

Due Diligence Report

October 2019

Indonesia: Metropolitan Sanitation Management and Health Project – Medan City

Prepared by Directorate General of Human Settlements, Ministry of Public Works and Housing for the Republic of Indonesia and the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 31 October 2019)

Currency unit	–	Indonesian Rupiah (Rp)
Rp1.00	=	\$0,0000712099
\$1.00	=	Rp 14,043_____

NOTE{S}

- (i) The fiscal year (FY) of the Government of Indonesia and its agencies ends on 31 December. FY before a calendar year denotes the year in which the fiscal year ends, e.g., FY2011 ends on 31 December 2011
- (ii) In this report, "\$" refers to United States dollars.

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ACRONYMS AND ABBREVIATIONS

ADB	Asian Development Bank
AMDAL	<i>Analisis Mengenai Dampak Lingkungan (EIA/SIA)</i>
CMO	Commitment Making Officer/PPK (<i>Pejabat Pembuat Komitmen</i>)
DGHS	Directorate General of Human Settlements (<i>Direktorat Jenderal Cipta Karya</i>)
EIA/SIA	Environmental and Social Impact Assessment
MSMHP	Metropolitan Sanitation Management and Health Project
PDAM	<i>Perusahaan Daerah Air Minum</i> (Local Government's Water Supply Company)
Satker	<i>Satuan Kerja</i> /Working Unit
WWTP	Wastewater Treatment Plant (<i>IPAL/Instalasi Pengolahan Air Limbah</i>)

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EXECUTIVE SUMMARY

The Metropolitan Sanitation Management and Health Project (MSMHP) will provide improved urban wastewater services in two major cities in Indonesia: Medan City (North Sumatra Province) and Yogyakarta City (Special Region of Yogyakarta Province). Since project implementation in Yogyakarta has been completed, this report only covers project implementation in Medan City.

The required land for the Medan Subproject are: (i) land for Cemara WWTP optimization (97,636 m²) on Flamboyan Street; (ii) construction of two pump stations on Sidorukun Street (1,875 m²) and Masjid Taufik street (420 m²). All lands have been available and owned by the local government. Of the three lands, it's only land for pump station in Sidorukun is occupied by people. A due diligence was undertaken to record land acquisition process in the past for WWTP and pump stations, identify the impacts, and whether actions taken were in accordance with the resettlement principles and requirements set forth in the project (MSMHP) Resettlement Framework.

The due diligence conducted for this project shows that:

1. There is no land acquisition in this project. There is not any single person/household being displaced from housing by the project. There is no one who lost 10% or more of their productive (income-generating) assets.
2. Land acquisition for Cemara WTP was conducted officially and formally in 1984 between PTP II (seller) and PDAM Tirtanadi (buyer). There is not any record of complaint from any party regarding this land acquisition. There was no acquisition of any assets (e.g. land, structure, vegetation) that belong to community members/other party than PTP II.
3. There is no land acquisition for the two pump stations because the lands are owned by the government according to Government Regulation/PP No. 24/1997, although the lands have just been certificated in 2017.
4. Land clearing from private vegetation, dismantling of a small hut and leasing of a private front yard on Sidorukun pump station site are all conducted based on mutual agreement between the contractor and the owners. The contractor has given proper compensation for each affected persons. None of those three issues have degraded welfare of the affected persons. There is no complaint regarding these three issues from the affected persons.
5. All compensations for affected persons are established based on assessment (conducted by both parties) on the lost asset and mutual agreement between affected persons and the contractor. No complaints were registered during the land acquisition period.
6. Any grievances by local people, including those related to physical impact, social issues, land/assets acquisition etc., are addressed through the grievance redress mechanism (GRM). The GRM was available during AMDAL Study (EIA/SIA), is available in Medan City Government regular system and is available under this project. In all GRM, there is no record of complaint related to land acquisition and involuntary resettlement. Principles of RF's GRM have been applied, although the GRMs are not exactly the same.

Considering the facts mentioned above and the compliance described in this report, we conclude that land and other assets acquisition process for this project is in accordance with the principles and requirements set forth in the project Resettlement Framework (RF).

I. BACKGROUND

1. The Metropolitan Sanitation Management and Health Project (MSMHP) will provide improved urban wastewater services in two major cities in Indonesia: Medan City (North Sumatra Province) and Yogyakarta City (Special Region of Yogyakarta Province). The Project will respond to the needs of urban communities, including low-income households, by optimizing existing assets, expanding coverage, improving governance and building local institutional capacity for community-based and government-owned wastewater service providers and the local governments.

2. **Impact and Outcome.** The expected impact of the project is reduced environmental pollution of surface water and shallow groundwater in the participating cities of Medan and Yogyakarta. Reduced environmental pollution will benefit public health and improve quality of life for the population in these cities. The expected outcome of the project is increased access to improved wastewater services in the participating cities of Medan and Yogyakarta.

3. **Outputs.** The Project will provide three outputs: (i) community mobilization for improved health and hygiene (community-based sanitation); (ii) infrastructure development for sewerage (large scale civil works); and (iii) project implementation, and institutional development and capacity building support.

II. SCOPE AND APPROACH OF DUE DILIGENCE

4. The scope of this DDR is to report all required lands of each sub-component in Medan sub-project. It was identified that the required land for the Medan Subproject are: (i) land for Cemara WWTP optimization (97,636 m²) on Flamboyan Street; (ii) construction of two pump stations on Sidorukun Street (1,875 m²) and Masjid Taufik Street (420 m²).

5. This report is intended to assess whether land acquisition and other action (including action for relocation) were in accordance with the principles and requirements set forth in the project Resettlement Framework (RF).

III. LAND ACQUISITION ON EACH SUB-COMPONENT

3.1 CEMARA WASTEWATER TREATMENT PLANT ON FLAMBOYAN STREET

6. Cemara Wastewater Treatment Plant (WWTP) (sometimes called Pulobrayan WWTP) was built on 97,636 m² of land. The land was acquired by PDAM Tirtanadi from PT Perkebunan (PTP) II (now merged with PTP IX into PTPN II) in 1984, using local government's fund (APBD). The land was certificated in 1984, but the certificate was revised in 2017 to specifically mention the use of the land for WWTP (see the land certificate in Appendix 1). No implication from the certificate revision will affect this project.

7. The land was used as sugar cane plantation by PTP II. When the land was purchased by PDAM Tirtanadi, there was no acquisition of any assets (e.g. land, structure, vegetation) that belong to community members/other party than PTP II. Therefore there was no resettlement and social safeguard issues triggered by the land acquisition. There was also not any record/news about any complaint regarding this land acquisition.

8. The WWTP itself was developed in stages using ADB loan through Metropolitan Medan Urban Development Project (MMUDP) on 1985-1989 and Second Medan Urban Development

Project (SMUDP) on 1995-1997. In 2012, PDAM Tirtanadi built an additional pump station inside Cemara WWTP site, using ADB loan through MSMHP.

Table 1 Chronology Regarding Cemara WWTP

Date	Issues/Activities	Related Parties	Remarks
1984	Acquisition of 97,636 m ² of land for WTP development	Land seller: PTP II Land buyer: PDAM Tirtanadi	Using local government's fund (APBD). No history of involuntary resettlement (IR) and social safeguard issues.
1985-1989	Development of Cemara WWTP (stage 1)	Loan from ADB (MMUDP)	No history of IR and social safeguard issues.
1995-1997	Development of Cemara WWTP (stage 2)	Loan from ADB (SMUDP)	No history of IR and social safeguard issues.
2012	Development of additional pump station inside Cemara WWTP site	Loan from ADB (MSMHP)	No history of IR and social safeguard issues.

9. Current condition of Cemara WWTP can be seen below.



Figure 1 Current Condition of Cemara WWTP on Flamboyan Street

3.2 PUMP STATION ON SIDORUKUN STREET

10. Area for pump station in Sidorukun Street includes 1,875 m² of land. There was no record of entitlement to the land and according to Government Regulation/PP No. 24/1997, such land is owned by The Government. The certificate of the land was filed by The Government of North Sumatera on January 2017 (see Appendix 2). There were no claims from community members for the land, but before the construction started (November 2018) the contractor found that there were three issues regarding the land clearing process. They are as follows.

- The use of the site for planting by four community members
- The use of the site for small hut by one community member
- The need for entrance to transport heavy equipment to the site

11. Four community members used the land for occasional planting, namely: Mr. Marioso (freelance gardener), Mr. Marioso's wife (laundry service provider), Mr. Zulkifli (private employee) and Mr. Purba (merchant). The profile of those four affected persons is as follows.

Table 2 Profile of Affected Persons (Planters) on Sidorukun Pump Station Site

Name	Address	Occupation	Remarks
Mr. Marioso	Pulo Brayan Darat II, Medan Timur, Kota Medan	Freelance gardener	His average income is between Rp 3,500,000 to Rp 4,500,000 per month. It's higher than local minimum wage in North Sumatera and Medan City ¹
Mrs. Marioso	Pulo Brayan Darat II, Medan Timur, Kota Medan	Laundry service provider	Her average income is between Rp 2,500,000 to Rp 3,000,000 per month. It is higher than provincial minimum wage and lower than city minimum wage, but she is not the main source of family income (she is the wife of Mr. Marioso mentioned above)
Mr. Zulkifli	Pulo Brayan Darat II, Medan Timur, Kota Medan	Private Employee	His average income is about Rp 6,000,000 per month. It's higher than local minimum wage in North Sumatera and Medan City.
Mr. Fadlan Purba	Pulo Brayan Darat II, Medan Timur, Kota Medan	Merchant (He is also owner of the dismantled small hut on Sidorukun Pump Station)	Together with his wife (from merchant business), their average income is between Rp 5,000,000 to Rp 6,500,000. It's higher than local minimum wage in North Sumatera and Medan City

12. According to the RF, *vulnerable households are distinct groups of people who might suffer disproportionately of face the risk of being further marginalized by the effects of resettlement. These*

¹ According to North Sumatera Governor's Decree No. 188.44/1365/KPTS/2018 regarding Local Minimum Wage (*UMP dan UMK/Upah Minimum Provinsi dan Upah Minimum Kabupaten/Kota Tahun 2019*), minimum wage in North Sumatera in 2019 is Rp 2,303,403 and minimum wage in Medan City in 2019 is Rp 2,969,824.

are female-headed households with dependents, disabled household heads, households falling under the generally accepted indicator for poverty, women, children and elderly who are landless and with no other means of support, landless households, ethnic minorities. Profile of the planters presented in above table has clearly shown that they are not vulnerable households.

13. The vegetation found on the site consisted of banana, pawpaw, cassava, chayote, sweet potato, eggplant and caladium. Most part of the vegetation belonged to Mr. Marioso and his wife. Regarding this issue, the contractor conducted negotiation with Mr. Marioso and as the result; the planters have cut down the plants voluntarily and all existing crops were taken first by the planters.



Figure 2 Vegetation on Sidorukun Pump Station Site Before Being Cut Down



Figure 3 Sidorukun Pump Station Site After Being Cleared from Vegetation

14. Based on interview with the planters, they only plant the vegetation for own use, not for sale/business activity. Therefore, their incomes were not affected by this land clearing. Based on discussion between contractor and the planters compensation for the affected persons were as follows:

- The planters agreed to clear the land on Sidorukun pump station site from all vegetation.

- Given difficulty to assess the value of the plants (only cultivated occasionally and number of plants were various in each period), the compensation given to the affected persons was Rp 3 million (referring to the minimum wage in Medan City 2019). There were no other corrective actions needed for this compensation.
- Mr. Marioso and Mr. Purba were hired by the contractor as night watchmen on Sidorukun site (although after 2 months, Mr. Purba quitted voluntarily because he wanted to focus on his main job).

15. Chronology regarding land clearing on Sidorukun pump station site from vegetation can be seen on Appendix 3, while the agreement letter can be seen on Appendix 4.

16. Dismantling of a small hut on Sidorukun pump station site, which was illegally built by a community member. The hut was owned by Mr. Purba with coverage area about 20 m² and the building structure was combination of bricks, woods, bamboos and zincs. The hut itself was used by the owner's family only as kitchen, while they conduct trading on a cart parked nearby. When the hut was being dismantled and after completion, Mr. Purba's family conducts the cooking in their house nearby and still conducts trading on the initial cart (their average income is about Rp 5 million to Rp 6.5 million per month). Therefore, their incomes were not affected by this activity.

17. Based on series of discussions, compensation for Mr. Purba were as follows:

- Based on assessment to the loss structure of the hut (see explanation about the structure in above paragraph), it was identified that the value of the hut was about Rp 500,000/m²). Therefore, compensation given to Mr. Purba was Rp 10 million. There was no other corrective action needed for this compensation.
- The contractor hired Mr. Purba to become night watchmen on Sidorukun pump station site but he decided to quit after 2 months because he wanted to focus on the trading activities.

18. Hut dismantling chronology can be seen in Appendix 5, while the minutes of meeting and other documentation can be seen in Appendix 6 and 7.

19. It was identified that the contractor (PT Nindya Karya) need to use the front yard of a private house (owned by Mr. Lubis) to bring heavy equipment to Sidorukun pump station site. Regarding this issue, the contractor conducted assessment and it was identified that the area to be leased was about 36 m². Unit price of each square meter land leasing in that area was about Rp 45.000/m²/month (based on market survey). Therefore, compensation given for the lease of 36 m² land owned by Mr. Lubis for 6 months was Rp 10 million. Discussion was carried out on 1 December 2018 and the agreement was reached on 6 December 2018. The contractor also agreed to restore back the yard (including the fence) after leasing period ends (leasing period was December 2018 to May 2019). The chronology of this issue can be seen in Appendix 8, while the leasing agreement letter is on Appendix 9.

20. The condition of the front yard before being leased, during leasing period and after being restored back by the contractor can be seen in the following figures.



Figure 4 Front Yard of The House Before Being Leased by The Contractor



Figure 5 The Front Yard During Leasing Period



Figure 6 The Front Yard After Being Restored Back by The Contractor

3.3 PUMP STATION ON MASJID TAUFIK STREET

21. Area for pump station in Masjid Taufik Street includes 420 m² of land. There was no record of entitlement to that land and according to Government Regulation/PP No. 24/1997, such land is owned by The Government. The certificate of the land was filed by The Government of North Sumatera on January 2017 (see Appendix 10). There was no acquisition of land, buildings, vegetation or other private properties for the construction of this pump station. There were also no claims from community members for the land.

IV. OTHER PUBLIC CONSULTATIONS AND DISSEMINATIONS

22. **Public consultation and social survey during AMDAL Study (EIA/SIA) of the project plan.** These activities were conducted in 2013 and the result of AMDAL Study has been approved by Governor of North Sumatera on August 2014. Through these consultation and social survey, community members were informed about the project plan and they were given opportunity to state their claims should there be any private land/properties/assets were about to be affected by this project. Previous reports show that there were no such claims from community members. Topics discussed in the public consultation mainly about concerns of traffic jam, road damage, dirt spills on the road, dust on the air, noise and other environmental issues that might occur from the project. The project proponent has been also providing grievance redress mechanism since then, but there are no records of community members claiming any private properties affected by the project. Chronology on AMDAL study can be seen in Appendix 11.

23. **Socialization of the project before and during construction activities.** From February to April 2019, 14 socialization meetings have been conducted by project proponent, contractor and supervision consultant on community-level to build public awareness towards the project and sanitation issues in general. Project proponent also announces the grievance redress mechanism in these meetings and discusses possibilities of local business being disturbed during construction. Similar meetings will be conducted in the following months on other locations. Chronology on project socialization can be seen in Appendix 12.

24. In pipelines installation activities; the specific plan, method and schedule have been socialized to local community through several meetings. When any specific segment of the road is closed because of the civil work, the contractor and local Government Leaders have provided alternative way to reduce traffic problems. Community members who have business activities on that specific segment of the road have been told of the road closure plan and they accept this activity as long as the contractor immediately close the digging holes so that the road closure in each segment doesn't take place too long. The use of jacking system by the contractor also have minimized disturbance to the community.

V. GRIEVANCE REDRESS MECHANISM

25. Grievance redress mechanism (GRM) regarding land acquisition in this project was attached to the GRM during AMDAL study (EIA/SIA) and GRM applicable in Medan City Government. The GRM during AMDAL Study can be seen in the following figure.

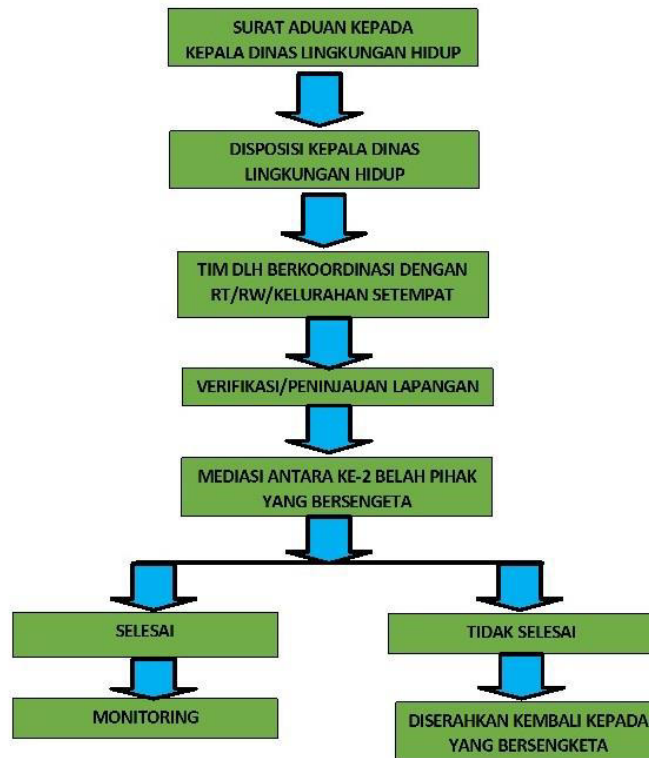


Figure 7 Grievance Redress Mechanism during AMDAL Study (EIA/SIA)

26. GRM applicable in Medan City Government does not have a specific flowchart, but the City Government always displays channels available for public complaint and they also provide complaint form in their website (<https://pemkomedan.go.id/hubungi-kami.html>), as seen in the following figure.

Jl. Kapten Maulana Lubis No 1 Medan
12740 Indonesia
Telp : 061-4535179
Fax: 061 - 4528124 (Sub Bagian Protokol)
Email: kominfo@pemkomedan.go.id, Telp: 061-4524550
Hari Kerja: Senin - Sabtu, Jam Kerja: 09.00 - 21.00 WIB

Online Support

Form Hubungi Kami

Nama

Email

Subjek

Pesan

Figure 8 Form for Complaint Available in The Official Website of Medan City Government

27. Basic principles of the GRM from RF have been applied in those GRMs, although the GRMs are not exactly the same. Both authorities of AMDAL mechanism and Medan City Government used GRMs that have already applied legally. It would take very long bureaucracy if they had to change the law to legally apply GRM from RF.

28. Aside from those mechanisms, citizens of Medan City are used to file any complaints regarding government's projects directly to local mass media (local radio, local newspaper, local TV). Both on those mechanisms and local mass media, there are no records of complaint regarding land acquisition for this project.

VI. COMPLIANCE WITH PROJECT'S PRINCIPLES IN RESETTLEMENT FRAMEWORK

29. Regarding land acquisition, implementation of this project has complied with this project's principles described in the resettlement framework, as seen in the following table.

Table 3 Compliance with Project's Principles

Project's Principles (As Described in RF)	Compliance
Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operation and engineering solutions that have the least impact on populations in the project area.	<p>Land acquisition has been avoided because all project components have been and will be developed in lands that are already owned by the Government.</p> <p>Optimization in Cemara WWTP was conducted inside the land that has been purchased by PDAM Tirtanadi before this project started. There is no history of involuntary resettlement and social safeguard issues regarding land acquisition for Cemara WWTP.</p> <p>Lands for pump stations in Sidorukun Street and Masjid Taufik Street are owned by the government according to PP No. 24/1997.</p> <p>There is no involuntary resettlement and social safeguard issues regarding pump station development in Masjid Taufik Street.</p> <p>Assets (vegetation and small hut) acquisitions on Sidorukun pump station site are unavoidable, but acquisition process has been conducted according to project's principles.</p>
No land acquisition or site clearing will be done for the right-of-way (ROW) or public land of a subproject or component of the Project until and after the RP has been approved both by the Directorate General of Human Settlements and ADB, and until and after all entitlements due to the APs as provided for under the approved RP have been given.	There is no land acquisition in this project as land for the project has been owned by the local government. Land in Sidorukun was used by people and compensation payment for the non-land assets has been provided to the APs prior to the civil works commencement. No resettlement plan (RP) or Due Diligence Report (DDR) on the available land was prepared before the land clearing and therefore this DDR is prepared to address the issue.
Affected people residing, working, doing business and/or cultivating land within the project impacted areas as of the date of the latest census and detailed measurement survey, irrespective of tenure status, are entitled to compensation and/or assistance sufficient to improve or at least maintain their pre-project living standards, income earning capacity and production levels.	<p>Affected people in Sidorukun pump station site (planters, small hut owner and front yard owner) have received proper compensation and this project does not degrade their welfare.</p> <p>The vegetation was planted for self-use only, not for business purpose. All the planters have their own incomes, which are higher than local minimum wage in Medan City. Therefore their incomes are not affected by this project.</p> <p>The small hut owner still conducted trading in his cart while dismantling the hut and he still conducts trading after the hut has been dismantled because the hut was only used as kitchen. While the hut was being dismantled and after it has been dismantled, the owner cooks in his own house nearby and still conducts trading in the cart parked nearby.</p>

	<p>The house owner whose front yard was leased by the contractor did not use his front yard for any business activities. He has his own income from his own job.</p> <p>Therefore all affected people still maintain their pre-project living standards.</p>
<p>If the project communities or individuals decide to make voluntary contribution of the affected land for the project activities, this shall be acceptable only if the following safeguards are met: (i) ensuring that land donations do not severely affect to the living standards of affected people, and are linked directly to benefits for the affected people; (ii) any voluntary "land donation" will be confirmed through verbal and written record and verified by an independent third party such as a designated non-government organization; (iii) Full consultations with the land owners and any non-titled affected people on site selection; and (iv) no affected people (AP) categorized as poor household are allowed to donate their land or other economic assets for the project activity.</p>	<p>There is no land donation in this project.</p>
<p>Lack of legal rights to the assets lost or adversely affected tenure status and social or economic status will not bar the AP from entitlements to such compensation, assistance and rehabilitation measures.</p>	<p>Planters in Sidorukun pump station site planted their vegetation illegally on government's land, but they were consulted and have received proper compensation for the vegetation.</p> <p>Merchant in Sidorukun pump station site built the small hut illegally on government's land, but he was consulted and has received proper compensation for the dismantled hut.</p>
<p>APs will be fully consulted and given the opportunity to participate in matters that will have adverse impacts on their lives during the design, RP preparation and implementation.</p>	<p>All affected people in Sidorukun pump station site have been consulted and actively involved in negotiation process to reach agreement regarding compensation value.</p>
<p>Temporarily affected land and communal/public infrastructure will be restored to pre-project conditions</p>	<p>The front yard leased on Sidorukun pump station site has been restored back to its initial state. There is no complaint from the house owner.</p> <p>Same issues related to civil work will be addressed in the social safeguard and resettlement monitoring reports.</p>
<p>Shop owners and operators will be allowed to construct a replacement of their stalls before demolishing the existing ones in order to minimize, if not avoid, income loss arising from the disruption of business operation.</p>	<p>Small hut owner in Sidorukun pump station site still conducts trading while dismantling the hut and after the hut has been dismantled because the hut was only used as kitchen and the cooking activity is relocated to his house nearby, while the trading was and is conducted on the cart parked nearby.</p> <p>Same issues related to civil work will be addressed in the social safeguard and resettlement monitoring reports.</p>
<p>There shall be effective mechanisms for hearing and resolving grievances</p>	<p>There is no land acquisition in this project.</p> <p>There is not any single person/household being displaced from their</p>

during implementation of the land acquisition and resettlement plans.	<p>housing by this project.</p> <p>Acquisitions of assets on Sidorukun pump station site have been consulted with each asset owner.</p> <p>Grievance redress mechanism has been applied.</p>
Existing cultural and religious practices shall be respected and, to the maximum extent possible, preserved.	There is no disturbance from this project to any cultural and religious practices.
Special measures will be incorporated in the RPs and in complementary mitigation and enhancement activities to protect socially and economically vulnerable groups at high risk of impoverishment, such as indigenous peoples, women-headed families, disabled-headed households, landless households, children and elderly people without support structures, and people living in poverty. Appropriate assistance will be provided to help them improve their socio-economic status.	<p>There are no vulnerable person/people/groups identified in this project.</p> <p>All affected people in this project are not eligible for special assistance for vulnerable groups as defined in RF. However, the project offered an affected person as a night guard.</p>
Adequate resources will be identified and committed during land acquisition and resettlement planning. This includes adequate budgetary support fully committed and made available to cover the costs of land acquisition, compensation, resettlement and rehabilitation within the agreed implementation period for the Project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.	<p>There is no land acquisition in this project.</p> <p>There is not any single person/household being physically displaced from their housing by this project.</p> <p>All costs related to compensation and rehabilitation comes from the contractor's overhead cost budget.</p> <p>Social safeguard and resettlement issues will be monitored by Satker PSPLP of North Sumatera and by <i>Social Safeguard and Resettlement Specialist</i> mobilized by Supervision Consultant.</p>
Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system.	Reporting, monitoring and evaluation mechanism have been applied involving the contractor, supervision consultant, Satker PSPLP of North Sumatera, CPMU and ADB.
The RPs or their summaries will be translated into Bahasa Indonesia and, where necessary, other local languages and placed in the village offices for the reference of APs as well as other interested groups.	Indonesian version of this Due Diligence Report will be available in contractor's site office and village office, and can be accessed by any interested groups.
The EA will not issue notice to proceed for any civil works contract for any given geographic location, subproject, component, sub-component or zone unless the Government has satisfactorily completed, for that given location, subproject, component or	<p>All affected people identified in this project have received proper compensation. There is no complaint regarding the assets acquisition and the compensation value.</p> <p>Same issues related to civil work will be addressed in the social safeguard and resettlement monitoring reports.</p>

<p>zone, payment of compensation for affected assets and any relocation to new sites, in accordance with the approved RP for that geographic location, subproject, component, subcomponent or zone. Livelihood restoration measures must also be in place but not necessarily completed, as these may be ongoing activities.</p>	
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VII. CONCLUSIONS AND RECOMMENDATIONS

30. Conclusions:

- a. There is no land acquisition in this project. There is not any single person/household being displaced from housing by the project. There is no one who lost 10% or more of their productive (income-generating) assets.
- b. Land acquisition for Cemara WTP was conducted officially and formally in 1984 between PTP II (seller) and PDAM Tirtanadi (buyer). There is not any record of complaint from any party regarding this land acquisition. There was no acquisition of any assets (e.g. land, structure, vegetation) that belong to community members/other party than PTP II.
- c. There is no land acquisition for the two pump stations because the lands are legally owned by the government according to Government Regulation/PP No. 24/1997, although they have just been certificated in 2017.
- d. Land clearing from private vegetation, dismantling of a small hut and leasing of a private front yard are all conducted based on mutual agreement between the contractor and the owners. The contractor has given proper compensation for each affected persons. None of those three issues have degraded welfare of the affected persons. There is no complaint regarding these three issues from the affected persons.
- e. All compensations for affected persons are established based on assessment (conducted by both parties) on the lost asset and mutual agreement between affected persons and the contractor. No complaints were registered during the land acquisition period.
- f. Any grievances by local people, including those related to physical impact, social issues, land/assets acquisition etc., are addressed through the grievance redress mechanism (GRM). The GRM was available during AMDAL Study (EIA/SIA), is available in Medan City Government regular system and is available under this project. In all GRM, there is no record of complaint related to land acquisition and involuntary resettlement. Principles of RF's GRM have been applied, although the GRMs are not exactly the same.


31. **Recommendations:** To further assess whether the project implementation is in accordance with social safeguard aspects, we suggest that a monitoring activity takes place and the monitoring result should be included in the semiannual social monitoring report.

Appendix 1: Land Certificate of Cemara WWTP

AU 587497		DAFTAR ISIAN 206	
BADAN PERTANAHAN NASIONAL			
			
SERTIPIKAT			
HAK : GUNA BANGUNAN No. 2245.			
PROPINSI :		SUMATERA UTARA	
KABUPATEN / KOTAMADYA :		MEDAN	
KECAMATAN :		MEDAN AREA	
DESA / KELURAHAN :		SEI RENGAS II	
KANTOR PERTANAHAN KABUPATEN / KOTAMADYA MEDAN		DAFTAR ISIAN 307 No. 72004 DAFTAR ISIAN 208 No. 0631 / 2004	
02.01.14.08.5.02245			

PENDAFTARAN - PERTAMA

Halaman :

<p>a) HAK : GUNA BANGUNAN No. : 6279 Desa / Kel. : Sampali Tgl. berakhirnya hak : 21 - 06 - 2037 b) NIB 02.04.26.09.09750 Letak Tanah</p>	<p>f) NAMA PEMEGANG HAK PERUSAHAAN DAERAH AIR MINUM TIRTANADI PROVINSI SUMATERA UTARA Berkedudukan di Medan Tanggal lahir / akta pendirian</p>
<p>c) ASAL HAK 1. Konversi 2. Pemberian hak 3. Pemecahan / Pemisahan / Penggabungan bidang</p>	<p>g) PEMBUKUAN Lubuk Pakam , Tgl. 14 AUG 2017 Kepala Kantor Pertanahan Kabupaten / Kota Deli Serdang tid</p>
<p>d) DASAR PENDAFTARAN 1. Daftar Isian 202 Tgl. No. 2. Surat Keputusan Ka. Kanwil Prov. Suh) Tgl. 21 - 06 - 2017 No. 16/HGB/BPN.12/VI/2017 3. Permohonan Pemecahan / Pemisahan / Penggabungan bidang Tgl. No.</p>	<p>h) PENERBITAN SERTIPIKAT Lubuk Pakam , Tgl. 14 AUG 2017 Kepala Kantor Pertanahan Kabupaten / Kota Deli Serdang  Drs. HISKIA SIMARMATA, M.Si NIP 19680806 199303 1 003</p>
<p>e) SURAT UKUR Tgl. 29 - 03 - 2017 No. 488/Sampali/2017 Luas. 97.636.- M²</p>	<p>i) PENUNJUK Untuk Instalasi Pengolahan Air Limbah. Bekas Hak Pakai No. 03/Sampali</p>

Platzman :

Sebab perubahan, Tanggal pendaftaran, No. Daftar isian	Nama yang berhak dan Pemegang hak lain-lainnya	Tanda tangan Kepala Kantor dan Cap Kantor
<ul style="list-style-type: none"> - Penerima hak wajib menggunakan dan memanfaatkan tanah tersebut untuk Instalasi Pengolahan Air Limbah, dan tidak menelantarkan tanahnya; - Penerima hak diwajibkan bersedia dilakukan monitoring penguasaan, penggunaan dan pemanfaatan tanah oleh Kepala Kantor Wilayah Badan Pertanahan Nasional Provinsi Sumatera Utara dalam hal ini Kepala Kantor Pertanahan Kabupaten Deli Serdang. 		

BW 038969

DAFTAR ISIAN 207

02.04.26.09.3.06279

NIB : 02.04.26.09.09750

SURAT UKUR

Nomor : ~~481 / Sampali / 2017~~
480 / Sampali / 2017

SEBIDANG TANAH TERLETAK DALAM

Provinsi : Sumatera Utara

Kabupaten / Kota : Deli Serdang

Kecamatan : Percut Sei Tuan

Desa / Kelurahan : Sampali

Peta : Pendaftaran

Nomor Peta Pendaftaran : 138 / 1998

Lembar : 47.1-51.270-13 Kotak : 6 / C

Kedudukan Tanah : Sebidang tanah diatasnya terdapat bangunan

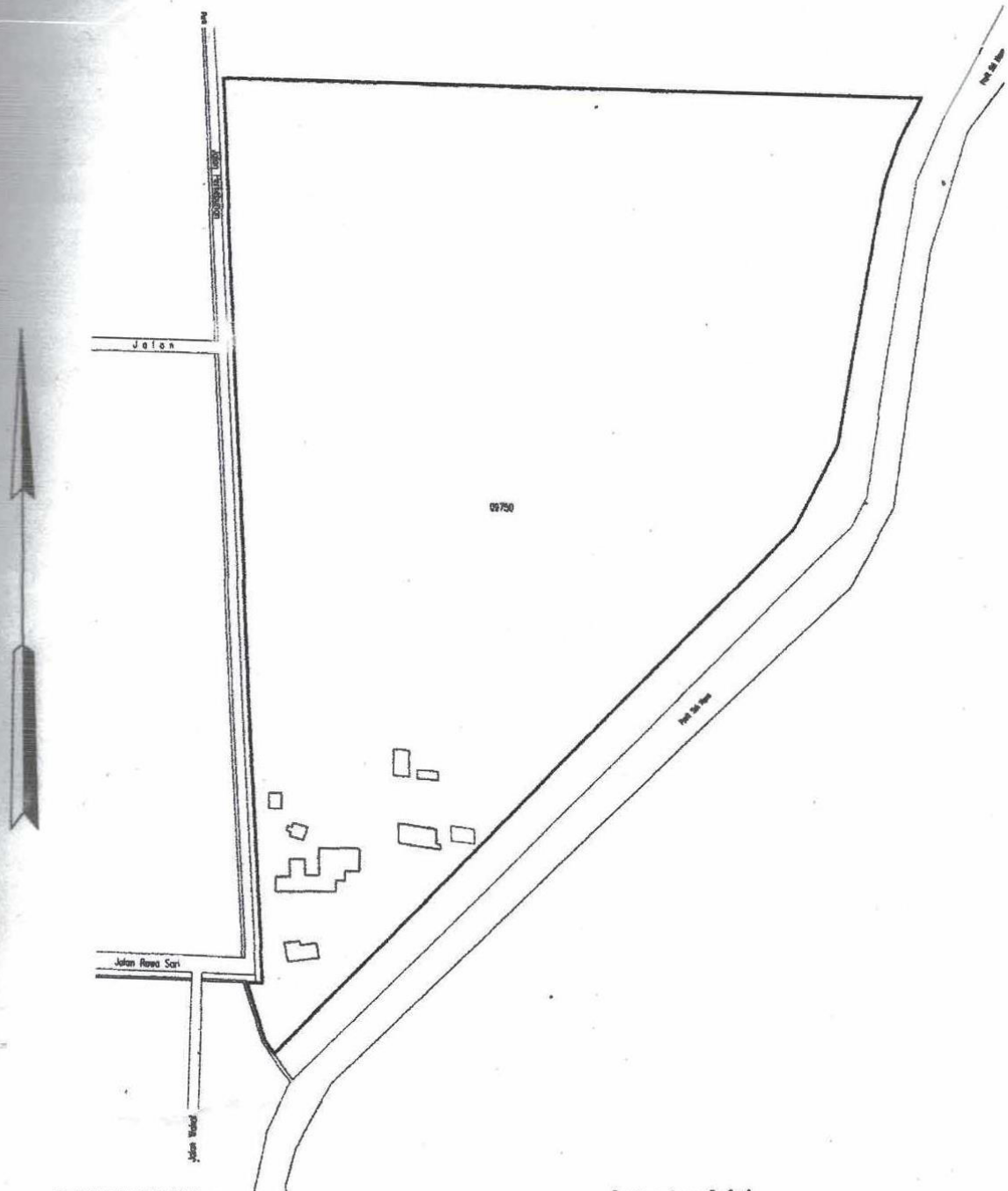
Tanda-tanda batas : Terdiri dari patok besi telah sesuai dengan Peraturan Menteri Negara Agraria / Kepala Badan Pertanahan Nasional Nomor : 3 tahun 1997

Luas : 97.636, -M² (Sembilan puluh tujuh ribu enam ratus tiga puluh enam meter persegi)

Penunjukan dan penetapan batas : Batas-batas ditunjuk oleh : ROSMAIDA TETTY SIHOMBING, SE
CQ. PDAM TIRTANADI
PROV. SUMATERA UTARA
Petugas Ukur : NIKODEMUS SIMARMATA



SKALA 1 : 2500



PENJELASAN : batas tanah ini

Nomor hak :

Appendix 2: Land Certificate of Sidorukun Pump Station

24 45726

DAFTAR ISIAN 206

**BADAN PERTANAHAN NASIONAL
REPUBLIK INDONESIA**



SERTIPIKAT
(TANDA BUKTI HAK)

KANTOR PERTANAHAN
KABUPATEN / KOTA
M E D A N

02	01	16	03	4	00019
----	----	----	----	---	-------

**BADAN PERTANAHAN NASIONAL
REPUBLIK INDONESIA****SERTIPIKAT**

HAK : _____ Pakai No. 00019

PROVINSI : Sumatera Utara
KABUPATEN / KOTA : Medan
KECAMATAN : MEDAN TIMUR
DESA / KELURAHAN : PULO BRAYAN DARAT II

KANTOR PERTANAHAN
KABUPATEN / KOTA

Kota Medan

DAFTAR ISIAN 307

No. 4153 / 2017 ✓

DAFTAR ISIAN 208

No. 2304 / 2017 ✓

PENDAFTARAN - PERTAMA

Halaman 1

<p>a) HAK</p> <p>No. : 00019</p> <p>Desa / Kel. : PULO BRAYAN</p> <p>Tgl. berakhirnya : DARAT II</p> <p>selama diper-</p> <p>b) NIB : 02011603.00233</p> <p>Letak Tanah : Jl. Sidorukun</p>	<p>f) NAMA PEMEGANG HAK</p> <p>PEMERINTAH PROVINSI SUMATERA UTARA CQ. DINAS PENATAAN RUANG DAN PEMUKIMAN PROVINSI SUMATERA UTARA</p> <p>Tanggal lahir / akta pendirian</p>
<p>c) ASAL HAK</p> <p>1. Konversi</p> <p>2. Pemberian hak</p> <p>atas tanah yang dikuasai</p> <p>langsung oleh NEGARA</p> <p>Pemecahan / Pemisahan /</p> <p>Penggabungan bidang</p>	<p>g) PEMBUKUAN</p> <p>MEDAN, 26.1.2017</p> <p>Kepala Kantor Pertanahan</p> <p>Kabupaten / Kota</p> <p>Kota Medan</p> <p>titid</p> <p>h) PENERBITAN SERTIPIKAT</p> <p>MEDAN, 26.1.2017</p> <p>Kepala Kantor Pertanahan</p> <p>Kabupaten / Kota</p> <p>Kota Medan</p> <p></p> <p>NIP : Saiful, S.P., M.H. 196304251986031002</p>
<p>d) DASAR PENDAFTARAN</p> <p>1. Daftar Isian 202</p> <p>Tgl.</p> <p>No.</p> <p>2. Surat Keputusan Kepala Kantor</p> <p>Tgl. 11/10/2016 Pertanahan Kota Medan</p> <p>No. 10/HP/RPN-12.71/2016</p> <p>3. Permohonan Pemecahan /</p> <p>Pemisahan / Penggabungan bidang</p> <p>Tgl.</p> <p>No.</p>	<p>h) PENERBITAN SERTIPIKAT</p> <p>MEDAN, 26.1.2017</p> <p>Kepala Kantor Pertanahan</p> <p>Kabupaten / Kota</p> <p>Kota Medan</p> <p></p> <p>NIP : Saiful, S.P., M.H. 196304251986031002</p>
<p>e) SURAT UKUR</p> <p>Tgl. 03/01/2017</p> <p>No. 00315 PULO BRAYAN DARAT II/2016</p> <p>Luas. 1875 m²</p>	<p>h) PENERBITAN SERTIPIKAT</p> <p>MEDAN, 26.1.2017</p> <p>Kepala Kantor Pertanahan</p> <p>Kabupaten / Kota</p> <p>Kota Medan</p> <p></p> <p>NIP : Saiful, S.P., M.H. 196304251986031002</p>
<p>i) PENUNJUK No. 2304 /2017.</p> <p>digunakan untuk kepentingan dinas untuk tapak bangunan kantor.-</p>	

BX 416726

DAFTAR ISIAN 207

02.01.16.03.4.00019

NIB : 02011603.00233

SURAT UKUR

Nomor : 00335/PULO.BRAYAN DARAT II/2016

SEBIDANG TANAH TERLETAK DALAM

Provinsi : Sumatera Utara

~~Kabupaten~~ / Kota : Medan

Kecamatan : MEDAN TIMUR

~~Kelurahan~~ : PULO BRAYAN DARAT II

Jenis : PERLUASAN

Nomor Peta Pendaftaran : 47.1-51.270-13-2/A4

Luas : 10

Kotak : G6

Kondisi Tanah : Tanah Kosong

Tanda-tanda batas : Patok Besi dan Tembok Permanen Telah Sesuai dengan

Peraturan Menteri Negara Agraria Ka.BPN No. 3/1997

Luas : 1875 m2 (Seribu Delapan Ratus Tujuh Puluh Lima Meter Persegi)

Penunjukan dan penetapan batas : Ir. Suherman qq Pemerintah Provinsi Sumatera Utara

cq Dinas Penataan Ruang dan Pemukiman Provinsi

Sumatera Utara (Pemohon)

Diukur dan Digambar Oleh : Ivan Daniel Gultom



SKALA 1 : 1000



PENJELASAN : _____ batas tanah ini

Appendix 3: Chronology Regarding Land Clearing on Sidorukun Pump Station Site

Date	Issues/Activities	Related Parties	Remarks
13 Nov. 2018	Survey to the Sidorukun pump station site	Conducted by the contractor (PT Nindya Karya)	Findings: 1) The land is owned by Provincial Government of North Sumatera; 2) There was vegetation illegally planted by local community members on the land.
4 Dec. 2018	Joint survey to the Sidorukun pump station site	Conducted by the contractor, supervision consultant (PT Arkonin EMP) and <i>Satker</i> PSPLP of North Sumatera	Conducted to confirm findings from the first survey (13 Nov. 2018)
9 Dec. 2018	Discussion with community members who planted vegetation on the Sidorukun pump station site	Initiated by the contractor. Planters: Mr. Marioso, Mrs. Marioso, Mr. Zulkifli and Mr. Purba	The contractor explained the project and the plan to build a pump station on the land. The planters agreed to clear the land/cutting down the plants voluntarily. The contractor gave Rp 3 million as compensation for the planters.
11-12 Dec. 2018	The planters cleared the land/cut down their plants Existing crops were taken by the planters	Conducted by the planters voluntarily	As agreed on the previous discussion (9 Dec. 2018)

Appendix 4: Minutes of Meeting Regarding Land Clearing on Sidorukun Pump Station Site

BERITA ACARA KESEPAKATAN

Pada hari ini, hari Minggu tanggal 9 Desember 2018, berdasarkan hasil diskusi dengan perwakilan PT Nindya Karya (Persero), saya yang bertanda tangan di bawah ini:

Nama : Marioso

Tempat/tanggal lahir : Medan, 10 Mei 1961

Alamat : Jl. Sidorukun Gg. Bakaranbatu No. 8, Kelurahan Pulo Brayan Darat II
Kecamatan Medan Timur, Kota Medan

Bertindak untuk dan atas nama pribadi serta 3 orang pemilik tanaman lainnya di lahan bakal lokasi rumah pompa di Jl. Sidorukun, menyatakan sebagai berikut.

1. Memahami bahwa lahan yang dipakai sebagai tempat menanam tersebut adalah lahan milik Pemerintah Provinsi Sumatera Utara yang akan dipakai sebagai lokasi pembangunan rumah pompa untuk kepentingan umum.
2. Bersedia membersihkan lahan tersebut dari seluruh tanaman yang ada di atasnya untuk memperlancar kegiatan pembangunan rumah pompa. Pembersihan lahan akan diselesaikan paling lambat 5 (lima) hari setelah kesepakatan ini.
3. Menyatakan menyetujui dan telah menerima kompensasi sebesar Rp 3.000.000,00 (tiga juta rupiah) sebagai biaya pengganti pembersihan lahan dari seluruh tanaman sebagaimana dimaksud pada butir 2 di atas.

Demikian butir-butir ini kami sepakati secara sukarela tanpa paksaan dari pihak mana pun.

Medan, 9 Desember 2018



Marioso

PROVINSI SUMATERA UTARA	
KOTA MEDAN	
NIK	: 1271201005610004
Nama	: MARIO SO
Tempat/Tgl. Lahir	: MEDAN, 10-05-1961
Sex/Kelamin	: LAKI-LAKI
Alamat	: JL. SIDORUKUN GG. BAKARAN BATU NO. 8
RT/RW	: 7/7
Kel/Desa	: PULO BRAYAN DARAT II
Kecamatan	: MEDAN TIMUR
Agama	: ISLAM
Status Perkawinan	: KAWIN
Pekerjaan	: WIRASWASTA
Kewarganegaraan	: WNI
Valid Hingga	: 10-05-2017



KOTA MEDAN
30-05-2012

[Signature]

Appendix 5: Chronology Regarding Dismantling of Small Hut on Sidorukun Pump Station Site

Date	Issues/Activities	Related Parties	Remarks
13 Nov. 2018	Survey to the Sidorukun pump station site	Conducted by the contractor (PT Nindya Karya)	Findings: 1) The land is owned by Provincial Government of North Sumatera; 2) There was a small hut illegally built by a community member (Mr. Purba) on the land.
4 Dec. 2018	Joint survey to the Sidorukun pump station site	Conducted by the contractor, supervision consultant (PT Arkonin EMP) and <i>Satker</i> PSPLP of North Sumatera	Conducted to confirm findings from the first survey (13 Nov. 2018)
21 Feb. 2019	Negotiation with the owner of small hut on Sidorukun pump station site	Initiated by the contractor and supervision consultant. Small hut owner: Mr. Parlan Purba.	This was a follow-up of finding from previous survey (13 Nov. 2018). Conclusions: 1) Hut owner agreed to move the hut about 2.4 meters away from initial spot; 2) Hut owner can still conduct trading in the new spot as long as the hut activity does not interfere with construction activity; 3) Hut owner agreed to dismantle the hut permanently when the land of the hut is needed for construction; 4) The contractor agreed to hire the hut owner as night watchmen on the site during construction.

Date	Issues/Activities	Related Parties	Remarks
25 Jun. 2019	Re-negotiation with the owner of small hut on Sidorukun pump station site	Initiated by the contractor and supervision consultant. Small hut owner: Mr. Parlan Purba.	Related to previous negotiation (21 Feb. 2019). Conclusions: 1) Hut owner agreed to dismantle the hut immediately; 2) Contractor gave Rp 10 million as compensation; 3) Contractor's workers assisted hut owner in dismantling the hut; 4) Hut owner can salvage/keep any material from the dismantled hut.

Appendix 6: Minutes of Meeting with Small Hut Owner on Sidorukun Pump Station Site



NOTULEN KOORDINASI

Hari / Tanggal : Kamis, 21 Februari 2019

Waktu : 16.30 s/d selesai

Agenda : Koordinasi dengan Pemilik Warung

Tempat : Rumah Pompa Sidorukun

NO	PEMBAHASAN	SOLUSI	KETERANGAN
1.	Pondok/bale yang berada dijalan pekerjaan pagar permanent.	Pondok/bale akan digeser $\pm 2,4$ meter kearah dalam dari rencana pagar permanent.	Close
2.	Warung yang berada dijalan pekerjaan pagar permanent.	Warung akan dibongkar sebelum pekerjaan pagar permanent dimulai.	Open
3.	Harapan dari pemilik warung masih bisa bertugas sebagai penjaga malam dilokasi rumah pompa selama pekerjaan berlangsung.	Pimpinan proyek PT. Nindya Karya menyetujui hal tersebut.	Close
4.	Harapan dari pemilik warung bisa tetap membuka warungnya.	Pimpinan proyek PT. Nindya Karya menyetujui hal tersebut sepanjang tidak menghambat pekerjaan pembuatan pagar permanent.	Close
5.	Pemilik warung menyambut positif koordinasi yang dilakukan oleh PT. Arkonin sehingga berjalan dengan baik.		

Medan,
Disetujui Oleh :
Kontraktor Pelaksana
PT. Nindya Karya (Persero)


Pahrudin, ST

Dibuat Oleh :
Konsultan Supervisi Paket
MSMHP OJPAL Kota Medan
2019 Zona 10 & 11


Fendriyansyah, ST
ZONA 10 - 11



Koordinasi dengan pemilik warung dilokasi rumah pompa Sidorukun.



Kondisi warung dilokasi rumah pompa Sidorukun sebelum direlokasi.

DAFTAR HADIR

KEGIATAN	:	KOORDINASI
HARI/TANGGAL	:	KAMIS, 21 FEBRUARI 2019
TEMPAT	:	AREA RUMAH POMPA JL. SIDORUKUN

NO	NAMA	SILAKAN PILIH		LEMBAGA / ALAMAT	TELEPON/EMAIL	TANDA TANGAN
		L	P			
1	FENDRIANSTAH	L		PT. ARKONIN	085297512783	
2	EFFENDI SIARAT	L		PT. ARKONIN	08126596656	
3	HUOTAT	L	-	PT. ARKONIN	082231770958	
4	FADLAN. PURBA	L	-	PEMILIK WARUNG	0813.60749480.	
5	FERDINANDES SIMARMATA	L		PT. ARKONIN	085297227121	
6	Donald.	L		PT. ARKONIN	085296987655	
7	POLIAK. V. SILALAH	L		Sdr Rukun	081261695972	
8	BERNARD P. BARINGBING	L		PT. ARKONIN	0813 96187815	
9	MIZRAHWATI		P	Jl SIDORUKUN		
10	IDA HAMIDAH		P	PT. ARKONIN	0852 5251 3937	

[illegible]

Appendix 7: Statement Letter of Small Hut Owner

SURAT PERNYATAAN

Pada hari ini **Selasa** tanggal **Dua Puluh Lima** bulan **Juni** tahun **Dua Ribu Sembilan Belas** (25-06-2019)

Nama : **FADLAN PURBA**
Pekerjaan : Wiraswasta
Alamat : Jl. Sidorukun No.101A Kel. Pulo Brayan Darat II Kec. Medan Timur Kota Medan Bertindak untuk dan atas nama pribadi

Sehubungan dengan dilaksanakannya pekerjaan Rumah Pompa Pipa Air Limbah di Sidorukun (Samping Parit Busuk) saya menyatakan :

1. Bersedia memindahkan material (warung dan perlengkapannya serta 3 batang pohon Seri) yang berada di lokasi Rumah Pompa Sidorukun 1 x 24 jam setelah Surat Pernyataan ini di tandatangani.
2. Saya menjamin bahwa tidak ada pihak lain yang dirugikan akibat pemindahan tersebut.
3. Tidak ada pihak lain yang akan menuntut di kemudian hari akibat pemindahan tersebut.

Demikian Surat Pernyataan ini saya buat tanpa ada paksaan dari siapapun.

Saksi

1. MISRAWATI PALAM
2. RITA SARI DWINI S.SOS

()
()

Yang Menyatakan



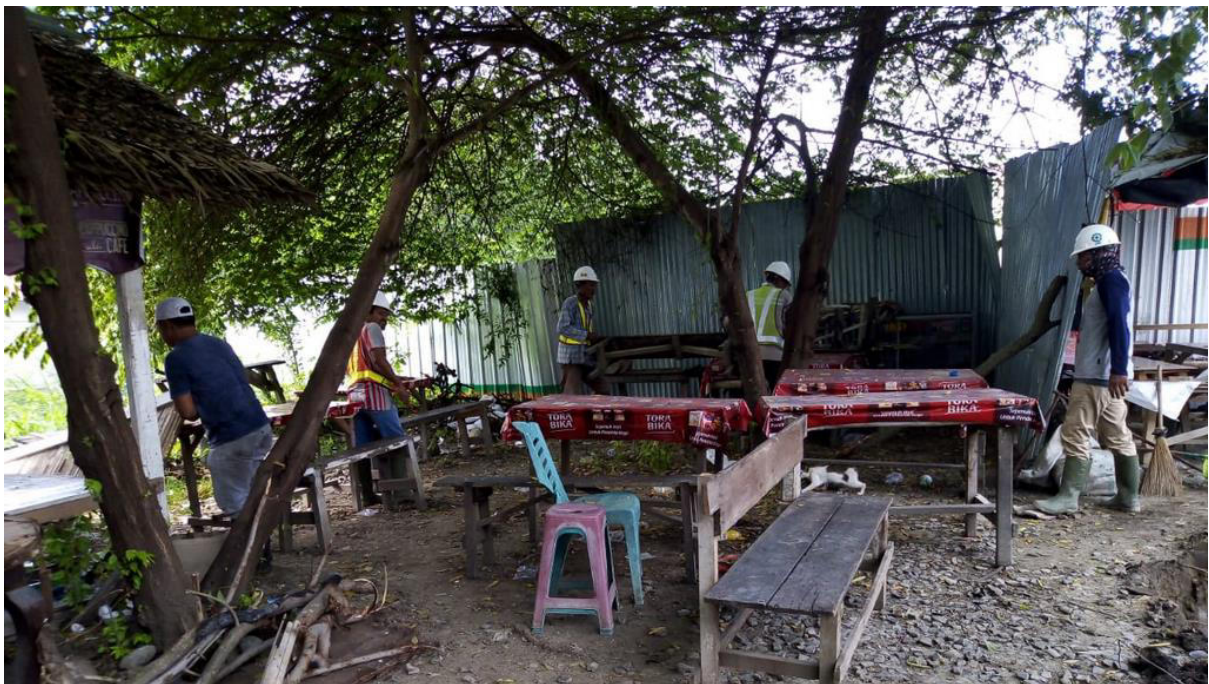

FADLAN PURBA



Small Hut Owner (Mr. Purba) accepted compensation and signed the statement letter



The hut before being dismantled



Mr. Purba dismantled the hut with assistance from contractor's workers.
Mr. Purba was allowed to salvage any material from the dismantled hut.

Appendix 8: Chronology Regarding The Use of Front Yard of A Private House

Date	Issues/Activities	Related Parties	Remarks
13 Nov. 2018	Survey to the Sidorukun pump station site	Conducted by the contractor (PT Nindya Karya)	Findings: 1) The land is owned by Provincial Government of North Sumatera; 2) To bring heavy equipment to the site, the contractor would need to pass through a front yard of a private house belong to a community member (Mr. Lubis).
1 Dec. 2018	Negotiation regarding permit for the contractor to pass through the front yard of Mr. Lubis' house to bring heavy equipment to the Sidorukun pump station site	Negotiation initiated by the contractor. House owner: Mr. Khairul Saleh Lubis.	This was a follow-up to findings from previous survey (13 Nov. 2018)
4 Dec. 2018	Joint survey to the Sidorukun pump station site	Conducted by the contractor, supervision consultant (PT Arkonin EMP) and <i>Satker</i> PSPLP of North Sumatera	Conducted to confirm findings from the first survey (13 Nov. 2018)
6 Dec. 2018	Agreement regarding permit for the contractor to pass through a front yard of Mr. Lubis' house to bring heavy equipment to the Sidorukun pump station site	Initiated by the contractor. House owner: Mr. Khairul Saleh Lubis.	This was a follow-up to negotiation on 1 Dec. 2018. The house owner agreed to lease a part of his front yard to the contractor as requested. The leasing fee was Rp 10 million. The leasing contract was officially written and signed by both parties.
12 Dec. 2018	Demolition of the fences on Mr. Lubis' house and setting up of picket fences around Sidorukun pump station site	Conducted by the contractor House owner: Mr. Khairul Saleh Lubis.	As agreed by house owner on 6 Dec. 2018

Date	Issues/Activities	Related Parties	Remarks
1-7 Jun. 2019	Restoration of Mr. Lubis' front yard back to its initial state because the leasing period has ended on 31 May 2019	Conducted by the contractor. House owner: Mr. Khairul Saleh Lubis.	As agreed in the leasing contract (dated 6 Dec. 2018). No complaint from house owner.

Appendix 9: Leasing Agreement between Contractor and House Owner

SURAT PERJANJIAN SEWA LAHAN

No. 004/OJPAL-Z10 11/WIL-1/SPS/XII/2018

Pada Hari ini Kamis tanggal Enam bulan Desember tahun Dua Ribu Delapan Belas (06/12/2018), kami yang bertanda tangan dibawah ini :

1. Nama : Khairul Saleh Lubis, ST
Pekerjaan : Wiraswasta
Alamat : Jl. Sidorukun No.152 Kel. Pulo Brayan Darat II Kec. Medan Timur Kota Medan
Bertindak untuk dan atas nama Pribadi yang selanjutnya disebut sebagai **PIHAK PERTAMA**,
(yang Menyewakan lahan)
2. Nama : Pahrudin
Jabatan : Kepala Proyek PT. Nindya Karya (Persero) Wilayah I
Proyek Optimalisasi Jaringan Pipa Air Limbah Zona 10-11 Kota Medan
Alamat : Jl. Sisingamangaraja Km. 7 Medan
Bertindak untuk dan atas nama PT. Nindya Karya (Persero), yang selanjutnya disebut sebagai **PIHAK KEDUA** (Penyewa)

Kedua belah Pihak bersama-sama telah mufakat membuat perjanjian sewa-menyewa Lahan dalam keadaan baik dan terawat dengan syarat-syarat sebagai berikut :

PASAL. 1

PIHAK PERTAMA telah menyewakan lahan / halaman rumah kepada PIHAK KEDUA yang terletak di Jalan Sidorukun No.152, untuk jangka waktu yang terhitung dari tanggal 07 Desember 2018 s.d 31 Mei 2019

PASAL. 2

PIHAK KEDUA berhak atas bangunan dan halaman rumahnya tersebut selama masa kontrak dan PIHAK KEDUA berhak menunjuk siapapun dari Pegawai PT. Nindya Karya (Persero) Wilayah I untuk menggunakan lahan / halaman rumah tersebut untuk akses.

PASAL. 3

Jumlah harga Sewa yang disepakati untuk jangka waktu tersebut diatas adalah sebesar :

Nilai Kontrak sewa Lahan (Incl. PPh.)	Rp.	11.111.111
Potongan PPh. Final sebesar 10% x 11.111.111	Rp.	1.111.111
Jumlah yang diterima PIHAK PERTAMA sebesar	Rp.	10.000.000

Terbilang : Sepuluh Juta Rupiah

Pembayaran lunas dilakukan secara tunai pada saat perjanjian ini di tanda tangai kedua belah pihak.

PASAL. 4

Apabila selama kontrak berjalan, terjadi kerusakan-kerusakan ringan maka, kerusakan tersebut menjadi tanggung jawab PIHAK KEDUA karena demi kerapian dan pemeliharaan lahan tersebut, tetapi jika terjadi kerusakan berat yang timbul karena bencana alam atau lainnya maka tanggung jawab dibebankan kepada PIHAK PERTAMA.

PIHAK I	PIHAK II
---------	----------

PASAL. 5

Kerusakan lahan berat/ringan yang disebabkan kelalaian PIHAK KEDUA menjadi tanggung jawab PIHAK KEDUA, setelah habis masa kontrak, lahan dikembalikan oleh PIHAK KEDUA kepada PIHAK PERTAMA dalam keadaan baik.

PASAL. 6

PIHAK KEDUA tidak diperkenankan/dibenarkan mengalihkan/menyewakan kepada Pihak lain tanpa diketahui/disetujui oleh PIHAK PERTAMA. Lahan yang di kontrak/disewakan ini semata-mata untuk digunakan sebagai lokasi Direksi Keet.

PASAL. 7

Kontrak lahan berlaku dari tanggal 07 Desember 2018 s.d 31 Mei 2019, keamanan adalah tanggung jawab PIHAK KEDUA.

PASAL. 8

Apabila PIHAK KEDUA pindah/keluar sebelum masa kontrak berakhir maka PIHAK PERTAMA mengijinkan lahan tersebut dipakai oleh Karyawan PT. Nindya Karya (Persero) Wilayah I sampai berakhirnya masa kontrak tersebut.

PASAL. 9


Surat perjanjian ini dapat diperpanjang atau diputuskan dengan persetujuan kedua belah pihak, dengan ketentuan salah satu pihak akan memberitahukan terlebih dahulu minimum 1 (satu) bulan sebelum kontrak berakhir.

PASAL. 10

Segala persoalan yang terjadi dan tidak diatur didalam perjanjian ini akan dimusyawarahkan terlebih dahulu secara kekeluargaan dan apabila terdapat perbedaan pendapat, maka akan diselesaikan secara hukum yang berlaku di negeri ini.

Demikian Surat Perjanjian ini di buat dalam rangkap 2 (dua) dan ditanda tangani kedua belah pihak di atas materai yang cukup dan mempunyai kekuatan hukum yang sama.

PIHAK KEDUA
Penyewa


Pahrudin
Kepala Proyek

PIHAK PERTAMA
Menyewakan


Khairul Saleh Lubis, ST
Pemilik Lahan

PIHAK I	PIHAK II
---------	----------



ID card of house owner

Appendix 10: Land Certificate of Masjid Taufik Pump Station

BX 416723

DAFTAR ISIAN 266

**BADAN PERTANAHAN NASIONAL
REPUBLIK INDONESIA**



**SERTIPIKAT
(TANDA BUKTI HAK)**

**KANTOR PERTANAHAN
KABUPATEN / KOTA**

M E D A N

02.01.20.01.4.00009

**BADAN PERTANAHAN NASIONAL
REPUBLIK INDONESIA****SERTIPIKAT**

HAK : _____ Pakas _____ No. 00009

PROVINSI : Sumatera Utara
KABUPATEN / KOTA : Medan
KECAMATAN : MEDAN PERJUANGAN
DESA / KELURAHAN : TEGAL REJO

**KANTOR PERTANAHAN
KABUPATEN / KOTA**

Kota Medan

DAFTAR ISIAN 307

No. 4191/2017 ✓

DAFTAR ISIAN 208

No. 2319/2017 ✓

0 2 0 1 2 0 0 1 4 0 0 0 0 9

Halaman :

kdctx : 299, No Rek : 09.22.40-72224, tmm1ahtx : 44, 310, 000.00 K

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02 • 01 • 20 • 01 • 4 • 00009

DAFTAR ISIAN 207

NIB : 02012001.00601

SURAT UKUR

Nomor : 00188/TEGAL REJO/2016

SEBIDANG TANAH TERLETAK DALAM

Provinsi : Sumatera Utara

Kabupaten / Kota : Medan

Kecamatan : MEDAN PERJUANGAN

Desa / Kelurahan : TEGAL REJO

Peta : PERLUASAN

Lembar : 17

Kotak : G3

Nomor Pendaftaran : 47.1-51.270-09-4-2/E1

Keadaan tanah : Tanah Kosong

Tanda-tanda batas :

Patok Besi dan Tembok Permanen Telah Sesuai dengan

Peraturan Menteri Negara Agraria Ka.BPN No. 3/1997

Luas : 420 m2 (Empat Ratus Dua Puluh Meter Persegi)

Penunjukan dan penetapan batas : Ir. Suherman qq Pemerintah Provinsi Sumatera Utara

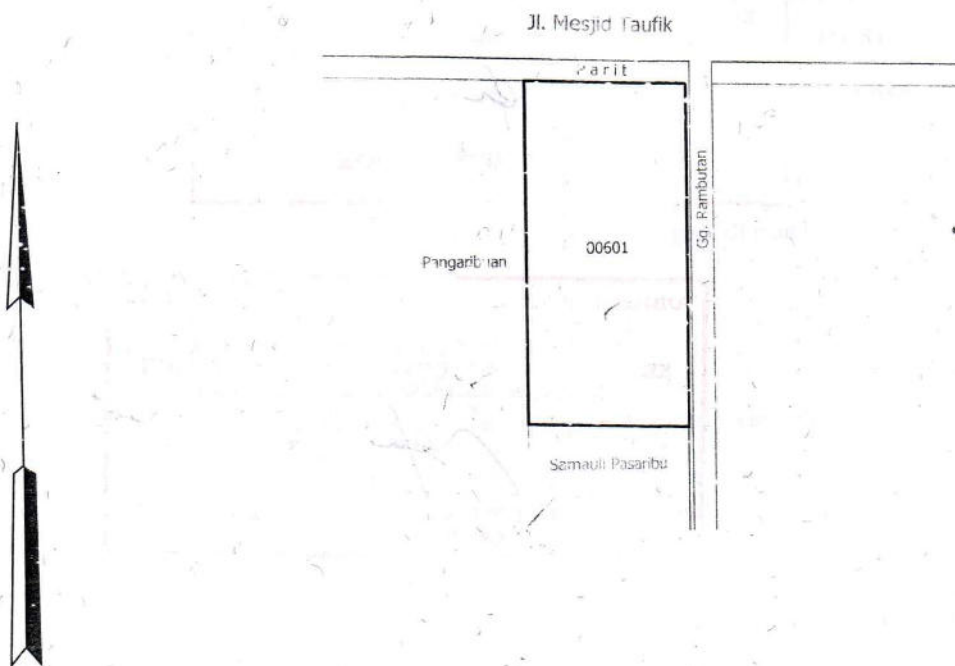
cq Dinas Penataan Ruang dan Pemukiman Provinsi

Sumatera Utara (Pemohon)

Diukur dan Digambar Oleh : Ivan Daniel Gultom



SKALA 1 : 500



PENJELASAN : _____ batas tanah ini

Kd:ab:100, No:arsip: 27410146, Kd: Remby: 01/ Pembayaran SSP
Kd:tx: 299, No: Rek: 09.22.40-72224, Jumlah: 44,310,000.00 K

Appendix 11: Chronology Regarding AMDAL Study (EIA/SIA)

Date	Issues/Activities	Related Parties	Remarks
25 Sep. 2013	Public consultation/ socialization of project plan	Conducted by project proponent (<i>Dinas Penataan Ruang dan Permukiman Provinsi Sumatera Utara</i> /North Sumatera Provincial Office of Spatial Planning and Settlement). Attended by local leaders (<i>camat, lurah</i>) and community representatives.	Grievance redress mechanism was socialized. No history of any claim from community members regarding land/other private assets that might be affected by the project.
Dec. 2013	Social survey to assess public opinion towards the project plan	Conducted by AMDAL consultant (CV Global Inter System). Consultant assigned by North Sumatera Provincial Office of Spatial Planning and Settlement.	No history of any claim from community members regarding land/other private assets that might be affected by the project.
4 Aug. 2014	Governor of North Sumatera issued permit No. 188.44/559/KPTS/2014 regarding environmental feasibility for MSMHP in Medan and Deli Serdang	Permit requested by North Sumatera Provincial Office of Spatial Planning and Settlement. Permit issued by Governor of North Sumatera.	This permit was released based on the result of the EIA/SIA. No history of any claim from community members regarding land/other private assets that might be affected by the project.

Appendix 12: Chronology Regarding Project Socialization Before and During Construction

Date	Issues/Activities	Related Parties	Remarks
2 Feb. 2019	Socialization of MSMHP in Medan Barat Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Camat Secretary of Medan Barat, <i>Satker PSPLP</i> of North Sumatera, contractor.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
12 Feb. 2019	Socialization of MSMHP in Medan Perjuangan Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: <i>Camat</i> Secretary of Medan Perjuangan, <i>Satker PSPLP</i> of North Sumatera, PDAM Tirtanadi, contractor, supervision consultant.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
21 Feb. 2019	Socialization of MSMHP in Area XXIII, <i>Kelurahan</i> Pulo Brayan Kota, Medan Barat Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Head of XXIII Area, Puskesmas Pulo Brayan Kota, contractor, supervision consultant.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.

Date	Issues/Activities	Related Parties	Remarks
5 Mar. 2019	Socialization of MSMHP in Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Secretary of Medan Timur Sub District, <i>Satker</i> PSPLP of North Sumatera, contractor.	Socialize MSMHP in general and pipelines installation method specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
12 Mar. 2019	Socialization of MSMHP in <i>Kelurahan</i> Glugur Darat I, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Staff of <i>Kelurahan</i> Glugur Darat I and contractor.	Socialize sanitation and MSMHP in general and pipelines installation method specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
14 Mar. 2019	Socialization of MSMHP in <i>Kelurahan</i> Glugur Darat II, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Head of <i>Kelurahan</i> Glugur Darat II, PDAM Tirtanadi, contractor.	Socialize MSMHP in general and pipelines installation method specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
22 Mar. 2019	Socialization of MSMHP in Area I, <i>Kelurahan</i> Glugur Darat I, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Head of Area I, <i>Kelurahan</i> Glugur Darat II, Puskesmas Glugur Darat I, supervision consultant.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/

Date	Issues/Activities	Related Parties	Remarks
			involuntary resettlement.
28 Mar. 2019	Socialization of MSMHP in <i>Kelurahan</i> Pulo Brayan Darat I, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Secretary of <i>Kelurahan</i> Pulo Brayan Darat I, PDAM Tirtanadi, contractor.	Socialize MSMHP in general and pipelines installation method specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
28 Mar. 2019	Socialization of MSMHP in Area IX, <i>Kelurahan</i> Pulo Brayan Darat I, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Head of Area IX, Puskesmas Medan Timur, supervision consultant.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
5 Apr. 2019	Socialization of MSMHP in Area XI, <i>Kelurahan</i> Pulo Brayan Darat I, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Head of <i>Majelis Taklim</i> Al Amin, Puskesmas Medan Timur, supervision consultant.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
10 Apr. 2019	Socialization of MSMHP in Area X, <i>Kelurahan</i> Pulo Brayan Darat I, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: supervision consultant.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary

Date	Issues/Activities	Related Parties	Remarks
			resettlement.
11 Apr. 2019	Socialization of MSMHP in <i>Kelurahan</i> Glugur Darat II, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: contractor.	Socialize MSMHP in general and pipelines installation plan specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
12 Apr. 2019	Socialization of MSMHP in Area XIV, <i>Kelurahan</i> Pulo Brayan Darat I, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Head of Area XIV, supervision consultant.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.
26 Apr. 2019	Socialization of MSMHP in Area X, <i>Kelurahan</i> Pulo Brayan Darat II, Medan Timur Sub District	Conducted by the contractor. Attended by local leaders and community representatives. Speakers: Head of Area X, Puskesmas Medan Timur, supervision consultant.	Socialize sanitation issues in general and MSMHP specifically. Complaint handling mechanism was also socialized. There was no complaint regarding land acquisition/ involuntary resettlement.