

Secondary Towns Water Supply and Sanitation Project

DRAFT RESETTLEMENT FRAMEWORK

February 2006

A. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

1. Objectives of Resettlement Framework

1. This Resettlement Framework (RF) was prepared for the Secondary Towns Water Supply and Sanitation Project (STWSSP) to outline the objectives, policy principles, and procedures for land acquisition, compensation, and other assistance measure for affected persons (APs). The RF is based on the Government of Bangladesh's (GOB) *Acquisition and Requisition of Immovable Property Ordinance of 1982* (ARIPO amended in 1993 and 1994), and ADB's *Policy on Involuntary Resettlement*, 1995. It will serve as the guide for implementing agencies (IAs)—project secondary towns (Pourashavas)—in developing and implementing required resettlement plans (RPs) consistent with GOB and ADB policies. The basic objectives of the RF are to: (i) guide the executing agency (EA) and IAs in properly compensating project APs, (ii) serve as binding document to ensure APs will be paid compensation, and (iii) provide direction in preparing, implementing and monitoring sub-project RPs. It also shows compliance of the GOB to one of ADB's requirements in approving the loan for STWSSP. As the EA, the Department of Public Health Engineering (DPHE) will be responsible for ensuring the preparation and implementation of RPs in line with this RF.

2. Project Description

2. The Project will use a demand and performance driven approach to extend water supply and sanitation to approximately 853,000 people in around 16 Pourashavas. The project consists of three components: Part A: Water Supply Improvements; Part B: Sanitation Improvements; and Part C: Institutional Development. The first two components of the project package will require permanent land acquisition and temporary disturbance of road right-of-way (ROW) and road shoulder for the rehabilitation and construction of various infrastructure and facilities. A sub-project will be an integrated package of water supply and sanitation improvements, and institutional development efforts in one Pourashava. ADB has reviewed 4 of an estimated 16 sub-projects that could be financed through the Project to confirm approaches, methodology, procedures for sub-project appraisal, and overall feasibility.

3. The water supply component will include rehabilitation, development and expansion of water sources, treatment facilities and piped water supply systems in selected Pourashavas. Three technical options will be used to ensure that all segments of the urban population will benefit from the Project: (i) piped supply with individual house connections; (ii) shared standpipes; and (iii) shared safe water points, utilizing arsenic-free groundwater sources for poor households. All interventions will be in accordance with the National Policy for Arsenic Mitigation (2004).

4. Water supply improvements will be implemented in two phases. In the first phase the existing piped water supply system within the Pourashava will be rehabilitated and restored to its original capacity. First phase physical works will include refurbishment/replacement of pipelines, treatment facilities and pumps. It will also include complete metering of the system. Additional household connections within the existing coverage area will also be encouraged. Participating Pourashavas will be required to adopt sustainable tariff levels during Phase 1. To support the tariff changes, the Project will initiate substantial awareness campaigns to help customers understand and accept the benefits of metering which include: (i) improved supply and demand management, (ii) reduction in the unaccounted for water (UFW), (iii) water conservation by the customers, and ultimately (iv) extension of the daily water supply hours.

5. The sanitation improvement component will support GoB's National Sanitation Policy, which aims to achieve 100% sanitation coverage by 2010. The basic approach of the sanitation component will be to increase appropriate knowledge, attitudes and practices of the beneficiary population, and generate an increased demand for improved sanitation, reducing the incidence of waterborne diseases. Experience in Bangladesh suggests that there is ample availability of low-cost sanitary hardware through the private sector, that is affordable and accessible to 85% of the population. The need for Government intervention in hardware provision, therefore, is very limited. In addition to awareness raising, the Project will support individual households by providing technical advice and guidance for sanitary latrine construction, and construct community, school, and public toilets. Both the awareness campaign and community toilet construction and management activities will incorporate gender-appropriate and user-friendly approaches that have been tested in Bangladesh. All activities related to the sanitation program will be carried out through NGOs and community-based organizations (CBOs).

6. The SDP envisions DPHE as the lead sector institution that will coordinate, facilitate and monitor all sector activities. The Project will enable DPHE to take on the new responsibilities envisioned in the SDP. Specifically, the Project will (i) increase DPHE's ability to manage sector-wide investments by providing support for managing and implementing the sector Project; (ii) assist in institutionalizing DPHE's role as a technical support agency to the Pourashava water supply and sanitation sections, by positioning the DPHE-based Project Management Unit (PMU) as the primary advisory body for all technical, contractual, financial, and implementation related activities under the Project; (iii) support the development of a DPHE Training Center by developing a 5-year training program, developing a trainers pool, designing, training curricula/courses for DPHE, Pourashavas, and other users, and delivering initial training courses; and (iv) support DPHE's sector monitoring and planning capability by providing training and equipment support for a geographic and management information section to be established.

7. The Project will support Pourashavas in their effort to assume full responsibility for water supply and sanitation activities at the local level, as envisioned in the SDP and the National Policy for Safe Water Supply and Sanitation (1998). The Project will finance the computerization of the Pourashava water supply sections (PWSS); institutionalize double entry accounting at the PWSS; train Pourashava staff in accounting and financial management, operations, and management of their water supply systems, and the setting, billing, and collection of tariffs; establish town-level water and sanitation coordination committees that ensure full representation from all socioeconomic groups and women; institutionalize processes for effective community engagement; and significantly improve Pourashava capacity to tender, execute, and manage contracts for infrastructure improvements. In addition, the Project will also support the SDP objective of gradually transitioning PWSSs to public limited company (PLC) models by providing additional financing to Pourashavas that choose to pursue this option.

8. Consulting services will be engaged to help manage the Project at the PMU and Project Implementation Unit (PIU) levels, to implement and supervise the various interventions. Consulting support will include (i) project management and monitoring, (ii) planning and design of sub-projects, (iii) contract structuring, tendering, execution, and management, (iv) construction supervision, (v) preparation of health education program, (vi) preparation of the tariff awareness program; and (vii) planning of Pourashava and DPHE capacity building programs. The consulting services will also include significant engagement of NGOs to manage the sanitation program, community water-supply infrastructure improvements, and awareness programs. A Benefit Monitoring and Evaluation (BME) program will be carried out by the

Pourashava with guidance from the PMU. Consulting support will be provided to the PMU to define the BME program and identify indicators and methodologies for monitoring benefits such as increased coverage, service level and consumption, efficiency in operations and financial management, and health improvements among the beneficiary population.

9. Eligibility to participate in the Project will be determined through a clearly defined selection methodology. An initial screening will identify Pourashavas that are secondary towns (Class A and B) and important small commercial towns, have a current population of over 50,000, and have not received any external assistance for water supply improvements worth over Tk 50 million since 1998. In order to establish the final selection, Pourashavas meeting the initial screening criteria will be ranked based on (i) the need for piped water supply improvements; (ii) sanitary latrine coverage; (iii) quality of available water resources, and the need for treatment; (iv) poverty incidence; (v) incidence of waterborne diseases, such as diarrhea and dysentery, and (vi) demonstrated institutional commitment to improving the sustainability of WSS operations.

10. Detailed assessments of rehabilitation works will be carried out in the selected towns to determine their eligibility for financing through Phase 1 of the Project.¹ Based on this assessment, Pourashavas that (i) have rehabilitation costs of no more than \$500 per connection, (ii) will not be classified as category A for involuntary resettlement according to ADB guidelines², and (iii) will not be classified as category A for environmental impacts according to ADB guidelines³ and satisfy the environmental sub-project selection criteria in the Project's Environmental Assessment and Review Procedures (EARP) will be included in Phase 1. In order to be eligible for financing under Phase 2, sub-projects should meet all Phase 1 performance criteria (i) not be category A for involuntary resettlement; (ii) not be category A for environmental impacts and satisfy the environmental sub-project selection criteria in the Project's EARP; and (iii) have investment cost for piped water systems of not more than \$900 per connection; and (iv) have total investment costs for Phase 2 piped water supply improvements of no more than \$3 million will be eligible for consideration in Phase 2.

3. Scope of Land Acquisition and Resettlement

11. The Project is designed to minimize land acquisition and resettlement impacts. Rehabilitation of production tube wells, overhead tanks, and treatment plants will be accommodated within the premises of existing facilities and will not involve land acquisition and resettlement. The construction of new water supply infrastructure and sanitation facilities will mostly be in Government land. Impacts due to the rehabilitation and construction of water supply networks will be temporary and minimal, as these will be undertaken in road shoulders, and under roads should there be structures on the road right-of-way (ROW). Impacts are to be further minimized through careful sub-project siting and alignment during sub-project selection,

¹ The top 16 towns will be included in the initial assessment of rehabilitation costs.

² Sub-projects classified as Category A will be rejected. Category A (Significant) means 200 or more people will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating) (ADB OM Section F2/OP). Category B or C will be accepted. Category B projects include involuntary resettlement impacts that are not deemed significant. No involuntary resettlement effects are foreseen in category C projects.

³ Sub-projects classified as Category A will be rejected. Projects are categorized as "A" if they could have significant adverse environmental impacts (ADB OM Section F1/OP), for example affecting environmentally sensitive sites such as protected areas. Sub-projects classified as Category B or C will be accepted. Projects are categorized as "B" if they have some adverse environmental impacts, but of lesser degree and/or significance than those for category A projects. Projects are categorized as "C" if they are unlikely to have adverse environmental impacts.

detailed design, and sub-project implementation.⁴ The sub-project selection criteria rules out sub-projects with significant involuntary resettlement impacts. However, the construction of new facilities will require permanent land acquisition (where the Pourashava has no appropriate land for siting sub-project facilities) and temporary impacts on users of road shoulders and ROWs where water distribution mains are going to be rehabilitated or constructed.

12. Resettlement plans (RPs) were prepared for sample sub-projects in four secondary towns (Brahmanbaria, Jessore, Sirajganj, and Pirojpur Pourashavas). Permanent land acquisition required for overhead tanks, production wells, and iron treatment facilities in Jessore, Sirajganj, and Pirojpur is 0.4321 ha. Land acquisition will have impacts on 5 households, all of whom are legal owners of the land being acquired. There are no structures in sites, which will be permanently acquired.

13. Rehabilitation and expansion of distribution systems are proposed within existing road corridors and where there are structures along the road shoulders and road right of ways, alignments will go around structures and will be placed under the road. Remaining impacts will not be significant and will be temporary. A transect walk was undertaken on a sample 1-km non-contiguous stretch of the total length of the proposed main water lines representing 3 density areas, namely: approximately 300 meter (m) stretch of ROW along national roads or highways representing a medium density area; another 300 m stretch near the tail end of the existing main distribution pipe (which is proposed for extension), representing the low density area and about 350 m within the core area of the Pourashava (commercial and residential) representing the high density area. A point zero was designated as a starting point of the walk and the entire sample stretch was measured from there. All existing structures, facilities and land use besides the road and fronting the existing road shoulders or ROW of the current distribution mains were noted. The survey team documented the following: current uses of the ROW land or road shoulders (whether for residential, agricultural, commercial and/or site of other public infrastructure such as electric post, telephone/cable pole, drainage, etc.); the type and dimension of structures that will most likely be affected, its uses (whether residential, commercial or other purposes such as religious, cultural, etc.); type and quantity of trees/crops affected; the category of APs (formal or informal) who are affected; and whether such temporary impact will adversely affect their livelihood activities and how much is the average daily income generated from the respective livelihood activities. Moreover, the survey team went around the Pourashava to have a cursory assessment of the entire length of the proposed mains for rehabilitation and extension in order to determine the approximate proportion representing the high, medium and low density affected areas. Result of the 1-km stretch in term of the number of APs, affected structures, affected crops and trees were used basis for extrapolating the total impact on the entire stretch for rehabilitation and expansion. Results for the four sample sub-projects show that approximately 109 (average: 27 per Pourashava) vendors and hawkers will need to be relocated to the other side of the road and their sales maybe affected. Assessment of impacts will be finalized during detailed design. A summary of resettlement impacts and key socio-economic information is in Table 1.

⁴ Environmental sub-project selection criteria includes the criteria that "Site selection shall result to nonsignificant or no resettlement" under the overall selection criteria.

Table 1: Summary of Resettlement Impacts

Item	Brahmanbaria	Jessore	Sirajganj	Pirojpur
Permanent Land Acquisition	0	0.064 ha	0.256 ha	0.1121
Permanently Affected Households	0	1	1	3
Permanently Affected Persons (AP)	0	5	4	11
Non-titled APs	0	0	0	0
Female-headed Households	0	1	0	0
Vulnerable APs	0	5	0	0
Affected Structures	0	0	0	0
Affected Trees	0	0	0	0
Affected Common Property Resources	0	0	0	0
Average Household Monthly Income (Tk)	0	Tk12,500	Tk40,000	Tk12,000
Primary Source of Income		Agriculture	Employment	Business and Employment
Temporarily Affected Households	26	35	29	19
Temporarily APs	104	175	145	115
Non-titled APs	104	175	145	115
Female-headed Households	0	0	0	0
Vulnerable APs	19	26	25	17
Affected Structures	27	32	20	27
Affected Trees	22	40	30	22
Affected Common Property Resources	0	0	0	0
Average Household Monthly Income (Tk):	Tk7,600	Tk8,200	Tk4,500	Tk6,100
Primary Source of Income	Business, Employment, and Hawking	Business and Hawking	Business and Hawking	Business and Hawking

4. Policy and Legal Framework for Resettlement

4.1 Comparison of the Resettlement and Compensation Policy of the GOB and ADB

14. The compensation of properties in Bangladesh is founded in Articles 42 and 47 of the Constitution⁵. The law and the implementing rules and regulations that govern all cases of land acquisition and requisition is the *Acquisition and Requisition of Immovable Property Ordinance of 1982* (ARIPO), known as Ordinance No II of 1982, some provisions of which were subsequently amended in 1993 and 1994. The Ordinance does not cover persons without title, like informal settlers, does not provide for social rehabilitation of persons losing their livelihoods, and does not give special provisions for vulnerable groups. Table 2 compares the policy provisions between ARIPO and ADB's policy requirements, and gaps are identified. These gaps are addressed in entitlement matrix for the Project, which is based on the ARIPO and ADB policies (Table 3).

Table 2: Comparison of Compensation Policy between the GoB and ADB

Ordinance No. II of 1982 as implemented in Bangladesh	ADB'S Involuntary Resettlement Policy Requirements	Gaps Between the Two Compensation Policies
	Involuntary resettlement should be avoided wherever feasible.	The Ordinance has no direct or implied statement that involuntary resettlement should be avoided.
Sections 3 and 18 exempt the acquisition of property used for religious worships, public or educational institutions, graveyards and cremation grounds.	Where population displacement is unavoidable, impact should be mitigated through provision of viable livelihood options.	While it provides for some exceptions, the Ordinance is silent on minimizing the adverse impacts on private properties and common resources.
Section 8 prescribes the amount of compensation to be determined by the Deputy Commissioner (DC)	If individuals or a community must lose all or part of their land, means of livelihood, or social support systems,	Section 8 of the Ordinance is largely consistent with ADB's compensation policy. But they differ on the valuation of

⁵ The latest amendment on the Constitution was promulgated on May 17, 2004.

Ordinance No. II of 1982 as implemented in Bangladesh	ADB'S Involuntary Resettlement Policy Requirements	Gaps Between the Two Compensation Policies
<p>based on the ff. considerations: (i) market value of the property based on average value during the twelve months preceding the publication of notice of acquisition; (ii) damage to standing crops and trees; (iii) damage for severing such property from other properties of the person occupying the land; (iv) adverse effects to other properties, immovable or movable and/or his earning; and (v) cost of change of place of residence or place of business. In addition, the Deputy Commissioner will award a sum of fifty percent on such market value of the property to be acquired.</p>	<p>so that a project might proceed, they will be compensated and assisted through replacement of land, housing, infrastructure, resources, income sources, and services, in cash or in kind, so that their economic and social circum-stances will be at least restored to the project level. All compensation is based on the principle of replacement cost.⁶</p>	<p>land and prices of affected assets, where ADB prescribes for the current market rates in the project area and provision for the restoration of pre-project incomes of the APs.</p>
<p>The requiring body submits land acquisition proposal to Office of the DC for appropriate action: (i) if the total land is above 50 <i>bighas</i>, or 16.1 acres, the approval will come from the National Government; (ii) if requirement is above 2 acres and below 16.66 acres, approval comes from the Divisional Land Allocation Committee; and (iii) if the land is 2.0 acres or less, the approval will be made at the District Land Allocation Committee.</p>	<p>Each involuntary resettlement is conceived and executed as part of a development project or program. During project preparation, ADB and the EA or project sponsor/s assess the opportunities for affected people to share project benefits. The affected people need to be provided with sufficient resources and opportunities to reestablish their livelihoods and homes as soon as possible, with the time-bound action in coordination with the civil works.</p>	<p>The body requesting for land leaves the inventory of affected assets to the DC without considering the adverse socioeconomic impacts of land acquisition to APs. The Ordinance also suggests a long and complicated process of land acquisition, as there are different government offices involved in it.</p>
<p>Section 3 provides that whenever it appears to the Deputy Commissioner that any property in the locality is needed or is likely to be needed for any public purpose or in the public interest, he shall publish a notice at convenient places on or near the property in the prescribed form and manner stating that the property is proposed for acquisition.</p>	<p>Affected people are to be consulted on compensation and/or resettlement options, including relocation sites, and socio-economic rehabilitation. Pertinent resettlement information is to be disclosed to the affected people at key points, and specific opportunities provided for them to participate in choosing, planning and implementation options. Grievance redress mechanisms for affected people are to be established. Where adversely affected people are vulnerable groups, resettlement decisions will be preceded by a social preparation phase to enhance their participation in negotiation, planning and implementation.</p>	<p>This section of the Ordinance somehow manifests public consultation, yet indirectly. However, it does not provide for public meeting and project disclosure as to the purpose of land acquisition, its proposed use, and compensation as well as entitlements of and special assistance to APs.</p>
<p>Section 4 provides the occupant of the land to raise their objections in writing that should be filed to DC within 15 days after the publication. The DC will then hear the complaints and prepare his report and the record of proceedings within 30 days following the expiry period of 15 days given to APs to file their objections.</p>	<p>Affected people are to be consulted on compensation and/or resettlement options, including relocation sites, and socio-economic rehabilitation. Pertinent resettlement information is to be disclosed to the affected people at key points, and specific opportunities provided for them to participate in choosing, planning and implementation options. Grievance redress mechanisms for affected people are to be established. Where adversely affected people are vulnerable groups, resettlement decisions will be preceded by a social preparation phase to enhance their participation in negotiation, planning and implementation.</p>	<p>The Section 4 provision is consistent with the grievance and redress procedures prescribe in ADB policy. The grievance procedures are set out in Sections 27 through Section 34 that appoints an arbitrator, the notice of hearing and the scope of proceedings. However, this does not provide for social preparation phase of groups vulnerable to the adverse impacts of land acquisition.</p>
	<p>Institutions of the affected people, and where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized</p>	<p>This Ordinance has no provision that can be interpreted nearest to this ADB policy requirement.</p>

⁶ Replacement cost is based on market value before dispossession by the project. In the absence of functioning markets, a compensation structure is required that enables affected people to restore their livelihoods to levels at least equivalent to those maintained at the time of dispossession, displacement, or restricted access.

Ordinance No. II of 1982 as implemented in Bangladesh	ADB'S Involuntary Resettlement Policy Requirements	Gaps Between the Two Compensation Policies
	and social harmony is promoted. The absence of a formal legal title to the land is not a bar to compensation and entitlement policy.	This principle is not provided for in the Ordinance.
Upon approval of the request for land by the DC Office, its staff will conduct the physical inventory of assets and properties found in the land. The inventory form consists of name of person, quantity of land, list of assets affected, materials used in the construction of house. The cut-off date is the date of publication of notice that land is subject to acquisition, and that any alteration or improvement thereon will not be considered for compensation.	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cut-off date to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits.	While both the Ordinance and ADB's Policy on Involuntary Resettlement agree on the inventory of losses, they totally differ on tools of the survey. The DMS, aside from IOL, also provides for the inventory of social resources of APs' skills essential for social rehabilitation, and it also covers gender sensitivity.
	Particular attention must be paid to the needs of the poorest affected people, and vulnerable groups at high risk of further impoverishment. This includes those without legal title to the land or other assets, female-headed households, elderly or disabled and other vulnerable groups, such as the indigenous peoples. Assistance will be provided to help them improve their socioeconomic status.	This requirement is not provided for in the Ordinance.

4.2 Project Resettlement Policies

15. To bridge the gaps in certain provisions of ARIPO and ADB's Policy on Involuntary Resettlement, the following specific Project policies that reflect both their provisions were formulated and will be applied in preparing and implementing the specific sub-project RPs:

- (a) Affected communities, stakeholders and non-government organizations (NGOs) will be systematically informed and properly consulted about the Project to identify the possible alternative project engineering and operational solutions to avoid or minimize the adverse impacts of land acquisition to properties, other assets, livelihoods, access to common property resources and socio-cultural sites, and disclose in public the preparation of RPs, eligibility of APs, compensation, entitlements and special assistance;
- (b) The day/s that the joint census and Inventory of Losses (IOL) were conducted in villages represents the cut-off date for eligibility of APs;
- (c) Lack of formal legal rights to the assets lost will not bar any APs, "with" or "without" title, from receiving compensation, entitlement and rehabilitation measures;
- (d) Existing cultural and religious sites, landmarks of historical and environmental values, e.g. trees fifty years old and above, will be preserved, conserved and protected;
- (e) Lands acquired for permanent use, i.e. agricultural, residential and commercial lands will be replaced with lands of equal productive capacity, or replacement value at current market values acceptable to APs; requisitioned lands for temporary use will be compensated with cash amount equivalent to the lease of property for the duration of

temporary acquisition⁷, subject to revision of rates when extended, and will be returned to the owner in the original condition upon the expiry of requisition period;

- (f) Voluntary donation of lands by the community or individuals without compensation will be acceptable to the Project subject to the following conditions:
- Written confirmation from the owner/s as verified by an independent party, e.g. NGO or any legal authority.
 - It will not significantly affect persons presently occupying the lands.
 - Persons occupying the land/s are fully consulted and provided with compensation, entitlement and assistance as prescribed in this RF.
- (g) Physical assets such as houses, buildings or other structures permanently affected by land acquisition will be compensated based on replacement costs at current market prices without provision for deduction of depreciation or the remaining value of salvageable materials. Cash compensation for crops and trees, and non-physical assets like lost income from productive assets, livelihoods and employment will be calculated according to market values in the sub-project areas at the time of compensation;
- (h) Cost of development made on affected lands, houses, buildings and structures as well as trees planted or transferred thereon after cut-off date for eligibility will be excluded from payment of compensation;
- (i) Permanently affected persons or households will be provided with transportation and subsistence allowances if they move outside their place of residence and/or business. Temporarily affected persons will be assisted on their transfer before construction and on their return to original place after the construction;
- (j) APs that stand to lose only part of their physical assets will not be left with a proportion inadequate for them to sustain their current standard of living; such minimum size will be identified and agreed upon during the resettlement planning process;
- (k) If resettlement cannot be avoided, relocation site/s either permanent or temporary, free from environmental risk and accessible to drinking water and social services, will be provided prior to relocation in consultation with APs to avoid any delay in resettlement plan implementation;
- (l) APs who will be relocated will be provided with rehabilitation measures sufficient to assist them to maintain, or improve their pre-project living standards, income earning capacity and production levels;
- (m) Special assistance measures will be incorporated in RP implementation process to protect the socially and economically vulnerable groups that will be relocated like ethnic minorities, poor women-headed households, household headed by elderly people, and people living in poverty;
- (n) Effective mechanism for arbitration of complaints and grievances will be provided during RP implementation;

⁷ Section 20 (5 [c]) of the Ordinance of 1982 provides for two years.

- (o) Institutional arrangements and human resources will be in place for consultation, liaison, land acquisition, resettlement and monitoring to ensure the effective RP implementation prior to commencement of the process;
- (p) Adequate budgetary support will be fully committed and made available to cover the costs of land acquisition, compensation, entitlements, resettlement activities, physical surveys and administrative functions for the implementation of RPs, in which payments will be reflected in official forms and documents and recorded in accounting transactions;
- (q) Land acquisition, payment of compensation, resettlement and rehabilitation activities must be satisfactorily completed and the required lands are cleared of all encumbrances prior to the award of civil works contract; and
- (r) Internal monitoring and evaluation mechanisms will be established as part of the resettlement management system, and the Project will hire an independent monitoring agency (IMA)⁸ to evaluate the compliance to resettlement process including the redress functions, and validate the records of compensation payments to APs with results and recommendations to be submitted directly to ADB for approval prior to award of civil works contract. The IMA will also conduct social impact assessment to assess if the resettlement objectives have been achieved.

4.3 Project-Affected People

i) Eligibility Criteria

16. The APs eligible to receive compensation and entitlements under the Project are individuals and public or private institutions “with” or “without” legal title who are residing, working or cultivating the lands that shall be temporarily or permanently acquired for all parts of the sub-projects as of the date of joint census and IOL. The inventory of APs will be finalized after the locations of sites are confirmed and detailed designs have been completed. Furthermore, those who maybe affected due to temporary land acquisition as a result of the rehabilitation and construction works in the ROW of the water transmission lines are also eligible for compensation as a result of the temporary disruption in their livelihood activities. An actual inventory of the extent and scope of impact will be undertaken during the detailed design phase of the sub-projects.

ii) Categories of APs and Types of Losses

17. Envisaged are the following categories of persons that will be affected by Project interventions:

- *Category 1:* Persons whose land is being used for agricultural, residential, or commercial purposes and is in part or in total affected (temporarily or permanently);
- *Category 2:* Persons whose structure is being used for residential, commercial, or worship purposes in part or in total affected (temporarily or permanently);
- *Category 3:* Persons assets other than land or structure are partly or fully affected (temporarily or permanently);
- *Category 4:* Persons whose business or source of income is in part or in total affected (temporarily or permanently);

⁸ The IMA may include qualified NGOs, research institutions or universities

- *Category 5*: Persons whose crops (annual or perennial) and/or trees are affected;
- *Category 6*: Persons whose access to common property resources is affected (temporarily or permanently);
- *Category 7*: Persons affected who belong to socially and economically vulnerable groups.

4.4 Compensation and Entitlement Policy

18. Compensation and entitlements for each category of eligible APs are based on the levels of losses. Based on the ARIPO and ADB policies, Table 3 provides the Entitlement Matrix indicating the details of possible losses of APs and their entitlements and compensation for covering such losses.

Table 3: Entitlement Matrix

	Type of Loss	Application	Entitled Person ⁹	Compensation Policy	Implementation Issues	Responsible Agency
1a	Loss of land	Homestead land, agricultural land, or vacant plot	Owner(s) with holding numbers (legal title)	<ul style="list-style-type: none"> Land-for-land arrangements of equal productive capacity satisfactory to AP AP option for cash compensation equivalent to replacement cost Provision of all taxes, registration costs, and transfer payments incurred for replacement land Option to be compensated if remaining land is no longer viable Provision of access to equivalent common property resources previously accessed Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> Authenticity of holding numbers If land-for-land is offered, title will be to both husband and wife. Vulnerable households to be identified during DMS conducted as part of the RP 	<ul style="list-style-type: none"> Verification of APs by Ward Commissioner Pourashava to provide replacement land Land appraiser to determine replacement value PIU to consult APs on compensation EA to provide budget and release cash compensation payments Pourashava with PIU/PMU assistance to determine viability of remaining land
1b	Loss of land	Homestead land, agricultural land, or vacant plot	Tenant(s) and leaseholder(s)	<ul style="list-style-type: none"> Compensation equivalent to 3 months of rental Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> Landowners will reimburse tenants and leaseholders land rental deposit or unexpired lease. Vulnerable households to be identified during DMS conducted as part of the RP 	<ul style="list-style-type: none"> Verification of APs by Ward Commissioner Pourashava with PIU/PMU will confirm land rental, ensure tenants and leaseholders receive reimbursement for land rental deposit or unexpired lease
1c	Loss of land	Homestead land, agricultural land, or vacant plot	Sharecropper(s)	<ul style="list-style-type: none"> 60 days advance notice to harvest standing seasonal crops, if harvest is not possible, compensation for share of crops (item 4) Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> Work schedule to allow harvesting prior to acquisition and avoid harvest season Vulnerable households to be identified during DMS conducted as part of the RP 	<ul style="list-style-type: none"> Verification of APs by Ward Commissioner
1d	Loss of land	Homestead land, agricultural land, or vacant plot	AP(s) without holding numbers (squatter(s) and encroacher(s))	<ul style="list-style-type: none"> 60 days advance notice to shift from occupied land Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS conducted as part of the RP 	<ul style="list-style-type: none"> Verification of APs by Ward Commissioner
2a	Loss of structure	Residential/commercial structure and other assets (e.g. fences,	Owner(s) with holding numbers	<ul style="list-style-type: none"> Cash compensation equivalent to replacement value of structure (or part of structure) Option to be compensated for entire structure if remaining structure is no longer 	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS conducted as part of the RP 	<ul style="list-style-type: none"> Verification of APs by Ward Commissioner Implementing NGO to determine replacement value in consultation with APs

⁹ Identified during cut-off date.

	Type of Loss	Application	Entitled Person ⁹	Compensation Policy	Implementation Issues	Responsible Agency
		gates, posts)structure		<ul style="list-style-type: none"> • viable • Rights to salvage materials from structure • Free transport facility or shifting assistance • Provision of all taxes, registration costs, and other fees incurred for replacement structure • Subsistence allowance of Tk3,000 based on Tk100/day • Additional compensation for vulnerable households (item 5) 		<ul style="list-style-type: none"> • Pourashava with PIU/PMU assistance to determine viability of remaining structure • PIU/PMU to determine shifting assistance, verify all charges.
2b	Loss of structure	Residential/commercial structure and other assets (e.g. fences, gates, posts)structure	Tenant(s) and leaseholder(s)	<ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of structure (or part of structure) constructed by the AP • Rights to salvage materials from structure • Free transport facility or shifting assistance • Provision of all taxes, registration costs, and other fees incurred for replacement structure • Subsistence allowance of Tk3,000 based on Tk100/day • Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> • Vulnerable households to be identified during DMS conducted as part of the RP • Structure owners will reimburse tenants and leaseholders rental deposit or unexpired lease, 	<ul style="list-style-type: none"> • Verification of APs by Ward Commissioner • Implementing NGO to determine replacement value in consultation with APs • Pourashava with PIU/PMU assistance to determine viability of remaining structure • PIU/PMU to determine shifting assistance, verify all charges. • Pourashava with PIU/PMU ensure tenants and leaseholders receive reimbursement for rental deposit or unexpired lease
2c	Loss of structure	Residential/commercial structure and other assets (e.g. fences, gates, posts)structure	Encroacher(s) and squatter(s)	<ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of structure (or part of structure) constructed by the AP • Rights to salvage materials from structure • Free transport facility or shifting assistance • Provision of all taxes, registration costs, and other fees incurred for replacement structure • Subsistence allowance of Tk3,000 based on Tk100/day • Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> • Vulnerable households to be identified during DMS conducted as part of the RP 	<ul style="list-style-type: none"> • Verification of APs by Ward Commissioner • Implementing NGO to determine replacement value in consultation with APs • Pourashava with PIU/PMU assistance to determine viability of remaining structure • PIU/PMU to determine shifting assistance, verify all charges.
3	Loss of livelihood	Livelihood/source of income	Business owner (s), tenant (s), leaseholder(s), employee(s), agricultural worker(s), hawker(s)/vendors(s)	<ul style="list-style-type: none"> • Assistance for lost income based on three months lost income or minimum wage rates. • Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> • Vulnerable households to be identified during DMS conducted as part of the RP 	<ul style="list-style-type: none"> • Verification of APs by Ward Commissioner • PIU/PMU to determine income loss/minimum wage during detailed socio-economic surveys conducted as part of the RP

	Type of Loss	Application	Entitled Person ⁹	Compensation Policy	Implementation Issues	Responsible Agency
4	Loss of crops and trees	Standing crops and trees	Owner(s) with holding number, tenant(s), leaseholder(s), sharecropper(s), encroacher(s), squatter(s)	<ul style="list-style-type: none"> 60 days advance notice to harvest standing seasonal crops, if harvest is not possible, cash compensation for crops (or share of crops) equivalent to prevailing market price Cash compensation for perennial crops and fruit bearing trees based on annual net product market value multiplied by remaining productive years Cash compensation equivalent to prevailing market price of timber for non-fruit trees 	<ul style="list-style-type: none"> Work schedule to allow harvesting prior to acquisition and avoid harvest season Market value to be determined 	<ul style="list-style-type: none"> Verification of APs by Ward Commissioner Implementing NGO to determine market values with assistance from agriculture/horticulture expert
5	Impacts on vulnerable APs	All impacts	Vulnerable APs ¹⁰	<ul style="list-style-type: none"> Land-for-land option will be an option for vulnerable APs Additional allowance equivalent to Tk 3,000 for loss of land or structure Vulnerable households will be prioritized in and employment required for the Project 	<ul style="list-style-type: none"> Vulnerable households to be identified during DMS conducted as part of the RP Land title will be to both husband and wife. 	<ul style="list-style-type: none"> Verification of APs by Ward Commissioner
6	Temporary loss of land	Land temporarily acquired for the Project	Owner(s) with holding number, tenant(s), leaseholder(s), sharecropper(s), encroacher(s), squatter(s)	<ul style="list-style-type: none"> 60 days advance notice Provision of land rental value during the duration of temporary acquisition Restoration of affected land 		<ul style="list-style-type: none"> Verification of APs by Ward Commissioner Pourashava with PIU/PMU to determine rental values in consultation with APs Restoration as part of contractors contract
7	Temporary loss of access	Temporary loss of access to land, structure, utilities, common property resource	Owner(s) with holding number, tenant(s), leaseholder(s), sharecropper(s), encroacher(s), squatter(s)	<ul style="list-style-type: none"> 60 days advance notice Provision of temporary access (e.g. planks across pipe trench) where possible Restoration/enhancement of affected land, structure, utilities, common property resource 		<ul style="list-style-type: none"> Verification of APs by Ward Commissioner Restoration as part of contractors contract
7	Temporary loss of livelihood ¹¹	Temporary loss of livelihood/source of income	Business owner (s), tenant (s), leaseholder(s), employee(s), agricultural worker(s), hawker(s)/vendors(s)	<ul style="list-style-type: none"> 60 days advance notice Provision of temporary access (e.g. planks across pipe trench) where possible Provision of alternative sites for continued economic activity Where provision of alternative sites is 		<ul style="list-style-type: none"> Verification of APs by Ward Commissioner PIU/PMU to determine income loss/minimum wage during detailed socio-economic surveys conducted as part of

¹⁰ Vulnerable APs include female-headed households, disable-headed households, indigenous persons-headed households, and Below Poverty Line households.

¹¹ During detailed design, the incorporation of additional avoidance measures in construction tender and contract documents will be evaluated for high density areas where losses in income for majority of APs could be potentially significant (more than 10%). These measures may include: (i) specifying trenching and pipelaying activities to occur outside of active business periods (9:00pm to 9:00am); (ii) specifying the need to utilize steel plates or similar devices to cover open trenches and enable roads and pavements to be trafficked and business premises to be accessed during business hours; and (iii) limiting the extent of trenches that can be left open at any given location or limiting the period it can be left open.

	Type of Loss	Application	Entitled Person ⁹	Compensation Policy	Implementation Issues	Responsible Agency
				not feasible, compensation of lost income <ul style="list-style-type: none"> • Compensation for agricultural losses (item 4) • Restoration of affected land, structure, utilities, common property resource 		the RP <ul style="list-style-type: none"> • Restoration as part of contractors contract
8	Any other loss not identified			Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in ADB's IR Policy		

AP-affected person, EA-executing agency, NGO-nongovernmental organization, PIU-Project Implementation Unit, PMU-Project Management Unit

B. SOCIOECONOMIC INFORMATION

19. Based on preliminary technical design, the DPHE and the PIUs will ensure that sub-projects will not have significant involuntary resettlement impacts consistent with the sub-project selection criteria. The PIUs with Project consultants, will prepare short RPs ensuring that RPs will include measures to ensure that socio-economic conditions, needs, and priorities (including those of women) are identified and that the process of land acquisition and resettlement does not disadvantage anyone specially the vulnerable. The socioeconomic data will establish baseline information on various parameters regarding APs and the affected assets and properties in the sub-project area. Based on these, the PIUs and the DPHE will ensure that the appropriate entitlements and mitigating measures are incorporated in the RPs in accordance with the RF.

1. Design of Questionnaire and Data Processing

20. The DPHE through the Project Management Unit will formulate a detailed measurement survey (DMS) (see Sample in **Annex 1**) with the assistance of the Resettlement Specialists. The DMS shall gather required information which shall be divided into five major sections: (i) Personal Information about the APs and their spouses, education, ethnicity, civil status and gender, which will provide information on whether affected households are headed by women, the elderly, ethnic minorities, etc.; (ii) Profile of Affected Residential, Commercial and Other Structures, that denote the size of affected portions vis-à-vis the total area, the types of materials used and nature of ownership of the affected structures; (iii) Profile of the Affected Lands that indicate the affected area as to percentage of land owned or occupied by AP, status of ownership, land use, and legal circumstances; (iv) Preferences by APs on mode of payment for their compensation and the number of days required for them to reconstruct their affected houses; and (v) Socioeconomic Profile which provides the data on household populations as to their gender, ages and occupation, primary and secondary skills, monthly incomes, the role of women, information on affinity with relatives, movable assets and where they borrow money.

21. The DMS questionnaires will be assigned with alphanumeric codes for tracking and safekeeping the records of APs. They will be given to PIUs for use of contracted NGOs that will conduct the surveys after project disclosure and public consultations in the respective Pourashavas. The contracted NGOs will also survey the unit prices of construction materials, labor cost, trees and types of crops in the area (in consultation with agriculture/horticulture specialists) as bases for calculating the replacement values of affected properties. They will also hold focused group discussion in affected villages to gather socioeconomic issues, and process the data for the Resettlement Specialists and PMU designated staff who will write the RPs for early Pourashavas that will qualify for the loan.

2. Database Management

22. From the questionnaire, the data on affected properties of APs will be transcribed in temporary Compensation and Entitlement Form (CEF), in **Annex 2**, for the individual calculation of compensation and entitlements that will be discussed with APs. The agreed amounts will be indicated in the final CEF (**Annex 3**) that will serve as the individual ledger of APs, with the temporary CEF will be attached to the final CEF. Assisted by the PMU, the PIUs will calculate the compensation. Both the PMU and the PIUs will maintain the list of APs and CEF for control and monitoring purposes. The APs will maintain their individual copy of the CEF. The PIUs will mark the word "paid" to CEF upon receipt of payment for compensation by the APs.

C. GENDER IMPACT AND MITIGATING MEASURES

1. Identification of Women Socioeconomic Condition, Needs and Priorities

23. Result of the PPTA's socioeconomic survey (SES) indicated that women in the sub-project areas are economically disadvantaged, engaged in long hours of work both inside and outside their house, and are traditionally responsible for water collection and water/sanitation management in their household. In order to determine the socioeconomic condition, needs and priorities of women in relation to the RPs of the participating Pourashavas, two sections of the DMS will devote several questions on women; the first section will cover the civil status and personal information about the APs, the second on their socioeconomic condition (par. 19). The raw data will be processed together with the other statistical information from the questionnaires, and they will have prominent discussion in the RP.

2. Mitigating Impacts of Land Acquisition on Women

24. Land acquisition in the four sample Pourashavas is expected to have only minor social impacts on women. But for future reference in the preparation of the RPs for the other Pourashavas participating in the Project, this RF provides safeguard policies to ensure the protection of women affected by sub-project interventions, i.e. if they are: (i) covered in the provision for temporary or permanent access to common property resources; (ii) entitled to receive compensations for their affected properties and other assets; (iii) entitled to receive special assistance if they belong to the socially and economically vulnerable group; and (iv) given right as co-owner of replacement land in which holding number will be named with their husband if the affected land is produced during their conjugal partnership. Prior to relocation, the Pourashavas will send medical personnel to extend appropriate assistance to households if: (a) there are pregnant women due to deliver their child; (b) there are elderly household members who are sick; and (c) physically disabled members who are unable to move. Relocation of APs shall be deferred until any of these constraints is addressed.

D. PROJECT DISCLOSURE, PARTICIPATORY APPROACHES AND PUBLIC CONSULTATIONS

1. Identification of Stakeholders

25. Land acquisition and resettlement will precede civil works activities. To ensure that stakeholders are aware of resettlement policies for STWSSP, comprehensive information campaign and public disclosure program will be undertaken. The primary stakeholders of the RP are the landowner and household members who would be affected by the acquisition, the informal users and household members of road ROWs and road shoulders and home and property owners along the ROW of the water distribution pipes for rehabilitation, and private contractors who will undertake the civil works. The secondary stakeholders include the Department of Public Health Engineering (DPHE) as the Executing Agency (EA) of STWSSP; the concerned Pourashavas, involved nongovernmental organizations (NGOs); representatives of participating schools and public institutions such as public market, bus terminals and religious places; the beneficiary community in general; and ADB. The stakeholders' view and recommendations will be properly considered in the sub-project's detailed design and implementation. The invitation for such meetings and consultations, indicating the place, date and time, will be posted in mosques, public market, bus stations, and convenience stores as well as in places with busy pedestrian traffic. The RF and RP will be provided to stakeholders through the distribution of the PIBs containing the RF and RP. The implementing NGO under the guidance of the IRE will be primarily responsible for this undertaking.

2. Project Disclosure

26. Initial discussions were held with the primary stakeholders (landowners, vendors, hawkers, and business operators) on the project concept and planned interventions. The draft RP was prepared in consultation with the stakeholders and APs. These consultations included meetings and discussions as well as participatory surveys. **Annex 4** shows the complete list of these consultation activities with the number and category of participants as well as the date and venue of consultations. However, these consultations need to be complemented by a more comprehensive project information and disclosure campaign during the detailed design phase of the project. An NGO, which will be contracted for the conduct of the socioeconomic survey and community mobilization, will also be tasked to conduct information dissemination and consultation activities to ensure that the needs and concerns of the APs are properly attended to and addressed.

27. Public information booklets (PIBs) translated to local language will be distributed by PMU and PIU through the NGO to ensure that APs, stakeholders, and local authorities will fully understand the sub-projects during the disclosure. The PIBs will have the following general contents: (i) brief Project description and its objectives; (ii) types of impacts; (iii) eligibility of APs; (iv) basic compensation policy and entitlements; (v) sub-project implementation schedule; (vi) grievance and redressal mechanism; (vii) mode of payment of compensation; and (viii) the importance of community participation. One sub-project map that indicates the sites of old water distribution pipes that will be rehabilitated and of the proposed construction of new main water distribution lines, WTF, PW, OHT, public latrines, compost pits and access roads will be posted on a wide board during the disclosure, so that public will be able to situate the location of both temporary and permanent land acquisitions. The PMU and PIU will also ensure that relevant information about any major changes to sub-project scope is shared with the public.

3. Participation and Public Consultation

28. Following the disclosure, the PMU and the PIU will consult the APs in order to: (i) reduce potential conflicts; (ii) minimize the risk for sub-project delays due to grievances, and (iii) enable the Project to design the land acquisition and resettlement program as a development program. Consultations will be conducted in two phases, as described below.

3.1 Phase 1: Consultation on Sub-Project RP Preparation

29. Focus group discussions with stakeholders and APs will be conducted to get their suggestions on project design and compensation policy for considerations in preparing the sub-project RPs. They will be also encouraged to participate in monitoring and evaluation, which are valuable in implementing the RP as part of the participatory planning process. The Pourashava through the PIU will consult the APs, project stakeholders, and local institutions as well as women's groups on the draft sub-project RPs before its finalization. The PMU and the PIUs will assist in all aspects of sub-project RP preparation including the writing of final draft that will be endorsed by Pourashavas to DPHE that will then be submitted to ADB for review and approval.

3.2 Phase 2: Consultations during RP Implementation

30. Upon receipt of ADB's approval of the RP, the PMU and PIUs will hold public meetings to inform officials of sub-project communities, stakeholders, and APs on the implementation of sub-project RPs. The Compensation and Resettlement Committees (CRCs) will also be mobilized. The RP will be translated in Bangla and disclosed to APs prior to resettlement plan implementation. Individual consultation with APs will be undertaken regarding compensations and the schedule of clearing affected lands.

31. While relocation is not anticipated in the Project, where required—APs especially the vulnerable, will be consulted on their choices of relocation sites, informed on the dates of receiving compensation payments, and consulted on the schedule of their transfer to relocation sites. They will be informed of their entitlements and their rights to file complaints and grievances.

4. Compensation and Resettlement Committees

32. The CRCs will be organized in villages where land acquisition is required. Each committee will be composed of five persons; the village chief as chairman, a village councilor, a representative of the APs, a representative of a local Women's Organization, and an elderly person from the neighborhood who is not an AP. They will be selected during focus group discussions and through recommendations from the community.

E. GRIEVANCE REDRESS PROCEDURES

33. Any grievance or complaint from the APs on any aspects of land acquisition, compensation and resettlement will be solved in a timely and satisfactory manner. This RP provides the Project's grievance redressal mechanism. The PMU and PIU will ensure APs are aware of the procedures. They will print the detailed grievance and redressal mechanism and appeals process and will distribute them to the CRC and APs during public consultations. The CRC will also serve as the Grievance and Redressal Committees (GRC).

1. Contents of Grievances

34. APs can submit their grievance/complaint about any aspects of resettlement plan implementation and compensation. Grievances can be submitted verbally or in written form, but in case of the verbal form, the CRC will write it down in the first instance during the meeting at no cost to APs.

2. Grievance and Redress Procedural Details

35. The steps shown in Table 4 will be followed in the resolution of any grievances or complaints during the implementation of this RP.

Table 4: Grievance and Redressal Mechanism

	Concerning Land with Holding Number	Concerning Structures and Other Assets
Step 1	AP files a grievance/complaint verbally or in writing to CRC/GRC. If unwritten, CRC/GRC put it in writing. AP, CRC/GRC and PIU representative will meet to hear the complaint, and resolve the grievance/complaint within 15 days.	AP files the grievance/complaint verbally or in writing to CRC/GRC. If unwritten, CRC/GRC will put it in writing. AP, CRC/GRC and PIU representative meet to hear the complaint, and resolve the grievance/ complaint within 15 days.
Step 2	If no solution or understanding is reached, AP files the grievance/complaint to the Pourashava Chairman for resolution within 15 days.	If no solution or understanding is reached, AP files the grievance/complaint to the Pourashava Chairman for resolution within 15 days.
Step 3	If no solution or understanding is reached, CRC/GRC and PMU/PIU assist the AP to file the complaint to DC. Guided by Section 27 of the Ordinance, DC appoints an arbitrator.	If DPHE fails to address within the prescribed period, or the resolution is unsatisfactory to AP, then the AP files the grievance/complaint to the District Court.
Step 4	Arbitrator hears the complaints and renders decision within 30 days upon appointment. If AP is not satisfied with the decision of Arbitrator, DC forms an Arbitration Appellate Tribunal.	The District Court will assess the merit of grievance/complaint and schedule the hearing. The District Court decision is final.
Step 5	Arbitration Appellate Tribunal hears and assesses the merit of grievance/complaint. Its decision is final and executory.	

AP-affected person, CRC-Compensation and Resettlement Committee, DC-District Commissioner, GRC-Grievance Redressal Committee, PIU-Project Implementation Unit

F. COMPENSATION, RELOCATION AND INCOME RESTORATION

1. Verification of Land Ownership

36. The Pourashavas will assist the PIU in verifying the holding numbers of APs who claim ownership of affected lands, and those whose applications for holding numbers are being processed in the local Land Registration Office. The technical descriptions of the lands and the sub-project boundaries will be plotted in a property map to guide land acquisition. An independent geodetic engineering firm will be commissioned for the cadastral survey to help the PIU in determining the actual measurement of affected lands for the calculation of compensation and entitlements due to APs.

2. Establishment of Unit Prices

37. In establishing the unit prices for calculating the replacement costs and complying with the Compensation and Entitlement Policy of STWSSP, the PMU will task an independent entity to verify the prevailing market unit prices of properties that shall be affected by the sub-project.

2.1 Land

38. Independent land appraisers will assess the affected private land based on the following considerations: (i) present status of development; (ii) demand for land in the area based on its land use, i.e. agricultural, residential and commercial, and the surrounding factors that influence demand especially on the proposed development programs of the pourashava; and (iii) location of the property related to its accessibility to town center. The appraiser will gather information on land prices in three villages. It will first verify the prices of land in the sub-project village by asking at least 10 respondents, such as (i) landowners; (ii) recent buyers or sellers of the land; and (iii) deed writers at the Land Registration Offices who have recently handled transactions in the sub-project villages. The appraiser will then verify the prices of land in another two villages with similar characteristics and will apply the approach as it did in the first one. As prices vary, the statistical mode will be obtained that will then be the basis for establishing the unit prices for calculating the replacement cost for land.

2.2 Structures

39. If there are structures to be affected, temporarily or permanently, in part or in total, the PIU will prepare the list of construction materials that shall be extracted from DMS questionnaires used in the survey. It will inquire from the people of sub-project villages on the sources of such materials, and from which at least three suppliers will be asked to provide their unit selling prices including the cost of delivery. The average unit prices will be calculated to serve as the unit replacement cost for the materials of affected structures. An average of 35% of the total cost of construction materials shall be allotted for cost of labor and 15% from total cost of labor and materials for contingency.

2.3 Other Assets

40. The approach for establishing the unit costs on structures shall be the same for other assets, where applicable.

2.4 Business or Sources of Income

41. The Pourashavas will request the PMU or PIUs to contract the services of an NGO for the survey on daily incomes from a sample of businesses along the affected ROW in the sub-project areas. From the grouped data, the statistical mode will be determined as basis for establishing the unit rates for the compensation on the lost daily business incomes of APs.

2.5 Crops and Trees

42. The PMU and PIUs, engaging an agricultural/horticulture expert, will initiate the survey on unit prices of trees and crops if significant numbers shall be affected by temporary land acquisitions. The unit prices for seasonal crops will be based on the highest market price during its season to ensure that APs will receive adequate compensation; the unit prices for perennial crops will be based on their average prices for the past 12 months. The unit prices for compensation of different species of fruit trees will be based on the market values of their fruits. For trees producing timber will be based according to their species, age and quality.

3. Compensation

43. Cash compensations will be calculated by multiplying the established unit prices by actual size of affected lands, lost assets, or numbers of replacement construction materials, lost days' incomes and trees and volume of crops harvested following the guidelines discussed in the Entitlement Matrix. The bases for establishing the unit prices will be disclosed to APs during consultations on compensation.

4. Relocation

44. Relocation is not expected considering the Project design of minimizing land acquisition and resettlement impacts through the accommodation of planned expansion (OHT, PW and WTF) within the premises of existing facilities and not involve land acquisition and resettlement. If relocation (because of unavoidable private land acquisition) cannot be avoided, the Pourashavas will allocate lands for the APs within their jurisdictions conducive to social rehabilitation, accessible to social services and drinking water, and with space for sanitary latrines. The timing of relocation will be made convenient to APs.

5. Income Restoration

45. From the socioeconomic data in DMS questionnaires, the PMU and PIUs will classify the sources of income of APs if they are dependent on land and/or micro enterprises. Each type of livelihood has different approaches of intervention in restoring adversely affected incomes of the APs. If they depend on agriculture, they will be provided with replacement lands. If they are involved in micro business, they will receive cash compensation equivalent to three months of lost income. These interventions are provided for in the Compensation and Entitlement Policy of this RF, in which the DPHE and/or Pourashavas are stipulated to commit for adequate budgetary support. In addition, the PMU and the PIUs will advise the village chairmen to give preference for employment to any members of the APs' households during the construction of sub-projects.

6. Screening of Vulnerable Households

46. The following criteria may be adopted by PMU and PIUs for the screening of vulnerable households who are entitled to receive Special Assistance from STWSSP:

1. Household Headed by Women

- Widowed, divorced or separated as confirmed by neighbors and village chairman;
- Carrying the whole responsibility of raising her family; and
- With household members below 18 years of age.

2. Household Headed by the Elderly

- With age of 65 years old and above, regardless of gender and marital status as confirmed by neighbors and village chairman;
- Carrying the whole responsibility of raising the family;
- Not receiving regular support from children and/or relatives; and
- With household members below 18 years of age.

3. Household Headed by the Poor

- With monthly income below the country's poverty line¹²;
- Carrying the whole responsibility of raising the family as confirmed by neighbors and village chairman; and
- With household members below 18 years of age.

4. Household Headed by Indigenous Persons

- Indigenous person or ethnic minority as confirmed by neighbors and village chairman;
- Carrying the whole responsibility of raising the family; and
- With household members below 18 years of age.

¹² The poverty line will be based from the official announcement on Home Income and Expenditures Survey (HIES).

G. RESETTLEMENT BUDGET AND FINANCING ARRANGEMENT

1. Budgeting and Financial Planning

48. In each sub-project RP, the budgets for compensation for land, structures, other assets, crops and trees, and special assistance will be calculated using the markets rates (paras. 34-39) reflecting replacement cost. The costs for relocation and special assistance will be consistent with the RF policies. Other costs involving project disclosure, public consultations and focus group discussions, surveys including DMS, training and income restoration, and monitoring and evaluation will be incorporated in the RP budget. There will also be a budget allocation for RP administration.

49. All resettlement funds will be provided by the EA based on the financing plan agreed by the Government and ADB. Land acquisition, compensation, relocation and rehabilitation of income and livelihood will be considered as an integral component of project costs.

2. Approval of Resettlement Budget

50. The EA will approve counterpart financing to the RP budget while the Pourashavas' respective councils will pass a resolution for the approval of their share of counterpart financing. The Pourashavas will furnish the DPHE a copy of the resolution. Pourashavas will commit to the provision of adequate budgetary support to implement the sub-project RPs in compliance with the Project compensation policy.

3. Accounting Systems and Control

51. Upon commencement of RP implementation, the PMU will assist the EA and the Pourashavas in setting-up chart of accounts, and design appropriate forms and invoices for the payments for compensation and entitlements, special assistance, and administrative costs related to resettlement. The chart of accounts will be part of the accounting system on the Development Expenditures for the Project for which ADB, through the IMA, will monitor disbursements for the implementation of the RPs.

4. Flow of Compensation Payments

52. Based on ARIPO, compensation for land acquisition in Bangladesh is carried out by the DC. However, this ordinance does not ADB's Involuntary Resettlement policy requirements, because it does not clearly provide entitlements for those without holding numbers to the land. To comply with the technical provisions of ARIPO at the same time ensuring the rehabilitation of APs without holding numbers, DPHE will arrange with the DC the mode of compensation involving land. The following procedures for payment for compensation will apply following ADB's approval of the RPs:

4.1 Cash Payment for Land

53. The local government councils of the Pourashavas will pass resolutions approving the budget for compensation on land. Prior to the release of the budget, the Chairmen of Pourashavas will prepare and sign Deeds of Sale. The Pourashavas will then deposit the moneys to the bank on the account of DCs that will be given the list of APs and the Deeds of

Sale. The list will also indicate the individual amounts for reference in preparing the checks to APs. To ensure APs receive payment the following has to be followed:

- DCs will prepare individual checks accompanied with five (5) receiving copies of payment and four (4) copies of the Deed of Sale for signature of APs. In case of death of the original APs recorded in the DMS and APCF, the check will in the name of authorized representatives of the household who should present acceptable documents for their identification and certification from their village chairman;
- In coordination with DCs, PIUs will inform the APs on the release of payment, its date, time and place. If the money involves a sizeable amount, the PIUs can suggest APs to open a savings account with the releasing bank that will issue them a passbook for them to make series of withdrawals from their savings deposit;
- The APs will present acceptable documents for their identification to the bank teller before the money is release to them.
- The bank teller will request the APs to sign the check and withdrawal slip, the five (5) receiving copies of payment and the four (4) copies of the Deed of Sale, and then release the money to APs;
- The bank will retain one (1) copy of the receiving payment as the four (4) copies will be returned to DCs for distribution to Pourashavas, PIUs, PMU and for its own file. The bank will return the four (4) copies of the Deed of Sale to DCs and have it notarized by a licensed notary public. The copies will then be distributed to the APs, Pourashava, and DC; the Notary Public will retain one copy.

4.2 Land for Land Compensation

54. The following steps will be followed if APs prefer “land for land” compensation:

- The Chairmen of Pourashavas will prepare four (4) copies of Deeds of Sale for land/s to be acquired from the APs and another four (4) copies of Deed of Sale for land/s to be exchanged with APs. Both Deeds of Sale will be forwarded to the District Land Administration Office of DCs;
- The Chairmen of Pourashavas and AP will sign both Deeds of Sale. The DC will serve as witness for the Chairmen of Pourashavas, private persons or relatives as witness for the APs;
- The DCs or Pourashavas will have both Deeds of Sale notarized by a licensed notary public;
- The Pourashavas will be responsible for having the exchange land its holding number in which expenses will not be charged to APs. The exchange land should be in the name of both husband and wife, if the affected land is produced out of conjugal partnership;
- APs will surrender the holding number of its affected land upon receipt of the holding number for the exchange land;
- PIUs will obtain photocopies of the Deeds of Sale and the holding numbers and attach them to the final CEF of APs.

4.3 Cash Payments Other Than Land

55. The payment for affected structures, other assets, crops and trees, entitlements and relocation expenses as well as special assistance to vulnerable APs will be the responsibility of the DPHE. After the highest management of DPHE has approved the budget for compensation, the following steps shall be initiated in paying the APs:

-
- DPHE will prepare the individual check of APs accompanied with four (4) receiving copies of payment and advice the PMU on the schedule of release. In case of death of the original APs recorded in the DMS and CEF, the check will be in the name of an authorized household representative who must present acceptable documents for their identification and a certification from their village chairman;
 - PMU will coordinate with PIUs to inform the APs on the release of payment, its date, time and place. If the money involves a sizeable amount, the PIUs can suggest that APs open a savings account with the releasing bank that will issue them a passbook for them to make a series of withdrawals from the savings deposit;
 - The APs will present acceptable documents for their identification to the bank teller before the moneys is released;
 - The bank teller will request the APs to sign the check and withdrawal slip and the four (4) receiving copies of payment, and then release the money to APs;
 - The bank will retain one copy of the payment receipt, as the three (3) copies will be returned to DPHE for distribution to PMU, PIUs, and for its own file.

H. IMPLEMENTATION SCHEDULE

56. The Project will be implemented in two phases over a period of six (6) years, following ADB's approval of the loan. The completion of RP implementation (with the exception of monitoring) is expected within 7 months. The implementation schedule is shown in Table 5.

Table 5: Schedule of RP Implementation

	Land Acquisition and Resettlement Activities	Starting Date	Completion Date	Duration (Days)
I. Upon Concurrence of Sub-Project RP by ADB				
1	Mobilization of CRC/GRC and hiring of Implementing NGO.	1 st of Month 1	7 th of Month 1	7 days
2	Organization of internal monitoring team and hiring of IMA.	8 th of Month 1	14 th of Month 1	7 days
3	Agreement of compensation with APs and preparation of Deeds of Sale on lands.	15 th of Month 1	14 th of Month 2	30 days
4	Provision for adequate budget and approval for release.	15 th of Month 2	15 th of Month 3	30 days
5	Release of funds for compensation	16 th of Month 3	15 th of Month 4	30 days
6	Filing and resolution of complaints and grievances ¹³	16 th of Month 4	15 th of Month 7	90 days
7	Application for and issuance of holding numbers for lands.	15 th of Month 2	30 th of Month 5	75 days
8	Consultation with APs on schedule of clearing the lands including relocation if necessary.	16 th of Month 4	15 th of Month 5	30 days
9	Clearing of lands and relocation if necessary.	21 st of Month 4	30 th of Month 5	40 days
10	External assessment by IMA on compliance to Project policies and submission of findings to ADB.	1 st of Month 5	30 th of Month 5	30 days
11	ADB review and approval of RP implementation and confirmation of "No Objection" for award of civil works contract to project contractor.	1 st of Month 6	15 th of Month 6	15 days
II. Pre-Construction Stage of Sub-Projects				
12	Award of civil works contract to project contractor.	16 th of Month 6	25 th of Month 6	10 days
13	Mobilization of the sub-project contractor.	26 th of Month 6	26 th of Month 7	30 days
14	Social impact assessment by IMA.	180 days after the 30 th of Month 5		

¹³ Grievance redress will be an ongoing activity, but based on the implementation schedule it is anticipated that this period covering the compensation payment period will be where most issues will arise.

I. MONITORING AND EVALUATION

1. Internal Monitoring

57. Internal monitoring will be undertaken by the PMU and PIU with assistance from the implementing NGO. The implementing NGO will gather information on RP implementation from Activity 2 to Activity 9, as listed in Table 7. All activities listed will be illustrated in Gantt Charts showing the target dates for completing resettlement activities. Internal monitoring reports on RP implementation will be included in the quarterly Project Progress Report (PPR). The report of PIU will contain: (i) accomplishment to-date, (ii) objectives attained and not attained during the period, (iii) problems encountered, and (iv) targets for the next quarter. The internal monitoring report will then be integrated by the PMU with the overall PPR submitted to ADB. Table 6 below shows the potential monitoring indicators that will be reported.

Table 6. Potential Monitoring Indicators

Monitoring Issues	Monitoring Indicators
Budget and Time Frame	<ul style="list-style-type: none">• RP staff mobilized as scheduled• Capacity building on RP provided as planned• RP activities achieved as planned• Funds for RP allocated to implementing bodies on time• Disbursing body received funds on time• Funds disbursed according to RP• Land and ROW acquired and taken over in time for project implementation
Delivery of AP Entitlements	<ul style="list-style-type: none">• APs received entitlements according to the numbers and categories of loss in the entitlement matrix• APs received payment on time• APs received agreed other benefits based on schedule of compensation• Landowner received cash payment or land title• Business establishments, merchants, vendors or homeowners received entitlements
Consultation, Grievance and Other Issues	<ul style="list-style-type: none">• RF/RP information brochures/leaflets prepare and distributed as per plan• Consultations as scheduled• APs aware of their specific entitlements• AP used the grievance and redress mechanism and what was the outcome• Conflicts resolved
Benefit Monitoring	<ul style="list-style-type: none">• Changes in the pattern of livelihood of the APs as a result of the sub-project• Changes in APs income and expenditure as a result of sub-project activities• Vulnerable groups affected and changes as a result of the sub-project and RP implementation

2. External Monitoring and Evaluation

58. An IMA engaged by the PMU will conduct the external monitoring. External monitoring will be in two phases: compliance monitoring and social impact evaluation.

2.1 Compliance Monitoring

59. Compliance monitoring of RP implementation will cover (i) sub-project compensation and entitlement policies, (ii) adequacy of organizational mechanism for implementing the RP,

(iii) restoration of APs incomes, (iv) handling of complaints and grievances, and (v) provisions for adequate budgetary support by DPHE and Pourashava for implementing the RP. The IMA will assess if the APs: (i) have been provided with replacement land; (ii) have reestablished their structures; and (iii) were extended assistance to restore their incomes from pre-sub-project levels. It will also appraise the accounting documents used in recording the payments of compensation to APs by the Pourashava and the EA.

2.2 Social Impact Evaluation

60. IMA will conduct a one-time social impact evaluation, at least six months following the completion of resettlement. It will use appropriate investigative and analytical techniques in assessing the post-Project socio-economic conditions of the APs in relation to the baseline socio-economic data on income and living standards as recorded in the DMS questionnaire. The evaluation will describe any outstanding future issues that are required to bring the resettlement into compliance with ADB's Policy on Involuntary Resettlement and Government policies, and further mitigation measures needed to meet the needs of any APs or families perceiving themselves to be worse off as the result of resettlement. It will include lessons learned from the evaluation that may be useful in developing future policies on involuntary resettlement of APs in Bangladesh.

J. IMPLEMENTATION ARRANGEMENTS

1. Institutional Capacity Assessment

61. The Pourashavas will need technical support in preparing and implementing the sub-project RPs. As part of the institutional development program the DPHE as the EA for the Project loan implementation will need to establish its own environmental and social services unit (ESSU) in its office, staffed by capable people who would be trained and developed for such purpose. Accordingly, hand in hand with the Project loan consultants they will provide the support to the participating Pourashavas in the formulation and implementation of their respective RPs.

62. At the start of Project implementation, the DPHE will rely primarily on the services of an International and a Domestic Resettlement Specialists to assist the individual Pourashava in the preparation of the individual RPs. Towards the tail end of Project implementation, it is expected that the trained DPHE staff will eventually take the lead role in providing the support to the Pourashavas in the preparation and implementation of sub-project RPs under STWSSP.

2. Institutional Responsibilities

63. Institutional responsibilities for RP implementation activities are in Table 7. Figure 1 shows the institutional relationships in resettlement process under the STWSSP.

Table 7: Matrix of Institutional Responsibilities in Resettlement Process

Related Activities and Responsibilities	Responsibility
A. Pre-Land Acquisition and Preparation of Updated RP	
Recruitment of IRE and DRC	PMU
Recruitment of Implementing NGO	PMU/PIU
Design and reproduction of Project Information Booklet and preparation of sub-project maps	PMU/IRE/DRC
Project disclosure and public consultations	PMU, PIU, NGO
Selection of compensation and resettlement and grievance committee members.	PMU, PIU
B. Preparation of Land Acquisition and Resettlement Plan	
Survey and marking of sub-project boundaries and ROW in affected lands.	Pvt. Eng. Firm
Preparation of DMS questionnaire	PMU,IRE/DRC
Training of Implementing NGO.	PMU,IRE/DRC
Joint social survey and IOL	Imp. NGO/ DC
Survey on market prices of lands, construction materials, crops and trees.	Private Entities & Contracted NGO
Processing the IOL and socioeconomic data of APs	Imp. NGO/DRC
Screening of vulnerable APs	Imp. NGO/PIU
Establishment of unit prices	PMU/PIU
Calculation of compensation and consultations with individual APs	PMU/PIU
Writing of RP	DRC
Consultation of Draft RP to EA, Pourashava, APs and stakeholders	DRC/PIU
Incorporate suggestions and writing the final draft of RP	DRC
Review and concurrence of RP	ADB
C. RP Implementation	
Mobilization of CRC/GRC	PMU/PIU
Establishment of internal monitoring and hiring of IMA	PMU/PIU
Agreement on compensation with APs and preparation of Deeds of Sale on lands	APs, DPHE
Budget approval for compensation	DPHE, Pourashava
Release of funds for compensation	DPHE, Pourashava
Filing and resolution of complaints	APs, PMU/PIU and Pourashava
Application for holding number of lands	Pourashava
Consultation with APs on schedule of clearing the lands	PIU

Related Activities and Responsibilities	Responsibility
Clearing of lands	APs
Confirmation of "No Objection" for the award of civil works contract	ADB

2.1 Department of Public Health Engineering (DPHE)

64. As the EA, the DPHE is the overall in-charge of STWSSP. It will: (i) facilitate the approval of the sub-project in the pourashava; (ii) provide and release of adequate budgetary support for its share in implementing the RP; (iii) be involved in the resolution of complaints and grievances of APs related to RP implementation that are not resolved at the Pourashava level; (iv) submit to ADB relevant sub-project documents requiring review and approval; and (v) request for "No Objection" from ADB for the award of civil works contract upon its concurrence on the RP. The DPHE will draw support from the PMU.

2.2 Project Management Unit (PMU)

65. The PMU is the executing arm of DPHE for STWSSP. The PMU will be assisted by a multidisciplinary team of consultants. Headed by the National Project Director, the PMU will supervise PIUs. Prior to implementing the sub-project RP, the PMU will orient the DPHE, and the Pourashava Chairpersons on their responsibilities. For the implementation of STWSSP, an International Resettlement Expert (IRE) and one Domestic Resettlement Consultant (DRC) will be appointed to assist in the following tasks: (a) design and reproduction of Project Information Booklet (PIB) and DMS questionnaires; (b) assist the PMU and PIUs in facilitating Project disclosure, public meetings and consultations with stakeholders and APs during the early stage of STWSSP implementation; (c) help the PMU and PIUs in preparing, implementing and monitoring the RPs; (d) select and train implementing NGOs for the joint socioeconomic surveys and IOL; and (e) assess market unit prices for the calculation of compensation and entitlements. It will also collaborate with the DC of the Ministry of Land for its participation in the joint socioeconomic survey and IOL of APs and in the preparation of Deeds of Sale and application for holding number of lands. The PMU will contract an independent monitoring agency (IMA) for external monitoring of RP implementation. The IMA will directly report to ADB.

2.3 Pourashavas

66. The Pourashavas will: (i) provide and release adequate budgetary support for its share in implementing the sub-project RP; (ii) provide exchange lands for land of APs that will be acquired for sub-projects; and (iii) be involved in the resolution of complaints and grievances of APs. The Pourashavas will be assisted by PMU.

2.4 Project Implementing Units (PIUs)

67. The PIUs will be the counterpart office of PMU in implementing the sub-project in the Pourashavas. In implementing the sub-project RP, the PIUs will: (i) assist in disclosure, public meetings, and consultations with stakeholders particularly APs; (ii) help in preparing, implementing and monitoring the RP; (iii) facilitate activities of contracted NGO and DC staff on the joint socioeconomic surveys and IOL; (iv) assist in establishing market unit prices for calculating compensation and entitlements; (v) assist in discussions with APs in compensation; and (vi) coordinate with the Pourashava on matters related to RP preparation, implementation and monitoring. It will inform the APs on the schedules of release of compensation payments and the necessary documents for their identification.

2.5 District Committee

68. One measure to bridge the gaps identified between AIRPO and ADB policies, is for the DC to be involved in the following: (i) as partner of the implementing NGO for the joint socioeconomic survey and IOL of APs, (ii) facilitation in compensating affected lands; and (iii) appointing an Arbitrator and/or an Arbitration Appellate Tribunal for the resolution of complaints and grievances involving land compensation that are not resolved at the PMU level.

2.6 Implementing NGOs

69. The PIUs will engage an NGOs to assist in the implementation of the sub-project RPs. The NGOs will primarily assist in disclosure, public meetings and discussion; conduct joint socioeconomic survey and IOL of APs using the DMS questionnaires; consultation with APs; processing the updated data for the sub-project RP; as well as conduct of monitoring activities on RP implementation.

2.7 CRCs/GRCs

70. The CRCs, also acting as GRCs, will be organized in villages where land acquisition is required. Each committee will be composed of 5 persons: the village chief as chairman, a village councilor, a representative of the APs, a representative of a neighborhood local Women's Organization (or a female representative who is not an AP where local Women's Organizations are not present), an elderly person who is not an AP. The CRC members will be selected through focus group discussions and based on recommendations by the community. Given the limited impacts of land acquisition, the roles of CRCs/GRCs in implementing the sub-project RPs will be to assist the PIU on the resolution of complaints or grievances, if any.

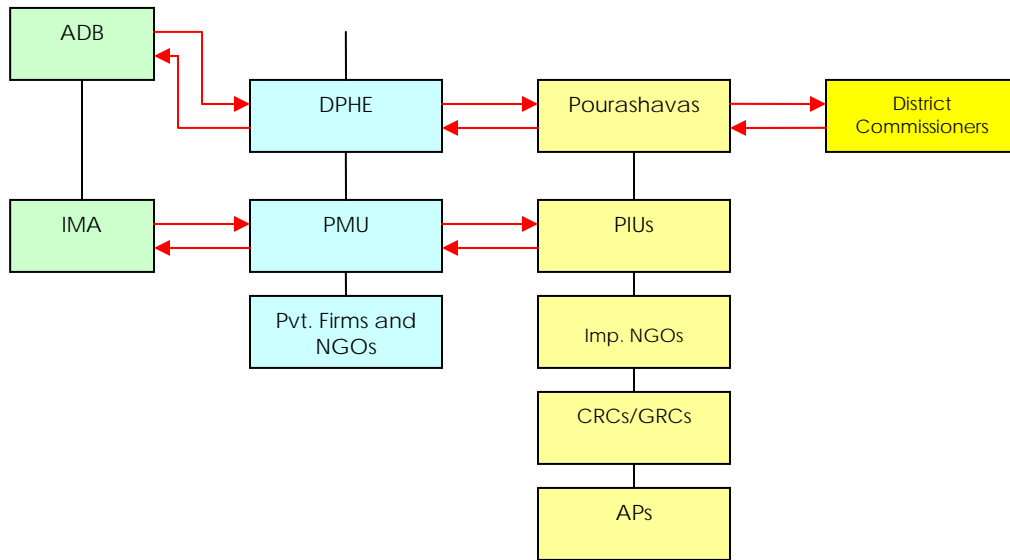
2.8 Contracted NGO and Private Entities

71. Contracted NGOs will be tasked to survey unit prices of construction materials, other assets, and loss of business incomes. Private land appraisers and geodetic engineering firms will be engaged for the survey of market values of land, and the survey and marking of sub-project boundaries for the construction of WTFs and the development of compost pits, respectively. The marked boundaries will be the basis for conducting the DMS and IOL of APs to be reflected in sub-project RPs.

2.9 Asian Development Bank (ADB)

72. ADB will review and approve the sub-project RPs. Sub-project RP implementation and completion of acquisition and compensation is a requirement for awarding civil works contracts. ADB will also review monitoring reports by the IMA to ensure that RP implementation is in compliance with Government and ADB policies, and the RF.

Figure 1: Table of Organization for Land Acquisition and Resettlement



Note: The arrows denote the line of communication among agencies and ADB.

ACRONYMS

ADB	-	Asian Development Bank
AP	-	Affected Persons
ARIPO	-	Acquisition and Requisition of Immovable Property Ordinance
CEP	-	Compensation and Entitlement Policy
CEF	-	Compensation and Entitlement Form
CRC	-	Compensation and Entitlement Committee
DC	-	District Commissioner
DMS	-	Detailed Monitoring Survey
DPHE	-	Department of Public Health Engineering
DRC	-	Domestic Resettlement Consultant
GOB	-	Government of Bangladesh
GRC	-	Grievance and Redressal Committee
IMA	-	Independent Monitoring Agency
IOL	-	Inventory of Losses
IRE	-	International Resettlement Expert
RF	-	Land Acquisition and Resettlement Plan
LARP	-	Resettlement Framework
OHT	-	Overhead Tank
PIB	-	Public Information Booklet
PIU	-	Project Implementation Unit
PMO	-	Project Management Unit
ROW	-	Right of Way
RP	-	Resettlement Plan
SES	-	Socioeconomic Survey
STWSSP	-	Secondary Towns Water Supply and Sanitation Project

Annex 1

Code No. -

PEOPLE'S REPUBLIC OF BANGLADESH
Department of Public Health Engineering
**ADB TA No. 4535-BAN: Secondary Towns Water Supply
And Sanitation Project**

Mouza _____ Pourashava : _____

Sub-Projects (*Check appropriate box*):

Water Supply Facilities: Iron Removal Plant Overhead Tank Production Well/s
 Surface Water Treatment Plant Distribution Pipes Access Road
Sanitation Facilities: Public Latrine Compost Pit Access Road

Introduction:

We would like to inform you that DPHE will construct (mention the sub-project as checked above) in this place to improve drinking water quality and sanitation under the Secondary Towns Water Supply and Sanitation Project that shall be assisted by Asian Development Bank. A portion of the property you occupy right now be acquired for the construction of the project. We are here to record the assets and properties that will be affected for the calculation of your compensation and entitlements.

I. PERSONAL INFORMATION

Name of Respondent: _____ Occupation _____
Age ____ Gender: Male Female Civil Status: Married Single Widow/Widower Divorced
Name of Spouse: _____ Occupation _____ Age ____
Gender: Male Female Ethnicity: _____
Education of Respondent: _____ Education of Spouse: _____

II. PROFILE OF AFFECTED STRUCTURE/S

1. Types of structures and/or developments that shall be affected by land acquisition (*check the appropriate box*).

<input type="checkbox"/> a	residential house	<input type="checkbox"/> g	warehouse	<input type="checkbox"/> m	electric connection
<input type="checkbox"/> b	gate	<input type="checkbox"/> h	utility shop	<input type="checkbox"/> n	electric pole
<input type="checkbox"/> c	fence	<input type="checkbox"/> i	small business shop	<input type="checkbox"/> o	well or deep well
<input type="checkbox"/> d	rice bin	<input type="checkbox"/> j	school	<input type="checkbox"/> p	ornamental plants
<input type="checkbox"/> e	detached bathroom	<input type="checkbox"/> k	temple	<input type="checkbox"/> q	others _____
<input type="checkbox"/> f	animal cage	<input type="checkbox"/> l	graveyard/tomb		

2. Materials used in the affected structure/s (*check appropriate box*).

<input type="checkbox"/> a	Grass, bamboos, woods and wooden poles
<input type="checkbox"/> b	Grass, bamboos and wooden poles
<input type="checkbox"/> c	Bricks or cement, wood, galvanized iron and wooden poles
<input type="checkbox"/> d	Wood, galvanized iron, bamboos and some grasses
<input type="checkbox"/> e	mud, grass, wood, bamboo
<input type="checkbox"/> f	Others (identify) _____

3. Is/are the affected structures can be transferred? a Yes b No

4. Type of business activity in affected house/structure (check the appropriate box and fill-up appropriate columns).

Monthly income in Thaka					
1	Lowest Income	2	Highest Income	3	Average Income
<input type="checkbox"/>	a	Variety store			
<input type="checkbox"/>	b	Tailoring/dress shop			
<input type="checkbox"/>	c	Eatery / restaurant			
<input type="checkbox"/>	d	Others			
<input type="checkbox"/>	e	none			

5. How much is your capital in running the business? Tk _____.

6. Measurement of affected structures.

	1	Total Floor Area(Sq.m.)	2	Affected Area (sq.m)	3	Remaining Area (sq.m)	4	Remaining Area to Total Area (%)
a		Residential house						
b		Rice bin						
c		Bathroom						
d		Animal cage						
e		Warehouse						
f		Utility shop						
g		Business shop						
h		School						
i		temple						

7. Estimated quantity of building materials that shall be replaced in affected structure/s.

Construction Materials to be replaced	Unit of Measure	Quantity						
		Ground	Floor	Wall	Roof	Total		
a	Grass for roofing	bundle						
b	Galvanized iron	meter						
c	Bamboo poles, 4 - 5" diameter	meter						
d	Rounded wooden poles 4 - 5" dia.	meter						
e	Square wooden poles 6" x 6"	meter						
f	Wood for walling 0.5" x 5"	board foot						
g	Wood 2" x 6"	bd. foot						
h	Concrete walls	Sq. meter						
i	Bamboo wall	Sq. meter						
j	Plywood (1/4)	Sq. meter						
k	Plywood (3/4)	Sq. meter						
l								
m								
n								

8. Nature of ownership on affected house or structure (check appropriate box).

<input type="checkbox"/>	a	Constructed out of own money	<input type="checkbox"/>	d	Rented from private owner
<input type="checkbox"/>	b	Inherited from parents or a relative	<input type="checkbox"/>	e	Provided by commune
<input type="checkbox"/>	c	Bought from previous owner (when _____)	<input type="checkbox"/>	f	Caretaker (name of the owner)

III. PROFILE OF AFFECTED LAND

1. The Affected Land and Present Use (fill-up the appropriate columns.)

	1	Agricultural	2	Residential	3	Commercial
a	Total Area (in acres)					
b	Area to be acquired (acre)					
c	Remaining Area (acre)					
d	% of remaining land to total area					

2. Status of ownerships (check appropriate box).

	1 Agricultural	2 Residential	3 Commercial
<input type="checkbox"/> a With Holding Number (Title)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> b Application for holding number being processed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> c Without holding number	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. If without holding number, what is the document that evidenced your ownership? _____.

4. Nature of land occupancy if the respondent is unregistered user of land (check appropriate box).

<input type="checkbox"/> a inherited from parents or a relative	<input type="checkbox"/> e Customary owner since birth
<input type="checkbox"/> b bought rights from previous owner	<input type="checkbox"/> e Provided by commune
<input type="checkbox"/> c developed with permission from government	<input type="checkbox"/> f Caretaker (name of real owner) _____
<input type="checkbox"/> d rented from private owner	

5. Crops grown in affected agricultural land and frequency of harvest in a year (check appropriate box).

	1 Once	2 Twice	3 Whole Year
a Rice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b Fruit vegetables	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c Leafy vegetables	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d Tubers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e Others (Specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Number of affected fruit trees or permanent crops in affected agricultural/residential land.

Name of Fruit Trees	1	1 - 3 years	2	4 - 5 Years & bearing fruit	3	6 - 8 Years & bearing fruit	4	9 Years/ more & bearing fruit
a Banana (whole)								
b Citrus								
c Coconut								
d Star apple								
e Jackfruit								
f Mango								
g Orange								
h Tamarind								
i								
j								

7. Are you willing to donate the land for the project? Yes No

8. Is there any other person or family that claims for ownership of the affected land that you occupy right now?
 Yes No

9. If yes, is the claim already filed in court? Yes No

10. Is the land currently mortgaged to any institution or pawned to any person? Yes No. If yes, how much it is mortgaged? Tk_____.

11. Where is money used for? _____.

12. When is the deadline imposed for you to redeem the property? _____.

13. Have you already been notified by the mortgagor or the person that the property will be repossessed?

Yes No

		d	Bicycles
		e	CD/VCD player

		g	Rickshaw
		h	cart

7. What pets or domestic animals do you raise in your house (check the appropriate box and their number on the second box).

		a	mature cow and/or bull
		b	young cow and/or bull
		c	mature carabao
		d	young carabao
		e	Horse

		d	goat
		e	chicken
		f	ducks
		g	others _____

8. Borrowing of money.

- a Do you have existing debt? Yes No
- b How much? Tk _____
- c From whom do borrow money? Bank relatives neighbors
- d How many times do you borrow money from relatives or neighbors in a month? _____ times.

9. What do you think would be the impacts of the proposed project in your household once implemented in your village? (check appropriate box)

	1. Good	2. Negative	3. Severe	4. None	5. No idea
a on present household income	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b in going to place of work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c in going of children to school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d on access to road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e in going to nearest city	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Name of neighbors.

- a Name of neighbor at right side of your house. _____
- b Name of neighbor at left side of your house. _____
- c Name of neighbor at the back of your house. _____

Respondent's Signature:

Surveyor's Signature:

Date: _____

Date: _____

People's Republic of Bangladesh
 Ministry of Local Government, Rural Development and Cooperative
 Department of Public Health Engineering
TA No. 4535 – BAN: Secondary Towns Water Supply and Sanitation Project

COMPENSATION AND ENTITLEMENT FORM (Temporary)

Name: _____ Spouse: _____

Address: _____

Reference: DMS Code _____

Compensation and Entitlement	Unit of Measure	Quantity	Unit Price	Amount
I. Monthly Rental				Tk
II. Affected Lands:				
Agricultural	Acre			
Residential	Acre			
Commercial	Acre			
Sub-Total				
III. Construction Materials				
	Pcs.			
	Pcs.			
	Pcs.			
	Pcs.			
	Pcs.			
	Pcs.			
	Pcs.			
	Pcs.			
Sub-Total				
IV. Other Assets				
Sub-Total				
V. Source of Income				
Sub-Total				
VI. Trees and/or Crops				
Sub-Total				
VII. Transportation Allowance				
Sub-Total				
VIII. Special Assistance Factors:				
Sub-Total				
Total Compensation				Tk

Conforme (Please sign over printed name):

Husband

Wife

Annex 3

People's Republic of Bangladesh
Ministry of Local Government, Rural Development and Cooperative
Department of Public Health Engineering
TA No. 4535 – BAN: Secondary Towns Water Supply and Sanitation Project

COMPENSATION AND ENTITLEMENT FORM

Name: _____ Spouse: _____

Address: _____

Reference: DMS Code _____

Details of Compensation	Amount
Monthly Rental	Tk
Compensation for Land	
Construction Materials	
Other Assets	
Loss Income	
Trees and/or Crops	
Transportation Allowance	
Special Assistance	
Total Compensation	Tk

Name of Recipient: _____

Signature : _____

Date Received : _____

Name and signature of releasing employee: _____

Name of Office : _____

Check Number : _____

Name of Bank: _____ Branch _____

Annex 4

Lists of Consultations with STWSSP Stakeholders and APs in Four Pilot Pourashavas

	Activity	Purpose	Participants	Venue
23 September-5 October 2005	Meetings and Consultations	To discuss WSS issues/concerns of the Pourashava	Pourashava chairman and other officials, Pourashava water officials, local NGOs, village leaders, representatives of other institutions like schools (10-15 participants per Pourashava)	Pourashava town halls
15 July-30 August 2005	Participatory Rapid Appraisal and HH SES	Generate information on the sub-project areas and collect information on the socioeconomic condition of potential target beneficiaries and APs	Village leaders, representatives of institutions like schools, public market, and mosques (9-10 participants per Pourashava) and respondents of sample (4,847) households representing high-, medium and low density areas in the Pourashava	Various venues in the Pourashava
15 July-15 August 2005	Focus Groups Discussions (7 sessions per Pourashava)	Discussion of WSS issues and concerns and perceived benefits and negative impacts on specific groups	Representatives of Pourashava WSS service providers, business sector, commercial and domestic water users, laborers, institutions, and women groups. (Per session, there were 10-12 participants for a total of 70-80 participants per Pourashava).	Various village meeting halls
18-28 August 2005	Meetings and consultations	Discuss potential impact and mitigating measures of land acquisition of sub-project component	Landowners, ROW users, village leaders, NGO representatives, and representative of institutions like school, etc. (10-15 participants per Pourashava)	Town meeting halls
19-30 January 2006	Transect walk and informal discussions with APs	Generate data on extent of temporary impacts on ROWs and road shoulders	Merchants, small business operators, ambulant vendors, homeowners. The number of respondents APs ranges from 50-65 per Pourashava for a total of 222 respondents)	Areas representing high-, medium-, and low-density areas in the Pourashava
19-30 January 2006	Meetings	Discuss impact of RP and mitigating measures	Town officials and representatives of business sector and community as well as local NGOs (12-14 participants per Pourashava)	Pourashava town halls