

## **Resettlement Plan for Sonbunia Canal/Khal Subproject November-2012**

**BAN: Participatory Small-Scale Water Resources Sector Project (PSSWRSP)  
ADB Loan No. 2542-BAN (SF)**

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## EXECUTIVE SUMMARY

One of the components of the Participatory Small-Scale Water Resources Sector Project (PSSWRSP, or 'the Project') is to construct water management infrastructure. The main objective of the Project is to enhance agricultural production, poverty reduction and economic growth in subproject areas. The Project objectives will be achieved through the participation of stakeholders in identification, implementation, improvement and management of water management related infrastructures. The Project infrastructure is diversified, including: re-excavation and improvement of Khal (Channels, of rivulets): construction of levees on the bank of Khal; construction and supplementary irrigation in monsoon/dry season. In addition, suitable hydraulic structures will be constructed.

The Sonbunia Subproject area is located at Baliatuli Union of Sadar Upazila under Barguna district. This subproject consists of the construction of a 2.14 km embankment (which is completely new) on Khas/Government land and re-excavation of a 0.30 km silted Canal/Khal on Khas/Government land. All the project areas are surrounded by agricultural land. The embankment will protect the command area from flooding through Paira river which carries saline water from Bay of Bengal during the high tide and the re-excavated Canal/Khal will principally serve the drainage purposes. One sluice gate will also be constructed at the junction point of the Canal/Khal with the Embankment which will be used for draining out the logged water to Paira river during the monsoon.

The proposed subproject has a gross benefited area of 980 ha with a net benefited area of 750 ha. The total catchment area of the embankment and khal is 980 ha; but to a large extent the khal is silted, leading to extensive drainage problem. Re-excavating the khal will remove the drainage congestion and drainage improvement will also release some areas for Rabi crops and facilitate planting HYV Boro on a timely basis. And for the embankment of 2.14 km, it is to be constructed a new on khas/Government land to protect the area from saline water during the high tide at Bay of Bengal from where the saline water enters the area through the Paira river.

The subproject will not acquire any private land, as all the land within the khal, are khas (owned by the Government) land. But due to siltation of the khal, some people took the opportunity to use the bed of the canal/khal for cultivation of rice in the dry season. However, due to re-excavation of khal, about 55 households with a population of 268 will lose their present right of using canal bed for cultivation. The affected people will loss a part of their livelihood. All of them will be compensated for this loss in cash as determined by the PVAT. No homestead or Commercial Business Enterprises (CBEs) will be affected by the subproject, so no relocation of residential structures of CBEs is required. There will not be any negative impacts on Common Property Resources (CPRs) such as mosques, schools, or Union Parishad offices. There is no Indigenous People (IP) in the area and no negative social impacts were indicated in Group Discussions or from the household survey.

In accordance with the Resettlement Framework's (RFs) Entitlement Matrix, the 55 AHHs will receive compensation at the market value of the crops as assessed by Property Valuation Assessment Team (PVAT). As most of the AHHs are landless or marginal farmers, they will also receive income-generation oriented training and employment

measures under the income-generation sub-components of the subproject (para-36). Due to re-excavation of Sonbunia khal 55 AHHs will lose their right to use the bed of the khal for cultivation of rice subsequently will lose part of their lively hood. The affected Households (AHHs) are not title holder of the land and their compensation will not follow CCL under land acquisition procedure. Moreover, if possible, the vulnerable households (very poor, poor, disabled and female headed households) will be given some money and grant for helping them in their endeavors to survival.

The Socio Economist of LGED and Upazila Engineer in conjunction with WMCA/Union parishad representative through INGO inform the APs of the subproject regarding the Impact, their entitlement under the RP. The non titled holder APs of this subproject will be compensated under the Resettlement framework following the entitlement matrix. As per RF the payment of full cost of compensation will be the responsibility of LGED. While the subproject has a non-significant impact on the property of the AHHs, the APs themselves in group discussions have indicated that they will get more benefit from the subproject than losses. They will also be benefited, having this land protected from flooding and water-logging. Moreover, they would be able to retain monsoon water within the subproject area for irrigation in the winter season. Fishing, both open water as well as cultured, will also be enhanced and improve their socioeconomic condition. No works under any contract awarded under the subproject will commence until all required compensation payment have been available to those affected people. The INGO will assist LGED in the context of Information Dissemination and feedback, Assisting APs in Resettlement Process, Assisting in Grievance redress Procedure, Information Management, Reporting and RP preparation and implementation.

**Some salient information of the RAP are:**

- Length of the embankment to be constructed newly=2.14 km;
- Length of the canal/khal to be re-excavated=0.30 km;
- Area to be irrigated after re-excavation=750 hectare;
- Number of households expected to be benefited=568;
- Number of households to be affected by re-excavation=55;
- Number of disabled affected persons=Nil;
- None of the affected persons will lose more than 10% of their annual income;
- None of the APs will become vulnerable because of the loss of khas land under their cultivation;
- Total khas land cultivated by them=6.18 acre (all are of two cropped);
- Crop compensation per decimal=Tk. 450 (for two crops in a year);
- Total amount of crop compensation=Tk. 2,78,100;
- EP files, stationary and other miscellaneous costs=Tk. 9,900; and
- Total costs of RAP implementation=Tk. 2,88,000.

## **RESETTLEMENT PLAN FOR SANTOSHPARA-CHATRA SUBPROJECT**

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## **Abbreviations**

ADB	Asian Development Bank
AHH	Affected Household
AP	Affected Person
BWDB	Bangladesh Water Development Board
CAD	Command Area Development
CBE	Commercial and Business Enterprises
CCL	Cash Compensation under Law
CFG	Community Forestry Group
CO	Community Organizer
CPR	Common Property Resources
CRO	Chief Resettlement Officer
CHT	Chittagong Hill Tracts
DC	Deputy Commissioner (Chief executive officer of the District)
DD	Detailed Design
DMS	Detailed Measurement Survey
EA	Executing Agency
EMP	Environmental Management Plan
EP	Entitled Person
ESS	Environmental and Safeguards Section
FGD	Focus Group Discussion
FMD	Flood Management and Drainage
GRC	Grievance Redress Committee
HH	Household
HHH	Household Head
IA	Implementing Agency
IGA	Income Generating Activities
IGP	Income Generating Program

INGO	Implementing Non Government Organization
IP	Indigenous People
IPSAP	Indigenous People's Specific Action Plan
IR	Involuntary Resettlement
IWRM	Integrated Water Resource Management
IWRMU	Integrated Water Resource Management Unit of LGED
JVT	Joint Verification Team
LA	Land Acquisition
LAA	Land Acquisition Act
LAO	Land Administration Office
LAP	Land Acquisition Proposal
LGED	Local Government Engineering Department
LMS	Local Market Survey
MARV	Maximum Allowance Replacement Value
MDGs	Millennium Development Goals (2015)
MIS	Management Information System
MoLGRDC	Ministry of Local Government, Regional Development and Cooperatives
NGO	Non Government Organization
NPRR	Draft National Policy on Resettlement and Rehabilitation
PD	Project Director
PFA	Project Funding/Financing Agency
PIC	Project Implementation Consultants
PMO	Project Management Office
PRA	Participatory Rural Appraisal
PSSWRSP	Participatory Small-Scale Water Resources Sector Project
PVAT	Property Valuation Advisory Team
PWD	Public Works Department
O&M	Operation and Maintenance
RAC	Resettlement Advisory Committee

RC	Resettlement Coordinator
RCC	Reinforced Concrete
RCO	Resettlement Co-coordinator
RF	Resettlement Framework
RoW	Right of Way
RP	Resettlement Plan
RRP	Report and Recommendation to the President (ADB)
SES	Socioeconomic Survey
SSW-1	SSWR Development Project Phase 1 (Alternative acronym for SSWRSDP)
SSW-2	SSWR Development Project Phase 2
SSWR	Small Scale Water Resources
SSWRSDP	Small Scale Water Resource Sector Development Project
UP	Union Parishad
WMCA	Water Management Cooperative Association



<b>Resettlement Framework (RF) :</b>	For loss of land, property, income generation opportunity and cultural assets as were adopted at the time of the Loan Agreement, the RF lays out the policy, principles, procedures and entitlements, as well as the institutional responsibilities to be followed in preparing subproject RPs under the Loan. The RF is Supplementary Appendix K: <i>Resettlement Framework for Riverbank Protection Works</i> to the Project's RRP of October 2002 <sup>2</sup> .
<b>Resettlement Plan (RP) :</b>	A time-bound action plan with budget setting out resettlement strategy, objectives, entitlements, actions, responsibilities, monitoring and evaluation.
<b>Severely Affected Person (SAP) :</b>	A person who will (i) lose more than 10% of total agriculture/aquaculture land holding, and/or (ii) relocate and/or (iii) lose more than 10% of total income sources due to a project.
<b>Squatter :</b>	One that squats: as <i>a</i> : one that settles on property without right or title or payment of rent <i>b</i> : one that settles on public land under government regulation with the purpose of acquiring title.
<b>Union Parishad :</b>	The Union Parishad is one of the lowest administrative units in Bangladesh, part of a four-tier local government, namely <i>Gram</i> (Village)  Parishad; Union Parishad Upazila (Sub district) Parishad and Zila (District) Parishad.
<b>Uthulies :</b>	Long Term Squatters. Also called informal Settlers, i.e, HHs on other's land with permission.
<b>Vita :</b>	High, raised land, often used for residential purposes
<b>Vulnerable Households :</b>	For this Project, vulnerable groups are defined as APs who suffer more-economically and socially-from relocation than other affected population. Based on past experiences from similar Projects, the vulnerable groups include (i) women-headed HHs; (ii) landless HHs (those without agricultural land, and depend largely on day labor for survival); (iii) disabled HHs heads (iv) HHs having residual agricultural land less than 1 acre or losing more than 10%of their income from agriculture due to acquisition and (v) Those APs who have gone below the poverty line due to the subproject.

## **A. PROJECT BACKGROUND AND DESCRIPTION**

### **1. Project Background**

1. The participatory small scale water resource sector project intends to increase the agricultural production while reducing poverty in subproject area through sustainable stakeholder driven Small Scale Water Resources (SSWR) management system; and to internalize participatory processes through the strengthening of the Local Government Engineering Department's (LGED's) Integrated Water Resource Management Unit (IWRMU) to plan, implement, monitor and support sustainable SSWR development. LGED is the Project's executing agency (EA).

2. The Project builds on lessons from previous ADB investments in the small-scale (less than 1,000 hectare [ha]) water resources sector; specifically, the Small-Scale Water Resources Development Sector Project (SSW 1), which was implemented from 1996 to 2002 and developed 280 subprojects in the western part of the country. Also, the Second Small-Scale Water Resources Development Sector Project (SSW 2), which commenced in 2002 and was completed in 2009 after developing 300 subprojects in 61 of 64 districts of Bangladesh. SSW 3 is the Participatory Small Scale Water Resources Sector Project (PSSWRSP), or 'the Project'.

3. The project objectives will be achieved through the participation of stakeholders in identification, implementation, improvement and management of water management related infrastructures. The project infrastructure is diversified, including: re-excavation and improvement of Khals (channels, or rivulets); construction and supplementary irrigation in monsoon/dry season. In addition, suitable hydraulic structures will be constructed, wherever needed.

### **2. Description of the Subproject**

4. The feasibility study of Sonbunia subproject was conducted in June 2012 during SSW Under PSSWRSP, the subproject is planned for implementation during 2012. The detailed design (DD) was prepared in June 2012. As part of the Detailed Measurement Survey (DMS), Project Management Office (PMO) organized the census/socioeconomic survey (SES) to identify all affected persons (APs), their socioeconomic status, and to which extent they will be affected, including an assessment of their residential properties/assets in the locality. The Sonbunia subproject, in brief, is the construction of 2.14 km new embankment and re-excavation of a 0.30 km silted canal/khal which are located at Baliatuli Union in Sadar Upazila of Barguna District. The proposed subproject has passed through three villages of Baliatuli Union. Names of the villages are Sonbunia, Patakata and Padma. Village-wise affected households are : Sonbunia = 30, Patakata = 08 and Padma = 17, making the total to 55 AHHs.

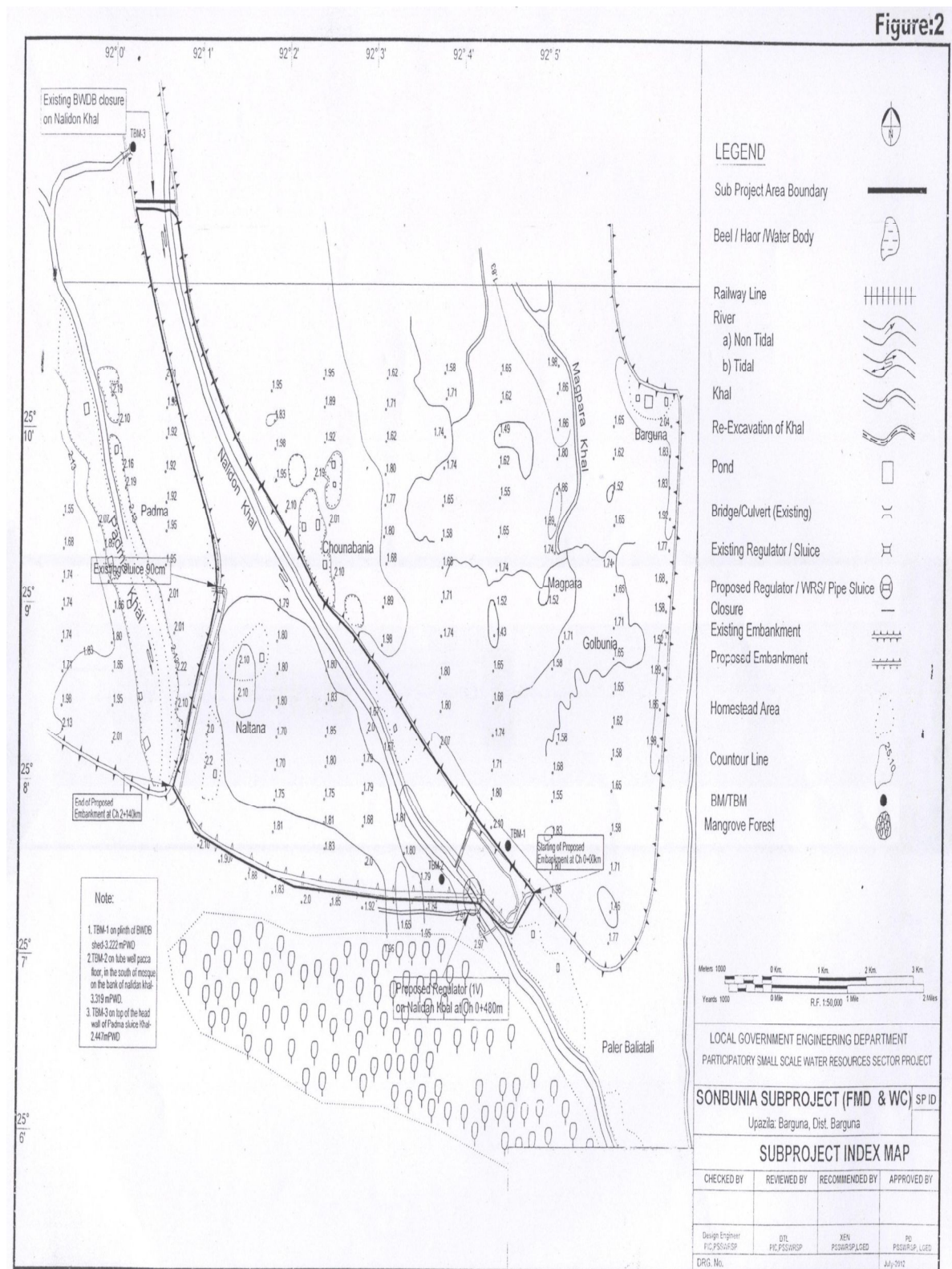
5. The subproject is located at the influence area of Paira-Bishkhali river, which is in the south of the subproject area. The northern boundary is made by a closure of Nali Don at Babuganj Bazaar constructed by the BWDB in the sixties. The western and eastern boundaries are made by BWDB embankments on two banks of Nali Don. Sonbunia FMD & WC subproject is located in Naltona and M Baliatuli Unions of Barguna Sadar Upazila in

Barguna District. It is situated between latitudes 22° 1'10" to 22° 2'15" N longitudes 90° 1'48" to 90° 3'20" E. Location of the subproject area in Upazila Base Map is shown in **Figure-1**. A detail Index Map of the subproject showing land topography, existing infrastructures and planned interventions is provided in **Figure-2** and the locations of hydrological stations relevant to the subproject in relation to river network is shown in **Figur-3** (Regional Hydrological Network Map).

**Figure :1** The location of the subproject area in the Upazila base map



**Figure :2 Detailed map of the subproject showing existing infrastructure and planned interventions**



### **3. Area and location**

6. The Sonbunia subproject area is located at Baliatuli Union of Sadar Upazila under Barguna district. This subproject consists of the construction of a 2.14 km embankment (which is completely new) on Khas/Government land and re-excavation of a 0.30 km silted Canal/Khal on Khas/Government land. All the project areas are surrounded by agricultural land. The embankment will protect the command area from flooding through Paira river which carries saline water from Bay of Bengal during the high tide and the re-excavated Canal/Khal will principally serve the drainage purposes. One sluice gate will also be constructed at the junction point of the Canal/Khal with the Embankment which will be used for draining out the logged water to Paira river during the monsoon.

7. The proposed subproject has a gross benefited area of 980 ha with a net benefited area of 750 ha. The total catchment area of the embankment and khal is 980 ha; but to a large extent the khal is silted, leading to extensive drainage problem. Re-excavating the khal will remove the drainage congestion and drainage improvement will also release some areas for Rabi crops and facilitate planting HYV Boro on a timely basis. And for the embankment of 2.14 km, it is to be constructed a new on khas/Government land to protect the area from saline water during the high tide at Bay of Bengal from where the saline water enters the area through the Paira river.

8. The Sonbunia khal has been silted up significantly. As a consequence, significant water-logging occurs and the khal cannot drain into its outfall khal. Most of the area in the subproject is vulnerable to drought in the Dry Season and flooding in the Monsoon. Monsoon flooding and drainage congestion is the major reason for crop Damage. So by re-excavating the Sonbunia khal is critical requirements to improve the situation. Drainage improvement will also increase in areas for Rabi or Transplanted Amon crops and facilitate plantation of HYV Boro in a timely manner. Construction of the 2.30 km new embankment will protect the area from saline water carried by Paira river during high tide at Bay of Bengal.

### **4. Socioeconomic Survey Results of Beneficiaries**

9. Socioeconomic survey (SES) was undertaken by an INGO upon completion of the subproject's detailed design (DD) to identify all affected persons (APs), their socioeconomic status, and the extent to which they will be affected, including an assessment of their residential properties/assets in the locality. During the survey video filming of the subproject was undertaken. The representative of INGO and Project Implementing Consultant visited the subproject area, met representative of the different beneficiaries and held discussions with the stakeholders. The current document has been prepared taking into account the findings of survey data, field visits, and meetings with different level of stakeholders, and focus group discussions (FGDs).

10. The beneficiary population of the subproject is estimated at 2,580 persons living in 568 households of 3 villages (names are in Table-2) in the subproject area. The average number of people per household is 4.54. Out of the total 568 households about 50% are



farmers, 30% day laborers, 6% fishers and navigators, 10% trade transport etc and 4% are in other occupations.

11. Out of the total households of the subproject area, roughly 55% are landless, 21% are marginal farmers, and 15% are small farmers, 9% medium, and only 1% large farmers. The proposed subproject covers an area of 980 ha of land of which 700 ha are expected to be brought under irrigation after the re-excavation of the canal/khal. Moreover, construction of the new embankment of 2.14 km will protect the area from saline water that comes through Paira river from Bay of Bengal.

12. The findings of focus group discussions showed popular support for the subproject and there is no known opposition to the subproject. There is no social conflict between communities in the area. People believe that the subproject will generate additional and increase agricultural production which will have multi-dimensional effect on poverty reduction and consequent socioeconomic improvement of the areas, so there appeared to be overwhelming support for the subproject. The local people will support the O&M expenditure of the Water Management Cooperative Association (WMCA).

13. Proposed interventions through this subproject will not directly cause any adverse Impact, neither on the fisheries resource base or production, but they will create added fisheries habitat in the re-excavated canal. Added fisheries development measures proposed for the subproject will significantly increase the fisheries production potential. Increased fish production and increased access of the poor to the fisheries income will contribute to poverty alleviation.

14. Within the command area of this subproject there are 3 beneficiary villages namely: (1) Sonbunia, (2) Patakat, and (3) Padma. All the three villages are in Baliatuli Union of Barguna Sadar Upazila of Barguna District. Out of the total 568 beneficiary HHs, landless, functionally landless and marginal land owning HHs make up the largest segment, viz: 54% landless, 21% marginal, 15% small, 09% medium, and only 1% large land-holding HHs.

**Table 1: Subproject Beneficiary Households by Land Ownership Category**

Category	Number	Percent
Landless 0.0 to 0.49 acre	310	54
Marginal 0.50 to 0.99 acre	117	21
<b>Subtotal</b>	<b>427</b>	<b>75</b>
Small 1.00 to 2.49 acre	88	15
Medium 2.50 to 7.49 acre	49	9
Large 7.50 + acre	4	1
<b>Total</b>	<b>568</b>	<b>100%</b>

\* Total Population in these 568 households=2,580

15. There are no indigenous people (IP) within the subproject area and no negative social impacts were indicated in group discussions or from the household survey. Group discussions indicated the willingness to support the Water Management Cooperative Associations (WMCAs) establishment and contribute to Operation and Maintenance (O&M) costs. The most important point in favor of re-excavation of this 0.30 km

canal/khal and construction of 2.14 km new embankment is that about 568 households of 3 villages would be able to irrigate around 750 hectare of land during the Boro season and in sharp contrast to it, they will lose the right of cultivation in 6.18 acre khas land located at the silted shoal of the canal/khal. Moreover, the embankment will protect the area from saline water that comes through Paira river during the high tide at Bay of Bengal.

## **B. SCOPE OF LAND ACQUISITION AND DISPLACEMENT**

### **1. Subproject Objectives**

16. Local people have requested for re-excavation of Sonbunia Khal to improve the drainage congestion during pre-monsoon flood period and increase storage capacity in the khal to facilitate irrigation in the dry season. The subproject objective is to improve the pre and post monsoon farming conditions with supplementary surface water irrigation as a result of water conservation in the khal. And the construction of 2.14 km new embankment will protect their land from saline water that comes through Paira river during the high tide at Bay of Bengal.

### **2. Construction Activities**

17. To achieve the objective of improved flood/water management, the following physical works are proposed for the Sonbunia subproject:

- Re-excavation of Sonbunia canal/Khal of 0.30 Km;
- Construction of a new embankment=2.14 km;
- One sluice gate; and
- Construction of WMCA office.

### **3. Scope of Land Acquisition and Resettlement**

18. The subproject will not acquire any private land; because, all the land within the khal and at the site of new embankment are khas (owned by the Government) land. However, due to loss of opportunity to use the khas land, an overall estimated Fifty five (55) households with a population of 268 will be affected. No homestead or Commercial Business Enterprises (CBEs) will be affected by the subproject, so no relocation of residential structures or CBEs are required. There will also not be any negative impacts on Common Property Resources (CPRs) such as mosques, schools, or Union Parishad offices.

19. The affected subproject area covers three (3) villages (names are in Table-2). The extent of impact varies by location. The villages are located along the sides of khal to be re-excavated. APs of all the affected villages will lose access to khas land only; they will not lose any other properties.

20. The proposed subproject area comprises of a silted khal and construction of a new embankment is surrounded by agricultural land only. The subproject area is characterized by the siltation of khal which is actually a low land area affected by early flooding during the monsoon, and sometimes by water logging. Moreover, the area is also affected by saline water carried by Paira river and the proposed new embankment will protect the area from saline water.



#### 4. Land Use and Settlement Pattern

21. At present the entire subproject affected area is being used as agriculture land. It is a rural area with the primary economy based on agriculture. The agriculture land along the khal side is double cropped. The field survey could not identify any negative impacts on any CPRs, such as mosques, schools, or Union Parishad offices.

22. The current land use pattern is mixed. Major agricultural production is transplanted Aman and Boro paddy as well as potato, spices and oil seeds. Potato, spices and other Rabi crops are grown in the dry areas around the khal. However, these crops are at risk from monsoon flooding and saline water. Crops are also damaged due to drainage congestion and winter drought. There are many people involved in fisheries activities, mainly open water seasonal fishing. None would be negatively affected by the subproject; rather most of them will be benefited.

#### 5. Methodology of Data Collection

23. The Implementing NGO (INGO) with the help of Project Management Office (PMO) staff, WMCA and the Union Parishad (UP) representative, carried out the DMS and stakeholder meetings with farmers, whenever necessary. The DMS showed very limited negative impact on the affected people due to the complete absence of private land acquisition in this subproject area. All the 55 APs were Included in the Socioeconomic Survey (SES). The households were interviewed through using a structured questionnaire.

**Table-2: Number of Affected Households and Area of Land (Dec) by Villages\*\***

Sl No	Name of Village	Union	Affected Households ***	Percentage	Area of Affected Land	Average per Household
1	Sonbunia	Baliatuli	30	54.55	305	10.17
2	Padma	Baliatuli	17	30.90	200	11.76
3	Patakata	Baliatuli	8	14.55	113	14.13
Total	3	1	55	100	618	11.24

\*\* Number of Affected villages is 3, and number of beneficiary villages is also 3.

\*\*\* None of the 55 APs is disabled or will lose more than 10% of their annual income. Total population in these 55 households = 268.

24. Table-2 shows the distribution of APs (Affected Persons) by village. More than 55% of the total 55 APs come from one village, Sonbunia; followed by Padma, about 31%. In terms of Union, all the APs belong to only one Union, Baliatuli PRAs were conducted in three locations which were attended mostly by the APs. These were also attended by the WMCA members and some local elites.

25. The total khas land under cultivation by the APs is estimated at 6.18 acre (2.471 acre = one hectare) which are being cultivated by 55 households and their losses will be compensated through giving them some money for the loss of crops. The amount of money to be given to them as compensation is estimated at Tk. 225 per decimal by the PVAT. As the affected land is of two crops in a year, the amount of compensation per decimal will be **Tk. 225X2=Tk. 450**. In other words, the total amount of compensation will be: **Tk. 450X618=2,78,100 (Tk. 0.2781 Million)**. The amount of money to be received by one AP as crop compensation was within 10% of their annual income in all the cases.

**Table-3: Distribution of 55 Affected Households in Relation to Area of Khas Land to be Lost by Them**

Sl No	Name of Village	Number of Affected Households in Relation to Area of Land to be Lost		
		Up to 10 Dec	Above 10 Dec	Total
1	<b>Sonbunia</b>	22	8	30
2	<b>Padma</b>	9	8	17
3	<b>Patakata</b>	3	5	8
<b>Total</b>	<b>3</b>	<b>34</b>	<b>21</b>	<b>55</b>
<b>Percentage</b>		<b>61.82</b>	<b>38.18</b>	<b>100</b>

26. Table-3 clearly reflects that about 62% of the 55 affected households will lose their right of cultivating khas land to the extent of up to 10 decimal; while the rest 38% will lose above 10 decimal. Average area of khas land to be lost by all of them is 11.24 decimal. Those who were cultivating above 10 decimal khas land belong to the non-poor group (Table-7) and none of them is income vulnerable. Moreover, none of them will come down below the poverty line because of the losses. Instead, their income will be increased after the re-excavation of canal and construction of new embankment.

## **6. Socioeconomic Profile of APs**

27. The socioeconomic profile of all APs is based on a SES covering all the 55 AHHs with a population of 268. The SES was commissioned in Septemeber 2012 through trained Enumerators where a structured questionnaire was used as the tool of data collection. In addition, three Participatory Rapid Appraisals (PRA) were also done for knowing some of the qualitative information in depth. The 55 APs are from 3 villages and the number of beneficiary households will be 568 from the same 3 villages, after re-excavation of canal/khal and construction of new embankment.

**Table-4: Affected Population by Sex and by Village\*\***

SI No	Name of Village	Sex-wise Population						Number of Households
		Male	%	Female	%	Total	%	
1	Sonbunia	87	60	71	58	158	59	30
2	Padma	36	25	34	27	70	26	17
3	Patakata	22	15	18	15	40	15	8
<b>Total</b>	<b>3</b>	<b>145</b>	<b>100</b>	<b>123</b>	<b>100</b>	<b>268</b>	<b>100</b>	<b>55</b>

**\*\* All of them will lose their right of cultivating khas land only. On an average they cultivate 11.24 decimal khas land.**

28. Total 268 people from 55 HHs will be affected by the subproject. None of them is title holder. They are using the silted khas land of the canal/khal of which 0.30 km in length will be re-excavated. The sex ratio in percentage is male 54.10% and female 45.90%, which are very close to the national rural situation in this respect. The HH size is 4.87 which seems to be closer to rural national average of 4.9. Only one of the 55 affected households was headed by female.

**Table-5: Identity of Heads of Female Headed Households**

SI No	SI No. in AP's List	Name of Female Heads	Name of Husbands	Name of Villages
01	55	Shabi Rani	L/ Semadul	Patakata

29. According to the definition of vulnerable households for this project, none of them will go below the poverty line due to the impact of the project. They will lose a very small area of khas land only, not any other properties. They will lose only a very small portion of their income due to the loss of right to cultivating the Khas land. In contrast to it, they will be able to enhance their income through irrigating their own land and this facility will be created after the re-excavation of the canal. Again, the new embankment will protect. Their land for saline water which also will increase their productivity of land.

**Table-6: Occupations of the Affected Household Heads by Village**

SI No	Name of Village	Number of Households by Occupations					
		Agriculture	Business	Service	Housewife	Others	Total
1	Sonbunia	24	1	3	-	2	30
2	Padma	11	2	2	-	2	17
3	Patakata	6	-	1	1	-	8
<b>Total</b>	<b>3</b>	<b>41</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>4</b>	<b>55</b>
<b>Percentage</b>		<b>74.55</b>	<b>5.45</b>	<b>10.90</b>	<b>1.83</b>	<b>7.27</b>	<b>100</b>

30. The primary occupation is again agriculture, the traditional livelihood activity of the national rural population. About three-fourths of the total 55 (HHs) were involved in agriculture. On the other hand, women were mostly involved in domestic works. It

is evident from the above table that the available livelihood options are limited in rural area. The occupations, business and service, shared a very small portion in the total occupational pattern of the affected 55 households. These too occupations together claimed about 16% of the total.

**Table-7: Distribution of the Affected Households in Relation to Annual Income (Tk)**

SI No	Name of Villages	Number of Households in Relation to Annual Income			
		Up to 60,000 (Very Poor)	60,001-72,000 (Poor)	Above 72,000 (Crossed Poor Level)	Total
1	Sonbunia	24	1	5	30
2	Padma	15	-	2	17
3	Patakata	5	1	2	8
<b>Total</b>	<b>3</b>	<b>44</b>	<b>2</b>	<b>9</b>	<b>55</b>
<b>Percentage</b>		<b>80</b>	<b>4</b>	<b>16</b>	<b>100</b>

31. None of them will lose more than 10% of the annual income for the loss of right to cultivation of khas land. So, none of them will become poor as the impact of the project. Moreover, through the utilization of irrigation facility to be created after the re-excavation of canal, almost all of them will be able to increase their agricultural production which will result into increment of their income. Again, protection of saline water from entering into their crop land by the proposed new embankment will also increase their crop production.

**Table-8: Membership of the Affected Households' Family Members in NGOs**

SI No	Name of Villages	* Number of Members in Relation to NGOs						
		ASA	BRAC	GB	Other NGOs	WMCA	Non Member	Total
1	Sonbunia	14	-	10	-	30	6	30
2	Padma	2	1	2	-	8	4	17
3	Patakata	2	-	2	-	8	4	8
<b>Total</b>	<b>3</b>	<b>18</b>	<b>1</b>	<b>14</b>	<b>-</b>	<b>46</b>	<b>14</b>	<b>55</b>
<b>Percentage</b>		<b>32.73</b>	<b>1.82</b>	<b>25.45</b>	<b>-</b>	<b>83.63</b>	<b>25.45</b>	<b>100</b>

\* Some of them are members of more than one NGO's

32. Table-8; clearly reflect that, for the reasons unknown, NGO coverage among the affected 55 households is minimum, despite the fact that 80.4% of the households are poor (Table-6). So, there are enough scope for integrating the affected households either with a NGO or with the WMCA and the initiative in this respect should be taken by the project.

**Table-9: Number of Affected Households in Relation to Latrine in Home**

Sl No	Name of Villages	Number of Households in Relation to Latrine			
		Pacca	Semi Pacca	No Latrine	Total
1	Sonbunia	2	24	4	30
2	Padma	2	3	3	8
3	Patakata	2	8	7	17
<b>Total</b>	<b>3</b>	<b>6</b>	<b>35</b>	<b>14</b>	<b>55</b>
<b>Percentage</b>		<b>10.91</b>	<b>63.64</b>	<b>25.45</b>	<b>100</b>

33. Nearly one-fourth of the affected 55 households do not have any kind of latrine, which is the clear reflection of poverty among the affected households. Again, from here it may be said also that some social development should also be undertaken in the affected area as the concomitant of poverty reduction activities.

34. It has been mentioned in Table-2 that the 55 affected households will lose their right to cultivating 6.18 acre silted khas land when the canal/khal will be re-excavated. It has been assumed that one decimal land produces about 15 kg of paddy and its value is **15 kg X Tk. 15 per kg = Tk. 225**. For growing two crops in a year, the amount of compensation will be **Tk. 225 X 2 = Tk. 450 per decimal**. In terms of money each of them will be given the crop compensation at the rate of Tk. 450 per decimal as has been estimated by the PVAT. On the basis of this compensation rate, the amounts of compensation are calculated for each of the 55 affected persons and the table below provides the distribution of the affected persons in relation to the amounts of losses to be incurred by them.

**Table-10: Number of Affected Households in Relation to the Amount of Money to be Lost Due to Losing Access to Khas Land**

Sl No	Name of Villages		Number of Households in Relation to Amount of Loss				Total
		Up to-2000	2001-3000	3001-4000	4001-5000	Above 5000	
1	Sonbunia	-	8	-	14	8	30
2	Padma	-	4	-	5	8	17
3	Patakata	-	-	-	3	5	8
<b>Total</b>	<b>3</b>	-	<b>12</b>	-	<b>22</b>	<b>21</b>	<b>55</b>
<b>Percentage</b>		-	<b>22</b>	-	<b>40</b>	<b>38</b>	<b>100</b>

35. From Table-2 it can be computed that the average amount of loss per affected household is around **Tk. 5058 (average loss = 11.24 dec X Tk. 450 = Tk. 5058)**. Considering this amount as the mean nearly 62% of the affected households fall within the mean. The table shows that the amount of loss will be within Tk. 3000 for about one-fifth of the total 55 households. Again, none of the 55 APs will lose more than 10% of their annual income due to the loss of cultivation right to khas land. Instead, their income will be increased due to re-excavation of the canal/khal which will create irrigation facility during the Boro season. Moreover, the proposed new

embankment will protect the area from saline water that comes through Paira river during the high tide at Bay of Bengal.

36. The subproject has a very significant impact on the livelihood of the AHHs. According to the local people they will get more benefit from the subproject compared to their losses. Almost all of the 55 AHHs cultivating khas land within the khal are landless or marginal farmers. Special attention needs to be given to all the AHHs who will become vulnerable due to implementation of the subproject. Livelihood enhancement will be provided through employment and income generating activities for vulnerable AHHs. The related sub-components shown below, and the activities of employment and income generation, will be undertaken by the WMCA.

° Sub-component: (a) Community-based routine maintenance of the canal and other water management facilities. The activities under this are: (i) organizing canal maintenance groups; (ii) skills training and capacity building; (iii) delivery of basic tools and equipment; and (iv) engaging APs as works in the subproject.

° Sub-component: (b) Social forestry, site plantation, and nursery development. The activities are: (i) organizing Community Forestry Groups (CFGs); (ii) skills training of CFGs; (iii) tree plantation for canals; and (iv) seeds and saplings for establishing nurseries.

° Sub-component: (c) Income generation using existing water resources by implementing activities, such as, (i) strengthening self-help groups (SHGs); (ii) skills training and capacity building of groups; and (iii) initial supplies of inputs needed for materializing the training into actions.

37. The number of indirectly AHHs is nil. Agricultural lands are mainly cultivated by the farmers with the help of some hired laborers only when required and these laborers also work in other fields in the locality. So there is little chance for them to remain jobless.

38. The majority of the APs who participated in the group discussions and stakeholders meetings have expressed their high expectation for social and economic benefits from the subproject. Local administration and people's representatives such as Chairman and members of the UPs have assured the Project authority that they will extend cooperation. They also expected that fishing (open water and cultured) opportunities will be enhanced, which will help in improving their socioeconomic conditions.

39. In general, the community responded positively to the subproject. However, some concerns were raised and most of these are related to proper and timely compensation payments for their lost assets and income. Their concerns were over delays in compensation payment and apprehension of harassment in receiving compensation payment from the Government.

- During meetings the participants indicated that the implementation of the subproject will be beneficial to all the people of the locality. However, according to the subproject feasibility study and present survey, there is no land to be acquired in

which case Government payment must not be a big issue. During group discussions participants desired help and assistance from the Project to simplify the compensation payments procedure.

- For security reasons and for ease of payments to APs, temporary camps may be set up in the vicinity of the affected areas.
- People losing livelihood from the cultivated khas land in khal are very much concerned and skeptical about their compensation as they do not have right to the land but have been using it for generation.

## **C. LAND ACQUISITION AND RESETTLEMENT POLICY FRAMEWORK AND ENTITLEMENTS**

### **1. Land Acquisition and Resettlement Principles**

40. Land acquisition and resettlement of the APs, and providing special assistance to vulnerable and indirectly affected APs in re-establishing their livelihood and income have been conducted in accordance with the GoB's Acquisition and Requisition of Immovable Properties Act of 1982 and amendment in 1993. The Draft National Policy on Resettlement and Rehabilitation (NPRR); and the Asian Development Bank's (ADB's) Policy on Involuntary Resettlement (1995)<sup>7</sup> as well as by following 'best practices' followed in Bangladesh (i) avoiding involuntary resettlement where feasible, (ii) minimizing displacement by considering all alternatives where population displacement is unavoidable, and (iii) ensuring that displaced people receive assistance so that they would be at least as well off as they would have been in the absence of the project. The following are major elements of the policies/practices are expected to be adopted by the Project:

- (i) Involuntary resettlement and loss of livelihood will be avoided where feasible;
- (ii) Where population displacement is unavoidable, it will be minimized by exploring all viable project options;
- (iii) People unavoidably displaced will be compensated and assisted, so that their economic and social future will be generally as favorable as it would have been without the Project;
- (iv) Vulnerable APs will be provided with resettlement facilities or support to resettle in proximity to their social groups and good communication network with employment opportunities;
- (v) People affected will be informed fully and consulted on resettlement and compensation options;
- (vi) Gender equity will be maintained in resettlement planning and implementation;
- (vii) Existing social and cultural institutions of resettlers and their hosts will be supported and used to the greatest extent possible, and resettlers will be integrated economically and socially into host communities;
- (viii) The absence of a formal title to land by some effected groups will not be a bar for compensation, particular attention should be paid to households

headed by women and other vulnerable groups, such as indigenous people and ethnic minorities, elderly and disable persons and appropriate assistance provided to help them improve their status;

- (ix) As far as possible involuntary resettlement will be conceived and executed as part of the Project;
- (x) People who will be affected indirectly will be facilitated to regain their livelihood and socio-economic status;
- (xi) Participation of the local community will be ensured through incorporating them in different committees involved in planning through implementation process of RP; and
- (xii) The full cost of resettlement will be included in the presentation of Project costs and benefits

41. The subproject resettlement activities will be carried out in consultation with the APs, and all efforts will be made to minimize disruption during the Project implementation. A Detailed Measurement Survey (DMS), including a full census will be conducted once the detailed design has been approved. The date of census will be the cut-off date for resettlement benefits; and any encroachers/informal settlers after that date will not be entitled to resettlement benefits. For land title-holders, notification under Section 3 by the DC under the LAA will constitute the cut-off date.

## **2. The Entitlement Matrix**

42. An entitlement matrix has been prepared on the basis of currently known impacts (Table-10). It identifies the categories of impact based on surveys carried out in the subproject area and shows the entitlements for each type of loss. The entitlement matrix will also incorporate potential impacts which will be confirmed by the DMS (census and SES) after finalization and approval of the DD. If new impacts are identified later during preparation of final RP, based on the DMS, then losses will be included in the entitlement matrix and the final RP will be revised accordingly.



## **D. CONSULTATION AND DISCLOSURE**

### **1. Consultation and Stakeholders' Participation**

43. Consultation and communication with APs and other stakeholders during the preparation stage of the subprojects will be an integral part of gathering relevant data for impact assessment. Moreover, Sharing of knowledge and experiences help the development of appropriate options for resettlement of APs. The RP will be disclosed to the affected community in Bengali in FGDs to obtain the views of APs and other stakeholders on the compensation and resettlement provisions as per Government laws and ADB guidelines. As appropriate, the contribution of APs and beneficiary groups will be included in the subproject's RP.

### **2. Grievance Redress Mechanism**

44. The Ministry of Local Government, Rural Development and Cooperatives (MoLGRDC) through a gazette notification formed two committees namely Property Valuation Advisory Team (PVAT) and Grievance Redress Committee (GRC) vide No 40.068.004.00.00.002.2011-161 dated 10-03-2011 for implementation of the Project's subproject RP. The GRC was formed for resolving any grievances involving resettlement benefits, relocation and other assistance. The scope and responsibility of the Grievance Redress Committee has been clearly defined in the gazette.

45. The GRC consists of one local Representative from LGED who will chair the GRC. Members will include AP representatives, including one male and one female; representatives of the UP; and one member from the INGO, who will act as member secretary. The GRC will be formed immediately after LAP/RP is approved; and the PIC, Social Safeguard Specialist or INGO Area Manager will facilitate and coordinate the GRC activities.

46. The GRC will have the power to resolve resettlement and compensation issues preemptive to their being addressed through the legal system. The functions of the GRC will be to:

1. Receive application of APs grievance within one month of the receipt of ID card or from when APs are informed of their entitlements.
2. Hold open hearings in the office of the Chairperson and resolve the grievance within 15 days of receiving complaints from APs.
3. Inform aggrieved persons about GRC meetings and give them an opportunity to place their grievance before the GRC.
4. Keep meeting minutes and records of grievances.
5. Refer the APs grievances to the Dc or the concerned legal authority, if the grievance relates to land acquisition or conventional law.
6. Make decisions to resolve APs grievances following RP policy, if outside conventional law and the grievance does not lend itself to arbitration.
7. Amicably resolve issues quickly without resorting to expensive, time consuming legal actions.
8. Ensure participation of concerned local people and be an advocate for the interests of vulnerable APs.

47. Prior to using the GRC, all efforts will be made at the Subproject level to reach informal resolution of AP grievances. Only then will the GRC be approached by APs

having grievances. Grievance cases from the APs will be received in the office of the GRC Chairperson. Upon receipt of complaints, the GRC will organize hearings and pass verdicts, which will be formally conveyed to the concerned APs. The GRC will settle the disputes within 15 days of receiving the complaint from APs. If the complaint is not resolved at GRC level, the matter may be referred to the court.

## E. COMPENSATION AND RESETTLEMENT BUDGET AND FINANCING

48. This subproject does not need any budget for land acquisition as all the land is khas land (owned by the Government) and in this project this is being cultivated by 55 persons. As per RF, bearing of the full costs of compensation will be the responsibility of LGED and they will pay only for the compensation of crops at the rate of TK. 450 (for two crops) per decimal as determined by the PVAT. As the affected land is of two crops in a year, the amount of compensation per decimal will be **Tk. 225X2=450** In this process, the total amount of crop compensation is **6.18 acre = 618 decimal X TK. 450=TK. 2,78,100**. It is to be noted that the entire compensation amount is outside the CCL and to be given/paid by LGED through the INGO with the help of DC office.

**Table 12: Budget for Compensation and Special Assistance to APs**

No.	Description	Number of APs	Rate (TK) *	Amount (TK)
A	Compensation for Loss of crops only. The entire project area is on khas land which is being cultivated by 55 persons. All of them will get only crop compensation	55	As per PVAT Rate=TK. 450 per decimal	2,78,100
B	Preparation of EP/EC file & payment statement (Tk. 150 per AP), and cost of meetings, stationery, food & other miscellaneous cost for LGED officials during disbursement of compensation (Tk. 30 per AP): total Tk. 180 per AP.			9,900
C	<b>Total</b>	.....	.....	2,88,000

- As per PVAT, production of one decimal land = 15 kg paddy, value per kg = Tk. 15, value of 15 kg = 15 kg X Tk. 15 = Tk. 225. In the entire affected land two crops are grown in a year. So the amount of compensation per decimal will be Tk. 225X2=TK.450.

49. The cost of cash compensation will be provided by the Project. The benefits will be paid directly to eligible persons (EPs) by LGED. The rehabilitation and training for APs will be provided through WMCA for skills and livelihood support including agriculture and fisheries and livestock related activities. The training program will be based on the vulnerability and need assessment carried out through the census, SES and consultation exercise.

## F. RESETTLEMENT ACTION PLAN IMPLEMENTATION SCHEDULE

### 1. Implementation Schedule

50. The Project's institutional strengthening and capacity building activities will commence in the first year of the Project; these activities will be gradually tapered off towards Project completion. Subproject Implementation will be conducted following a rolling program over the 7 year life of the Project. RPs will be implemented before the award of civil award contracts. However, the Implementation schedule for subprojects will be prepared considering the possible changes from the Detailed Design and DMS. Time schedule for RP Implementation for this subproject is presented in Table-13.

**Table-13: RAP Implementation Schedule of Sonbunia Subproject**

Activities	Months											
	1	2	3	4	5	6	7	8	9	10	11	12
Request for Formation of Committees	×											
Formation of PVAT/GRC		x										
Draft DD Completed			x	x	x							
PMO Consulting WMCA/APs/Beneficiaries on DD				x	x	x						
Finalizing DD						x	×					
DMS Census/SES (DMS) Done by PMO/WMCA						x	×					
PMO/WMCA Census/SES (DMS) Analysis by PIC							x	×				
PMO/WMCA Video Filming of ROW							×					
Overlay DD & Mauza Maps							××					
Hiring INGO						x						
INGO Reviews/Certifies PMO Census/SES/Video						x	x	x	x			
Prepare RP							x	x				
ADB Clearance of Revised RP								x				
Disclosure of Revised RP with WMCA/APs/Beneficiaries								x				
Compensation payment									x	x	x	x
									And on ward			

## **2. Monitoring and Evaluation**

51. LGED, through the ESS, will establish a monitoring system involving the Chief Resettlement Officer (CRO), District and Upazila officers of LGED and the PIC for collecting, analyzing and preparing Quarterly Progress Reports on the progress of RP implementation. LGED will also provide an Annual Report to ADB, the Project Funding Agency (PFA).

52. The RP monitoring will be conducted to provide feedback to LGED and to assess implementation effectiveness. A Mid-term Review of the monitoring and evaluation reports and other relevant data will identify the actions needed to improve the resettlement performance. Evaluation of RP implementation will assess whether the resettlement objectives were appropriate and whether they were met, specifically, whether livelihoods and living standards were restored or enhanced. The evaluation will also assess resettlement efficiency, effectiveness, impact and sustainability, drawing upon lessons learned as a guide to future resettlement planning.

### **a. Internal Monitoring**

53. Internal monitoring will be carried out by the ESS with support from the CRO, field staff at LGED District and Upazila offices; and the PIC Resettlement Specialist will establish a monthly monitoring system and prepare a monthly Progress Report on all aspects of RP implementation. The initial census and SES of this RP will provide the benchmark data; and periodic surveys will be carried out to measure changes against this baseline data. Assisted by District and Upazila Engineers, and PIC Resettlement Specialist, the Project Director (PD) will monitor land acquisition and resettlement. The existing LGED Management Information system (MIS) can be updated accordingly to incorporate the necessary data and Environment and Safeguard Section (ESS) of IWRMU will tabulate quantitative information obtained through monitoring.

54. The Social Safeguard Specialist with the PIC team will be supervising and monitoring the RP implementation for LGED. The PIC will sub-contract an external independent monitoring and evaluation agency to an experienced person/firm or institution (External Monitor) that has sufficient experience and understanding of resettlement. The tasks of the external monitor will be to: (i) verify results of internal monitoring (ii) assess whether resettlement objectives have been met, especially whether livelihoods and living standards have been restored or enhanced; (iii) assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement policy making and planning; and (iv) ascertain whether the objectives were suited to AP conditions. The External Monitor will design and adopt methods and tools for data collection facilitating a comparable database of “before” and “after” resettlement conditions.

55. In addition to regular review missions, the PFA (here it ADB) will undertake a comprehensive Mid-Term Review of the RP implementation. A post-evaluation of RP implementation will be carried out by the ADB to assess the resettlement impact in terms of adequacy and deficiency in planning and implementation of resettlement activities.

## **G. IMPLEMENTATION ARRANGEMENT**

### **1. Ministry of Local Government, Rural Development and Cooperatives (MoLGRDC)**

56. The MoLGRDC, through LGED, has the overall responsibility of coordinating, planning, implementing and financing the Project. LGED fully recognizes the importance of the Project's resettlement programs. Therefore, the PIC will include an International Safeguards Specialist and a Resettlement Specialist with clearly defined tasks, including establishing an income restoration program. The Senior Sociologist of IWRMU has been appointed as Chief Resettlement Officer (CRO) to supervise and District Socio Economist will act as Resettlement Co-coordinator (RCO) with the help of existing LGED Community Organizers (COs) and engineers at the Upazila level.

### **2. Water Management Cooperative Association (WMCA)**

57. The WMCA is central to the subproject development process including subsequent system operation and maintenance activities. As a registered cooperative, this inclusive, community based organization is completely member-based, member-owned and member-managed institution. Project based links between WMCA and UP were formed early in the subproject development process, with UP involved in identification and approval process for commencing interventions, conflict resolution and potential sharing of office facilities. Resettlement plan implementation will be undertaken by the WMCA with representation from UP (Chairman or Member), as a locally based civil society group fully capable of responding to its required role. Ongoing support and institutional strengthening of WMCA through overall project activities will better position the organization as a suitable entity for RP implementation.

58. Targeted training for the WMCA Management Committee (and relevant subcommittee members) in the main principles of involuntary resettlement (IR) and their subproject specific role and responsibilities, and procedures for implementation will be provided by the project under its capacity building plan. Close facilitation and monitoring will also be provided by the PIC Resettlement Specialist. Implementation will be in coordination with the DC, LGED and the PIC (Resettlement Specialist).

### **3. Resettlement Processing Committees/Teams**

59. The LGED will form various Committees/Teams for implementation of the RP at the field level. The PMO representative will work as Member Secretary for all the Committees/Teams involving representatives of the DC, LGED, UP and APs, as the case may be. These Committees/Teams will ensure stakeholder, participation and uphold the interest of the vulnerable APs. The power and jurisdictions of the committees are clearly defined in the relevant Government notifications. The committees have been formed at the subproject level.

**a. Property Valuation Advisory Team (PVAT)**

60. A PVAT has been formed by MoLGRDC through a gazette notification vide No 40.068.00.00.002.2011-161 dated 10-03-2011 for implementation of the RP. The PVAT will determine the current market price and replacement cost of acquired land, physical structure, trees and other properties. The PVAT is comprised of the 'not below the rank' of Sr. Assistant Engineer from LGED; a representative of the concerned DC; and the area manager of INGO. The LGED representative chairs the PVAT, and the INGO representative will act as Member Secretary.

**b. Resettlement advisory Committee (RAC)**

61. As per RF the INGO will form RAC to involve the local communities and APs in the implementation process. The RAC will consist of a representative from APs; women and vulnerable groups; and the UP Chairman or Member. The LGED personnel will chair the RAC, and one representative of the INGO will act as the Member Secretary. RAC will get inputs from the APs and community, ensuring local participation; and the RAC will assist the INGO in RP implementation.

**c. Implementation Guidelines**

62. The LGED does not have any set of codified rules for payment of grants to the Entitled Persons (EPs). Under these circumstances, a detailed RP implementation guideline (Payment Modality) has been prepared and duly approved by the IWRMU to implement the RP at the field level. The LGED and the INGO will follow the Payment Modality for payment of compensation to the EPs/APs.