

MEMORANDUM OF UNDERSTANDING

BETWEEN

The Local Government Engineering Department
&
The Barendra Multipurpose Development Authority

March, 2008



Memorandum of Understanding (hereinafter referred to as the "MoU") dated 17 March, 2008 between the LOCAL GOVERNMENT ENGINEERING DEPARTMENT (hereinafter referred to as the "LGED") and the BARENDRA MULTIPURPOSE DEVELOPMENT AUTHORITY (hereinafter referred to as the "BMDA")

WHEREAS

- (A) the LGED implements rural infrastructure and small scale water resources development projects with mandate from the Local Government Division (LGD);
- (B) the BMDA is mandated to undertake various development activities including development of water resources within the Barind area in which extensive cooperation of the LGED may be required for their implementation and vice-versa;
- (C) in implementing the water resources development subprojects either by the LGED or the BMDA, there might remain possibilities of duplication and overlapping of works, which would require both the agencies to work in close cooperation and understanding to avoid such incidences;
- (D) both the agencies recognize that close cooperation and coordination between the two agencies will improve integration of the needs of local people; and
- (E) exchange of knowledge and experience, data and information, technical know-how and technology will facilitate better implementation of national water resources development and management programs;

NOW THEREFORE, both the agencies hereto agree as follows:

1.0 SCOPE OF COOPERATION

The scope of cooperation and collaboration between the LGED and the BMDA shall include, among others, the following:

- 1.1 Development and management of water resources within the Barind area in an integrated manner by extending cooperation and support to each other's programs.
- 1.2 Implementation of National Water Management Plan (NWMP) and Guidelines for Participatory Water Management (GPWM) in the light of the National Water Policy (NWPo) as may be modified from time to time.
- 1.3 Enhancing effectiveness and sustainability of water management projects by sharing information and experience by establishing efficient communication and through coordination between the two agencies and the local stakeholders.
- 1.4 Developing understanding between the two agencies in respect of future water resources development plans and programs through cooperation and sharing of information.
- 1.5 Ensuring smooth communication and consultation between corresponding offices of the two agencies both at headquarters and field levels in matters of exchanging data and

information, documents, maps etc. as may be required to make the subprojects/projects of both agencies to complement each other.

1.6 Participation in seminars and workshops to facilitate sharing of knowledge, technical know-how and experiences and to improve understanding of each other's projects.

2.0 RESPONSIBILITIES OF THE BARENDRA MULTIPURPOSE DEVELOPMENT AUTHORITY

2.1 The BMDA will circulate this MoU to and notify all its offices and levels for implementation of the provisions as contained in it.

2.2 The BMDA will provide the LGED with data and information such as index maps, water development planning maps, project features and other necessary data and information of existing or planned BMDA projects.

2.3 The BMDA will ensure continuance of any LGED supported small scale water resources subprojects unaltered, in terms of its objectives, design, operation and maintenance, which was or is required to be implemented within the Barind tract and will be supportive to the Water Management Cooperative Associations (WMCAs) of the LGED supported subprojects in matters of maintaining their rights and discharging their responsibilities.

2.4 If it is expedient in the interest of the local stakeholders, the BMDA will allow the LGED to rehabilitate, upgrade and maintain the existing BMDA infrastructure components like embankments, regulators, sluices, water retention structures etc. without affecting the original purpose and design through discussion and consensus with the BMDA and the beneficiaries. For the purpose of operation and maintenance, the users right of these structures shall be transferred to the concerned local stakeholders' association- the Water Management Cooperative Association (WMCA) for sustainable water management.

2.5 The BMDA will ensure participation of its concerned Executive Engineers in the meetings of the District Level Inter-Agency Project Evaluation Committee (DLIAPEC) convened by the District Executive Engineers of the LGED to consider and approve LGED's small scale water resources subprojects for avoiding possible duplication and/or overlapping with works of the BMDA. At the same time the DLIAPEC will consider adjustment or revision of the design, as appropriate.

2.6 The BMDA will place their water resources projects/subprojects for consideration of the DLIAPEC as per circular no.PD/Co-ord-3/99/18 dated 26 January, 1999 issued by the Planning Commission in order to facilitate its incorporation into the subprojects of the LGED, if so required towards integrated operation and management of the structures.

2.7 The BMDA will invite LGED officers for participation in seminars and workshops organized by them to share knowledge, technical know-how and experience and to foster cooperation and understanding between the two agencies.

3. RESPONSIBILITIES OF THE LOCAL GOVERNMENT ENGINEERING DEPARTMENT

3.1 The LGED will circulate this MoU to and notify all its offices and levels for implementation of the provisions as contained in it.

3.2 The LGED will provide the BMDA with data and information like index maps, water development planning maps, project features and other necessary data and information with respect to the existing or planned LGED projects.

3.3 The LGED will ensure that their small scale water resources subprojects (of relatively independent hydrological unit), when proposed within or adjacent to the BMDA's water sector projects, are complementary to and do not conflict with the objectives and purpose of the BMDA's projects.

3.4 The LGED will ensure participation of its concerned Executive Engineers in meetings of the DLIAPEC or similar other committees convened to consider and approve BMDA's water sector projects for avoiding possible duplication and/or overlapping with water sector activities of the BMDA and at the same time the DLIAPEC or such other committees will consider adjustment or revision of design, as appropriate, of any of the concerned agencies.

3.5 The LGED will ensure holding meetings of the DLIAPEC for LGED's small scale water resources project/subprojects as per Notification no.PD/Co-ord-3/99/18 dated 26 January, 1999 and no. PD/Co-ord-3/99/82 dated 09 May, 1999 issued by the Planning Division in order to facilitate its incorporation into the projects of the BMDA if so required, towards integrated operation and management of the water structures.

3.6 The LGED will invite participants from the BMDA to attend seminars and workshops organized by them to share knowledge, technical know-how and experience and to foster cooperation between the two agencies.

4.0 EFFECTIVE DATE OF THE MEMORANDUM OF UNDERSTANDING

This MoU shall take effect from the date of its signing and shall remain in force until its termination.

5.0 AMENDMENT

This MoU may be amended from time to time as and when necessary upon mutual agreement by both the agencies.



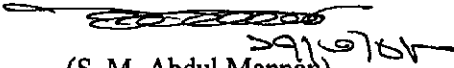
6.0 RESOLUTION OF DISAGREEMENT


6.1 Any disagreement under this MoU shall be resolved amicably through bilateral discussion initially at the district level. In the event of failure to arrive at an amicable settlement the contending issue(s) will then be referred to a Standing Joint Committee at the headquarters level constituted as under:

- | | |
|--|------------|
| (1) Superintending Engineer (IWRM), LGED/
Director (Planning), BMDA | - Convener |
| (2) Concerned Executive Engineers of LGED & BMDA | - Members |


6.2 Depending on the nature of the case, any of the two agencies will request the other agency to convene a meeting of the Committee and place the case before the committee in writing for consideration. The decisions of the Committee shall be arrived at through consensus and shall be binding upon both agencies.

IN WITNESS WHEREOF, both agencies hereto have put their hands on the date first written above.


(S. M. Abdul Mannan)
Executive Director
BMDA

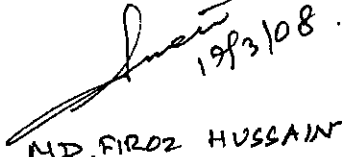

(Md. Shahidul Hassan)
Chief Engineer
LGED

Witnesses


1. Md. Sultan Mahmud Sarkar,
Superintending Engineer
BMDA

2. Gulam Mustafa Pasha
Superintending Engineer (IWRM)
LGED. Agarga Dhaka

3.


MD. FIROZ HUSSAIN
Executive Engineer.
B.M.D.A. Rajshahi.

4. Md. Moshinur Rahman
Project Director
SSWRDSP II.