will be carried out simultaneously in three segments to complete the task on time. The RAPs implementation for Narayanganj (6 km) and Dhaka (1.60km) districts where land acquisition is required, will take 18 months time for each considering land acquisition steps. The third RAP for the non-titled holders will take maximum 12 months time.

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.

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

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 Property Ordinance 1982 and others stipulated in this Resettlement Policy Framework (RPF).

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, 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) 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 State's 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 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. It is important to note that PAPs are not household units or merely heads of households and different individuals will be differently impacted by the resettlement. For example, gender dynamics need to be duly observed and taken into account throughout the process.

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.

1. INTRODUCTION: GENERAL FRAMEWORK

1.1 Project Background and Approach

1. Dhaka, the capital of Bangladesh, is one of the fastest growing metropolises of the world and it now appears as a Mega City. It has been being expanded tremendously in an unplanned manner which is an additional bottleneck for planning of systematic water supply and sanitation facilities. Dhaka's population has been increasing continuously and at a very high rate since Bangladesh's independence. Today the city is home to an estimated more than 15 million people. The rapid and haphazard urbanization is exerting immense pressure on Dhaka's urban environment.
2. 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". It requires about 34 acres of land under Narayanganj and Dhaka district. The concerned district administration has taken necessary initiatives to acquire the land in favour of the SWTPP- III of DWASA.
3. At present, Dhaka WASA has been extracting 78% (approx) of its demand from the underground sources through more than 600 Deep Tube Well (DTW). This excessive extraction of water has been creating a negative impact on the ground water causing declination of the water table at an alarming rate of 2-3 meter per year. As a result the cost of construction as well as O&M of DTW has been increasing day by day. Therefore water supply from groundwater sources is no longer sustainable.
4. The above situation is not only causing an irreparable environmental degradation but also may create a great dearth of drinking water in near future unless alternative sources are explored. To answer of this severe problem, DWASA and GoB have taken a

firm decision to produce major portion of city water demand from surface water source and thereby reduce the dependency on groundwater source

Accordingly DWASA has implemented Saidabad WTP project Phase-I and Phase-II from where total 450 MLD potable water is being supplied for the city dwellers. DWASA has also prepared a Water Supply Master Plan (WSMP) for the time horizon 2035 to use more surface water source to turn from the ground water sources.

1.2 The RPF Objectives

5. According to the EIB standards '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)' The RPF is intended to provide general policies, guidelines, and procedures for integration of required mitigation measures of possible safeguard impacts into the selection, design and implementation of the SWTPP-III in a number of works packages. Its objective is to help DWASA to ensure that the project

- enhances the social development outcomes of implementation activities of the project interventions
- identifies and mitigates adverse impacts that the projects might cause on people (men & women), including protection against loss of livelihood activities, with culturally, socially and economically appropriate measures;
- develops necessary safeguard mitigation measures to adequately disclose and consult with affected people on draft action plans, to replace their lost assets and to improve (or at least restore) their incomes and livelihoods, and
- is prepared and implemented in compliance with relevant policies of the Government of Bangladesh (GoB), European Investment Bank Environmental and Social Standard-6 on Involuntary Resettlement.

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

- To develop the RPF the consultant has reviewed relevant laws of land acquisition in Bangladesh, social safeguard policies of the EIB, the Resettlement Policy Framework of DWASA adopted in Dhaka Water Supply and Sanitation Project (DWSSP) funded by the World Bank and Resettlement Policy Framework of DWASA adopted in Padma (Jashaldia) Water Treatment Plant (Phase-f) Project funded by the China EXIM Bank.

1.3 Project Area

- The Saidabad Water Treatment Plant Project, Phase-III is being implemented in Dhaka and Naryanganj Districts. The project requires private land acquisition of about 34 acres from which mostly (32 acres) from Naryanganj district and 2 acres in Dhaka district. 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. Approximately 300 HHs and other entities including shops and community properties will be affected within the pipeline right of way.
- The acquired land will be used for constructing raw water pumping station, twin 2000 mm diameter raw water transmission line and ancillary infrastructures. The total alignment for raw water transmission line to be constructed under the project can be subdivided into the following segments:

Table 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

1.4 Project Activities and Social Safeguards Implications

9. The government has approved a project title “Saidabad Water Treatment Plant Project Phase- III.” It requires about 34 acres of land Under Narayanganj and Dhaka district. The concerned district administrations have taken necessary initiatives to acquire the land in favor of the SWTPP-III of DWASA. Land acquisition and resettlement issues are to be taken care of by the SWTPP-III authority. The project will displace people from the houses and shops along the right of way on private and government land. A resettlement policy framework (RPF) and three Resettlement Action Plans (RAPs) will need to be prepared and implemented before physical work of the project is started. Compensation payment has been started in Narayanganj area by the Deputy Commissioner (DC). Same will be started in Dhaka soon. The project (Phase-III) is scheduled to be executed in the period from 2015 to 2020. Principal components of the project are described in the table 2 underneath.

Table 2: The principal components of the total Project

Package	Contract Type	Brief Description
1.	Design, Build & Operate - Yellow FIDIC	<ul style="list-style-type: none"> - Raw water conveyance system for the 3 Phases of Saidabad WTP (i.e., for 950 MLD): - Intake Structure, - Raw Water Pumping Station - 2000mm of Twin Culvert near Saidabad site through discharge chamber - Connection of Saidabad 3 pipe discharge chamber to the existing inlet chamber of Saidabad 1&2 - Around 500 m river bank protection work.
2.	Design, Build & Operate - Yellow FIDIC	<ul style="list-style-type: none"> - Construction of Phase -III water treatment plant at Saidabad (450,000 m³/day) - Sludge treatment plant for the 3 Phases
3.	Design & Build - Yellow FIDIC	Construction of Primary & Secondary Distribution Mains for Saidabad WTP Phase-III (around 54 km)

Source: DWASA

10. The project (SWTPP-III) will be implemented in several works packages. It is understood that implementation of project, especially the Raw Water Pumping station and transmission lines will require acquisition of private land and use of government land by resumption from authorized and unauthorized private uses. DWASA will apply a consultative and participatory approach to the finalization of the project alignment in order to avoid adverse impacts on the community and involve key stakeholder groups,

including those who are socio-economically vulnerable, women and tribal peoples, in the decision-making process and to share benefits of the project.

11. The major physical works that may require private land acquisition and taking back of the public land from private uses are the construction of raw water pumping station, installation of 2000mm diameter raw water transmission pipeline, ancillary infrastructure, etc. Initial screening of the project indicates that a large number of shops beside the RHD road (squatters and encroachers) will be affected temporarily during installation of the pipe. A RAP will need to be prepared for the squatters to be affected in Dhaka and Narayanganj district by the project interventions. The extent and magnitude of the overall adverse impacts of the project alignment on the squatters will however be known only after detailed engineering design of the pipe alignment.

12. The project strategy is that:

- As far as possible, acquisition of private lands will be avoided by exploring alternative design options to avoid adverse impacts.
- Installation of pipes along the RHD road on government land will be encouraged to avoid mass displacement of squatters
- Public lands and in case of unavailability of such lands, vacant and less productive private lands will be acquired for any new construction works to minimize adverse impact on livelihoods of the community.
- Project interventions including pipeline alignment and land acquisition needs will be shared with the community before finalization of engineering design and starting civil works.
- Land acquisition will be completed and RAP for interventions under any works packages will be prepared in consultation with the community. The draft RAP will be disclosed to the communities after detail engineering design and finalized prior to award of civil works contract with inputs from the consultation process, census and inventory of losses.
- RAP will be implemented before displacement of peoples from project right of way.

13. Given the involuntary resettlement impact identified during initial screening and Land Acquisition Plan preparation, EIB Environmental and Social Standard-6 on Involuntary

Resettlement has triggered here. RAPs will need to be prepared for various work packages following EIB E&S Standard and Bangladesh legal framework for land acquisition, resettlement and livelihood restoration of the project affected persons losing their lands, housing and productive assets. The RAP will be shared with the European Investment Bank and disclosed locally at Dhaka WASA website and at community level. The RPF and RAPs will also be uploaded on the EIB website.

14. Women in Bangladesh are at the forefront of awareness and empowerment through equity focused actions in government and in non-government sectors. But women's access to health services, labour markets and physical security, and their role in decision-making processes still leaves room for improvement. Especially in rural areas, they are lacking adequate access to resources and opportunities. DWASA will work to ensure gender equity in the efficient development in all its activities through empowered participation of staff and communities. SWTP-III is expected to benefit both men and women in the project areas with improved access to resources, employment and benefit sharing. The project will provide a specific long-term employment opportunity for disadvantaged women, following established DWASA practice, through Labour Contracting Societies (LCS) for equitable physical works in the civil works construction and during operation phase. However, due to low access to resources and opportunities, women in the project areas may undergo disproportionate impact in the process of land acquisition, resettlement and project construction. The RPF, therefore, provides guidelines for gender sensitive actions in preparation, design, implementation, and monitoring and evaluation of RAP.

1.5 Safeguards Screening and Mitigation Guidelines

15. DWASA will screen each work package to identify potential safeguards compliance issues and social impacts associated with the construction of raw water pumping station, installation of pipeline, etc. in order to determine applicability of the EIB E & S Standard on involuntary resettlement. Where adverse impacts cannot be avoided entirely, DWASA will select, design and implement the project in accordance with the following guidelines:

- Land Acquisition and Resettlement Framework: Contains principles, policies and guidelines for private land acquisition and use of public lands and adverse impact mitigation; mitigation measures; and implementation and monitoring arrangements for mitigation plans; and

- Social Inclusion and Gender Framework: Contains principles and guidelines to identify and deal with non-safeguard social issues like gender inclusion, AIDS/STIs, beneficiary participation, benefit sharing, empowerment and vulnerability management.

16. RAP will be prepared for each of the works packages following the principles, guidelines and procedures outlined in this RPF.

1.6 Estimated Population and categories of affected people

17. The alignment is passing through Sonargaon Upazila (Sub-district) under Naryanganj district and Demra Thana under Dhaka district. A total of 3,67,764 people⁶ are living in Sonargaon Upazila and 2,26,689 people⁷ are living in Demra Thana. Among the total population of the aforementioned Upazila and Thana about 3,500 people (720 HHs)⁸ are potentially affected by the project interventions from which about 2000 people (410 HHs) at Sonargaon Upazila and remaining about 1500 people (310 HHs) are at Demra Thana. The affected HHs include residential HHs, commercial enterprises and arable land owners. Both legal owners of the affected properties (titled) and informal settlers on the RHD land along the pipeline alignment will be affected by the project interventions. Among the squatters and unauthorized occupants along the RHD roads, most of them are businessmen including tenants and few are residential households. Some wage laborers are also found affected in the business premises.

1.7 Assessment of Impacts and Risks

18. Social impacts and risks including land acquisition, resettlement and other social impacts are generally identified during the initial social screening of project. Once social impacts are noted, census of affected persons and assets will be conducted following the detail engineering design and land acquisition plan in compliance with the RPF guidelines on land acquisition and resettlement and on social and gender issues. The affected persons and their communities will be consulted during the census survey to understand the risks and options and devising mitigation of social impacts. Land acquisition process has been initiated by DWASA well ahead of construction work so that assessment of social impacts and risks could be done for preparation and approval of RAP before award of

⁶ Bangladesh National Portal 2018 .

⁷ Bangladesh Bureau of Statistics -2011

⁸ DC's joint verification report, enumeration and screening result of the consultant

civil works contract and implementation of the same before displacement of people. Census and Inventory of Losses survey will be carried out along the project alignment during preparation of the RAPs following the alignment design and land acquisition plan in compliance with the RPF guidelines. Actual number of affected households and population will be determined during preparation of the RAP for each of the component. Socioeconomic information and project impacts on the potential affected people in the acquired land and on GOB land along the project alignment will be collected through questionnaire survey. The social impact assessment will be prepared based on the collected information and incorporated as a chapter of the RAP. The affected persons and their communities will be consulted during the census survey to understand the risks and options and devising measures for mitigation of social impacts. The results of the surveys and consultation will be decisive element in selection, design and civil works construction. 19. Land acquisition proposals for respective areas will provide information on land and the census (by the DWASA through KMC) and joint verification (jointly by DC and DWASA) will provide data on inventory of losses and risks recognized in the RPF. A property assessment and valuation committee (PAVC) will be formed by the Ministry of Local Government Rural Development and Cooperatives (MoLGRC). Members of the PAVC will from DWASA (Convener), DC office (member) and KMC (Member Secretary). Nomination of the officials from the concerned offices will ensured and PAVC will be onboard at the initial stage of the RAP implementation.

19. During preparation of the RAP for each work package census and socioeconomic survey will be undertaken to identify all project beneficiaries, impacted people and other relevant stakeholders. A social impact assessment will be carried out as part of the RAP which will utilize a well-planned and all-inclusive communication and consultation strategy and survey methodology to lay out a detailed socioeconomic survey covering the prevailing status of income, employment, education, age, skills and other socioeconomic aspects along with cultural and community aspects in the areas. The following methodology may be adopted.

(a) The impact assessment will be carried out for the works packages in accordance with the civil works time table.

(b) Community/stakeholder consultations at locations with habitations and documentation of such consultation.

(c) Focus group discussions with key affected persons and their community.

- (d) Census and socioeconomic survey among the project affected households.
- (e) Assimilation and analysis of data and information to address key issues following RPF.
- (f) The information gathered shall be retained in the computer using Management Information System (MIS) and photography/ video filming will be used to document existing structures and land holding and other impacts in the corridor of impact.
- (g) Update the final alignment (if required) on the Mauza maps and finalize the land acquisition plans.

20. DWASA will prepare and submit to the EIB for safeguards review, clearance and public disclosure of RAP for each phased civil works program. The RAP will be disclosed locally in Bangla as information brochure and English in the EIB and DWASA website.

1.7.1 Severity of Impacts

21. Severity of impacts on the affected people will be identified during census and inventory of losses survey for preparation of the RAP for each of the segments of the project. The severity of impact would include the people, losing their productive assets (Land, business, etc.) due to the project interventions, poor female headed households, elderly (65 yrs and above) headed households, poor Tribal households, orphan headed households, landless households and the household becoming landless due to the project. Specific actions would be taken to provide grants for severely affected vulnerable households. To mitigate adverse impacts DWASA will prepare and implement RAPs for three segments i.e. (i) Raw Water pumping Station to Dhaka-Chittagong Road (6km under Narayanganj district where Land Acquisition required), (ii) Saidabad area (1.6km under Dhaka district where land acquisition required) and (iii) along the Dhaka-Chittagong road (squatters).

1.7.2 Permanent and Temporary Impacts

22. The SWTPP-III has identified two categories of impacts on the affected people i.e. permanent impact and temporary impact. Permanent impact will be on the land owners who are losing land by the project (34 acres land) at Naryanganj and Dhaka districts. The affected lands will be categorized by the Deputy Commissioner. The homestead land losers have to find or purchase alternative land for relocation of their structure. The temporary impact will be on the share croppers of the agricultural land and unauthorized occupants (squatters, tenants, wage laborers, etc) along the alignment on the RHD land. Policy matrices have been proposed considering temporary and permanent impacts on the affected people.

1.8 Organizational Arrangements and Procedures for Delivery of Entitlements

23. 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.
24. 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. Actions and responsibilities of DWASA staff in PIU and in field level offices are summarized in Annex 1 and Monitoring land acquisition and preparation & Implementation of impact mitigation plans are summarized in Annex-2.
25. 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.

26. 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).

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

27. 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.

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 |

1.10 Process of valuation of assets

28. 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.

1.11 Training and Capacity Building of DWASA Official

29. 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.

30. 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.

1.12 RPF Disclosure

31. 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.

1.13 Monitoring and Evaluation

32. 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.

33. 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

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

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.

2 LEGAL AND INSTITUTIONAL GUIDELINES AND REQUIREMENTS

2.1 Legal and Policy Framework

34. At the time of starting the SWTPP-III the land acquisition was governed by Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982). But the GOB has enacted an Act named “Acquisition and Requisition of Immovable Property Act 2017 (ARIPA 2017)”- Law Number 21 that governs land acquisition and requisition at present. The ARIPA 2017 and ARIPO 1982, however, falls short of the requirements of the social safeguard policies of the development partners including World Bank, Asian Development Bank, European Investment Bank on Involuntary Resettlement in terms of participation and social inclusion, recognition of losses, compensation for loss of assets at replacement cost, livelihood restoration and social re-integration. 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. The 2017 amendment made 100% premium instead of 50% provisioned in the 1994 amendment.
35. 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.

36. Since the 1982 Ordinance falls short of the requirements of the EIB&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.

37. 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).

2.2 DWASA Policy Framework

38. 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.

39. 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;

40. 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).

41. 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.

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

42. The EIB Environmental and Social Standard 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.

43. 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.

44. 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.

45. 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.

46. 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.

47. 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 (Table 3)

Table 3: GOB 1982 Ordinance, EIB E&S standard-6 and adopted mitigation measures to bridge the gaps

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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	Minimize displacement of people as much as possible by exploring all viable design alternatives. 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. Unused land be returned back to the original owners through de-acquisition.
3. Mitigate adverse social impacts	The mitigation measures are cash compensation only for lost assets. The	Where it is not feasible to avoid resettlement, resettlement activities should be conceived	Only cash-based compensation for acquired assets. The impacts of loss	Provision for replacement value for assets lost (i.e., land, structures, trees etc.) at

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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
	complexities of resettlement is not addressed by the Ordinance	and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.	of land, houses and the need for resettlement are not considered.	<p>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. However GOB environmental rules/guidelines (1997) synchronize various applicable laws and policy frameworks of	Through census and socio-economic surveys of the affected population, identify, assess, and address the potential economic and social impacts of the project that are caused by involuntary taking of land (e.g. relocation or loss of shelter, loss of assets or	<p>1.Impact assessments are typically done in the case of externally funded projects; otherwise, a land acquisition plan is prepared for acquisition purposes.</p> <p>2.Project impacts on properties, livelihoods and</p>	1.RPF requires identification of impacts caused by displacement whether or not through land acquisition (maintaining the principle that lack of formal title to land should not be a bar to compensation and resettlement assistance), including number of affected

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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	<p>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>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>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>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>
<p>2. Prepare mitigation plans for affected persons</p>	<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</p>	<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>	<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</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</p>

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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>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 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.</p>		<p>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>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>
3.Consider alternative project design	Feasibility studies including social, political, cultural and environmental	Assess all viable alternative project designs to avoid, where	1. No specific laws for considering project design to avoid or	SWTPP-III RPF considers feasible alternative project design to

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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
	impact assessments, detailed engineering surveys as basis for acquisition of private property or rights.	feasible, or minimize involuntary resettlement.	minimize involuntary resettlement. 2. Feasibility study considers cost-benefit more from technical than socio-cultural considerations.	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	The 1982 Ordinance has provisions (Section 3 and 3/2) to notify the owners of property to be acquired. Any party having any 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.	Meaningfully consult project-affected persons, host communities and local non-governmental organizations, as appropriate. Provide them opportunities to 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	1. There is no provision in the law for consulting the stakeholders but the land allocation committees at district, division and central government level. 2. People have limited scope to negotiate with the government on the price of land, but have no right to refuse acquisition.	1. SWTPP-III RPF has provisions for community consultation and public disclosure of impacts as well as mitigation measures, including disclosure of Resettlement Plan. 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

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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		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 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.	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. 2. Further, RAPs will be disclosed based on material

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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				changes as a result of the concerns of affected families.
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 and groups are honoured.	No provision in any existing laws.	1. The RPF has provision for reconstruction of the two mosques affected on the private land in the Naryanganj section. 2. Any social and cultural institution to be 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	1. To cover the direct social and economic impacts that 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.	There is no provision of preparing resettlement plan	1. Resettlement Plans are to be prepared for each component of the project. 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

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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		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 support; provided with development assistance in addition to compensation.		other unauthorized occupants under Narayanganj and Dhaka districts.
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 borrower is responsible for adequate	Existing laws not have any provision for	The RPF has provision both for internal and

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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	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.	monitoring & evaluation of the activities set forth in the resettlement instrument.	rehabilitation of project affected persons and therefore, no monitoring is done.	external monitoring by the DWASA, CSC and development partner.
10.Evaluation	No provision for evaluations of the post-displaced lives of the affected households and communities	Assess whether the objectives of the resettlement instrument have been achieved, upon completion of the project, taking account of the baseline conditions and the results of resettlement monitoring.	No provision in any laws	<p>1. An independent evaluator or CSC Safeguard Specialist will 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>

2.4 Guiding principles for Land Acquisition & Resettlement

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.

49. 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

2.5 Principles and objectives governing resettlement preparation and Implementation

50. 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.

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

- ❖ 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.

3. PREPARATION OF MITIGATION INSTRUMENTS

3.1 Steps and Process for preparation of Impact Mitigation Instruments

51. The nature and scope of the project works will be determined in consultation with the community and stakeholders and in accordance with the principles (Subsection VII of section B) to minimize impacts and compensation payment for unavoidable impacts. Once the project design is finalized and land acquisition needs determined, the major preparation tasks will consist of:

(a) Land acquisition proposals (LAP): Where lands from private and public ownership are to be acquired, LAPs will be prepared as per the standard requirements of the acquisition authority (Deputy Commissioner).

(b) PAP census and fixing the cut-off dates: To prepare RAP, the censuses will assess details of the impacts and impacted persons/households with respect, but not limited, to the impact categories and compensation/assistance eligibility criteria proposed in this RPF. The commencement dates of censuses at a particular area (mauza) will be considered as the cut-off dates for squatters, and the date of serving legal notice under Section 3 of the acquisition ordinance (Notice-3) will be the cut-off dates for private landowners. Private landowners are not allowed to alter the appearance of the lands by erecting new structures or otherwise, after the Notice-3 is served.

(c) Market surveys: To determine the market price of lands, houses/structures and other replaceable, and market prices of irreplaceable, affected assets a market survey with structured questionnaire will be conducted among various cross sections of the people.

(d) Relocation and livelihood restoration: The physically displaced households will be encouraged for self-relocation since there is no provision of project sponsored relocation sites in the SWTPP-III. They will be assisted with cash assistance for transfer and reconstruction of their structures. Owners of affected businesses or sources of income will be provided with business restoration grants for a reasonable period of time. DWASA will develop and implement feasible livelihood restoration program (if required) such as training on Income Generating Activities (IGA) in

consultation with the vulnerable affected persons with permanent loss of income. The relocation plan and livelihood restoration program will be included in the RAP.

52. For convenience of review during implementation, the following from the RPF may be annexed to RAP: Entitlement Matrix, Implementation Arrangements including roles and responsibilities of DWASA officials; and Monitoring Land Acquisition and Preparation and Implementation of impact mitigation plans.

3.2 Community/Stakeholder Consultation

53. Selection of civil works will include extensive discussion on social safeguard issues associated with private land acquisition and displacement from private land and other public lands. Consultation meetings have been held with local people during preparation of this resettlement policy framework. Consultation meetings with the mosque committee were held during reconnaissance visit and conducting census and IOL survey. Mosque committee has selected a site for re-construction of the mosque. Project will reconstruct the mosque in a better condition from its own fund. The mosque committee is also entitled to have compensation for the affected land and structure from the DC office. Such information will be disseminated to the mosque during implementation process of the Resettlement Plan. Consultations will also be held during preparation of RAPs to identify ways of minimizing adverse impacts; gaining support and cooperation of local government bodies like Union Parishads (UPs); stakeholder groups like beneficiary communities including local businessmen, suppliers, contractors, etc. and any entities looking after community interests. Most of all the affected landowners, physically displaced households business owners, and traders on government land along the pipeline right of way, who would directly face the adverse impacts and temporary inconveniences will also be consulted. Suggestions/feedbacks received from the consultations will be considered in project design.

- Consultations will primarily include the following topics as they relate to project preparation and implementation:
- Project objectives, scope and implications with respect to its socioeconomic impacts; community inputs/feedback on design; and the rights and responsibilities on the parts of the communities themselves and of the agencies involved in its preparation and implementation, such as GoB, DWASA RAP Implementing Consultant, etc.
- Potential impacts and their sources relating to the scope of the civil works required for specific project interventions. Once the PAPs are identified, DWASA will,

- ✓ Consult and provide information to the PAPs on specifics of the mitigation measures and the processes that will be followed to implement them;
- ✓ Inform the affected landowners of the legal documents required to claim compensation from DCs, and explain the relevant procedures.
- ✓ Implementing Consultant, on behalf of DWASA will actively assist the landowners to prepare any documents required to receive CCL from DC offices.
- ✓ Explain the functions and limitations of the Grievance Redress Committees, and how the aggrieved PAPs could lodge their complaints and grievances; and
- ✓ Ensure contacts and information to all the PAPs eligible for compensation and assistance through all possible means of communication including newspaper advertisement, local notification, local announcement, personal contact and any other feasible means.

54. Stakeholder consultation will be a two way mechanism where obtaining feedback from PAPs will be considered equally important as providing information to them. The consultation process will continue throughout the project preparation and implementation period and DWASA will consider stakeholders' inputs and feedback to minimize the project's adverse social impacts at any stage of the project cycle.

3.3 Documentation: Safeguard Instrument

55. While the RAP will include summaries of the impacts and impacted persons/ households, DWASA, assisted by the consultant, will ensure availability of the following and any other documentation as and when requested by the DWASA board for monitoring:

- Minutes of stakeholder consultation on matters like selection of pipeline alignment, social safeguards implications of private land acquisition and displacement from public lands, mitigation measures adopted in this RPF, etc.
- Inventory of different categories of PAPs based on the census of affected persons/ households and assets.
- Reports on all market price surveys conducted to determine replacement costs and market prices of different types of assets.
- Entitlement files of individual PAPs, with the accounts of losses, CCL payment by DCs, and top-up and any other entitlements payment by DWASA.

- Records of complaints and grievances and the decisions given by Grievance Redress Committees.
- Resettlement Budget and Sources of Finance
- Given that the land acquisition needs and the associated impacts will be known with the project interventions and design of the civil works, DWASA has kept a provision for land acquisition, resettlement and other social mitigation measures for SWTPP-III implementation. A specific budget has been allocated for land acquisition and resettlement measures for the project. All funds for land acquisition and resettlement will be provided by the Government of Bangladesh.

56. The budget for land acquisition and resettlement for a particular component will be determined after assessing actual quantity of land to be acquired based on design of civil works ensuring the following:

- The RAP prepared for the project will need to be approved by the DWASA Board and will include a precise budget for land acquisition and resettlement; and
- The project funding approval process of the GoB, which may involve other ministries, will provide funds to finance land acquisition and resettlement activities that could not be identified at this stage of project preparation.

57. This resettlement policy framework (RPF) is the instrument that provides the necessary guidance to identify and address the potential social concerns or impacts of the project right from the planning stage to its implementation and post-implementation operations.

58. RPF spells out strategies and principles for identifying project affected individuals, families, communities, and to assess potential social impacts of the project and suggests measures to avoid/ minimize and mitigate any adverse impacts. The RPF is meant to enable the project implementing agencies to adequately incorporate social safeguard considerations in the planning, execution and operation/management of different activities. This framework offers advice on social considerations in two areas: (i) social impact assessment on the communities and (ii) prepare a resettlement plan to address land acquisition and resettlement risks. This RPF will apply to planning and implementation of all socio-economic infrastructure activities to be undertaken by DWASA under this project.

3.4 Process for preparing and approving resettlement plans

59. Resettlement Action Plans will be prepared for the project based on the findings of Social surveys including consultation meetings with project stakeholders. The scope of the RAP will depend on the magnitude of impacts as explained above. The RAP will include a section highlighting how to uphold the standard of living of vulnerable communities. The RAP will be the property of DWASA and it will be implemented after approval from the DWASA board.

60. A full resettlement plan shall include a statement of objectives and strategy, with:

- ✓ Description of the project with measures taken to minimize adverse impacts;
- ✓ Findings of the socioeconomic survey and social and gender analyses including summary of public consultations held and cut-off dates;
- ✓ Survey Maps showing land requirements for proposed locations;
- ✓ Land Requirements and Action Plan for obtaining land from the people by acquiring as per LA law of the country;
- ✓ Legal and policy framework, including eligibility criteria and cut-off date for the project;
- ✓ Entitlements matrix, proposed resettlement measures for the affected PAP categories;
- ✓ Participation, Consultation, Grievance Redress Mechanisms for resolution of complaints and conflicts with appeals procedures;
- ✓ Income restoration and livelihood support measures including access to training, short term and long term employment in the project;
- ✓ Organizational responsibilities for implementing, monitoring and evaluation;
- ✓ Cost estimate for implementing RAP; and
- ✓ Implementation schedule, showing how activities will be scheduled with time-bound actions in coordination with the civil works.

61. The consultant will the steps and process for Resettlement planning as under

- (a) Carry out a census and IOL:** the IA will carry out fresh census and IOL of the affected households and other entities irrespective of title to the land (title holders and squatters) for preparation of RAPs.

- (b) Conduct consultation meetings and focused group discussion:** The IA will conduct consultation meetings with affected people and various stakeholders during conducting census and IOL survey. Focused group meetings will be held with various occupational groups identified during census and IOL survey.
- (c) Property Valuation Survey:** IA will carry 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.
- (d) Video filming of the affected properties:** IA will carry out video filming of the affected properties along the right of way. Household number (census number) would be pasted on the wall of the structure with permanent ink during video filming. Household head or his/her senior proxy may be captured in video film with affected properties.
- (e) Data Coding and Entry:** The IA will develop menu driven software for insertion of survey data. Computerized management information system (CMIS) would be developed for data entry.
- (f) Data Generation:** CMIS Specialist of the IA will generate data in tabular form as per requirements of the resettlement specialist for preparation of the RAP.
- (g) Preparation of Resettlement Action Plan:** Resettlement Action Plan (RAP) would be prepared based on census and IOL data following GoB rule and EIB Environmental and Social Standard-6 on involuntary resettlement.
- (h) Disclosure of RAP policy:** IA will disclose the RAP policy at the field level in open consultation and disclosure session after obtaining concurrence from the EIB and approval from the DWASA. Flip chart or multimedia (if possible) would be used in policy disclosure. Apart from this RAP will be uploaded on DWASA website and EIB website.

3.5 Contents of Resettlement Action Plan (RAP)

62. One single RAP will be prepared in view of the number of the persons affected by the civil works undertaken in the Project. With the principles and guidelines proposed in this RPF, the mitigation plans will include the following:

Table 4: Contents of RAP

Item	Description
Project Background	Brief introduction about the project, description of project interventions and areas of jurisdiction of DWASA, description of

Item	Description
	project components causing land acquisition and resettlement, scope of land acquisition and resettlement, an account of the alternatives considered to avoid and/or minimize the adverse impacts
Socioeconomic profile of affected households	Identify all categories of project affected persons and their socioeconomic and demographic profile (population, age, sex, income, occupation, hygiene and sanitation, marital status, etc), vulnerability, gender, etc.
Land Acquisition and Resettlement Impacts of the project	Identify all categories of impacts (loss of property and assets, loss of livelihood; impacts on groups and communities, impact on physical cultural resources) An account of impacts by gender and vulnerability due to project and the special assistance that is to be provided
Participation and Consultation	An account of the disclosure of RPF and consultations with the project affected persons/households about the mitigation measures and implementation procedure.
Legal and policy framework	Analysis of the legal framework for compensation, applicable legal and administrative procedures.
Compensation Entitlements	Description of compensation and other resettlement assistance that will be provided according to the principles and guidelines adopted in this RPF.
Relocation and Livelihood Restoration	Description of resettlement sites and programs for improvement or restoration of livelihoods and standards of living
Resettlement Budget	Resettlement budget with breakdowns by loss categories and the number of persons entitled to compensation/assistance Specific compensation rates and standard of entitlements and EPs/households for different types of losses Fund flow and disbursement procedures
Implementation Arrangement	Institutional arrangement and management of preparation and implementation of resettlement activities, grievance resolution, property assessment and valuation, and implementation time schedule
Monitoring and Evaluation	Describe monitoring arrangement involving PIU and field offices and mechanism for independent review and evaluation as well as reporting

63. The RAP will need to be concurred by the EIB and approved by the Ministry of LGRC of DWASA board. After getting concurrence from the EIB the Project Director will send the RAP to the Managing Director for necessary steps of getting approval. After approval of the RAP it will be on board for implementation.

3.6 Eligibility Criteria for defining various Categories of Affected People

64. 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.

65. 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.

3.7 Entitlement for Various Losses

66. An Entitlement Matrix (EM) has been developed as per this framework that outlines various types of losses that could result from the project and provides for compensation and resettlement and rehabilitation benefits for various categories of affected people. The matrix lists various types of impacts and losses, application parameters, and entitlements. The matrix will apply to all interventions of the project entailing land acquisition, relocation and resettlement impacts irrespective of the nature and size of the project and extent of impact. The RAP will be updated, if additional resettlement impacts are identified in any stage of the project implementation.

67. The entitlement matrix has been formulated in accordance with the GoB law on land acquisition, EIB E&S Standard-6 on Resettlement. Other externally funded development project experience has also been taken in to account in this regards. Following the finalization of the project design, the detailed survey of the affected land and/or non-land

assets and detailed census inventory of losses survey of the affected families will be carried out to record the actual impacts. As a part of the land acquisition, property valuation surveys (or asset valuation) will be carried out, that will form the basis for determining compensation at replacement cost for the affected land and other assets. The asset valuation survey will be carried out to make comparative analysis between the price prevailing during project implementation and the price so far determined by the DC offices based on recorded price at Sub-Registrar's office for 12 preceding months from the date of notice under section 3. Deputy Commissioners will assess compensation for the affected properties and pay cash compensation under law (CCL) as per existing LA law. In cases of disputes such as where land records are not updated and/or where the affected peoples are unable to produce the required documents or absentee land owners, then the compensation amount will be deposited in the account of the DCs and ultimately after a certain period unpaid amount will be transferred to the "Public Account of the Republic" as per section 10(2) of the LA law.

68. The local people will be consulted about their opinion about payment of compensation paid by DC offices as per LA law. DWASA will ensure payment of adequate compensation to the affected people by DC office under GOB law. Nevertheless, if the compensation by the DC office is significantly lower than the general expectation of land owners, DWASA will replenish the gaps by paying additional compensation on top of DC's payment to reach replacement cost of the affected land and other assets following the EIB E&S Standard-6 on involuntary resettlement. The affected people will be allowed to take away their affected trees and materials salvaged from their demolished structure free of cost.

3.8 Compensation Payment Principle

69. In cases of acquisitions, a part of the compensation for lands and other affected assets built or grown thereon will be assessed and paid to the title holding PAPs by the DC, the head of the Acquiring Body. If the amount of CCL is found to be significantly lower than the replacement costs of land/structure, DWASA will arrange payment of the difference as 'Top-up' to make it reasonable.

70. With and without acquisition, compensation/assistance to all PAPs, such as squatters, business owners and employees and those who are not covered by the acquisition ordinance, will be paid by DWASA.
71. In case of displacement of households from the private lands, DWASA will encourage them to find alternative land and relocate as soon as possible so that civil construction can be started on encumbrance-free land. DWASA will provide cash assistance to all of the displaced households as per policy of the RPF.
72. The women headed and vulnerable households will get resettlement benefits as per policy agreed by the DWASA. Apart from the compensation and resettlement benefit, affected people especially affected poor and vulnerable people will get preferential employment in the project during construction and operation phase.

3.9 Compensation and Entitlement Matrix

73. Following tables (Table4, Loss Items 1–14) represent 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. 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.⁹

Table 5: 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 	<ul style="list-style-type: none"> • Replacement Cost will be recommended by PAVC. • DC will pay (cash compensation under law) CCL 	<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

⁹The 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.

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

	<p>DC's amount if the DC price seems significantly lower than the replacement cost to be assessed by PAVC.</p> <ul style="list-style-type: none"> • Land development cost @ 10% of land value (replacement cost) • Dislocation allowance @Tk. 200 per decimal maximum Tk.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 within RAP implementation period whichever is longer. 	<p>for the land.</p> <ul style="list-style-type: none"> • Top-up payment (if required) will be paid by DWASA directly to EPs. Consultant will assist DWASA in this process. 	<p>ownership.</p> <ul style="list-style-type: none"> • 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. • 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.
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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 	<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 	<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

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

	<p>decimal not exceeding BDT 20,000 to each entitled person</p> <ul style="list-style-type: none"> 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. 	having compensation	receipt of payment data from DC office.
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Loss Item 4: Loss of residential structures with or without title to land

Persons Entitled	Entitlements	Application Guidelines	Additional Services
<p>Legal owner/ titleholders as identified by DC Or Socially recognized owners as identified by PAVC or during census</p>	<ul style="list-style-type: none"> Replacement cost of residential structure assessed . Transfer Grant of affected structure @ Tk.10 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
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**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

<p>Legal owner/ titleholders as identified by DC Or Socially recognized owners as identified by PAVC or during census</p>	<ul style="list-style-type: none"> • Replacement cost of structure. • Transfer Grant of affected structure @ Tk.10 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.
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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>OR</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 	<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. 	<p>Assistance in relocation and reconstruction.</p>

	structures		
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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
<p>Owner cultivators as identified in joint verification by DC, DWASA and PAVC.</p>	<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, if required.. • PAVC will recommend market price of crops/fish stock at take away. 	<p>RAP Implementing Consultant will assist APs in the process of claiming compensation from DC offices for organizing necessary documents.</p>

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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. • The needs of vulnerable groups will be assessed. • The resettlement benefits will be paid by DWASA directly with assistance from RAP consultant. 	<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 the project.

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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
Legal owner as identified by DC in the process of CCL payment Or Socially recognized owners & tenants identified during census	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	DWASA will make payment of this additional entitlement with assistance from consultant This grant is only for residential HHs (Owners and Tenants)	As appropriate

Loss Item 13: Loss of Income and livelihood (Vulnerable PAPs)

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

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. EPs losing main source of income and have no alternative source of income as identified by PAVC. 	<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 IGA. Preferential employment in project civil work and during operational period of the project 	<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 14: Unforeseen adverse impacts

Persons Entitled	Entitlements	Application Guidelines	Additional Services
Households/ persons affected by any unforeseen	Entitlements will be determined as per the resettlement policy	The unforeseen impacts will be identified through	As appropriate

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

impact identified during project implementation	framework	special survey by DWASA as per request from impacted population. The entitlements will be approved by DWASA Board.	
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4. RAP IMPLEMENTATION GUIDELINES

74. DWASA has set codified rules for payment of benefits for resettlement to affected persons as they have some other projects involving land acquisition and resettlement. According to the existing rule of DWASA for payment of resettlement benefits, the consultant will prepare list of entitled persons with their entitlements as per policy of the RAP and entitled persons file & entitlement cards (EP& EC). Payment debit voucher and other necessary papers would be prepared by Accounts Division of DWASA with assistance from consultant staff. A payment register will also be prepared to obtain sign from the individual EPs during payment of compensation & resettlement benefits. ID cards will be prepared by the consultants with photograph of the EPs which will be issued by the Project Director and distributed by the RAP consultant. Photograph of the EPs will need to be attested by the representative of local government institutions (LGIs).
75. DWASA, with assistance from the consultant will hand over compensation cheques in open place (school, UP office, etc) with prior notice to the concerned EPs. Necessary documents for making payment such as Deed of Agreement, bank deposit slip, application for payment, no objection certificate, letter of authorization (if required), etc. would be collected by the consultants staff during focused group meetings prior to disbursement of cheques.

4.1 Implementation procedures and steps

76. Following procedures and steps are to be taken into account for implementation of the RAP.
- (a) Information dissemination and feedback:** The RAP implementing agency (IA) will assist DWASA and the local representatives in organizing consultation and recording the outcome of the consultation meetings. Ensure dissemination of information on the Project and resettlement policy to the Project-affected persons and others (community groups, local administration, etc.) who are instrumental in effective and transparent implementation of the RAPs.
 - (b) Identification of entitled persons (EPs):** Titled EPs would be identified based on DC's award list and CCL (cash compensation under law) payment. Non-titled EPs would be identified for payment based on census and IOL database.
 - (c) Assist EPs in updating record of rights:** The IA will assist entitled persons (EPs) to update record of rights to the affected properties to receive compensation from DC office and additional compensation/resettlement benefits from DWASA.

- (d) Focused Group Discussion:** The IA will form focused groups with affected people based on homogeneity and or nearness. The field staff of the consultant will hold focused group session on fortnightly or at least monthly basis to disseminate information, collecting/updating necessary documents, dispute resolution, etc.
- (e) Preparation and distribution of information booklet:** The IA will prepare Bengali version information booklet which will include project information, compensation policy, grievance redress mechanism, monitoring and evaluation, etc. Information booklet would be concurred by the DWASA before distribution. The booklet would be distributed among the affected people and other stakeholders including local elites, elected people's representatives, etc.
- (f) Collection of CCL from DC offices:** The IA will collect CCL voucher from the concerned DC offices after payment is made by DC office. The final award book may also be helpful to have an idea about the total quantity of affected people/households. CCL copy may be collected from DC office or from entitled persons for preparation of CCL statement.
- (g) Preparation of CCL statement:** The IA will prepare CCL statements for individual titled EPs as per their types of losses and the amount of compensation due for each type of losses based on DC's CCL to facilitate preparation of entitled persons file (EP file) and entitlement card (EC).
- (h) Devise ID number of EPs:** The IA will devise ID number for each of the entitled persons taking into account of his/her mailing address and nature of losses due to the project.
- (i) Photography of EPs and preparation of ID cards:** The IA will take photograph of the EPs (titled and non-titled) with ID number on the chest for using in the ID cards of the EPs. ID cards would be prepared with necessary demographic information of the EP and losses. Specimen of ID card would be approved by the DWASA before preparation of final set of the same.
- (j) Issuance and distribution of ID cards:** DWASA (Project Director) will issue ID card of the EPs and consultant will distribute it among the EPs before making payment of additional compensation and other benefits.
- (k) Preparation of EP file and EC:** The IA will prepare entitled persons file and entitlement card based on quantity and category of losses and entitlements as per policy of the RAP and valuation of affected assets as recommended by PAVC.

- (l) Preparation and approval of indents:** The IA will prepare Indent (EP payment list) based on EP file & EC and submit them to the Project Director for approval. After approval of the indent Project Director will make payment to the entitled persons. Consultant will assist DWASA in preparation of necessary documents such as payment debit voucher, check distribution registers, etc. for making payment.
- (m) Assist EPs in preparation of documents:** The IA will provide assistance to the EPs in preparation of necessary documents for getting payment from the DC office as well as from DWASA. Consultant will also prepare a file for each of the EPs including ID cards, deed of agreement, application for payment, bank deposit slip, etc. This will help the DWASA to make payment of additional compensation and other benefits.
- (n) Disbursement of resettlement benefit:** The IA will process payment of additional “top up” based on the price approved by DWASA following recommendation of PAVC and resettlement benefits as per policy of the RAP and ensure that all resettlement benefits are paid accordingly.
- (o) Participation in Grievance Redress Committee (GRC):** The IA will support the establishment of the grievance redress mechanism at local level. Build rapport with the APs and ensure that they are fully aware of the grievance redress procedure and the process of bringing their complaints to the GRCs. Investigate the veracity of the complaints and try to settle them amicably during focused group meetings, fairly and transparently before they go to the grievance redress committee or the courts of law. Assist GRC in settling the dispute and prepare minutes of the GRC meetings and communicate the decisions to the parties involved.
- (p) Assistance to EPs in the process of relocation and resettlement:** The EPs and their losses will be identified and recorded in the EP file. The EPs will be informed of the resettlement benefits adequately. Payment of entitlement will be processed and assisted in collection of those. Displaced people will be encouraged for self relocation since there is no provision of project sponsored resettlement site in the project. They should be guided in relocating and investing the compensation and resettlement benefit in an appropriate manner. The consultant will provide support to the displaced households to find alternative land for relocation.

77. Monitoring tools for implementation progress: Consultant (IA) will prepare monitoring tools covering RAP implementation issues as follows to monitor the progress:

- Land Acquisition (LA) progress;

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

- LA compensation payment (CCL) Progress;
- Additional compensation payments (by DWASA) progress;
- Preparation and distribution of Bengali version of brochures and booklets/leaflets;
and
- Awareness level of the stakeholders including the APs by different programs.

78. Monitoring and supervision: Generate progress reports for real-time monitoring of RAP implementation progress using user-friendly menu driven software. The software will be simultaneously operated by the DWASA and Consultant (IA), so that different project implementation units are aware of the progress and problems instantly. Monitoring and supervision will include the following:

- Utilization of manpower input;
- Internal coordination meetings; and
- Meeting with DWASA and IA.

4.2 RAP Implementation Time Line and Linkage with Construction Schedule

79. Considering the land acquisition requirements, legal procedure of land acquisition and physical displacement, a pragmatic implementation timeline would be developed during RAP preparation for each of the work packages. 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. DWASA has taken good initiative by submitting land acquisition proposal well ahead of civil construction. After payment of compensation by DC, people will get enough time to shift their structure and purchase alternative land. Additional compensation (if required) on top of DC's payment will be paid by DWASA based on PAVC recommended rates. A resettlement action plan for this six kilometer alignment will be prepared and implemented. RAP implementation period for this particular section will be minimal since DWASA can start payment to the titled EPs who received compensation from DC office by this time. Relocation of the physically displaced people will also be expedited since they got sufficient time after payment of compensation for their structures. Civil Contractor can be awarded for this section on piecemeal basis at any time. Since the monsoon is almost over so the physically displaced people can shift their structure within short time and make the main pumping station area (Raw Water Pumping Station) encumbrance-free within the DWASA given time.

80. For the Dhaka section (1.6km) the land acquisition process is underway. Compensation payment by DC office Dhaka will start soon. A resettlement action plan will be prepared for this section. Contractor can be awarded for this section after completion of payment to the physically displaced people by DC office and DWASA. A time-bound action plan for RAP implementation keeping linkage with construction schedule will be developed during preparation of the RAP.

81. For the squatters alongside the RHD road a separate RAP will be prepared after final alignment is demarcated by the DWASA in consultation with Roads and Highway Department (RHD). Schedule for handing over the site for pipeline alignment by the RHD to DWASA is yet to finalize. It may take few months to get the final alignment. Construction can only be started after making the alignment encumbrance-free by paying compensation as per policy of the RPF/RAP. Compensation would be paid to the squatters following the policy of the RPF/RAP prior to displacement. A time-bound action

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

plan for RAP implementation keeping linkage with construction schedule will be developed during preparation of the RAP.

Figure 1: Work Schedule (tentative) for RAP preparation and Implementation

RPF & RAP preparation and Implementation including Deliverables	Work Plan in month																																																						
	Preparation of RPF, RAP-1 & RAP-2						RAP-3																																																
Implementation of	RAP-1 (6 km alignment at Narayanganj)																		RAP-2 (1.6 km alignment in Dhaka District)												RAP-3 (For the non-titled holders)																								
Months	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42													
A Preparatory Stage																																																							
A. Preparation of RPF	█	█	█																																																				
1 Deployment & orientation of staff	█																																																						
2 Desk Review	█																																																						
3 Develop tools for field observation	█																																																						
4 Field Observation & Analysis		█																																																					
5 Identify gap and potentialities		█																																																					
6 Prepare, sharing and Submission of Final RPF			█																																																				
A. Preparation of RAP				█	█	█																																																	
1 Desk Review				█																																																			
2 Develop Survey Tools/Mechanism				█																																																			
3 Data Collection & Analysis			█	█									█	█																																									
4 Identify gap and potentialities				█										█																																									
5 Submission of Draft RAP					█											█																																							
6 Comments from the DWASA and EIB						█											█																																						
7 Submission of Final RAP incorporating comments							█										█																																						
B Implementation Stage																																																							
B. Develop Implementation Tools/Mechanism							█	█																																															

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

	RPF & RAP preparation and Implementation Activities including Deliverables	Work Plan in month																																																		
		Preparation of RPF, RAP-1 & RAP-2						RAP-3						RAP-1 (6 km alignment at Narayanganj)						RAP-2 (1.6 km alignment in Dhaka District)						RAP-3 (For the non-titled holders)																										
	Implementation of	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42									
B.2	Land Acquisition																																																			
1	Liaise with DC office in case of land acquisition and compensation payment																																																			
2	Assist DC offices in land acquisition process																																																			
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																																																			
8	Assist DC office during transfer of Land																																																			
B.3	Social Preparation																																																			
1	Formation of focused groups with various occupation groups at the field																																																			
2	Information Campaign																																																			
3	Disclosure of RAP policy																																																			
4	Regular meetings with affected people for updating record of rights and other documents for receiving compensation from Dc office and DWASA																																																			

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

	RPF & RAP preparation and Implementation Activities including Deliverables	Work Plan in month																																																				
		RPF, RAP-1 & RAP-2						RAP-3																																														
	Preparation of	RAP-1 (6 km alignment at Narayanganj)																																																				
	Implementation of	RAP-2 (1.6 km alignment in Dhaka District)																																																				
	Implementation of	RAP-3 (For the non-titled holders)																																																				
	Months	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42											
5	Consult the displaced people to get ready for relocation after getting compensation																																																					
B.4	Payment of Compensation																																																					
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																																																					
15	Relocation/Resettlement																																																					

**Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III**

RPF & RAP preparation and Implementation Activities including Deliverables		Work Plan in month																																																		
		RPF, RAP-1 & RAP-2						RAP-3																																												
Preparation of																																																				
Implementation of		RAP-1 (6 km alignment at Narayanganj)																																																		
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Implementation of																				RAP-3 (For the non-titled holders)																																
Months		01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42									
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																																																			
.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																																																			
4	Resolve grievances																																																			
B.7	Monitoring & Reporting																																																			
1	Internal Monitoring by DWASA																																																			
2	Inception Report																																																			
3	Half Yearly Progress Report																																																			
4	Final Report																																																			

82. It is to be noted that one unique RAP implementation timeline cannot be applicable in this project and therefore the RAP-wise time-bound action plan for payment of compensation and relocation would be effective keeping linkage with construction schedule to be provided by the DWASA. Considering timeline and complexity of land acquisition and fixing the right of way along the RHD road a total of 36 month RAP implementation period has been designed. Three RAPs will be implemented within this time. Construction contractor will need to be provided encumbrance-free land and therefore payment of compensation and relocation of the physically displaced HHs would be ensured before civil contract is awarded.

4.3 Institutional Capacity of DWASA for RAP implementation

83. A Resettlement Unit (RU) under the Project Director would be functional for proper implementation of the Resettlement Activities. The Resettlement Unit (RU) would be headed by the Deputy Project Director at the rank of Superintending Engineer experienced in the resettlement field. The PMU will assign one Superintending Engineer as head of the Resettlement Unit to look after land acquisition and resettlement issues of the project. The field office (FO) will be headed by a Executive Engineer /Sub-divisional Engineer who will be directly responsible to DPD /Superintending Engineer (Resettlement). The PMU will be supported by the RAP implementing agency (IA)- Knowledge Management Consultants Ltd. for the activities related to preparation and implementation of the RAPs. The activities of IA will be directly supervised by the Sub-Divisional/ Executive Engineer (Resettlement) assigned by the Project Director.

84. Land acquisition and resettlement experience in former and on-going projects of DWASA formed the basis for this RPF of SWTPP-III. DWASA has prior experience of dealing with land acquisition and resettlement in compliance with World Bank OP 4.12 and ADB safeguard policy statement (SPS) 2009. However, the PMU staff will be oriented on preparation of RAP and implementation of them at the field level. KMC will provide overall briefing on RAP preparation implementation issues to the PMU staff.

85. Resettlement budget and financing arrangement: Given that the land acquisition needs and the associated impacts will be known with the phased selection of project interventions and design of the civil works, DWASA has kept a provision for land acquisition, resettlement and other social mitigation measures for SWTPP-III implementation. An estimated amount of BDT 1144.30 million has been provisioned for land acquisition and 438.84 Million for Resettlement measures in the DPP for the SWTPP-III. This amount includes compensation for land and other assets and resettlement benefits as per policy of the RPF/RAP. Land acquisition and resettlement fund will be provided from GoB revenue budget.

4.3 Grievance Redress Mechanism

86. 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 preempt a person's right to go to the courts of law.

87. 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 6: 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 Consultant : Member Secretary
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

88. 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.

89. 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.

90. 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.

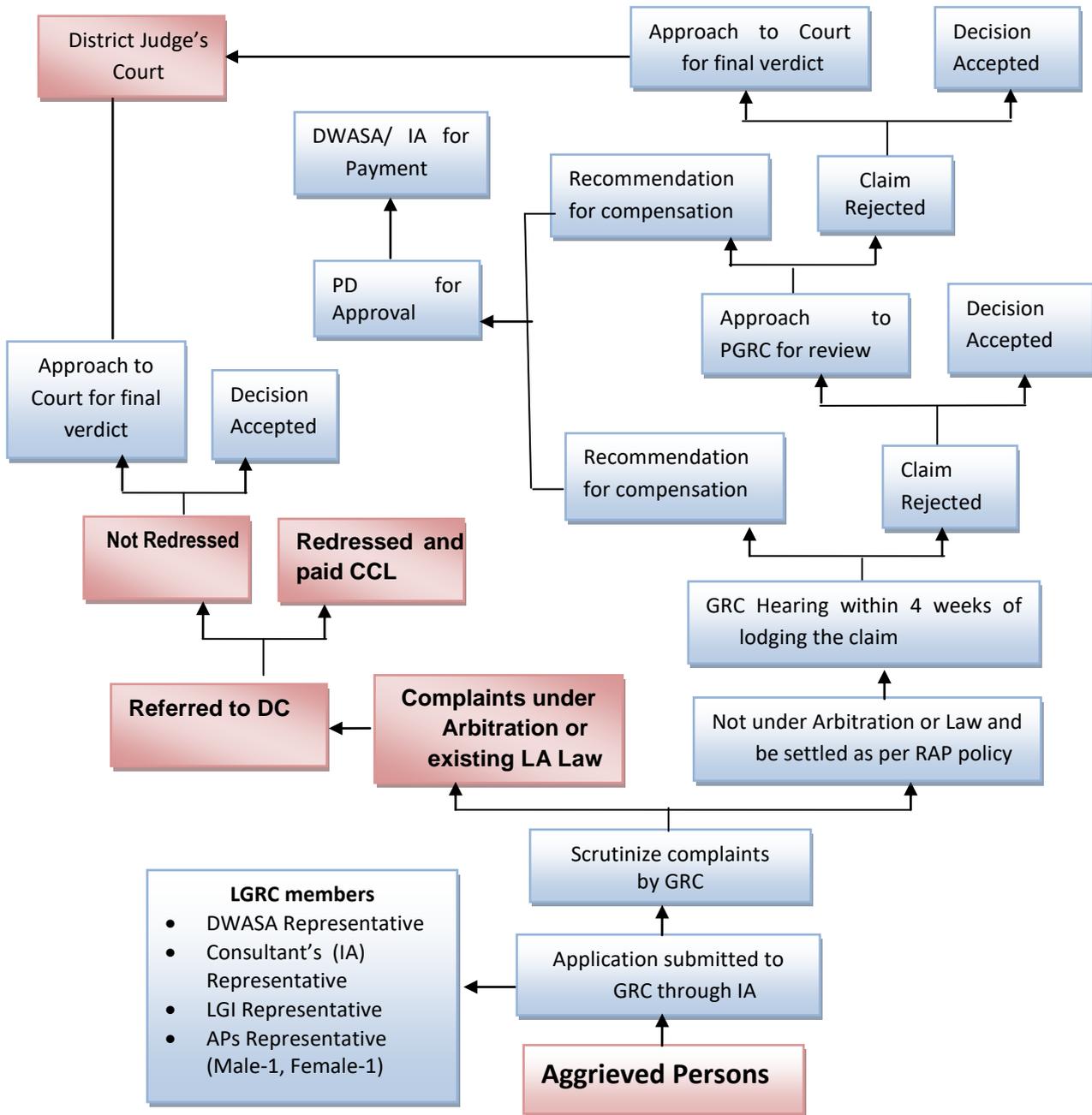


Figure 2: Grievance Redress Flow Chart

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

Table 7: 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.

92. 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.

93. 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.

94. 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.

95. Grievance resolution will be a continuous process in RAP implementation. 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.

4.4 Monitoring and Reporting

96. Monitoring will consist of an array of steps related to land acquisition, and preparation and implementation of RAP. DWASA will establish an internal monitoring system for routine internal monitoring of land acquisition and implementation of RAP. The RAP Consultant will assist DWASA to set up and operate a computerized system to monitor and report progress and performance in land acquisition and resettlement activities.

97. DWASA will carry out internal monitoring through the PIU that will involve the field level responsible staff (Superintending Engineer, Executive Engineers, Sub-Divisional Engineers, Assistant Engineers, Sub-Assistant Engineers), and the RAP implementing consultant. Monitoring data on land acquisition will be available from the DC offices and on implementation of RAP from the DWASA field office and from the RAP implementing consultant. The consultant and the DWASA field offices will maintain registers for data on developments in land acquisition and on components of RAP implementation separately. These registers will be open for review by interested parties and the DWASA board.

98. Internal monitoring of land acquisition and resettlement will be carried out regularly by the PIU and the Implementing Consultant for developments on following indicators for each project components:

- Progress in land acquisition and CCL payment by DCs, and any issues that are to be addressed to facilitate the acquisitions;
- Updates on DWASA's part of the payment: (i) top-up and other applicable entitlements to the CCL recipients; (ii) compensation/entitlements to the affected people; and (iii) compensation/entitlements to any other persons/groups not covered in this RPF, but found later to be affected by the project works.
- Accounts of GRC activities and their impact on project management.

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

- Implementation problems identified on site and the corrective measures including policy decisions to rectify any inconsistencies.

99. PIU will produce quarterly progress monitoring reports to the DWASA authority (DMD/MD) covering the entire resettlement program, which will include, among other information, the latest status in land acquisition and compensation payment by DCs and DWASA; implementation of any other stipulations adopted in the RAP; accounts of the GRC activities; and any issues that are to be addressed to improve the resettlement program performance.

ANNEX-01: 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 preparation 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 DWASA 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.

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

- 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.

ANNEX-02: MONITORING LAND ACQUISITION AND PREPARATION &IMPLEMENTATION OF IMPACT MITIGATION PLANS

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.

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

- 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.

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.

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

***Dhaka Water Supply and Sewerage Authority (DWASA)
Saidabad Water Treatment Plant Project, Phase-III***

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.