

# Land Acquisition and Resettlement Due Diligence Report

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Document stage: Draft for consultation  
Project number:  
April 2016

IND: Kolkata Environmental Improvement Investment  
Program  
(TR2 WS18)

Prepared by Kolkata Municipal Corporation (KMC) for the Asian Development Bank.

This due diligence report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.



## **CURRENCY EQUIVALENTS**

(as of 22 April 2016)

Currency unit	=	Rupee (INR)
INR 1.00	=	USD 0.01504
USD 1.00	=	INR 66.4893

## **ABBREVIATIONS**

ADB	- Asian Development Bank
BPL	- below poverty line
DH	- Diamond Harbour Road
ESR	- elevated service reservoir
GP	- gram panchayat
IR	- involuntary resettlement
KEIP	- Kolkata Environmental Improvement Project
KEIIP	- Kolkata Environmental Improvement Investment Program
KL	- Kiloliter
KMC	- Kolkata Municipal Corporation
MFF	- multi-tranche financing facility
NOC	- No Objection Certificate
PHED	- Public Health Engineering Department
PS	- pumping station
ROW	- right of way
S&D	- sewerage and drainage
STP	- sewage treatment plant
LPS	- liters per second
UGR	- underground reservoir
WBSECTL	- West Bengal State Electricity Transmission Corporation Limited



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## **I. INTRODUCTION**

### **A. Background**

1. On 26 September 2013, the Asian Development Bank (ADB) approved the provision of loans under a multitranche financing facility (MFF) for the Kolkata Environmental Improvement Investment Program (KEIIP or the Investment Program) for an aggregate amount not to exceed \$400 million. The impact of the Investment Program will be improved access to water supply and sanitation in Kolkata Municipal Corporation (KMC). The outcome will be improved water supply, sewerage and drainage service quality and operational sustainability in selected areas of KMC. KEIIP has three outputs: (i) inefficient water supply assets rehabilitated; (ii) sewerage extension to peripheral areas continued;<sup>1</sup> and (iii) financial and project management capacity further developed. KMC is KEIIP's executing agency. A project management unit (PMU) created under KMC is implementing KEIIP.

2. The proposed Project 2, supported by the tranche 2 of KEIIP, will include physical and non-physical investments in water supply and sanitation improvement in KMC. Project 2 is aligned with improved access to water supply and sanitation in KMC as defined by the Investment Program. A total of eight contract packages for sewerage and drainage work are proposed under Project 2. For water supply, a total of six contract packages are proposed. Kolkata Municipal Corporation (KMC) is in the process of preparing project proposals for all proposed subprojects under Project 2 to ensure high project readiness.

3. Water supply packages identified for implementation under tranche 2 include: (i) Construction of 2 underground reservoirs (UGR) and pumping stations (PS) at Prantik Ph III and Company Pukur; 6 elevated service reservoirs (ESRs) at Prantik Phase III, North-East of South Suburban East (SSE) sewage treatment plant (STP), North-West of SSE STP, Company Pukur, WBSETC, 22 Bigha, under package TR-2 WS15; (ii) laying of transmission main from existing Daspara PS to UGRs at Prantik Ph III and Company Pukur; and transmission main from UGRs to 8 elevated service reservoirs (ESRs - 6 proposed and 2 existing), under package TR-2 WS 16; (iii) Laying of distribution system and house connection within the command area of 8 ESRs (6 proposed and 2 existing), under package TR-2 WS 17; (iv) construction of ESR at Ramkantapur/Udayachal, Malpara, Charaktala; laying of transmission main from UGR at Company Pukur to 3 ESRs; and laying of distribution system and house connection within the command area of 3 ESRs, under package TR-2 WS 18; (v) dedicated water supply transmission main from the junction of James Long Sarani to Daspara near existing pumping station along James Long Sarani under package TR-2 WS 24; and (vi) water loss management under Jay Hind WTP Area (Eastern Kolkata), under package TR-2 WS 25.

### **B. Scope of this Report**

4. This land acquisition and resettlement due diligence report is prepared for the proposed water supply contract package TR-2 WS18, construction of elevated service reservoir at Ramkantapur/Udayachal, Malpara, Charaktala; transmission main from underground reservoir (UGR) at KMC Land on Julpia Road to the 3 ESRs, distribution system and house connection

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<sup>1</sup> The 1899 Calcutta Municipal Act defined the administrative domain of the municipal authority as covering 25 wards and having an areal extent of 48.5 square kilometers. Many boundary changes followed, the latest one in January 1984 when Boroughs XI, XII, XIII, XIV and XV were annexed to KMC. These boroughs in the peripheral areas, are popularly known as "added areas".

within command area of 3 ESRs.<sup>2</sup> A due diligence process was conducted to examine land acquisition and resettlement issues in detail, in line with ADB SPS 2009. This report describes the findings and provides copies of relevant documents, resolutions, minutes of meetings and photographs. This land acquisition and resettlement due diligence report needs to be read along with the Resettlement Framework prepared for KEIIP.

5. Upon project implementation, the Social Safeguard Officer at PMU will be required to undertake a review of this due diligence, prepare a confirmation letter or report documenting any modifications for the subproject and submit to ADB; and receive a 'no objection' confirmation from ADB prior to start of construction related to the subproject.

## II. SUBPROJECT DESCRIPTION

6. The areas added to the city of Kolkata after 1984 ('added areas') have major gaps in supply of potable water. The subproject location is at the southern part of KMC area. Surface water from River Hooghly is presently supplied by PHED in this area. The water presently being supplied by State PHED is inadequate to meet the demand of the subproject area. Need for an improved water supply system is identified for successful service delivery of potable water. The overall objective of the water supply subproject in Project 2 is to enhance the service levels using a phased approach, to arrive at the target service levels.

7. Under project 2 water supply package TR-2 WS18, proposed components include: (i) construction of elevated service reservoirs at three locations, Ramkantapur/Udayachal (2000 cum), Malpara (1250 cum), Charaktala (1250 cum); (ii) transmission mains from UGR at KMC Land on Julpia Road to the three proposed ESRs, with total length of 6450 m, (iii) distribution system (55 Km) and (iv) house connections (10767 in number) within the command area of the ESRs. Table 1 provide details of proposed components under package WS18.

**Table 1: Proposed Components under package TR-2/WS 18**

S. No.	Proposed Components	Capacity / Length / No.
<b>I. Construction of 3 Elevated Service Reservoirs</b>		
1	Ramkantapur	2000 cum
2	Charaktala	1250 cum
3	Malpara	1250 cum
<b>II. Transmission main from UGRs to 3 ESRs</b>		
1	450 mm dia	150 m
2	350 mm dia	2500 m
3	300 mm dia	3800 m
<b>III. Distribution Pipeline</b>		
1	Under command of ESR A5	25 Km
2	Under command of ESR B2	14 Km
3	Under command of ESR B3	16 Km
<b>IV. House Connections</b>		
1	No. of water supply house service connections	10767

<sup>2</sup> The UGR at Julpia Road is proposed on KMC land under the KEIIP Project 2 priority package TR-2/WS15.

### III. FIELD WORK AND PUBLIC CONSULTATION

#### A. Outline of Field Work

8. In December 2015 and January 2016, field visits and stakeholder consultations were carried out at the proposed subproject sites and alignment locations.

#### B. Public Consultation

9. Stakeholder consultation for this package (TR-2 WS18) was undertaken along with consultations for packages TR-2 WS16 and WS17, as pipelines under the three packages are proposed in proximal areas. Stakeholder meetings and consultations helped identify the felt needs/concerns and apprehensions of the communities related to the project, and priorities of concerned stakeholders. Discussions were held with (60 persons, of which 41, or 68% were women) people residing at/near and/or having businesses at/near the proposed subproject locations. A summary of discussions held is given in Table 1.

10. The form of consultation used was stakeholder meeting. Consultations reveal that people (residents and businessmen) are aware of the inadequacies of the existing water supply system, and are therefore willing to cooperate for execution of the proposed project. It was explained that while some disturbances to traffic may be possible during execution, the roads would not need to be closed, and access to all properties/structures along the road would be maintained. People expressed concern about affordability of water tariffs and connection charges.

11. The field visits and interactions helped ascertain that no permanent relocation or loss of land or structures or temporary or permanent economic impacts are anticipated as a result of the proposed subproject. The following Table 1 provides a summary of consultations and discussions held with shop-owners, residents of ward 142, and ward councilor.

Table 2: Summary of Consultations with Stakeholders for TR-2 packages WS16-18

DATE	LOCATION	NO. OF PARTICIPANTS				EMPLOYMENT STATUS OF PARTICIPANTS	TOPICS DISCUSSED	ISSUES RAISED
		MALE	FEMALE	% of Female	TOTAL			
18.12.15	Indira Udyan, Julpia Road, Ward No 142	19	41	68.33%	60	<b>MALE:</b> Employees in private sector/government, and businessmen,  <b>FEMALE:</b> Housewives	1. Relevant information about the upcoming project (technical information on proposed facilities in the ward; and environmental health issues expected to be addressed). 2. KMC's future plan to supply drinking water in the adjoining area of Joka, Behala under Borough- XVI. 3. Water supply improvements to be taken up at ward no. 142 as a part of the subproject under packages WS-15 to WS-18 of Tranche – II. 4. The plan and design has been prepared to supply drinking water house-to-house for 24 hrs. a day to cover 100% area of the ward, on completion of the distribution network. 5. Need for public participation and awareness.	1. Likely date of commencement of project work 2. Date of commissioning of the project. 3. Scarcity of drinking water in areas like Jiardar Ghat. 3. Water supply network coverage in remote parts of the ward/tail end. 4. Policy regarding connection charge. 5. Quality and quantity of the water to be supplied after completion of the project. 6. Whether connection charge and tariff will be affordable

## IV. LAND AVAILABILITY AND RESETTLEMENT IMPACTS

### A. Elevated Service Reservoirs

12. Three elevated service reservoirs at Charaktala, Malpara and Udayachal/Ramkantapur (both names are used inter-changeably for the same site), requiring 0.165 acre, 0.33 acre and 0.165 acre land respectively, are proposed on vacant, unused land donated by private owners to KMC. The donated sites are free of squatters, encroachers or informal users. Land required versus availability at each location, along with ownership documents other details are presented in Appendix 2 and Appendix 3 to this DDR. Meetings were held in November 2015 with the community regarding the proposed project and its anticipated benefits, when the landowners at the three locations came forward to donate the sites to KMC. None of the donors are vulnerable; socio-economic profile of the donors and minutes of consultations with them along with photographs, are to be appended to the updated DDR. Gift deeds from the respective owners have been executed and duly witnessed by independent parties; those for Charaktala and Malpara have been registered, while the gift deed executed for the Udayachal/Ramkantapur site is under process of registration. The process of consultation with land donors and execution of gift deeds was handled by KMC through the concerned ward councilor, with independent witnesses to the proceedings, as required under law. This DDR will be updated with copies of the registered gift deeds and transfer of ownership to KMC as appendices. The independent witnesses to the respective deeds will provide third party certification of the land donation process, in line with ADB policy; the certificates will also be appended to the DDR.

### B. Transmission mains, distribution pipelines and house service connections

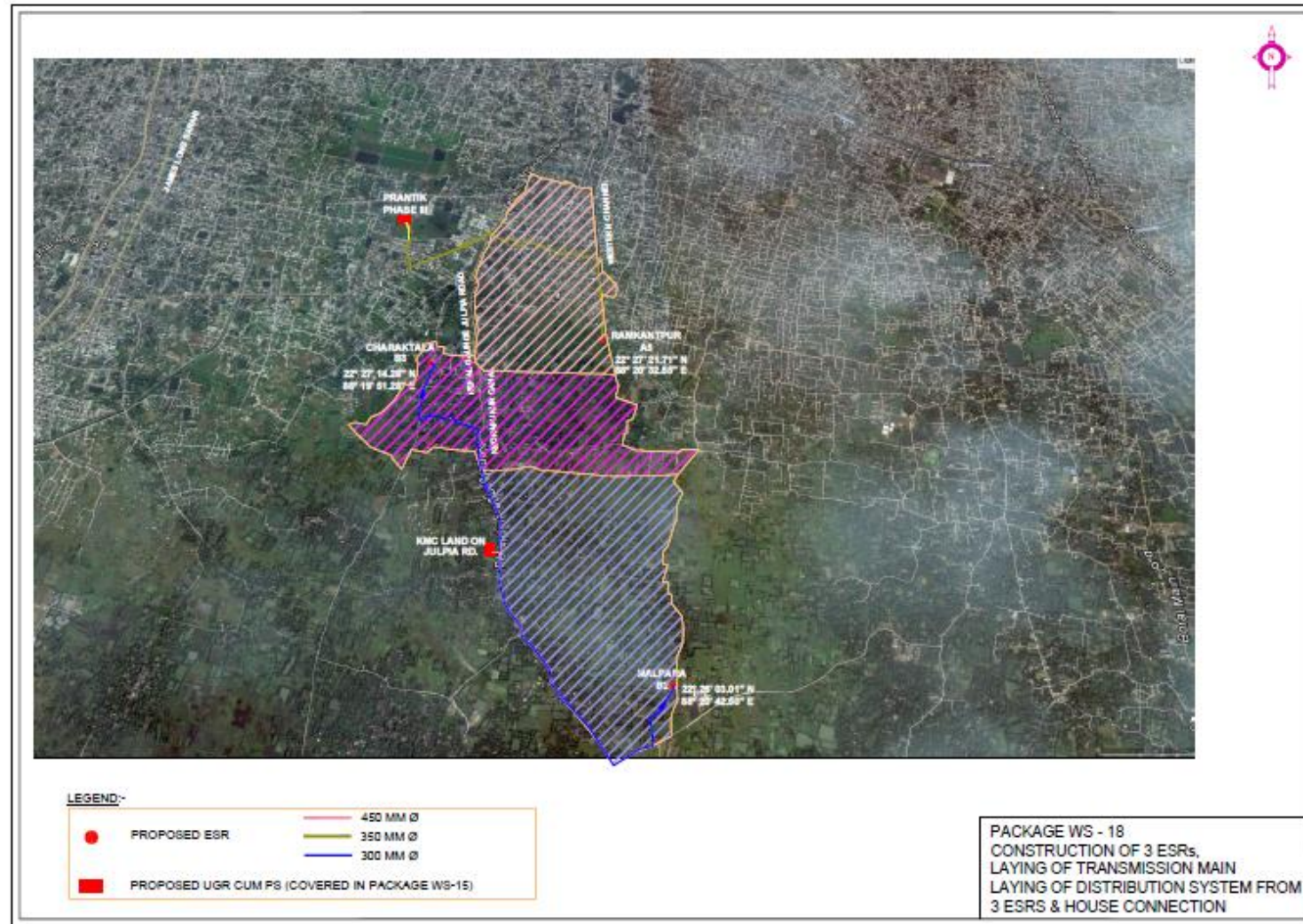
13. All civil works for laying of pipelines proposed under the subproject are within the ROW of government roads and within donated land and KMC land (Julpia Road underground reservoir). No additional land will be required for the proposed subproject and no structure will be affected due to the civil work undertaken for the laying of the pipeline. Based on field visits and transect walks, it was assessed that it will be possible to maintain access to shops and residences; hence no IR impacts are anticipated. Prior notice will be given to the community before start of civil work. Mobile vendors as well as those with moveable structures will be assisted to shift to nearby places during the period of civil works, where they will be able to continue with their business until they are assisted to move back, when civil works for the stretch is completed; hence will not be affected.<sup>3</sup> Where businesses are unable to or are not required to shift, access will be ensured by the contractor by avoiding excavation of adjacent footpaths and/or by providing planks for pedestrian access. Potential disruptions at pipe crossings at congested, commercial are to be mitigated by undertaking night work and minimizing the construction period. House service connections will be carefully executed by the contractor, avoiding/restoring any small damage to private property. No incidents of tree cutting and minimal utility shifting is anticipated as a result of proposed subproject components. Once detailed design is completed and the exact location of trench for pipelaying is known along each road, IR impacts will need to be reassessed and the DDR updated.

14. The following Google earth map depicts the proposed components of package TR-2/WS 18.

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<sup>3</sup> Mobile hawkers will not be affected as they will be able to shift to nearby locations to continue plying their trade.

Figure 1: Google Earth Map Depicting Proposed Subproject Components under TR-2/WS18



## V. CONCLUSIONS

### A. Summary and Conclusions

15. No significant IR impacts are assessed at identified sites for the proposed sub-project components under package TR-2 WS18, as the ESR sites have been donated by private landowners, which helped avoid land acquisition. The entire pipe alignment is proposed within government road ROW. Some disruption of traffic during construction is possible; however, this will be mitigated with proper traffic management planning by the contractor, in discussion with local authorities and the community.

19. A budgetary provision is made for costs likely to be incurred by the PMU for updating this due diligence report (INR 50000), consultation, communication and grievance redress (INR 50000), contingencies (15%, i.e., INR 15000), adding up to INR 115000.

### B. Next Steps

16. The DDR needs to be updated with the following information:
- (i) Detailed measurement survey (DMS), marking of excavation for pipe alignment, and documentation of DMS.
  - (ii) Photographs and minutes of consultations with land donors;
  - (iii) Socio-economic profile of land donors;
  - (iv) Third party certification of land donation<sup>4</sup>;
  - (v) Copies of the registered gift deeds for the 3 ESR sites; and documents related to transfer of ownership rights to KMC;
  - (vi) Land ownership records for KMC land at Julpia Road UGR, and photographs;
  - (vii) Continued consultations with the community and record of their concerns and issues, if any.
  - (viii) On finalization of detailed design, the DDR needs to be re-assessed and results of reassessment presented.
17. ADB approval on the updated DDR based on the final assessment at detailed measurement survey stage needs to be obtained by the PMU prior to start of construction.

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<sup>4</sup> The TOR of third party report and certification is in Appendix 4

**PHOTOGRAPHS****Charaktala (WS- 18) - ESR****Malpara (WS- 18) - ESR**

**Udayachal/Ramkantapur (WS- 18) - ESR**





PHOTOGRAPHS OF ROADS WHERE PIPE ALIGNMENTS PROPOSED WS18

## **SUMMARY OF COMMUNITY CONSULTATION MEETING**

### **Ward No. 142, Indira Udyan, Julpia Road**

A community consultation meeting was conducted on 18<sup>th</sup> December 2015 at Indira Udyan, Julpia Road for information dissemination and sharing of views and concerns, if any on the upcoming Water Supply project under Package WS-16 to WS-18 of Tranche – II, KEIP.

The consultation meeting was organized by Shri. Raghunath Patra, the councilor of Ward No-142. The meeting was conducted in the presence of Social Safeguard Specialist (SSS), and staff of Safeguard Monitoring Unit, KEIP. A total of 41 female and 19 male participants (total 60 participants) were present during the meeting, which continued for one hour. Information was exchanged regarding project work.

Among the female participants, all were housewives. The male participants were mainly businessmen and employees in government or private organisations.

#### **Information shared on following topics:**

- Introduction of KEIP as an initiative of Kolkata Municipal Corporation with the financial support of Asian Development Bank for arresting the degradation of environment of Kolkata and adjoining areas.
- Need and scope of work of KEIP.
- KMC is planning to undertake a water supply project in Joka and adjoining areas which are now at the planning stage. By virtue of this project the problem of scarcity of drinking water will be catered.
- Water supply project to be taken up at Ward No 142 as a part of the entire project under package WS-15 to WS-18 of Tranche – II.
- 4 ESR (Elevated Service Reservoir), 1 UGR cum PS (UGR- Underground Reservoir, PS-Pumping Station), has been proposed in the plan in this ward.
- Entire plan and design has been prepared to supply drinking water house-to-house for 24 hours in a day and cover 100% area of the ward after completion of entire distribution network.
- Availability of land for proposed ESRs at Ramkantapur, Malpara, Charakatala, Company Pukur and 1 UGR cum PS at Company Pukur respectively under different packages. Company Pukur will be taken up first.
- There will be no adverse impact on structures, livelihood, transportation and other utilities like electricity, water supply etc.
- Importance of public participation and public awareness. In case of short term inconvenience during implementation phase of the project i.e. laying of distribution line, traffic diversion etc., cooperation of the public will be required.
- Long term benefits of the project.
- Phase wise implementation of the project.
- Impact of the project on environment, design elements aimed at reducing the chance of water contamination etc.
- Tentative date for commencement and commissioning of the project.
- Necessary arrangements will be made by the project authority before commencing the work, like public information dissemination, shifting of utilities etc.
- Cooperation is needed from the local residents during project implementation phase.

**Issues raised by the participants:**

- The time of commencement of the project work and its duration.
- Quality of the water that is being supplied at present by PHE (Public Health Engineering Dept.) through big dia and small dia tube wells is not up to the mark for drinking (quantity of iron is above than normal range and salinity is also present).
- Quantity of water supplied is inadequate to cater to the increasing demand.
- Certain areas of the ward experience acute water scarcity, e.g.
- Water supply pipes are broken in many places as a result wastage and contamination of water is common feature.
- Policy of house connection in case of joint properties recorded in Kolkata Municipal Corporation (erstwhile Joka gram panchayet).
- Network coverage in remote parts of the ward.
- Affordability of connection charges and water tariffs

## PHOTOGRAPHS OF COMMUNITY CONSULTATION



**Councilor of Ward 142 addressing the crowd during Community Consultation at Indira Udyan, Ward No. 142**

**Social  
Safeguard  
Officer, KEIP,  
Dr. Manjari De  
addressing the  
crowd**



**during Community Consultation at Indira Udyan, Ward No. 142**



## Participants List

Name of place (Ward No) 142, Indira Udyan  
Date 18/12/2015 Tulipia Road

Sl.No	Name of Participants	Contact No, if any	Signature
1	Gita Samanta	9681792278	ਗੀਤਾ ਸਮਾਂਤ
2	Shikhi Das	7890640575	Shikhi Das
3	ਅਮਰਿੰਦਰ ਕੌਰ	8017732639	ਅਮਰਿੰਦਰ ਕੌਰ
4	ਸੁਖ ਕੌਰ	.	
5	ਅਨਿਤਾ ਕੌਰ		
6	ਸੁਨੀਤਾ ਕੌਰ		
7	ਅਨਿਤਾ ਕੌਰ		
8	Hima Biswas	9163274850	
9	ਅਮਰਿੰਦਰ ਕੌਰ	8697538919	
10	Manda Bate		ਮਨਦਾ ਬਾਟੇ

Raghuveer Kaur

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## Participants List

Name of place (Ward No) 142

Date 18/12/2015

SL.No	Name of Participants	Contact No, if any	Signature
11	Sankhi Bora		
12	Balakram Manne	8820680224	
13	Santo Das	8017576414	
14	ବିନୟ କୁମାର		T.S
15	Lopam Rong	8013575672	
16	ଉତ୍କଳୀ ଚିନ୍ମୟା	8278360409	A. B
17	ଲୀଳା ସତ୍ତପାଠୀ	9331815428	ଲୀଳା ସତ୍ତପାଠୀ
18	Lakshmi Mal	7890616830	Lakshmi Mal
19	Sina Mal		ସିନା ମାଲ
20	Pravara Devi Kanje		Pravara Devi Kanje

Rajman Das

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## Participants List

Name of place (Ward No) 142

Date 18/12/2015

Sl.No	Name of Participants	Contact No, if any	Signature
21	Aroli Makhai	9836597141	Aroli Makhai
22	Kalyani Baichi	833497752	Baichi
23	Sulekha Bax	8013147191	S. Bax
24	ਗੁਰਮਤਿ ਸਿੰਘ	801345022	
25	Rajesh Singh	9051674638	R. Singh
26	ਕਰਕਾਰ ਕਰ	9870487302	
27	Anurag Khan	9748613002	AK
28	Rajesh Mondal	8653385137	R. Mondal
29	Basudev Gujjar		
30	ਸਰਜਿਤ ਸਿੰਘ		

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## Participants List

Name of place (Ward No) 142

Date 18/12/2015

Sl.No	Name of Participants	Contact No, if any	Signature
31	ଅମିତା, ଅନୁଷ୍ଠାନ	8584969303	
32	ଅମିତା ଅନୁଷ୍ଠାନ		ଅମିତା ଅନୁଷ୍ଠାନ
33			କାନ୍ତୀ କୁମାରୀ
34			Champa Bora
35		7686877910	Munmun Barua
36			Jaya Mondal
37			ବିଜୟା ରାମଚନ୍ଦ୍ର
38	ସୋନାଲୀ-କ		ଅନିତା ମାତ
39	ବିଜୟା ରାମଚନ୍ଦ୍ର		
40	ବିଜୟା ରାମଚନ୍ଦ୍ର	8013362441	

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## Participants List

Name of place (Ward No) 142

Date 13/12/2015

Sl.No	Name of Participants	Contact No, if any	Signature
41	Mamata Barmann	9007110366	Mamata Barmann
42	ପିତ୍ତା ପ୍ରଧାନ	9007870876	Pitita Pradhan
43	ଦୟାକର ନାଥ		ଦୟାକର ନାଥ
44	ଅନିଲ କୁମାର		ଅନିଲ କୁମାର
45	କମଳା କୁମାର	9909823333	କମଳା କୁମାର
46	କୁଞ୍ଜ କୁମାର		
47	ନିଧି କୁମାର		
48	ଆଶିଷ କୁମାର	9239014800	
49	Omito David		
50	Tapati Bharmann	9836173169	



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## Participants List

Name of place (Ward No) 142

Date 18/12/2015

Sl.No	Name of Participants	Contact No. if any	Signature
51	मिडल मल्ल		
52	शिवजी ५१५		
53	कुशी मल्ल		
54	मल्ल मल्ल		
55	ASHOK KR Jha	9062101892	ASHOK KR Jha
56	Prashanto-	8981146023	Prashanto-
57	Krishna Pal	9741852523	Krishna Pal
58	Prakash Hazra	9330072354	Prakash Hazra
59	मल्ल मल्ल		मल्ल मल्ल
60.	कुशी मल्ल		



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**DETAILS OF DONATED PRIVATE LAND**

<b>S.No.</b>	<b>Location of site</b>	<b>Mouza with JL No.</b>	<b>Proposed facility</b>	<b>Land required</b>	<b>Total land available (in acres)</b>	<b>Ownership</b>	<b>Whether land records and land map available</b>	<b>Status of Gift Deed (in favour of KMC)</b>
1	Charaktala	Ramchandrapur-31	ESR	10 cottahs or 0.165 acre	0.41	Private	Yes	Executed and registered; witnessed by independent party
2	Malpara	Magurkhali-35	ESR	20 cottahs or 0.33 acre	0.66	Private	Yes	Executed and registered; witnessed by independent party
3	Udayachal/ Ramkantapur	Ramkantapur-27	ESR	10 cottahs or 0.165 acre	0.70	Private	Yes	Executed and witnessed by independent party; not yet registered

**Note:** Names of donors and their socio-economic details will be added to the updated DDR.

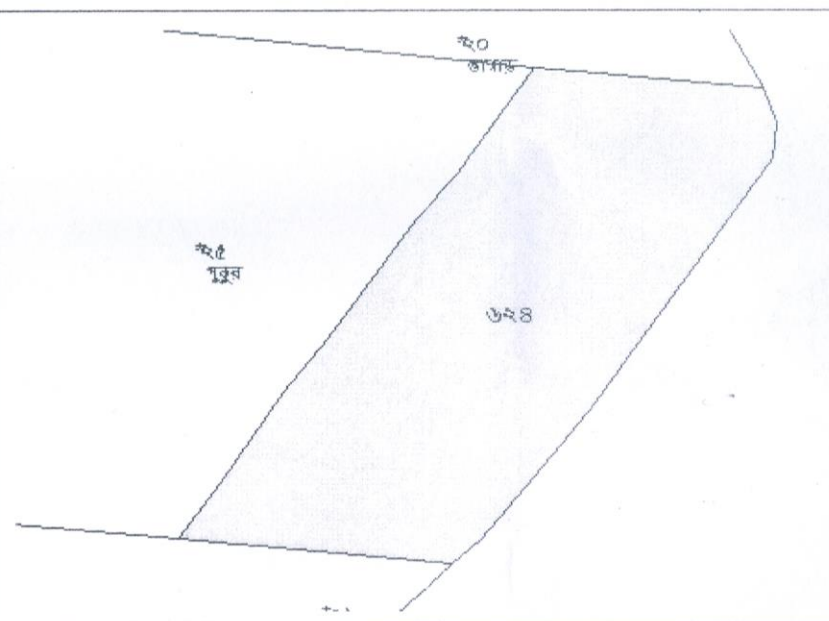
## LAND OWNERSHIP DOCUMENTS

## Land Ownership Records of Charaktala ESR Site

Mouze: Ramchandrapur.

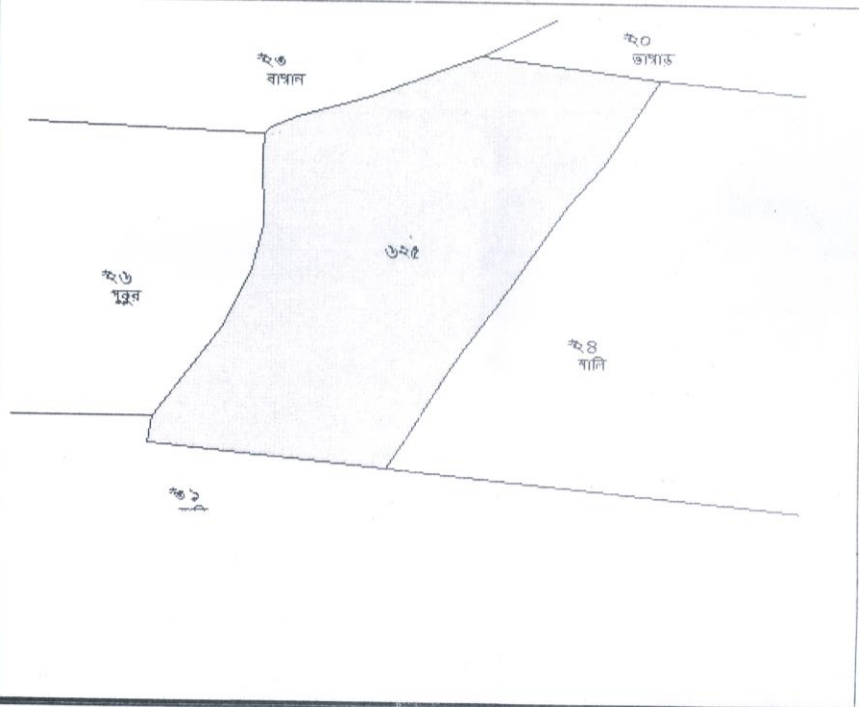
মৌজা :- রামচন্দ্রপুর , জে.এল নং (J.L No.): 131 থানা (P.S.): বেহালা

জে.এল নং (J.L No.): 131 থানা (P.S.): বেহালা					
দাগ নং	শ্রেণী	জমির মোট পরিমাণ(একর)		দাগের ম্যাপ	
Plot No.	Classification	Total Area of the Plot(Acre)		Plot Map	
624	শালি	0.33		<a href="#">Click Here</a>	
খতিয়ান নং	রায়েতের নাম	পিতা/স্বামী	অংশ	অংশ পরিমাণ(একর)	মন্তব্য
Khatian No.	Owner Name	Father/Husband	Share	Share Area(Acre)	Remarks
245	শশীনাথ পাত্র	রাধাকৃষ্ণ	0.1250	0.04	Nil
388	ছবিরানী পাত্র	রাধাকৃষ্ণ	0.1250	0.04	Nil
808	বিজয় কুমার পাত্র	দুঃখীরাম	0.5000	0.17	সাধারণের ব্যবহার্য
1250	শ্যামল পাত্র	রাধা কৃষ্ণ	0.1250	0.04	Nil
1446	সোনালী পাত্র	রাধা কৃষ্ণ	0.1250	0.04	Nil



মৌজা :- রামচন্দ্রপুর , জে.এল নং (J.L No.): 131 থানা (P.S.): বেহালা

জে.এল নং (J.L No.): 131 থানা (P.S.): বেহালা					
দাগ নং	শ্রেণী	জমির মোট পরিমাণ(একর)		দাগের ম্যাপ	
Plot No.	Classification	Total Area of the Plot(Acre)		Plot Map	
625	পুকুর	0.41		<a href="#">Click Here</a>	
খতিয়ান নং	রাযভের নাম	পিতা/স্বামী	অংশ	অংশ পরিমাণ(একর)	মন্তব্য
Khatian No.	Owner Name	Father/Husband	Share	Share Area(Acre)	Remarks
245	শশীনাথ পাত্র	রাধাকৃষ্ণ	0.1250	0.05	Nil
388	ছবিরানী পাত্র	রাধাকৃষ্ণ	0.1250	0.05	Nil
808	বিজয় কুমার পাত্র	দুঃখীরাম	0.5000	0.21	সাধারণের ব্যবহার্য
1250	শ্যামল পাত্র	রাধা কৃষ্ণ	0.1250	0.05	Nil
1446	সোনালী পাত্র	রাধা কৃষ্ণ	0.1250	0.05	Nil



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Land ownership record of Malpara ESR Site

Monza: Magmukhali.

মাগুরখালি, জে.এল নং (J.L No.): 135 খানা (P.S.): বেহালা				দখলদারের তথ্য (Possessor Details)			
দাগ নং	শ্রেণী	জমির মোট পরিমাণ(একর)	দাগের ম্যাপ	দখলদার নাম	পিতা/স্বামী	ঠিকানা	মন্তব্য
Plot No.	Classification	Total Area of the Plot(Acre)	Plot Map	Possessor Name	Father/Husband	Address	Remarks
146/199	শালি	0.66	<a href="#">Click Here</a>	তপন মালিক	নরেন	নিজ	
খতিয়ান নং	রায়তের নাম	পিতা/স্বামী	অংশ	অংশ পরিমাণ(একর)	মন্তব্য		
Khatian No.	Owner Name	Father/Husband	Share	Share Area(Acre)	Remarks		
7	অনন্ত বাগ	বনমালী	0.1667	0.11	বর্গা		
86	গিরিশ চন্দ্র বাগ	ললিত মোহন	0.0416	0.03	বর্গা		
141	দীননাথ বাগ	ললিত মোহন	0.0417	0.03	বর্গা		
164	নিবারন চন্দ্র বাগ	বনমালী	0.1666	0.11	বর্গা		
165	নিরঞ্জন বাগ	ললিত মোহন	0.0417	0.02	Nil		
169	নিবাস চন্দ্র বাগ	গোপাল চন্দ্র	0.0833	0.05	বর্গা		
186	পার্বতী চরণ বাগ	ললিত মোহন	0.0417	0.03	বর্গা		
208	প্রমোদ কুমার বাগ	গোপাল	0.0834	0.06	বর্গা		
339	সীতানাথ বাগ	ভূষণ	0.1667	0.11	বর্গা		
385	মৃত্যুঞ্জয় বাগ	বনমালি	0.1666	0.11	বর্গা		

**Note:** Land is being donated only by Mr. Nibaran Chandra Bag, owner of Khatian No. 164. The remarks column against Khatian No. 164 shows nil, indicating that the proposed ESR site is free of sharecroppers, other possessors, or encroachers.

Land ownership record for Udayachal/Ramkantapur ESR site

Mouza: Ramkantapur.

মৌজা :- রামকান্তপুর, জে.এল নং (J.L No.): 127 থানা (P.S.): বেহালা

দাগ নং	শ্রেণী	জমির মোট পরিমাণ(একর)	দাগের ম্যাপ
Plot No.	Classification	Total Area of the Plot(Acre)	Plot Map
130	শালি	0.7	<a href="#">Click Here</a>

খতিয়ান নং	রায়তের নাম	পিতা/স্বামী	অংশ	অংশ পরিমাণ(একর)	মন্তব্য
Khatian No.	Owner Name	Father/Husband	Share	Share Area(Acre)	Remarks
13	অনিমা মাল	প্রবোধ	0.0370	0.02	Nil
29	আদর বালা মাল	প্রবোধ	0.0371	0.02	Nil
60	কবিতা মাল	নিরঞ্জন	0.0139	0.01	Nil
75	কালোমনি দাসী	শ্রীমন্ত দাস	0.0833	0.06	Nil
99	গীতা বালা দাস	জহরলাল	0.0139	0.01	Nil
123	জয়চাঁদ মাল	নিরঞ্জন	0.0139	0.01	Nil
133	বর্না বর	জীবন	0.0371	0.02	Nil
154	দেবেন্দ্র চন্দ্র মাল	রজনী	0.0834	0.06	Nil
185	নিমাই মাল	নিরঞ্জন	0.0139	0.01	Nil
220	প্রতিমা ষোড়ুই	প্রভাস	0.0371	0.03	Nil
352	লবঙ্গ লতা মাল	নিরঞ্জন	0.0139	0.02	Nil
355	লক্ষ্মণ মাল	প্রবোধ	0.0370	0.02	Nil
365	শত্রুঘ্ন মাল	প্রবোধ	0.0370	0.02	Nil
387	সবিতা মাল	নিরঞ্জন	0.0139	0.01	Nil
430	সুশীলা মণ্ডল	খগেন	0.0833	0.06	Nil
449	হারাধন মাল	বাতুরাম	0.3333	0.24	Nil
273	ভরত মাল	প্রবোধ	0.0370	0.03	Nil
313	মিলন মাল	প্রবোধ	0.0370	0.03	Nil
329	মুগল মাল	প্রবোধ	0.0370	0.02	Nil

## **TERMS OF REFERENCE FOR INDEPENDENT THIRD PARTY FOR NEGOTIATED PURCHASE OR VOLUNTARY LAND DONATION**

For any voluntary donation of land, an external independent entity will supervise and document the consultation process and validate the negotiated purchase / land donation process as per legal requirement.

### **TOR for Independent Third Party Witness**

An independent third party is sought to be appointed to oversee and certify the process of negotiated purchase / land donation. The third party shall be briefed about his/her expected role and deliverables by the concerned PIU.

**Eligibility:** The third party shall be a representative of the community (for example, a leader of the community with formal/legal standing, a representative of a local NGO/CBO with formal and legal standing), without any direct interest in the negotiation process or subproject activity, who is acceptable to each of the concerned parties (PIU/PMU and concerned land owner/donor).

**Scope of work:** The role of the third party shall be to ensure a fair and transparent process of negotiation/donation. The envisaged scope of work shall entail the following:

- (i) witness and keep a record of meetings held with the concerned parties,
- (ii) ensure there is no coercion involved in the process of negotiated purchase / land donation,
- (iii) ensure that the donor(s) are not coming from vulnerable groups/poor families
- (iv) ensure that the preferences and concerns of the land owner / donor related to access, selection of site within lands held, etc. are recorded and any stipulated conditions met,
- (v) ensure that the negotiated purchase / land donation agreement is drafted in a fair and transparent manner,
- (vi) confirm that the offered/agreed price is fair and meet the market price of the land with similar value and condition in the area,
- (vii) ensure the negotiated purchase/donation does not result any negative impacts to the third party associated with the purchase/donation activity,
- (viii) identify and recommend mitigation measures to land owner / donor/ affected third party, if required,
- (ix) ensure that taxes, stamp duties and registration fees for purchased / donated land are borne by government, and
- (x) submit a certificate as witness to the purchase / donation and transfer process.

**Deliverables:** The details of the meetings, and a certificate/reports as witness to the purchase / donation process and mitigation measures to owner / donor, if any, shall be submitted by the third party to PMU, PIU and owner/donor in the local language.

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### SAMPLE CERTIFICATION FORMATS

This is to certify that Mr./Mrs. XXXXXXXXXXXXXXXXXXXX, (profession, designation, address) is appointed as independent third party to certify the process of negotiated purchase/donation of plot no.....area.....owned / donated by XXXXXXXXXX (names of owner), who is a signatory to this certificate. It is also placed on record that none of the signatories to this certificate have any objection to appointment of xxxx as third party witness.

Date

Officers Concerned PIU and land donor/ land owner

(Names and Signatures)

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I, \_\_\_\_\_ of \_\_\_\_\_ (address) certify that I was witness to the process of negotiated purchase / land donation (details of plot \_\_\_\_\_ from XXXXXXXXXX land owners names).

I certify that:

1. The process of purchase / donation of the said land was transparent; the landowner(s) was/were happy to sell/donate the land/assets for the welfare of the community/subproject activities.
2. No coercion was used in the purchase/donation process.
3. No (formal/informal) third party (associated with the purchase/donation) is negatively affected<sup>5</sup> by the purchase/donation activity
4. Land transfer costs (registration fee and stamp duty) were borne by the government and not by the owner/donor.
5. All concerns expressed by the owner/donor as agreed, were addressed and no pending issues remain.
6. The following mitigation measures were identified and implemented / provided to the land owner/donor.
7. Attached are the minutes of meetings held between project proponents and the land owner/donor, and the agreed price/value of the donated land which I was witness to.
8. Attached are the pictures of the land purchased/donated and pictures of the original land owner(s) of the purchased/donated land.
9. Attached are the information of the socio economic background of the land owner(s)/ donor(s)

Signed/

Name

XXXXXXXXXXXXXXXXXXXXX

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Encl: Minutes of meetings held between land owner/donor and project proponents

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<sup>5</sup> Negatively affected defines as permanent loss of/ access to shelter or livelihood support which could cause impoverishment to the affected third party.