

# Social Monitoring Report

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# Annual Report  
January-December 2018  
January 2019

## Indonesia: Metropolitan Sanitation Management and Health Project

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 January 2019)

Currency unit	–	Rupiah (Rp)
Rp1.00	=	\$0.0000712708
\$1.00	=	Rp14,031.00

## **NOTES**

- (i) The fiscal year (FY) of the Government of the Republic 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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# **Annual Social Safeguard and Resettlement Monitoring Report**

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**January – December 2018**

**ADB LOAN No. 2654 INO**

**INDONESIA: Metropolitan Sanitation Management and  
Health Project (MSMHP)**



**Indonesian Ministry of Public Works and Housing  
Directorate General of Human Settlement**

## **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
MPWH	Ministry of Public Works and Housing ( <i>Kementerian Pekerjaan Umum dan Perumahan Rakyat</i> )
MSMHP	Metropolitan Sanitation Management and Health Project
PDAM	<i>Perusahaan Daerah Air Minum</i> (Local Government's Water Supply Company)
PPK	<i>Pejabat Pembuat Komitmen</i> (CMO/Commitment Making Officer)
Puskesmas	<i>Pusat Kesehatan Masyarakat</i> (Community Health Centre)
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 in the year 2018.

Monitoring conducted for this project in 2018 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). The land was used by PTP II as sugar cane plantation. 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.
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 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 two issues have degraded welfare of the affected persons. There is no complaint regarding these two issues from the affected persons.
5. All compensations for affected persons are established based on assessment 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 will be available specifically under this project. In all GRM, there is no record of complaint related to land acquisition and involuntary resettlement.

As of 31 December 2018, civil works of this package have not yet been conducted. Therefore there hasn't any social safeguard issues reported regarding civil works.

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. PROJECT OVERVIEW

### 1.1 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.

### 1.2 Project Progress

4. Contractor (PT Nindya Karya) and supervision consultant (PT Arkonin Engineering MP) for this project have been contracted. The contract profiles are as follows.

**Table 1 Contract Data Sheet of The Contractor**

No.	Description	Remarks
1	Contract Number	HK.02.03/SUP.MSMHPSSMOZP_MDN/PSPLP-I/721/2018
2	Name of Contractor Firm	PT Nindya Karya (Persero)
3	Contract Date	9 November 2018
4	Work Title	<i>Optimalisasi Jaringan Pipa Air Limbah, MSMHP Kota Medan Zona 10-11</i> (Optimization of Sewerage Pipelines, MSMHP Medan City Zone 10-11)
5	Work Location	Medan City, North Sumatera Province
6	Date of SPMK ( <i>Warrant to Start the Work</i> )	9 November 2018
7	Contract Value	Rp 131,561,421,000 (including 10% tax/PPN)
8	Contract Period	723 Calendar days



**Table 2 Contract Data Sheet of The Supervision Consultant**

No.	Description	Remarks
1	Contract Number	HK.02.03/SUP.MSMHPSSMOZP_MDN/PSPLP-I/720/2018
2	Name of Consultant Firm	PT Arkonin Engineering Manggala Pratama
3	Contract Date	9 November 2018
4	Work Title	<i>Supervisi Optimalisasi Jaringan Pipa Air Limbah, MSMHP Kota Medan Zona 10-11</i> (Supervision to Optimilization of Sewerage Pipelines, MSMHP Medan City Zone 10-11)
5	Work Location	Medan City, North Sumatera Province
6	Date of SPMK ( <i>Warrant to Start the Work</i> )	9 November 2018
7	Contract Value	Rp 9,428,210,000 (including 10% tax/PPN)
8	Contract Period	723 Calendar days

5. As of 31 December 2018, progress of physical work compared to the contract is as follows.

- Planned : 1.002%
- Realization : 3.810%
- Deviation : +2.808%

6. As of 31 December 2018, financial progress compared to the contract is as follows.

- Planned : 1.002%
- Realization : 0.000%
- Deviation : -1.002%

## **II. SOCIAL SAFEGUARD AND RESETTLEMENT PERFORMANCE MONITORING**

7. Regarding involuntary resettlement, there is not any single person/household being displaced from their housing in this project. There is also no land acquisition in this project because all lands needed for this project are already owned by the government.

8. Information regarding land acquisition and social safeguard issues related to this project are as follows.

- Cemara Wastewater Treatment Plant (WWTP) on Flamboyan Street** (sometimes called Pulobrayan WWTP)<sup>1</sup> was built on 97,636 m<sup>2</sup> 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

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<sup>1</sup> Optimization of Cemara WWTP is not included in this package, but since it was part of MSMHP (previous package), we find it necessary to mention the land acquisition process related to Cemara WWTP to clarify that it was complied with the project Resettlement Framework (RF).

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.

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.

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 3 Chronology Regarding Land Acquisition and Development of Cemara WWTP**

Date	Issues/Activities	Related Parties	Remarks
1984	Acquisition of 97,636 m <sup>2</sup> of land for WWTP development	Land seller: PTP II Land buyer: PDAM Tirtanadi	Using local provincial government's fund ( <i>APBD Provinsi</i> ). The land was used as sugar cane plantation. There were no assets that belong to community member. 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	Optimization of Cemara WWTP (inside the existing site)	Loan from ADB (MSMHP)	No history of IR and social safeguard issues.

- b. **Pump station on Sidorukun Street** is going to be developed on 1,875 m<sup>2</sup> of land. There is 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

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 4 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 <sup>2</sup>
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 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

According to the MSMH 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 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.

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.

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.

<sup>2</sup> 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 will be Rp 2,303,403 and minimum wage in Medan City in 2019 will be Rp 2,969,824.

- 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, which will be applicable in 2019). There were no other corrective actions needed for this compensation.
- Mr. Marioso and Mr. Purba will be hired by the contractor as night watchmen on Sidorukun site.

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.



**Figure 1 Vegetation on Sidorukun Pump Station Site Before Being Cut Down**



**Figure 2 Sidorukun Pump Station Site After Being Cleared from Vegetation**

Another issue in Sidorukun pump station site is a small hut, which was illegally built by a community member. The hut is owned by Mr. Purba with coverage area about 20 m<sup>2</sup> 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. The contractor and supervision consultant are planning to discuss with Mr. Purba regarding the small hut. The discussion is planned to take place on January 2019.

It was also 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 m<sup>2</sup>. Unit price of each square meter land leasing in that area was about Rp 45.000/m<sup>2</sup>/month (based on market survey). Therefore, compensation given for the lease of 36 m<sup>2</sup> 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) when leasing period ends. Leasing period is from December 2018 to May 2019. The chronology of this issue can be seen in Appendix 5, while the leasing agreement letter is on Appendix 6.

The condition of the front yard before being leased and in current time (during leasing period) can be seen in the following figures.



**Figure 3 Front Yard of The House Before Being Leased by The Contractor**



**Figure 4 Current Condition of The Front Yard in (During Leasing Period)**

- c. **Pump station site on Masjid Taufik Street** will be developed on 420 m<sup>2</sup> of land. There is 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 7). 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.

9. Presented in a table, summary of the information regarding land acquisition and social safeguard issues in MSMHP Medan is as follows.

**Table 5 Summary of Information Regarding Land Acquisition and Social Safeguard Issues**

Subproject	Land Acquisition History	Social Safeguard Issues	Mitigation
<b>Cemara WWTP on Flamboyan Street</b>	97,636 m <sup>2</sup> of land was purchased by PDAM Tirtanadi from PTP II using North Sumatera Provincial Government's fund ( <i>APBD Provinsi</i> ).  The land was certificated in 1984. The certificate was revised in 2017 to specifically mention the use of land for WWTP.	None	None
<b>Sidorukun pump station site</b>	No record of entitlement to the 1,875 m <sup>2</sup> of land. According to PP 24/1997, such land belongs to the Government.  The land was certificated by Government of North Sumatera in 2017.  No record of claim from community members to the land.	There was vegetation illegally planted by four community members.	Contractor and supervision consultant consulted with the planters. The planters agreed to clear the land from vegetation with compensation value of Rp 3 million.  No other corrective actions needed for this compensation.
		There is a small hut illegally built by a community member (Mr. Purba).	Contractor and supervision consultant will consult with the owner in January 2019.
		The contractor need to use front yard of a private house (owned by Mr. Lubis) to bring heavy equipment to the site.	Contractor negotiated with the house owner. The owner agreed to lease a part of his front yard from December 2018 to May 2019, for Rp 10 million.  The leasing fee is based on local market price.  The contractor will restore back the front yard to its initial condition when the leasing period ends.  No other corrective actions needed for issue.

Subproject	Land Acquisition History	Social Safeguard Issues	Mitigation
<b>Masjid Taufik pump station site</b>	No record of entitlement to the 420 m <sup>2</sup> of land. According to PP 24/1997, such land belongs to the Government.  Certificated by Government of North Sumatera in 2017.  No record of claim from community members to the land.	None	None
<b>Pipelines installation under city roads</b>	All roads belong to the Government. There is no land acquisition in this matter.	There would be disturbance to local community during construction.	In most of the section, the contractor will use jacking system to minimize disturbance to local people.  Contractor and local government leaders will conduct socialization regarding the plan, method and schedule of pipelines installation. Socialization will be conducted in each location along the pipelines planned area.  The contractor and project owner (PPK) will provide grievance redress mechanism, so that local people can easily address any complaints regarding this project.

### III. INDIGENOUS PEOPLE PERFORMANCE MONITORING

10. According to MSMH Resettlement Framework (RF), indigenous people are "those with a social or cultural identity distinct from the dominant or mainstream society". There are no indigenous people identified in this project's locations.

### IV. PUBLIC CONSULTATION, INFORMATION DISCLOSURE AND CAPACITY BUILDING

11. Brief explanation regarding public consultation, information disclosure and capacity building can be seen in the following table.

**Table 6 Public Consultation, Information Disclosure and Capacity Building**

Description	Remarks
Preliminary public consultations regarding project plan	Conducted by project proponent during AMDAL Study (EIA/SIA) in 2013. Chronology regarding AMDAL Study can be seen in Appendix 8.
Brief information regarding project	Have been shown on billboards. The billboards are displayed on each site.
More detailed information regarding this project and Indonesian version of this monitoring report	Available in Project Office (on Bilal Ujung Street) and can be accessed by community members, NGO and local press
Public consultations regarding project plan, pipelines installation method, civil work schedule and GRM	Will be conducted by the project owner, contractor and supervision consultant in series on each section along the pipelines planned area, starting from January 2019.
Capacity building for community members regarding wastewater management and sanitation in general	Will be attached on each public consultation event. Will be presented by speakers from local Puskesmas.  The capacity building materials will include issues regarding domestic waste management and sanitation in general.

12. Billboards with brief information regarding the project can be seen in the following figure.

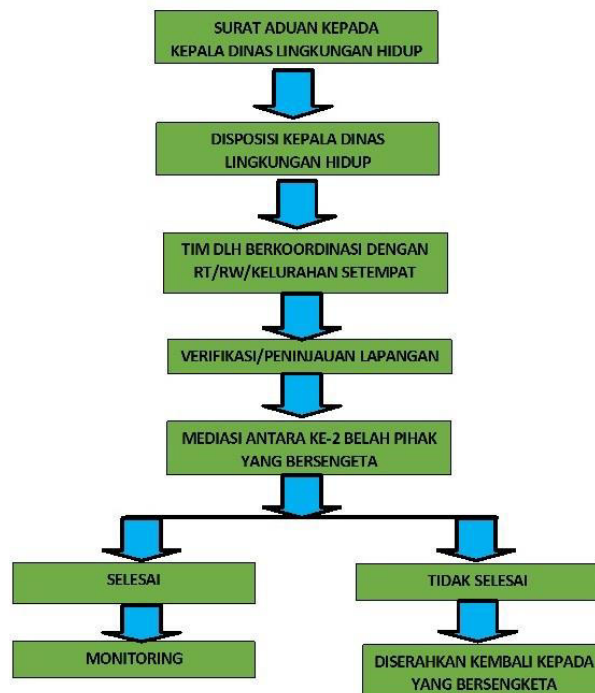


**Figure 5 Billboard on Construction Sites, Displaying Brief Information Regarding The Project**



## V. GRIEVANCE REDRESS MECHANISM

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



**Figure 6** Grievance Redress Mechanism during AMDAL Study (EIA/SIA)

14. 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.

The screenshot shows the 'Form Hubungi Kami' (Contact Us Form) on the official website of Medan City Government. The form includes contact information for the Environmental Agency and a section for online support. The contact information is as follows:

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

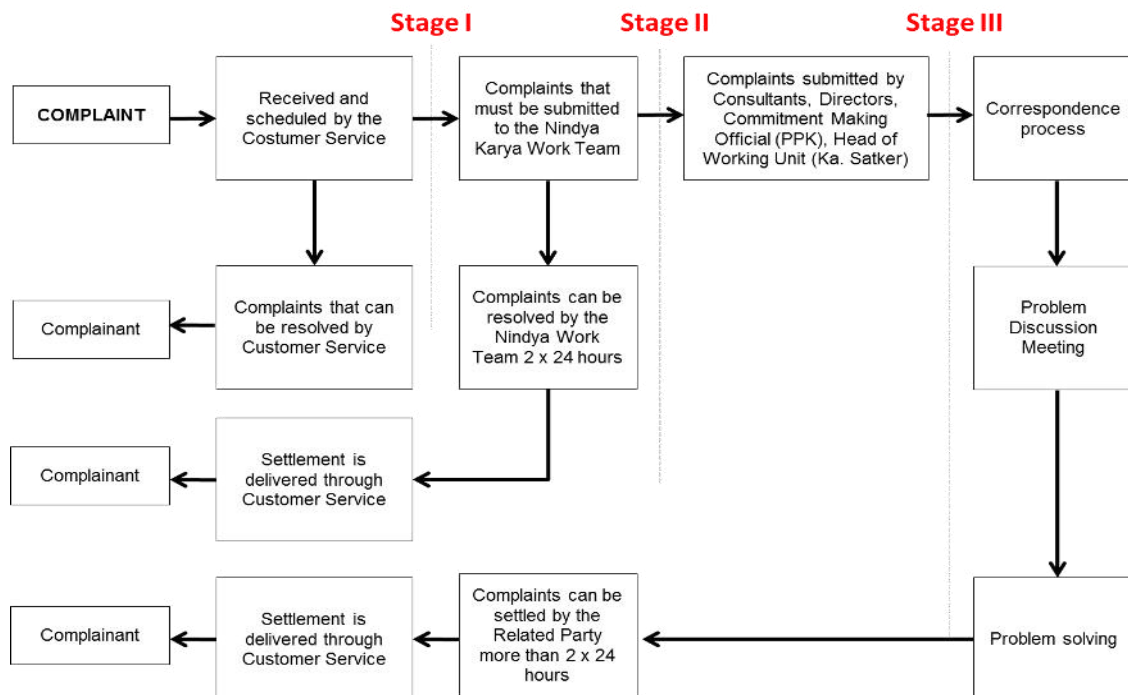
**Online Support**

**Form Hubungi Kami**

Nama   
Email   
Subjek   
Pesan

**Figure 7** Form for Complaint Available in The Official Website of Medan City Government

15. The grievance redress mechanism agreed in this project can be seen in the following figure.



**Figure 8 Grievance Redress Mechanism in MSMHP Medan**

16. Community members/complainants are allowed to address their complaints to specific numbers, which are displayed on billboards on each site, as seen in the following figure.



**Figure 9 GRM Billboard on Construction Sites**

17. 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.

18. 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).

## VI. TEMPORARY IMPACTS DURING CIVIL WORK

19. As of 31 December 2018, the civil work hasn't been started yet. Therefore, there are still no temporary impacts from the civil work. Should there be any complaint from community member regarding temporary impact during civil work; the complaints can be addressed via grievance redress mechanism, which have been designed for this project (see previous figures).

## VII. COMPLIANCE WITH THIS PROJECT'S RESETTLEMENT FRAMEWORK

20. 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 7 Compliance with Project's Principles**

<b>Project's Principles (As Described in RF)</b>	<b>Compliance</b>
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) 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	<p>Affected people in Sidorukun pump station site (planters 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</p>

Project's Principles (As Described in RF)	Compliance
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>not affected by this project.</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>
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.	There is no land donation in this project.
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>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 will be consulted and will receive proper compensation for the dismantling of the hut.</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.	All affected people in Sidorukun pump station site have been consulted and actively involved in negotiation process to reach agreement regarding compensation value.
Temporarily affected land and communal/public infrastructure will be restored to pre-project conditions	<p>The front yard leased on Sidorukun pump station site will be restored back to its initial state.</p> <p>Same issues related to civil work will be addressed in the next period's monitoring reports.</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>Small hut owner in Sidorukun pump station site will be taken care according to this principle.</p> <p>Same issues related to civil work will be addressed in next period's monitoring reports.</p>
There shall be effective mechanisms	There is no land acquisition in this project.

Project's Principles (As Described in RF)	Compliance
for hearing and resolving grievances during implementation of the land acquisition and resettlement plans.	<p>There is not any single person/household being displaced from their 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 are 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 the Due Diligence Report is 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,	All affected people identified in this project have received proper compensation. There is no complaint regarding the assets acquisition and the compensation value.

Project's Principles (As Described in RF)	Compliance
component, sub-component or zone unless the Government has satisfactorily completed, for that given location, subproject, component or 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.	Same issues related to civil work will be addressed in the next period's monitoring reports.

## VIII. CONCLUSIONS AND RECOMMENDATIONS

### 8.1 Conclusions

21. Conclusions from monitoring on social safeguard and resettlement issues in MSMHP as of 31 December 2018 are as follows.

- a. 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 owned by the government according to Government Regulation/PP No. 24/1997, although the lands have just been certificated in 2017.
- d. Land clearing from private vegetation 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 two issues have degraded welfare of the affected persons. There is no complaint regarding these two issues from the affected persons.
- e. All compensations for affected persons are established based on assessment 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 will be available specifically under this project. In all GRM, there is no record of complaint related to land acquisition and involuntary resettlement.

## **8.2 Recommendations and Next Plan**

22. Recommendations for MSMHP implementation regarding social safeguard and resettlement issues in the following period are as follows.

- a. Regarding the small hut found in Sidorukun pump station site, the contractor aided by supervision consultant should conduct negotiation with the hut owner and give proper compensation if it turn out that the hut should be relocated or dismantled.
- b. Regarding grievance redress mechanism (GRM), the GRM operator (in the contractor) should make a complete record of every complaint, including the follow-ups and duration of each follow-up.
- c. Regarding the plan of pipelines installation, the contractor and supervision consultant should work together with local leaders in each area to conduct socialization so that local people can be aware of the civil work plan and schedule, installation method and potential disturbance. In the same event, GRM has to be introduced as well.
- d. Regarding capacity building for community members, the contractor should also include information about wastewater management (and sanitation in general) in the socialization events. It would be better if source persons from local Puskesmas are invited to speak about sanitation issues.

23. As the next plan, Directorate General of Human Settlement – Ministry of Public Works and Housing (DGHS-MPWH) and Satker PSPLP of North Sumatera will keep monitoring project implementation and submit the monitoring results in next period's reports.




Appendix 1: Land Certificate of Cemara WWTP

AU 587497		DAFTAR ISIAN 206
<b>BADAN PERTANAHAN NASIONAL</b>		
		
<b>SERTIPIKAT</b>		
<b>HAK : GUNA BANGUNAN No. 2245.</b>		
<b>PROPINSI :</b>	<b>SUMATERA UTARA</b>	
<b>KABUPATEN/KOTAMADYA :</b>	<b>MEDAN</b>	
<b>KECAMATAN :</b>	<b>MEDAN AREA</b>	
<b>DESA/KELURAHAN :</b>	<b>SEI RENGAS II</b>	
<b>DAFTAR ISIAN 307</b>		
No. .... /2004		
<b>DAFTAR ISIAN 208</b>		
No. <b>0631</b> /2004		
<b>KANTOR PERTANAHAN</b>		
<b>KABUPATEN / KOTAMADYA</b>		
<b>MEDAN</b>		
02.01.14.08.3.02245		



# PENDAFTARAN - PERTAMA

Halaman :

<p>a) HAK : GUNA BANGUNAN No. : 6279 Desa / <del>Kel.</del> : 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. <del>Konversi</del>  2. Pemberian hak  3. Pemecahan / <del>Pemisahan</del> / Penggabungan bidang</p>	<p>g) PEMBUKUAN  Lubuk Pakam , Tgl. 14 AUG 2017  Kepala Kantor Pertanahan Kabupaten / <del>Kota</del> 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 / <del>Kota</del> 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.- M<sup>2</sup></p>	<p>i) PENUNJUK  Untuk Instalasi Pengolahan Air Limbah. Bekas Hak Pakai No. 03/Sampali</p>



## Holtzman :

Sebab perubahan, Tanggal pendaftaran, No. Daftar isian	Nama yang berhak dan Pemegang hak lain-lainnya	Tanda tangan Kepala Kantor dan Cap Kantor
<p>- Penerima hak wajib menggunakan dan memanfaatkan tanah tersebut untuk Instalasi Pengolahan Air Limbah, dan tidak menelantarkan tanahnya;</p> <p>- 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.</p>		



BW 038969

DAFTAR ISIAN 207

02.04.26.09.3.06279

NIB : 02.04.26.09.09750

## SURAT UKUR

Nomor : ~~481 / Sampali / 2017~~  
400 / 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

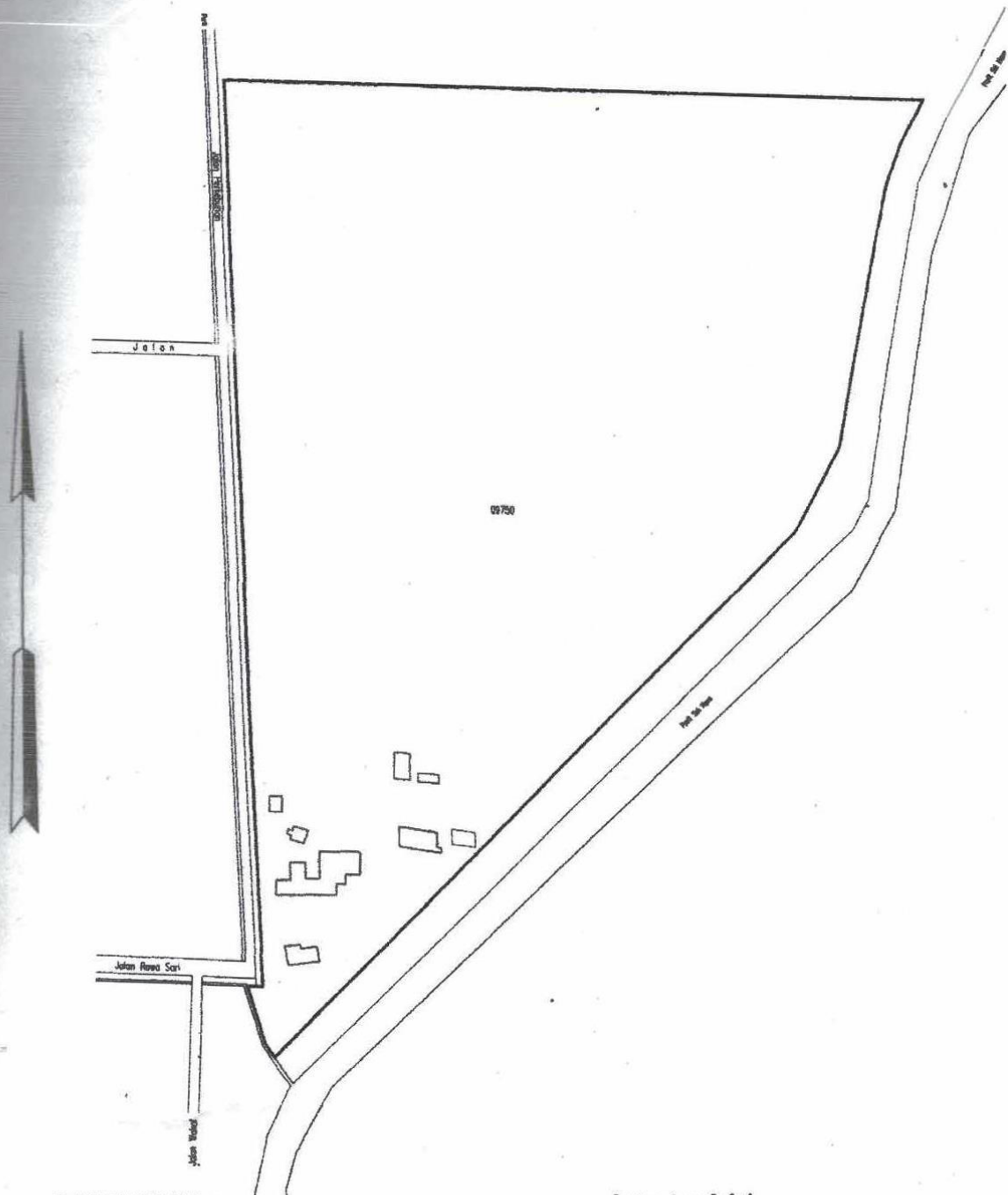
Tanda-tanda batas : Terdiri dari patok besi telah sesuai dengan Peraturan Menteri Negara Agraria / Kepala Badan Pertanahan Nasional Nomor : 3 tahun 1997

Luas : 97.636,-M<sup>2</sup> (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 ISI 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
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**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

Hasil dari:

<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. Sidorukuo</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>Saiful, S.P., M.H.</p> <p>NIP 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>Saiful, S.P., M.H.</p> <p>NIP 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 m<sup>2</sup></p>	<p>i) PENUNJUK</p> <p>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

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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
Agama	: ISLAM
Alamat	: JL. SIDORUKUN GG. BAKARANBATU NO. 8
RT/RW	: 7/7
Kel/Desa	: PULO BRAYAN DARAT II
Kecamatan	: MEDAN TIMUR
Status Perkawinan	: KAWIN
Pekerjaan	: WIRASWASTA
Kewarganegaraan	: WNI
Valid Hingga	: 10-05-2017



KOTA MEDAN  
30-05-2012

*[Signature]*

### Appendix 5: 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

## Appendix 6: 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
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ID card of house owner

Appendix 7: Land Certificate of Masjid Taufik Pump Station

BX 416723

DAFTAR ISI: 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

BX 416725

DAFTAR ISIAN 2.

**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 :

kdcdad:100,ncars17:274,014b,kd Lemoy:101/Hemayaran SSP  
kdtx:299,ncarsk:09,22,40-72224,um1ahTX: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

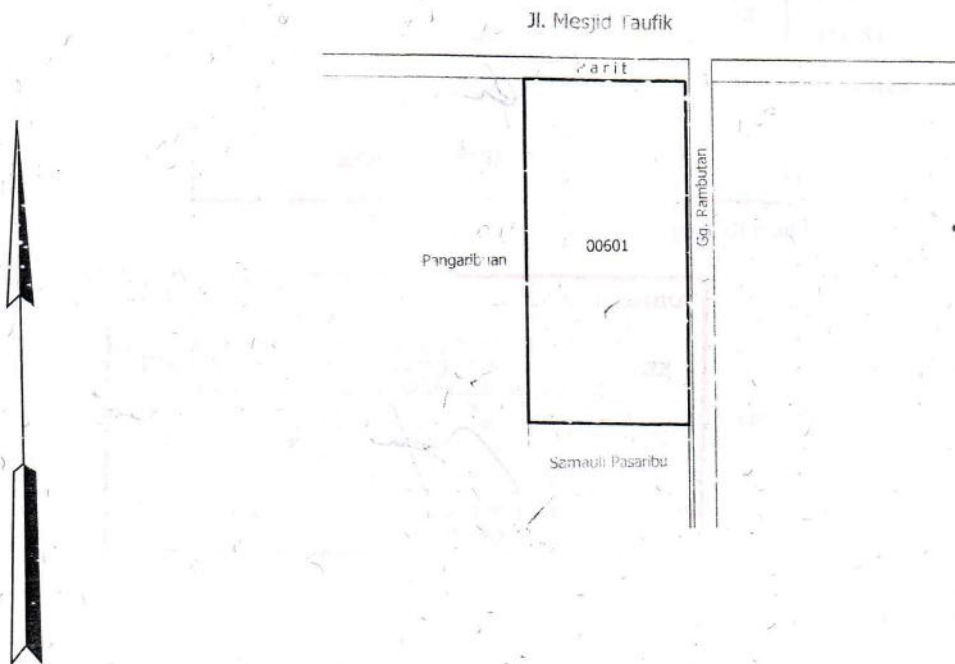
Sumatera Utara (Pemohon)

Diukur dan Digambar Oleh : Ivan Daniel Gultom





SKALA 1 : 500



PENJELASAN : \_\_\_\_\_ batas tanah ini

Kd:ab:100, No:arsip: 27410146, Kd: Pemby: 01/ Pembayaran SSP  
KdTx: 299, No: Rek: 09.22.40-72224. JumlahTx: 44, 310.000.00 K

### Appendix 8: 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.