Chittagong Water Supply Improvement and Sanitation Project

Resettlement Policy Framework

Chittagong Water Supply & Sanitation Authority
Government of Bangladesh
February 2010
Table of Contents

1. BACKGROUND 01

2. CHITTAGONG WASA POLICY STATEMENT 02

3. NATIONAL POLICY AND REGULATORY FRAMEWORK 03
   3.1 Legal Context of Land Acquisition in Bangladesh 03
   3.2 World Bank’s OP 4.12 Requirements 04

4. CWASA RESETTLEMENT POLICY FRAMEWORK 05
   4.1 Objectives of the Resettlement Policy Framework 05
   4. 2 Definitions 05
   4.3 Categories of Impacts 06
   4.4 Impacts and Entitlement Framework 07
   4.5 Social Implications of the Project Activities 09

5. SURVEYS AND DOCUMENTATION 13
   5.1 Preliminary Screening 13
   5.2 Project Preparation 13
   5.3 Resettlement Plan (RP) 13

6. PUBLIC CONSULTATION AND PARTICIPATION 14

7. GRIEVANCE REDRESS MECHANISM 15

8. INSTITUTIONAL ARRANGEMENTS 16

9. SUPERVISION AND MONITORING 16

10. COST AND BUDGETING 17

List of Tables

Table 4.1 Entitlement Matrix 11
Chittagong Water Supply Improvement and Sanitation Project
Resettlement Policy Framework

- **BACKGROUND:**

Chittagong is the second largest city in Bangladesh and its foremost sea port and industrialized city. Eighty percent of Bangladesh's exports and imports are routed through the port of Chittagong. There are currently two export processing zones within the metropolitan area, while four more are planned. Thirty percent of manufacturing in Bangladesh takes place in Chittagong. Forty percent of the country's heavy industry is located here. Almost all of Bangladesh's industrial exports originate in Chittagong. This economic activity, amongst others, has prompted a large population influx. The present population within Chittagong City Corporation area is about 2.6 million (compared to about 600,000 in 1980 when the previous Bank WSS project was conceived and under which the last major WSS infrastructure was completed). Chittagong metropolitan area is estimated to have about 3.8 million people, second only to Dhaka. The Government of Bangladesh has requested assistance from the World Bank to prepare the proposed project to improve water supply, sewerage disposal, sanitation and storm water drainage facilities in Chittagong. The project would be prepared and implemented by the Chittagong Water Supply and Sewerage Authority (CWASA).

The Chittagong Water and Sewerage Authority (CWASA) currently supplies water to about 40% (through various modes of supply) of the population of the Chittagong City Corporation (CCC) and its suburbs through a distribution network. People living in the Chittagong slums also rely on CWASA’s piped water, as there is no other reliable source of water available; but public standpipes are always remotely located. CWASA do not have any sewerage network. As a result waste water generated by the existing approximately 45,000 connections goes untreated to different water bodies like ponds, canals & river and from there to the sea (Bay of Bengal). High standard buildings dispose of their black waters in septic tanks and their grey water directly into water drains. Lower income households rely on latrines. Large portions of the slum population have no access to adequate sanitation facilities. Industries are required to treat effluents before disposal into drains or water bodies, but this regulation is seldom enforced. CWASA is also legally responsible for developing and operating the storm water drainage in Chittagong. The Chittagong City Corporation (CCC) is in charge of smaller drains. Natural channels and wetlands that help Chittagong City to cope up with the drainage of storm water flows are rapidly being covered up with soil due to urban development. Public health is affected by the limited coverage of the water supply and absence of sewerage system and also due to recurrent flooding.

Chittagong WASA has recently completed a Master Plan for Water Supply & Waste Water Management for detailed planned area covering more than 550 square kilometers. In the Master Plans short term, medium term and long term plans for the year 2011, 2021 & 2031 respectively are considered. Feasibility studies on priority (short term) projects for 100 million liter per day (mld) capacity water treatment plant on the left bank of River Karnaphuli at Bhanderjuri and 220 mld capacity sewerage treatment plant on the left bank of River Karnaphuli at South Halishahar was conducted. Chittagong WASA needs to update The Storm Water Drainages Master Plan prepared by the Chittagong Development Authority (CDA) for implementation by Chittagong WASA.
The Chittagong Water Supply Improvement and Sanitation Project (CWSISP) has three components. These components will support CWASA towards improving the service delivery of water supply to the population of Chittagong, improve the coordination between service delivery stakeholder agencies in Chittagong and prepare towards future investments in sewerage and drainage.

- **Component 1.** Water Supply and Sanitation – US$147.5m. This component will support the construction of Water Treatment Plants in CWASA’s development plan that are currently not financed or earmarked for financing by other financiers. This component will also support the rehabilitation and extension of the water distribution system, including the extension of water supply and sanitation service provision to selected urban slums. Water supply operational equipment, spare parts and technical assistance will be provided for the improvement of operations and maintenance (O&M). Technical assistance will be provided to support CWASA’s contracts management, engineering reviews and supervision engineers for WTPs and distribution systems, as well as the implementation of water supply and sanitation service provision to urban slums. This component will also support studies related to the saline intrusion of the Karnaphuli and Halda rivers, including analysis, recommendations and designs for options for future source of raw water for Modunaghat WTP and Mohara WTP.

- **Component 2.** Sewerage and Drainage – US$8.8m. This component will support studies to update and/or confirm the sewerage master plans and drainage master plans for Chittagong. In addition, technical assistance will be provided for the identification and design of priority investments in sewerage and drainage. A small amount of funds will be provisioned to enable limited works to begin on the priority investments in canal rehabilitation when they are identified and designed, including engineering and construction supervision support. Given the need for close coordination and cooperation amongst stakeholder agencies (CWASA, CCC and CDA]) for the efficient operations and maintenance (O&M) of drainage and sewerage services, this component will support technical assistance, consultations and training towards the development of a responsibility and coordination framework for drainage and sewerage in Chittagong.

- **Component 3.** Institutional and Operational Development, and Project Management Support – US$10.5m. This component will support a comprehensive institutional development of CWASA. Capacity building support will be provided at all operational levels to improve the efficiency of CWASA’s overall service delivery operation. This support would include (i) the establishment of expanded facilities in parallel with the service expansion of CWASA, (ii) the provision of financial, commercial and operational equipment, (iii) the provision of technical assistance in the fields of utility management, financial management, procurement and contracts management, environment and social safeguards, and (iv) training. In addition, this component will also provide project management support to CWASA. These include the establishment of the PMU, provision of technical expert to the PMU as needed, supporting the operational cost of the PMU, and provisioning for management of environmental and social aspects (including land acquisition and resettlement). Assistance will be provided to assist CWASA prepare projects/programs towards future phases of Bank support. It is likely that component 1
which constitutes of supporting the construction of water treatment plant and constructing, rehabilitating and extending the water distribution network and component 2 which involves in canal rehabilitation may require permanent or temporary acquisition of land thus triggering World Bank OP 4.12.

The project area is the Chittagong Metropolitan Area served by CWASA. The level of impact of the project is expected to be temporary in nature and minor in magnitude. Furthermore, the identified WTP will be built at Modhunaghat on a site already owned by the government and free of squatters. Therefore no land acquisition will be required for the construction of the WTP.

For the reasons above, a Resettlement Action Plan (RAP) is not required for Modhunaghat WTP. Nevertheless, a Resettlement Policy Framework (RPF) is needed to guide the application of World Bank social safeguards policies for all sub-projects and activities that may trigger OP 4.12. A screening of each sub-project will be conducted by CWASA throughout project implementation by way of Social Impact Assessments.

However, the exact sites for other civil works with respect to network rehabilitation and extension of distribution networks as well as rehabilitation of canals have not yet been determined and will be identified during project implementation.

Some of sub-project activities may require procurement of privately owned land and the displacement of land users, either with or without valid title. Although large scale acquisition of land and other assets is unlikely, even limited expropriation may produce economic and social disruption for the affected individuals and their families. Moreover economic impact may come in the form of loss of business income, on either a temporary or permanent basis. An assessment of these losses would be carried out for specific sub-projects and included in the RAPs and/or the Social Assessment Report and appropriate measures devised under the terms of the entitlement framework to ensure that affected people are able to improve, or at least able to restore their livelihood and income levels to pre-project levels. Mitigation measures for different types of losses and impacts would be guided by this RPF. RAPs will be prepared following the principles and provisions inscribed in this RPF and will be reviewed and cleared by the World Bank before the start of the civil works.

2. CWASA POLICY STATEMENT

CWASA aims to promote environmentally sound, socially acceptable and economically viable urban infrastructure projects. It believes that each of its projects will improve the living standards and the environment of populations in and around project locations.

CWASA commits each project to be of social relevance and acceptable by:

- Providing opportunities and avenues for informed stakeholder consultation, and, where appropriate, their participation in decision-making in project preparation, implementation and evaluation, in order to foster greater ownership and sustainability;
- Avoiding or minimizing resettlement due to land acquisition;
Where involuntary resettlement is unavoidable, ensuring responsible resettlement and rehabilitation plans are prepared and implemented in a timely manner and that those to be resettled are provided opportunities to improve their livelihood and income levels, and are aware of their entitlements and of the grievance mechanisms open to them should they seek redress;

- Paying particular attention to the protection of marginalized, disadvantaged, and vulnerable groups, including women and children, and promoting and providing, wherever possible, opportunities for such groups to take advantage of the investment;

- Minimizing health and safety hazards and providing opportunities for enhancing public and environmental health;

CWASA recognizes the importance of addressing environmental and social issues in urban infrastructure investments, and seeks to promote stakeholder involvement in the pursuit of sustainable projects. It also recognizes that displacement of large number of squatters along the pipeline systems and disruption of their livelihood that may occur. Where such displacement and disruption is inevitable CWASA aims to ensure that affected PAP households are appropriately relocated, provided alternative housing options and their livelihoods are restored in a fair and transparent manner, and to link mitigation measures with development opportunities.

3. NATIONAL POLICY AND REGULATORY FRAMEWORK

3.1 Legal Context of Land Acquisition in Bangladesh

Currently the only legal framework that governs land acquisition in Bangladesh is the **Acquisition and Requisition of Immovable Property Ordinance, 1982**. However, its provisions are not adequate to address adverse impacts associated with land acquisition and involuntary displacement and do not fully satisfy the requirements of the Bank's Operational Policy (OP 4.12) on Involuntary Resettlement or that of the international practices. In essence, the law is largely indifferent to the landowners' present socio-economic conditions, or the long-term adverse impacts on incomes and livelihood that the acquisition and displacement may cause on the affected people. Also, there are no other policies that complement the acquisition ordinance in ways to assess, mitigate and monitor adverse impacts that the affected people may suffer. Some of the salient gaps in the existing legal framework are summarized below:

- Avoiding/Minimizing Land Acquisition: The law only implicitly discourages unnecessary acquisition, as lands acquired for one purpose cannot be used for a different purpose, and lands that remain unused be returned to the original owners. However, there are no mechanisms to monitor if these conditions are actually adhered to.

- Eligibility for Compensation: The law stipulates compensation only for the persons who appears in the land administration records as the owners. It does not recognize the rights of those, such as squatters, who do not possess legal title to the lands they live in or make a living from. There is thus no provision to mitigate the adverse impacts they suffer.

- People who are impacted through loss of income are not recognized. The Land Acquisition Act provides for compensation for lands and other fixed assets built and grown on them (structures, trees and orchards, crops and any other developments like ponds, built amenities, etc.). However there is no provision to assess the impacts on peoples’ incomes, livelihood, loss of employment and businesses for mitigation measures to restore loss of incomes and livelihood.

- Compensation Standards: Although the law stipulates payment of compensation at 'market prices' for acquired lands as the just compensation, the legal assessment procedures used almost always results in prices that are far below the actual market prices.
• Relocation of Displaced Persons. There is no provision in the existing laws for relocation of displaced families who are affected by the loss of their assets: land and/or structures.

• Ensuring Payment/Receipt of Compensation. The legal process to determine entitlements are too cumbersome and time consuming and do not ensure payment of compensation prior to their displacement. Lands are legally acquired and handed over to the project execution agency as soon as the authority identifies the owners (or ‘awardees’), by examining the records, and sends a legal notice advising them to claim the compensation (or ‘awards’). The onus is left on the affected land owners to prove, by producing an array of documents, that the acquired lands legally belong to them. As gathering these documents is a long, expensive and cumbersome process, many landowners may be unable to claim their awards. The project has meanwhile started to use the lands.

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

3.2 World Bank’s OP 4.12 Requirements

The primary objective of the World Bank policy on ‘Involuntary Resettlement’ is to explore all alternatives to avoid or at least minimize involuntary resettlement. Where resettlement is unavoidable, the resettlement activities should be conceived and executed as sustainable development programs, providing sufficient resources to enable affected persons to share in project benefits and assisted in their efforts to improve their livelihood and standard of living, or at least to restore them to pre-project level. The policy also requires that affected people are meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs. The policy applies to the taking of land and other assets when involuntary resettlement results in the loss of shelter, the loss of all or part of productive assets, or access to them, and the loss of income sources or means of livelihood, with or without physical displacement.

Measures required to ensure that resettlement has a positive outcome include:

• Providing Project-affected persons with options;
• Permitting their participation in planning and selecting these options;
• Prompt compensation at full replacement cost for losses;
• Choosing relocation sites that provide, at a minimum, the same benefits as the sites they replace;
• Providing allowances and other assistance to make a smooth transition after displacement;
• Identifying vulnerable groups and providing and special assistance to these groups; and,
• Implementing an institutional structure that supports the process to a successful end.

Bank’s policy on Involuntary Resettlement requires payment of compensation and other assistance to project affected people before they are displaced from their existing locations. Further the policy requires income rehabilitation assistance to those affected severely due to the loss of their productive assets or loss of incomes and livelihood.

Absence of legal title does not exclude individuals from the eligibility to receive compensation and/or other assistance. The displaced or affected population eligible for compensation for losses include: those
who have formal legal rights to land or other assets, and those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws of the country. The Policy also requires that those without legal title should be given assistance to meet the objectives of the policy. The genesis of these rights may come from continued possession of public land where the government has not sought their eviction. Bank’s policy also recognizes that stakeholders who illegally occupy project-affected areas after established cut-off-date for any components are not eligible for compensation and other assistance provided that adequate measures are taken for information dissemination to people.

The gaps in the existing legal framework of Bangladesh and the objectives and requirements of the World Bank and other multilateral agencies are well recognized. Therefore, institutional or project specific policies such as the RPF are prepared to address these gaps and to meet the World Bank Social safeguards requirements.
4. CWASA RESETTLEMENT POLICY FRAMEWORK

4.1 Objectives of the Resettlement Policy Framework

This Resettlement Policy Framework (RPF) seeks to address the inadequacy of the existing legal provisions to meet the requirements of the project funded by the World Bank as discussed in the previous section. This RPF will only be applicable to World Bank funded projects. This policy is based on the philosophy that development projects must serve the needs of society and ensure that project affected persons (PAPs) are not made worse off by development projects. Thus, the project will not penalize any one person in order to benefit many other persons. Resettlement Policy Framework is supported by the detailed Implementation Guidelines that will be prepared by the design consultants. CWASA will be responsible for full and proper implementation of this policy framework.

In response to above philosophy, involuntary resettlement should be an important consideration in project identification. Three important elements of involuntary resettlement are: (i) compensation for loss of assets, loss of livelihood and income, (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services, and (iii) assistance for rehabilitation to achieve at least the same level of well being with the project as without it. This can be ensured through the following basic objectives:

(i) Avoid involuntary resettlement where feasible and minimize resettlement where population displacement is unavoidable,
(ii) Ensure that displaced people receive compensation, assistance and rehabilitation so that they would be at least as well off as they would have been in the absence of the project,
(iii) PAPs will benefit from the project, and
(iv) Project stakeholders, including PAPs are consulted and given the opportunity to participate, as practicable, in the design, implementation, and operation of the project.
(v) Additional assistance should be provided to vulnerable groups.

4.2 Definitions

For purposes of this framework, the following definitions will be applicable:

Project Affected Persons (PAP) includes any person or persons, households, a firm, or private or public institution who, in the context of acquisition of assets and change in land usage, as of the cut-off date, on account of the execution of the project, or any of its subcomponents or part, would have their:

(a) Standard of living adversely affected;
(b) Right, title, or interest in any house, land (including residential, commercial, agricultural and grazing land) or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily adversely affected; or

3 The Implementation guidelines will cover, among other things, the processes and procedures, including necessary formats & criteria, where relevant, for initial social assessment; screening of project/sub-projects; census, inventory and socio-economic baseline surveys; market studies & valuation of different types of assets; computerized data management system; format and contents of RPs; monitoring indicators and formats and contents for supervision and monitoring reports; public consultation and participation process; documentation for grievance redress mechanism; and procedures for private negotiations for acquisition of private assets.
(c) Business, occupation, places of work or residence or habitat adversely affected, with or without displacement.

**PAP** means *project affected* persons or affected household and consists of all members of a household residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components. For resettlement purposes, affected persons will be considered as members of affected households. **However, entitlements will be specific to persons/institutions depending on their specific categorization as mentioned in the Entitlement Matrix.**

‘**Household (HH)**’: A household is a group of persons who commonly live together and would take their meals from a common kitchen.

‘**Replacement Cost**’: means and include an amount needed to replace an asset at current value including depreciation and overhead expenses of the transaction, including stamp duty and registration charges, as follows:

(a) Agricultural land based on its productive potential;
(b) Residential land based on market value;
(c) Houses and other related structures based on current market prices of building materials and labor, without depreciation and deductions for salvaged building materials, plus transaction costs (such as administrative charges, registration and titling costs), etc.;
(d) Trees, crops and plants on current market value; and;
(e) Other productive assets like shops and commercial assets based on market value of similar location attribute i.e. premium etc;

‘**Cut-off date**’: is the date prior to which the occupation or use of the project area makes residents/users of the project area eligible to be categorized as affected persons. In many projects, the cut-off date coincides with the commencement of the census of affected persons within the project area boundaries. Persons not covered in the census will not be eligible for compensation and other entitlements. For PAPs with legal titles the cut-off date would be the date of issue of legal notice under the Land acquisition act. For those without titles, the cut-off-date will be the date of commencement of census.

‘**Land**’: The term land refers to land acquired under the Land Acquisition Act or through private transactions.

‘**Squatters**’: are persons who occupy / possess an asset without legal title.

‘**Encroachers**’: are those owners of land adjacent to public property, who have illegally extended their land holdings or structures into the public land.

**Tenants** are those persons having tenancy agreements, written or unwritten, to occupy a structure or land for residence, business or other purposes.

‘**Vulnerable groups**’: These are distinct groups of people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households with no means of support and landlessness, and (v) indigenous people or ethnic minorities.

- ‘**Severely Affected households**’: These are households that will be affected by any one of the following: (i) Significant loss of income (> 50%), (ii) Loss of residential premises, (iii) Loss
of land holdings > 20% of pre-project status, (iv) Loss of accesses to common property resources for those whose livelihoods depends on these.

4.3 Categories of Impacts

In order to provide a framework for the R&R process in projects where World Bank financing is involved, a detailed Social Entitlement Framework for World Bank financed projects is provided in Table 4.1. Following basic categories of issues/impacts are foreseen under this entitlement framework:

a) Loss of land;
b) Loss of structure;
c) Loss of source of livelihood;
d) Loss of access to common resources and facilities;
e) Loss of standing crops, trees and perennial trees; and
f) Loss of public infrastructure.

4.4 Impacts, Mitigation and Entitlement Framework

1. Entitlements for compensation and rehabilitation assistance to different categories of PAPs are described in the following sub-sections and presented in the Entitlement Matrix in Table 4.1 of this section:

A. PAPs losing Agricultural Land

(a) When the portion of the land to be lost represents 20% or less of the total area of the land-holding, cash compensation at full replacement value, will be provided to the PAP. Where significantly large or entire land holding is affected by the project, the general mechanism for compensation of lost agricultural land will be through provision of "land for land" arrangements of equivalent productivity and at location acceptable to the PAP. In case suitable replacement land is not available, at the PAPs request cash compensation at replacement cost will be provided. In cases where only partial land is affected but the remaining land becomes economically unviable, the PAP will be entitled to compensation for entire holding at full replacement value or land-for-land option.

(b) The replacement agricultural land will be provided to the PAP free of any tax, transfer costs, registration fee or charges.

(c) PAPs whose land is temporarily taken by the works under the Project will be compensated at replacement cost for their net loss of income, damaged assets, crops and trees, as the case may be.

(d) Affected tenants and leaseholders on the agricultural land will be compensated for the market value of the gross harvest for one year’s production or the remaining period of the tenancy agreement/lease, whichever is greater.

(e) Affected agriculture labor will be compensated for the loss of income and will be paid compensation equivalent to the six months salary and assisted in getting alternative employment.

(f) Squatters and encroachers will not be entitled to compensation for affected land;

B. PAPs losing Residential or Commercial Land

(a) Where the portion of the land to be lost represents 20% or less of the total area of the land holding, PAPs will be entitled to cash compensation at full replacement value for the affected portion of the holding. Where significantly large (20% or more) or entire land-holding is affected by the project, the general mechanism for compensation of lost residential land will be through provision of “land for land” arrangements of equal size and at location acceptable to the PAP. In case suitable land is not available, cash compensation at replacement cost will be provided. However, where only partial land is affected but the remaining land becomes either unviable or in area less than the minimum required under the prevailing

Comment [SM1]: The pipeline laying works may cross small patches of seasonal paddy or other crops planted on vacant plots. This cannot be confirmed until the ROW is determined. Even though the DWASA project was entirely in urban areas we had still kept this option in the framework.
zoning laws, the PAP will be entitled to compensation for entire holding at full replacement value, or land-for-land option. In case of loss of business premises, PAPs be entitled to alternative business site of equal size and location with good accessibility to customers and satisfactory to the PAP, or cash compensation at full replacement value, if suitable replacement land is not available.

(b) The replacement land for resettlement will be provided in fixed plot sizes according to the prevailing zoning laws and planning practices. However, if the lost land of PAP is in size larger than the plot sizes for relocation, a cash compensation to cover the difference of the area will be given to the PAP.

(c) The replacement land will be provided to the PAP free of any tax, transfer costs, registration fee or charges at the time of transfer.

(d) Squatters and encroachers will not be entitled to compensation for affected land;
(e) Affected tenants and leaseholders on the commercial/residential land will be compensated in cash equivalent to the three months of rent or the remaining period of the tenancy/lease agreement, whichever is greater. The rent amounts will be determined at the time of census survey for the RAP depending on current rent the PAP is paying and the type/quality of accommodation he/she is availing at that time. The consultants will also analyze rent amounts in the surrounding areas for similar types of accommodation.

(f) PAPs, whose land is temporarily taken by the works under the Project, will be compensated at replacement cost for their net loss of income and damaged assets, as the case may be.

The project does not anticipate large scale land acquisition as the WTP itself will be built on land already belonging to CWASA. For the reasons above, a Resettlement Action Plan (RAP) is not required for Modhunaghat WTP. Nevertheless, a Resettlement Policy Framework (RPF) is needed to guide the application of World Bank social safeguards policies for all sub-projects and activities that may trigger OP 4.12. A screening of each sub-project will be conducted by CWASA throughout project implementation by way of Social Impact Assessments. Network laying is likely to result in temporary impacts of low magnitude for the most part.

The consultants who will be engaged to prepare the RAP will be responsible for determining the market price for land pertaining to the above sections A and B according to location and usage. The methodology used for such determination as undertaken in previous World Bank funded projects involving involuntary resettlement in Bangladesh, is based on consultations with owners of the land, owners of land in the surrounding areas, inspecting deeds of land transactions in the surrounding areas, consulting with real estate developers in urban and peri-urban areas and the DC’s office (where even though land transactions are registered at very low values, the actual value is well known).

C. PAPs losing Houses/Structures

(a) The mechanism for compensating loss of residential and other structures will be cash compensation reflecting full replacement cost of the structures, without depreciation.

(b) If the house or structure is only partially being affected by the Project, the PAP will be entitled to cash compensation for the affected portion of the structure and a repair allowance (minimum of 20% of compensation) for restoration of the remaining structure for its continued use. However, if the remaining structure is rendered unviable or in area less than the minimum house size under the prevailing zoning laws, the PAP will be entitled to compensation for entire structure at full replacement cost without depreciation.

(c) Tenants, who have leased a house / structures for residential or other purposes and affected by the project, will be provided with a cash grant equivalent to three months rental allowance, and will be assisted in identifying alternative rental accommodation. It is to be noted that such grants are not reimbursable from Bank funds.

(d) Affected households will also be entitled to a transfer/shifting allowance; and a transition allowance for three months. Vulnerable Squatters will also be provided with relocation assistance through viable options and assistance packages to choose from.
At the time of RAP preparation, the consultants will undertake a census survey to identify all affected households and all types impacts pertaining to them. The type of housing/structures affected will vary from household to household, as will the magnitude and scope of impacts on the housing. Consultants will analyze all categories, quality and types of material used for the construction of the houses and structures and determine the market costs of these. Labor costs for the construction of similar housing/structures are easily determinable from the local market for builders of similar structures. Below is a *sample analysis* taken from a previously approved and successfully implemented RAP.

**Rate of different items for construction of a tin made house**

<table>
<thead>
<tr>
<th>Type</th>
<th>Unit</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wood</td>
<td>Per cft</td>
<td>BDT 1000 – 2000</td>
</tr>
<tr>
<td>Rod</td>
<td>Ton</td>
<td>BDT 645600 – 68000</td>
</tr>
<tr>
<td>Bamboo</td>
<td>Per Piece</td>
<td>BDT 300 – 400</td>
</tr>
<tr>
<td>Tin</td>
<td>Bundle</td>
<td>BDT 3200 – 12000</td>
</tr>
<tr>
<td>Carpenter</td>
<td>Per Day</td>
<td>BDT 450 – 500</td>
</tr>
<tr>
<td>Helper</td>
<td>Per Day</td>
<td>BDT 300 – 350</td>
</tr>
<tr>
<td>Brick</td>
<td>Per Piece</td>
<td>BDT 300 – 400</td>
</tr>
<tr>
<td>Sand for Filling</td>
<td>Per sft</td>
<td>BDT 13</td>
</tr>
<tr>
<td>Sand for construction</td>
<td>Per sft</td>
<td>BDT 38</td>
</tr>
</tbody>
</table>

**Table 8.2: Calculation for Tin Made structure**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Amount for 150 sft</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tin</td>
<td>5 Bundle (BDT 4000 per Bundle)</td>
<td>20000</td>
</tr>
<tr>
<td>Bamboo</td>
<td>8 Piece (BDT 350 per Piece)</td>
<td>2700</td>
</tr>
<tr>
<td>Carpenter</td>
<td>10 Day (BDT 400 per day)</td>
<td>4000</td>
</tr>
<tr>
<td>Wood</td>
<td>12 cft (BDT 1500 per cft)</td>
<td>18000</td>
</tr>
<tr>
<td>Door &amp; Window</td>
<td>2 Piece</td>
<td>8000</td>
</tr>
<tr>
<td>Others</td>
<td>Screw, GI Cable, etc.</td>
<td>1000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>50700</td>
</tr>
<tr>
<td>Land Preparation</td>
<td>500 cft (BDT 7000 per cft)</td>
<td>6500</td>
</tr>
<tr>
<td>Cost of 150 sft</td>
<td></td>
<td>60200</td>
</tr>
<tr>
<td>Cost per sft</td>
<td></td>
<td>401</td>
</tr>
</tbody>
</table>

**Recommended rate BDT 400 per sft**

The rates for four categories of structures finalized as follows:

- Semi-Pucca structures within ROW: 600 Tk / sq. ft
- Tin made structure: 400 Tk / sq. ft
- Kutcha structures within ROW: 300 Tk / sq. ft
- Thatched structure: 150 Tk / sq. ft

**D. Loss of Business/Income or employment**

Affected PAPs would be provided with opportunities for employment in reconstructed business enterprise. Alternatively, income rehabilitation package would be provided to the PAPs for re-employment, training...
in other trades and skills, agricultural inputs and extension services support, or for starting a new business depending upon their needs and priorities. The type and level of assistance required will be decided in consultation with the PAPs.

Squatters without any legal title or ownership right to the land they occupy will be compensated for all their lost assets such as house/structure, fixed assets, shop/kiosk at full replacement cost and provided assistance in finding suitable relocation site. The relocation site would, as far as possible, contain the access to facilities and services better than or at least equivalent to the one lost. Encroachers will be considered as PAPs and will be eligible for assistance as described in the Entitlement Matrix.

Based on the socio-economic baseline survey and census undertaken as part of RAP preparation the consultants will determine the types of businesses and nature of wage based employment in the ROW. This will help them to calculate business and wage incomes and gauge how long it would take to re-establish such businesses should they be displaced (unlikely as laying pipelines usually results in very temporary impacts), or how long it would take for wage earners to regain alternative employment. Compensation amounts will be calculated and included in the RAP as part of the Inventory of Losses that categorizes each impact and costs out each impact in terms of compensation/mitigation for each affected PAP.

Furthermore parties that will be temporarily affected will not be eligible for cash compensation but will be consulted to have a minimization of impacts.

E. Loss of standing crops and trees:

(a) PAPs will be entitled to cash compensation equivalent to market value of crops and trees based on the type, age and productive value of affected trees.

(b) Compensation for all types of affected assets will be provided at replacement cost.

(c) PAPs will be provided with compensation at full replacement cost, without depreciation for any other fixed assets affected in part or in full by the project, such as water wells, electric and water connections. For determining the compensation for trees and crops the consultants may follow the Department of Forest and/or Agriculture guidelines as has been done in previous Bank projects, as these rates have been found to reflect market rates closely.

(d4) All PAPs severely affected by the project due to the loss of productive assets, incomes and employment will be entitled to the income rehabilitation assistance including income restoration programs, training to improve skills or other assistance for self-employment depending upon the needs and priority of the affected PAPs. These rehabilitation measures would specifically focus severely affected (displaced) PAPs, vulnerable groups, itinerant workers, small businesses and those who are either below the poverty line or those severely affected by the project due to the loss of productive assets or are likely to fall below the poverty line. Detailed baseline survey and socio-economic data and consultation with local community will identify such vulnerable groups, and the scope and need for specific rehabilitation measure will be assessed during the project implementation stage in consultation with the PAPs. At least 30% of such rehabilitation assistance measures will be reserved for women.

(e5) In cases where community infrastructure such as schools, factories, water resources, roads, sewage system or electrical supply is damaged, project developers will ensure that these would be restored or repaired as the case may be, at no cost to the community. Furthermore alternative routes will be identified.

(f6) PAPs without any legal title or ownership right to the land they occupy will be compensated for all their lost assets such as house/structure, fixed assets, shop/kiosk at full replacement cost and provided assistance in finding suitable relocation site. The relocation site would, as far as possible, contain the
access to facilities and services better than or at least equivalent to the one lost, and provided with tenure
security. Encroachers will be considered as PAPs and will be eligible for assistance as described in the
Entitlement Matrix.

(a) PAPs entitled for relocation will be provided transport allowance or full assistance for transportation,
and re-establishment of their house or business structures.

(b) Transition allowances will be equivalent to the monthly incomes/wages of affected PAPs.

(c) Except for the long-term income rehabilitation assistance, payment of compensation and other
allowances, and relocation assistance for a project component, phase or part thereof, will be completed
prior to award of civil works contracts.

In case of other unforeseen impacts not covered above, appropriate measures would be determined
keeping in mind the overall objective of this policy.

4.5 Mitigation Measures Social Implications of the Project Activities

Mitigating adverse impacts: Before taking possession of acquired lands and structures and before start
of civil works construction, PAPs will be paid compensation and other assistance in full. Where PAPs
are entitled to relocation, the relocation site will be fully developed before the PAPs are displaced. CWASA will ensure that the standard of living of all affected persons is restored to the level enjoyed before the commencement of the project, and, if possible, improved.

Procedures for land acquisition: Where possible and permitted by regulations, CWASA will acquire
private land through direct purchase based on ‘willing buyer willing seller’ principle, as the first option.
Negotiations for direct purchase will be carried in a public place and in transparent manner. All
proceedings will be documented and final agreement will be signed by the negotiating parties. Under
private negotiations the minimum negotiated price should not be less than replacement cost as
established through the market surveys. The negotiated amounts will be paid within three month of
completing the negotiations. Interest @12% will be added for the delay in payment of compensation.
Where direct purchase by implementing agencies is not possible, required private land for the sub-
projects will be acquired following the provisions of the Acquisition and Requisition of Immovable
Property Ordinance, 1982 and World Bank Safeguard Policies.

Compensation at Replacement Cost: In case direct purchase by CWASA is not possible (or
permitted), all acquisition of land would be under Land Acquisition Act 1982, and following the
provisions of this policy framework which provides compensation for properties to be acquired and
support to be extended for meeting replacement value of the property. Under the Land Acquisition Act
compensation are assessed, and paid, by DC office to PAPs for each mouza where his/her assets are
located. Such Compensation under Law (CUL) that includes 50% premium on assessed values do not
fully meet replacement cost. CWASA will top-up these amounts to make up for the balance so that the
total amounts paid to PAPs are at replacement cost. To estimate top-up amounts, CWASA will engage
independent institution to carry out market studies at the time of baseline surveys to determine market
rates for different types of assets. Estimated resettlement costs to be included in the Resettlement Plans
would be based on the market surveys. The amount of top-up due to a PAP will be calculated by
comparing the total amount of CUL paid by the DCs for all acquired lands and other assets with the
total replacement costs/market prices thereof. In case of unusual delays in implementation after the
market surveys are completed, there may be a need for revaluation of market rates at the time of
implementation and finalization of top-up amounts. Procedures to conduct market surveys for the valuation of affected assets will be described in the Implementation Guidelines.

**Entitlements to affected people without legal rights to land:** Lack of ownership does not imply ineligibility for compensation rights. The presence of squatters poses particular challenge to CWASA. The lack of legal tenure to land or assets will not be regarded as a criterion for withholding financial compensation or assistance in relocation in the project. CWASA will strive to provide suitable alternatives to resettle displaced squatter communities. The affected squatters will be carefully screened to ensure that resettlement and rehabilitation assistance is provided only to vulnerable families and not to powerful encroachers and musclemen (mastaans) are screened out.

**Measures to avoid illegal occupation of cleared land.** The preparation of a Resettlement Action Plan will require that an early cut-off date, preferably at the time of the baseline survey, is established. CWASA will ensure that the information on cut-off date and eligibility are provided to the people with the clear understanding that anyone illegally occupying the land after the cut-off date will not be entitled to any compensation and/or assistance. CWASA will also take appropriate measure to ensure that all lands that is cleared for the project remains clear of squatters.

**Relocation of displaced squatters:** The displacement of squatters poses particular challenges to CWASA. CWASA will explore all possible housing options to relocate severely affected/displaced squatters to minimize long-term social and economic impacts of displacement and to enable them to restore their livelihood and incomes levels within least possible time. In order to minimize disruption of existing social ties and sources of incomes and employment, particularly for vulnerable affected persons, the priority will be to relocate them as close as possible to the existing locations with access to facilities and services better than, or at least similar to, those lost. Affected households, persons/entities will be provided with viable options for relocation to choose from that may include, among others: self-relocation; special package for transfer to the place of origin; and relocation to a suitable resettlement site either on available WASA land or other public land or at other locations within the city. Where attempts to find suitable relocation sites are not successful or the locations of identified sites are not acceptable to the PAPs, other options will be considered in consultation with the World Bank.
Table 4.1: Entitlement Matrix

<table>
<thead>
<tr>
<th>No</th>
<th>Type of Loss</th>
<th>Application</th>
<th>Entitled Person</th>
<th>Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Arable land</td>
<td>Less than 20 percent of land holding lost OR where less than 20% holding lost but the remaining land becomes economically unviable</td>
<td>Title holder</td>
<td>-Cash compensation for lost land at replacement cost.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>More than 20 percent of land holding lost OR where less than 20% holding lost but the remaining land becomes economically unviable</td>
<td>Title holder</td>
<td>-Land for land or compensation in cash. Compensation by receiving a new parcel of land of equivalent size and crop productivity and free of taxes, registration and transfer cost; at location acceptable to PAP; and with long-term security of tenure of better or equivalent nature to that affected. -Compensation for preparation of replacement land -Transition allowance for three months -Transfer/shifting allowance -PAPs will be entitled to income rehabilitation assistance</td>
</tr>
<tr>
<td>2.</td>
<td>Residential / commercial land</td>
<td>Less than 20% of land holding lost and remaining land viable for present use</td>
<td>Title holder</td>
<td>-Compensation in cash at market value. Any squatters/encroachers affected by taking of residential land will not be entitled to compensation for land. For vulnerable squatters see entitlements for affected structures.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>More than 20% holding affected OR where less than 20% holding affected but the remaining area becomes smaller than minimally accepted under the zoning laws and unviable for continued use</td>
<td>Title holder</td>
<td>-Land for land or cash compensation. Replacement land of minimum plot of acceptable size under the zoning laws or a plot of equivalent size, whichever is larger, in an area with adequate physical and social infrastructure. In the case of loss of commercial land the replacement land of sufficient size for business continuation in market area or at location comparable to previous site. -Replacement land to be free from taxes, registration and transfer costs. -Transition Allowance for three months -Transfer/shifting allowance. Any squatters/encroachers affected by taking of residential land will not be entitled to compensation for land. Vulnerable squatters will however be provided with relocation assistance.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Tenant/Leaseholders</td>
<td>-Cash compensation equivalent to the three months of rent or for the remaining period of tenancy/lease agreement, whichever is greater.</td>
</tr>
</tbody>
</table>

4Land holding refers to the land plot directly impacted by the project and does not include any other land holdings that a PAP may own at other locations.
### Structures

<table>
<thead>
<tr>
<th>Partially Affected</th>
<th>Owner with valid title to land</th>
<th>Compensations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Compensation in cash for affected portion of the structure and other fixed assets at replacement cost and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assistance in restoration of the remaining structure (Repair Allowance, minimum 20% of compensation)</td>
</tr>
<tr>
<td>Squatters</td>
<td></td>
<td>- Compensation in cash for affected portion of the structure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Transfer/shifting allowance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Transition allowance for three months</td>
</tr>
<tr>
<td>Tenants</td>
<td></td>
<td>- Cash compensation equivalent to 3 months' rental allowance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Transfer/shifting allowance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Assistance in alternate rental accommodation</td>
</tr>
<tr>
<td>Encroachers</td>
<td></td>
<td>- Early notice on the demolition</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Technical advice in demolition, relocation and repairing of affected structure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Payment for repairing only those damages to the structure resulting from demolition, if required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Transfer/shifting allowances, if required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Transitional allowance</td>
</tr>
</tbody>
</table>

| Entire structure affected OR where structures partially affected such that the remaining structure is unviable for continued use. | Owner with valid title to land | Compensations |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                  |
| Tenant                                                                                                      | Compensation in cash for entire affected structure and other fixed assets (wells, electric and water connections etc.) at replacement cost, without depreciation. |
|                                                                                                                                                                                                                                                                  |
| Squatters                                                                                                   | - Cash compensation equivalent to 3 months' rental allowance |
|                                                                                                                                                                                                                                                                  |
| Encroachers                                                                                                | - Transfer/shifting allowance |
|                                                                                                                                                                                                                                                                  |

### Loss of business / incomes or employment

<table>
<thead>
<tr>
<th>Temporary or permanent loss of business/ incomes/ employment</th>
<th>Affected individuals (titled/non-titled)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Employment in reconstructed enterprise or package for re-employment or starting a business</td>
</tr>
<tr>
<td></td>
<td>- Transition allowance for the permanent loss of business, incomes &amp; wages equivalent to the loss of income/wages for a period of 6 months for each affected members of households.</td>
</tr>
<tr>
<td></td>
<td>- In case of temporary loss of business of incomes / businesses, compensation will be wages equivalent to closure period. Compensation rates will be agreed</td>
</tr>
</tbody>
</table>
with the business owners and daily laborers and calculated on the basis of local surveys.

- Priority will be given to PAPs when staff would be hired for the project.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>Standing crops</td>
<td>Crops affected by land acquisition or temporary acquisition/easement</td>
</tr>
<tr>
<td>6.</td>
<td>Trees</td>
<td>Trees lost</td>
</tr>
<tr>
<td>7.</td>
<td>Loss of public infrastructure</td>
<td>Infrastructure (electric water supply, sewerage &amp; telephone lines; public health center; public water tanks)</td>
</tr>
<tr>
<td>8.</td>
<td>Unforeseen Losses</td>
<td>As identified</td>
</tr>
</tbody>
</table>
5. SURVEYS AND DOCUMENTATION

5.1 Preliminary Screening

During the identification and preliminary stages of any sub-project preparation, CWASA will undertake a preliminary Social / Land Acquisition Assessment to identify the types, degree and scale of potential social impacts of the sub-project. To correctly identify the relevant social issues and to assess the type and level of information required during subsequent field investigations, particular attention will be paid to adverse impacts to the affected community, such as loss of land and other fixed assets and the number of persons marginally or severely affected and the types of vulnerable groups affected. The information collected during the preliminary social / land acquisition assessment will provide the basis for determining severity of impacts and the level and depth of subsequent field surveys, investigations and documentation. In cases, where the preliminary assessment indicates that the potential impact of the proposed project will be significant, appropriate preparation will be done for extensive field surveys and consultation with key stakeholders and appropriate mitigation will be provided.

5.2 Project Preparation

CWASA will be responsible for carrying out all necessary surveys, field studies and investigations, as identified during the screening. Prior to undertaking the survey CWASA will conduct a public information campaign to describe the project components, types of impacts, content and schedule for the census and inventory or other background surveys to the key stakeholders.

At least three basic types of surveys will be needed: a census; an inventory of affected assets and other losses; and a socio-economic baseline survey. The census and the inventory of affected assets will cover all PAPs, regardless of entitlement or land ownership. Criteria for vulnerability of PAPs should be paid particular attention in order to provide additional assistance. Baseline survey should cover at least 30% of severely affected/displaced PAPs and will include information on socioeconomic characteristics of potentially affected households. The baseline data will be used for post-implementation evaluation to determine whether or not affected peoples have been able to restore their livelihood. All data should be maintained on computerized data management system to facilitate analysis. It is recommended that field surveys and investigations for census, inventory of assets and baseline data are carried out in an integrated manner to maximize use of available resources and to avoid repeated field visits.

Expropriation, is likely to produce economic loss and social and psychological disruption for the affected individuals and their families, and may include the loss of business income, on either a temporary or permanent basis. An analysis of these losses must be included in the RAP and/or the Social Assessment Report and appropriate measures devised under the terms of the entitlement framework to ensure that livelihoods are restored.
5.3 Resettlement Plan (RP)

Based on the census and inventory of data and field investigations, RP will be prepared in sufficient details depending upon the degree and scale of impacts in a project. For the RP preparation process to begin, the exact ground locations of the required lands and right of way of the assets (water distribution systems, canals, ETPs) need be identified and demarcated. As such, the social safeguard and the engineering consultants jointly with CWASA will carry out detailed engineering surveys and design the rehabilitation and improvement works and lay them on the mouza maps. Where private land is to be acquired, these mouza maps will also provide the basis to prepare the land acquisition proposals (LAPs) which are to be approved by the Ministry of Local Government Rural Dev. & Co operatives (MOLGRD). The LAPs will be prepared for each scheme and will include plot schedules, (with dag or plot numbers), the amount of land to be acquisitioned from each plot, and the ownership status, such as private and public lands. Land acquisition Proposals together with information on affected plot schedules and ownership status will be used as the basis by the DC office to determine CUL. Where private land acquisition will not be necessary, these mouza maps will help in identification of CWASA and other land boundaries for design purposes. Where surplus CWASA or other public land parcels can be identified these can be considered for relocation of displaced squatters.

The process to comply with World Bank policy includes identifying all categories of PAPs and this usually takes place before the DC office gets involved. The DC’s office involvement, however, relates only to the identification of legal owners of land with demonstrable title to their lands. As the 1982 Ordinance does not recognize any other category of impacted people, all other PAPs will be identified and compensated according to World Bank OP 4.12.

Abbreviated (Summary) Resettlement Plan:

In cases where the impacts of the sub-project on the entire displaced population are minor, or fewer than 200 persons (about 40-50 families) are affected without any large scale displacement, or where the impacts are minor, although more than 200 persons may be affected, an abbreviated RP should be prepared. It should provide a census survey of displaced persons and valuation of assets, description of compensation and other resettlement assistance to be provided, consultations with displaced people about acceptable alternatives, institutional responsibility for implementation and procedures for grievance redress, arrangements for monitoring and implementation, and a timetable and budget (Please refer to World Bank OP 4.12 Annex A para 22).

Detailed RP:

In cases where the project affects and/or displaces more than 200 people (40-50 families), a time-bound Resettlement Plan (RP) for the project will be prepared in accordance with the provisions of this Framework. The threshold of 200 PAPs should apply to all sub-projects put together for which one single standalone RP will be required. Resettlement plans should be built around a development strategy, and compensation, resettlement, and rehabilitation packages should be designed to improve or at least restore the social and economic base of those severely affected. Preference should be given to resettling vulnerable people dislocated from their existing settings by providing opportunities for sustainable income generation in similar settings. Where a project is likely to adversely affect households-PAPs belonging to poverty groups, the resettlement plans should specify measures, additional to the compensation entitlements, aimed to improve status of the poor to bring them up to an acceptable level above the poverty line.

The RP will include: (i) project description and brief description of impacts; (ii) specific measures taken to minimize adverse impacts; (iii) socio-economic survey; (iv) detailed description of impacts and category of PAPs; (v) entitlement for different types of losses; (vi) specific measures provided to
vulnerable groups and for income rehabilitation assistance; (vii) public consultation and participation; (viii) estimated resettlement cost; (ix) monitoring and evaluation procedures; (x) organizational responsibilities and implementation procedures including valuation of lost assets; identification of alternative relocation sites; provisions for shelter, infrastructure and social services; and procedures for landownership, acquisition and transfer; and (xi) implementation schedule, (xii) grievance redress mechanism.

CWASA will share the RAPs with the Bank for review and approval, before the sub-project civil works begin. During implementation, CWASA will ensure that all compensations/entitlements due to the PAPs are paid in full, before the civil works begin on the acquired lands, including the public lands repossessed from private uses.

6. PUBLIC CONSULTATION AND PARTICIPATION

Preparation of appropriate documents and planning and implementation for the acquisition of land and other assets will be carried out in consultation with the PAPs. The PAPs will receive prior information of the compensation, relocation and other assistance available to them.

CWASA will be responsible to carry out continued consultation with and information dissemination to the key stakeholders regarding:

- The relevant details of the project;
- The resettlement plan and various degrees of project impact;
- Details of entitlements under the resettlement plan and what is required of PAPs in order to claim their entitlements (a copy of the entitlement matrix should be provided to the PAPs);
- Compensation process and compensation rates;
- Relocation and resettlement site development operation in order to obtain agreement and support of affected people in participating in these operations; and
- Implementation schedule with a timetable for the delivery of entitlements.

CWASA shall also provide a detailed explanation of the grievance process and enlist the help of community leaders and other influential community officials in encouraging the participation of the PAPs in resettlement activities. Finally, CWASA shall attempt to ensure that all vulnerable groups and indigenous peoples/ethnic minorities understand the process and that their needs are specifically taken into consideration.

Public participation will be performed and information will be made available during preparation and implementation of the resettlement plan and at the minimum includes community meetings and focus-group discussions.

CWASA will rely on the successful information and communication/consultation strategy used by Dhaka Water and Sanitation Authority (DWASA) in designing and implementing their projects. This strategy has demonstrated inclusion and participation of all stakeholders and has been particularly useful for the many squatters who have been resettled under DWASA projects. The consultative process will
be fully documented and all mitigation plans will include participants lists from all consultations conducted.

7. GRIEVANCE REDRESS MECHANISM

Despite best efforts to arrive at fair rewards in project involving involuntary resettlement, there shall always be a few unsatisfied citizens. The CWASA will make efforts at project level to resolve grievances through negotiations involving community leaders and PAP’s representatives.

Grievance Resolution Committee: In case dispute is not resolved at local level, the matter will be placed before a Grievance Resolution Committee.

Grievance Resolution Committee (GRC) shall be constituted consisting of a panel of three Members, one of whom shall be its CWASA Project Coordinator, to be selected by CWASA. Other members will include a representative from the residents of the project area, who would be publicly known to be a person of integrity, good judgment and commands respect. Other persons would be representative from local NGO/CBO.

The Project Coordinator shall:
- Convene meetings of the committee as necessary at such place or places in the project area as he considers appropriate; and
- Conduct the proceedings in an informal manner as he considers appropriate with the object to bring an amicable settlement between the parties;

The report of the members shall be recorded in writing and attested copies thereof shall be provided to the parties.

In case of continuing differences and notwithstanding the provisions of Land Acquisition Act, the GRC can take a decision regarding entitlement and compensation. The decision taken during negotiations and GRC meetings shall be formally recorded for future reference and presentation in the court, if necessary.

All expenses incurred in arranging grievance negotiations and meetings of GRC as well as logistics required, shall be arranged by project-executing agency.

Right of Complaint: The aggrieved PAP, if not satisfied with the decision of Grievance Resolution Committee, has the right to refer his / her petition to court of law.

8. INSTITUTIONAL ARRANGEMENTS

Since May 4, 2008, CWASA came under the WASA Act (1996) through a gazette notification by the Local Government Division (LGD) on April 20, 2008. CWASA is currently in the process of obtaining the necessary approvals and is expected to reorganize to conform to the new governing framework. Under this framework, CWASA is a body corporate, wholly owned by the Government of Bangladesh (GOB). CWASA’s direction and administration will be governed by a panel of Board members headed by a Chairman. The Board will appoint a Managing Director (MD) as CWASA’s executive head. Operational functions will be divided into three major departments; each headed by a Deputy Managing Director (DMD):
1) DMD Engineering
2) DMD Administration ; and
3) DMD Finance.
Project pre-requisite requires that before the project is approved, CWASA would have obtained the approvals and at a minimum would have appointed the panel of Board members (including the Chairman), the Managing Director (MD) and the Deputy Managing Directors (DMD).

All water supply development projects are undertaken by the respective Project Director under the Engineering department. A Project Management Unit (PMU), headed by Project Director, would be formed to implement the CWSISP project. The Project Director will be overall responsible for all activities related to the World Bank financed CWASA project. The MD through the DMD (Engineering), DMD Finance and DMD Administration will monitor the activities of the Project Director for timely and successful completion of the project.

The PMU will include an experienced social safeguards specialist consultant to support the involuntary resettlement activities of the project. An experienced consulting firm will be retained to support the development and implementation of RAPs, for any sub-projects that are determined in screening to involve involuntary resettlement. The social safeguards specialist will be responsible to work with the consultants in carrying out necessary field investigations, surveys; analysis of data; and preparation of necessary documents. The social safeguards specialist will also be responsible to assist the Project Director for supervision and monitoring of resettlement implementation.

**SUPERVISION AND MONITORING**

*CWASA will appoint adequate full time staff, supported by a social safeguards specialist consultant, to monitor the process of resettlement.* In order to assist with this monitoring, CWASA shall obtain
and maintain appropriate baseline data prior to the resettlement impacts. The monitoring staff will prepare periodic progress reports for submission to the Project Director. The main objective of the monitoring reports is to determine whether the resettlement is effective and to make the needed recommendations for change. The monitor should be present in the field as well as at every meeting related to resettlement. The consultants preparing the RAPs will establish appropriate monitoring indicators (process, output and outcome that will be used to monitor the progress of resettlement implementation. Monitoring should include both internal and external monitoring components.

Each individual, site specific RAP will provide detailed monitoring indicators to monitor the RAP implementation. After resettlement is completed, CWASA will carry out post implementation evaluation to evaluate the impact of resettlement on PAPs and to determine whether or not the PAPs have been able to restore their incomes and living standards, by comparing with the baseline data collected in the preparation stage. Third party monitoring will be carried out to assess the implementation of the RAP and identify gaps if any. In case the PAPs are not able to achieve the stated objectives of this policy CWASA will provide additional support as necessary.

10. COST AND BUDGETING

Funds for planning and implementing a Resettlement Plan will be provided by CWASA. CWASA will also provide for all costs related to mitigating adverse social impacts based on budgetary requirements established in the RAP. All of these costs are to be a part of the total project cost. The project has specifically provided $1 million for (i) the Social Safeguards Specialist consultant to support the CWASA's staff, (ii) a consulting firm to be retained to support the development and implementation of RAPs, (iii) a significant amount of funds for involuntary resettlement compensation, (iv) social safeguards training and capacity building for CWASA and (v) a third party monitoring mechanism and an annual audit to review safeguard performance. Each RAP will detail cost estimates for compensation and relocation (if applicable) of PAPs, particularly vulnerable squatters, with a breakdown by category of PAPs and by type of asset affected, such as agricultural, residential, and commercial land; affected house, structures and other fixed assets; and type of assistance, such as transport/shifting allowance, transition allowance, etc. The costs estimate will make adequate provisions for contingencies.

In case of overruns due to unforeseen circumstances or delays, CWASA will allocate additional funds as necessary. The project has also provisioned for unallocated funds which could be utilized for this purpose.

11. DISCLOSURE

The RPF and all ensuing SIAs and RAPs will be translated into Bangla (local language) and disclosed locally and the English versions will disclosed through the Bank’s Infoshop. CWASA will upload the above documents in their official websites along with a Bangla translation. The SIAs and RAPs in Bangla will be available at accessible public places identified during RAP preparation for public review and comment. CWASA will announce the disclosure in a Bangla and an English Daily with wide circulation.