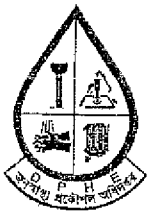


**Government of the People's Republic of Bangladesh**  
**Ministry of LGRD & Co-operatives**  
**Local Government Division**

**Resettlement & Social Management Framework**  
**(RSMF)**



*Bangladesh Municipal Water Supply & Sanitation Project (BMWSSP)*  
**Department of Public Health Engineering (DPHE)**

**August 2018**

## TABLE OF CONTENTS

	Page
<b>ABBREVIATIONS &amp; ACRONYMS</b>	ii
<b>EXECUTIVE SUMMARY</b>	iii
<b>A. SOCIAL ISSUES AND IMPLICATIONS</b>	
INTRODUCTION.....	1
PROJECT BACKGROUND.....	1
THE PROJECT & ITS SOCIAL IMPLICATIONS.....	2
RSMF'S SAFEGUARD OBJECTIVES.....	4
BASIC PLANNING PRINCIPLES.....	4
SAFEGUARDS SCREENING & MITIGATION GUIDELINES.....	5
ADDRESSING GENDER ISSUES.....	6
CITIZEN ENGAGEMENT STRATEGIES.....	6
Community/Stakeholder Consultations.....	7
Grievance Redress Mechanism.....	8
MANAGEMENT OF LABOR INFLUX.....	10
DOCUMENTATION, MONITORING & REPORTING.....	10
IMPLEMENTATION ARRANGEMENTS & CAPACITY BUILDING.....	12
PUBLIC DISCLOSURE OF RSMF.....	12
 <i>ATTACHMENT A1: Social Screening Form.....</i>	 14
<b>B. GUIDELINES FOR USING PUBLIC &amp; PRIVATE LANDS AND IMPACT MITIGATION NEEDS AND ISSUES</b>	
LAND NEEDS & IMPACT MITIGATION ISSUES.....	18
USING PUBLIC LANDS.....	18
USING PRIVATE LANDS.....	18
IMPACT MITIGATION OBJECTIVES.....	19
LAND USE PRINCIPLES.....	19
IMPACT MITIGATION PRINCIPLES.....	20
ELIGIBILITY FOR COMPENSATION/ASSISTANCE.....	20
Cut-Off Dates.....	21
COMPENSATION/ASSISTANCE STANDARDS.....	21
ENTITLEMENT MATRIX.....	23
STAKEHOLDER CONSULTATIONS.....	25
DOCUMENTATION.....	25
 <i>ATTACHMENT B1: IMPACT ASSESSMENT AND MITIGATION DATA SHEET.....</i>	 27
<i>ATTACHMENT B2: FORMAT FOR DOCUMENTING CONTRIBUTION OF ASSETS.....</i>	29
<i>ATTACHMENT B3: COMPENSATION SCHEDULE FOR PRIVATE &amp; PUBLIC LANDS.....</i>	31

## ABBREVIATIONS & ACRONYMS

<i>ARP</i>	Abbreviated Resettlement Plan
<i>BF</i>	Beneficiary Feedback
<i>BMWSSP</i>	Bangladesh Municipal Water Supply and Sanitation Project
<i>CBO</i>	Community Based Organization
<i>DPHE</i>	Department of Public Health Engineering
<i>DSM</i>	Design, Supervision & Monitoring
<i>FSTP</i>	Fecal Sludge Treatment Plant
<i>GAP</i>	Gender Action Plan
<i>GOB</i>	Government of Bangladesh
<i>GRC</i>	Grievance Redress Committee
<i>GRM</i>	Grievance Redress Mechanism
<i>IDA</i>	International Development Agency
<i>IP</i>	Indigenous Peoples
<i>LGD</i>	Local Government Division
<i>M&amp;E</i>	Monitoring & Evaluation
<i>MIS</i>	Management Information System
<i>MOLGRD&amp;C</i>	Ministry of Local Government, Rural Development & Cooperatives
<i>NGO</i>	Non-Government Organization
<i>OHT</i>	Osmosis Hydrological Treatment
<i>OP</i>	Operational Policy
<i>OP 4.10</i>	Operational Policy 4.10 on Indigenous Peoples
<i>OP 4.12</i>	Operational Policy 4.12 on Involuntary Resettlement
<i>PD</i>	Project Director
<i>PM</i>	Project Manager
<i>PMU</i>	Project Management Unit
<i>PS</i>	Paurasabha
<i>RP</i>	Resettlement Plan
<i>RSMF</i>	Resettlement & Social Management Framework
<i>SEC</i>	Small Ethnic Community
<i>SECPF</i>	Small Ethnic Community Planning Framework
<i>SECP</i>	Small Ethnic Community Plan
<i>STD</i>	Sexually Transmitted Disease
<i>SWTP</i>	Surface Water Treatment Plant
<i>TSU</i>	Technical Support Unit
<i>UP</i>	Union Parishad
<i>UZP</i>	Upazila Parishad
<i>WB</i>	World Bank
<i>WSS</i>	Water and Sanitation Services

## BANGLADESH MUNICIPAL WATER SUPPLY & SANITATION PROJECT

### EXECUTIVE SUMMARY

#### INTRODUCTION

1. This Resettlement and Social Management Framework (RSMF) is prepared to deal with social issues, including safeguards that may arise during implementation of the proposed Bangladesh Municipal Water Supply and Sanitation Project (BMWSSP). The Department of Public Health Engineering (DPHE) under the Local Government Division (LGD) of the Ministry of Local Government, Rural Development & Cooperatives (MOLGRD&C) is preparing the project, and will implement it in 30 selected Paurasabhas, jointly with the Paurasabha authorities. The principles and guidelines proposed in this RSMF are consistent with the social safeguard compliance requirements of the World Bank's Operational Policy on Involuntary Resettlement (OP 4.12). The primary objective of BMWSSP is to increase access to safe water supply and sanitation services in selected Paurasabhas (Municipalities or small towns), and strengthen their institutional capacities for delivering improved water supply and sanitation (WSS) services.

2. Two of the project components -- *Investment for Water Supply Infrastructure*, and *Improving Sanitation and Drainage* -- are most likely to give rise to social safeguard issues and impacts. The first component will include building surface and/or ground water intake facilities; water treatment facilities based on raw water quality; clean water reservoirs; and pipelines for transmission and distribution, including those to the household levels. The other component will support improved access to public toilets in Paurasabhas; infrastructures and equipment; treatment facilities for waste waters and fecal sludge and improvement of existing drainage systems. In short, the land-based activities are presumed to have social safeguard implications.

#### RSMF'S SAFEGUARD OBJECTIVES

3. The RSMF provides general policies, guidelines, codes of practice and procedures for integration into planning and implementation of the project. Consistent with the existing sector policies of GOB and those of the World Bank's operational policies, the main objectives are to,

- Enhance positive social (and environmental) outcomes of the WSS activities implemented in individual Paurasabhas;
- Ensure community/stakeholder participation, including women, poor & socially excluded people, while identifying the potential adverse impacts, including those that will be caused on the livelihood of poor and vulnerable, as well as specific mitigation measures for effective implementation of the planned project activities; and
- Ensure compliance with the World Bank's relevant social safeguard policies, and address other social issues that are considered crucial to inclusive development of communities.

## BASIC PLANNING PRINCIPLES

4. Considering the potential adverse impacts associated with the use of private lands and displacement of authorized / unauthorized private activities from their own and other public lands, DPHE / Paurasabhas will adhere to the following principles:

- Prior to fixing travel path of the underground pipelines for water supply and sanitation, layout of the drainage systems, as well as location of facilities for treating drinking water and wastewater and fecal sludge, DPHE / Paurasabhas will undertake community and stakeholder consultations, separately with men and women, about the project's objectives, scopes, and social safeguard and non-safeguard implications. DPHE / Paurasabhas will ensure participation of the following entities and peoples.
  - All formal/informal local entities like Union Parishads (UPs), Upazila Parishads (UZPs), NGOs and CBOs, private landowners and users of public lands, business owners and others who might face loss of livelihood including access to common property resources.
- Unless absolutely required, DPHE / Paurasabha will avoid use of private lands and lay the pipelines, to the extent feasible, in ways so that temporary displacement / closure of commercial and other activities from public and private lands remain at a minimum.
- DPHE / Paurasabha will avoid, to the extent feasible, civil work activities that will threaten cultural way of life of peoples who belong to the Small Ethnic Communities (Indigenous Peoples -- as in Bank's OP 4.10); severely restrict their access to common property resources and livelihood activities; and affect places / objects of cultural and religious significance (e.g., places of worship, ancestral burial grounds, etc.).
- DPHE / Paurasabha will undertake social screening of all construction activities to identify potential social safeguard issues, and adopt and implement impact mitigation measures consistent with the Bank's OP 4.12 and OP 4.10.

## SAFEGUARDS SCREENING & MITIGATION GUIDELINES

5. *Screening of social safeguard issues and impacts will be participatory:* DPHE and Paurasabha members and the consultant will be joined by local residents to select alternative travel paths for the pipelines and layout of drainage systems that will cause minimum disruptions to the economic and other activities that might exist by the roads. The same participatory approach will be used to find location of the treatment plants for clean waters and wastewaters and fecal sludges. *(A social screening form is suggested in Attachment A1.)*

6. Guidelines for Using Public and Private Lands. Considering the reality that availability of public and private lands may vary from one Paurasabha to another, Section B of this RSMF provides certain principles, policies and guidelines for obtaining private lands on voluntary contribution / donation, direct purchase from landowners, acquisition, and use of public lands, and impact mitigation; mitigation measures; and implementation and monitoring arrangements for mitigation plans.

## ADDRESSING GENDER ISSUES

7. It is assumed that household supply of piped water, as proposed by the project, would immensely benefit women and adolescent girls who are most often made responsible for water supply, sanitation and maintaining hygienic condition around the household. However, there are also widely recognized concerns about the existing gender gaps in water

supply and sanitation (WSS) services sector that are related to inequities in women's access to clean water and sanitation, female employment in the WSS sector, and a lack of voice and agency. It is likely that all households, especially the poor female-headed households (FHHs) and those headed by poor physically disabled persons, may not be able to take advantage of the piped supply where connections would require financial commitments beyond their ability. As to employment, women constitute a negligible proportion of the persons employed in WSS sections, with many of the Paurasabhas without a single female employee. Another critical gender issue in this sector is gender-based violence (GBV) on and harassment of women and girls who fetch water from distant sources.

8. The project will address these and other gender concerns -- as learned from consultations with women and review of information from other sources -- in its design. DPHE will separately prepare a *Gender Action Plan* with provisions for reducing the existing gaps in access to water supply and sanitation; substantially increasing employment of women in the WSS sections; and including women in Town Level Coordination Committees (TLCCs) and any other committees that would be created during subproject preparation and implementation. It is expected that TLCC memberships and meetings would provide them a venue to raise their voices and discuss their concerns, about WSS services, safety, GBV and other concerns that threaten their security.

#### CITIZEN ENGAGEMENT STRATEGIES

9. The project has a robust Citizen Engagement strategy and includes: (i) Community / Stakeholder Consultations as the primary tool to promote stakeholder participation in the process of project design and implementation; (ii) a Grievance Redress Mechanism (GRM) responsive to the needs of beneficiaries and to address and resolve grievances / complaints regarding implementation of the stipulations adopted in this RSMF, as well as other issues that are of significance, but may have been overlooked by decision-makers; (iii) Citizen Report Cards assessing community / stakeholder satisfaction at Year-2 over the Baseline, and at Year-5 over the Baseline and Year-2. The assessment would be linked to top-up funds that would be awarded to Paurasabhas; (iv) Beneficiary Feedback (BF) indicator measuring percentage of increased satisfaction of citizens with the provision of WSS services. (Details are in the texts.)

#### IMPLEMENTATION ARRANGEMENTS & CAPACITY BUILDING

10. For the project as a whole, DPHE will establish a Project Management Unit (PMU) at its headquarters and will staff it, among others, with specialists to perform the tasks required to prepare and implement the Paurasabha-specific activities, including those required for social safeguard compliance. While a senior DPHE official will lead the PMU as Project Director, a Project Manager will also be appointed to coordinate the day-to-day managerial activities and provide technical guidance and inputs for the different project components, including those that include social and environmental issues. Other designated officials of PMU and at least one official each from its District- and Upazila-level DPHE offices will work closely with the specialists.

11. This is the first time DPHE officials would be introduced to social safeguard aspects of civil works required for the WSS services. But it lacks professional staff to oversee the Bank's compliance requirements specified in its operational policies on social and environmental safeguards. Expectedly, capacity constraints in terms of familiarity and working experience with the Bank policies on social safeguards are even more pronounced at the Paurasabha level. In general, each Paurasabha has 1 Assistant Engineer and 2 to 3

Sub-assistant Engineers who are responsible for operation, maintenance, and safeguarding the water supply and sanitation facilities. To build institutional capacity for social and environmental management in the proposed and future WSS services projects, DPHE will keep a provision for short- and long-term training courses both in home & abroad as required for its own and Paurasabha staff.

#### **PUBLIC DISCLOSURE OF RSMF**

12. As required, the RSMF and all mitigation plans will be subjected to review and clearance by the Bank's Regional Safeguards Advisor (RSA). After receipt of the Bank clearance, DPHE will disclose Bangla translation of the RSMF to the public before project appraisal, and authorize the Bank to disclose it at its Country Office Information Center and in its Infoshop. DPHE will also ensure to make all the documents available at its Headquarters, District and Upazila Offices, and at all selected Paurasabha Offices, public libraries, and other places accessible to the public. As to disclosure, DPHE will inform public through publishing at least in 2 national newspapers (Bangla and English) about this RSMF and where it could be accessed for review and comments.

## BANGLADESH MUNICIPAL WATER SUPPLY & SANITATION PROJECT

### A. SOCIAL ISSUES AND IMPLICATIONS

#### INTRODUCTION

1. This Resettlement and Social Management Framework (RSMF) is prepared to deal with social issues, including safeguards, that may arise during implementation of the proposed Bangladesh Municipal Water Supply and Sanitation Project (BMWSSP). The Government of Bangladesh (GOB) is preparing the project through the Ministry of Local Government, Rural Development and Cooperatives (MOLGRD&C). Its primary objective is to increase access to safe water supply and sanitation services in selected Paurasabhas (Municipalities or small towns), and strengthen their institutional capacities for delivering improved water supply and sanitation (WSS) services. The World Bank is providing technical support for preparation of the project, and will provide financial support for its implementation.

2. According to the project financing policy of the Bank, GOB is required to assess the potential social safeguard and non-safeguard issues during project preparation and adopt and implement appropriate measures to mitigate the adverse impacts. On behalf of MOLGRD&C, the Department of Public Health Engineering (DPHE) under the Local Government Division (LGD) is involved in actual design and will implement the project jointly with the selected Paurasabhas. The principles and guidelines proposed in this RSMF are consistent with the compliance requirements of the Bank's Operational Policy on Involuntary Resettlement (OP 4.12) which is generally applied in land-based projects.

#### PROJECT BACKGROUND

3. Bangladesh is known to have achieved its MDG target for access to water supply 3 years before the end of the MDG era. It has fulfilled its commitments to halve the population without access to improved drinking water sources. Between 1990 and 2015 access to improved water sources increased remarkably from 68% to 87%. In the same period, rural areas experienced more progress (by 22% -- from 65% to 87%) compared to 6% (from 81% to 87%) in the urban areas. Bangladesh is also committed to fulfilling international commitments, such as achieving the targets of the SDG Goal 6, which aims to ensure availability and sustainable management of water and sanitation for all.

4. Currently, only 10% of the population of Bangladesh is served by various piped water schemes. However, only 2% of the rural population have access to piped water, whereas it is 30% in urban areas -- mostly in larger cities that have water and sewerage authorities. Of the total of 324 Paurasabhas, piped water supply exists only in 151 that serve only a small number of people concentrated at the core of the town (generally Upazilla headquarters). Yet, the coverage and duration of water availability vary across Paurasabhas. Hand pumped tube-wells are commonly used in municipalities where there is no piped water supply. Majority of the tube-wells are installed by users themselves in their own premises and Paurasabhas provide some 50 to 100 tube-wells in public places.

5. As to sanitation, Bangladesh has also made remarkable progress in ending open defecation, but has not been able to achieve the MDG targets that was set at 70% of the households. More than half of the population have access to shared improved sanitation. Absence of Fecal Sludge Management (FSM) services is said to be causing severe



environmental pollution, affecting both public health and the local economies. Presently, fecal sludge is often disposed by private citizens in nearby drains, sewers and rivers, and other water bodies. Discharge of sludge and untreated sewage poses a severe risk of polluting surface and groundwater – eventually the drinking water irrespective of its sources.

6. Local Governments, like Paurasabhas are now entrusted with WSS responsibilities under the Local Government (Amended) Act of 2010, including operations and maintenance. But the Paurasabhas' own financial capacity is extremely limited. They rely heavily on support from the government for routine expenditures; capital expenditure is financed by the government through the budget and projects supported by various development partners. As to WSS, DPHE provides the necessary technical assistance in planning and implementation of projects that are funded by the government itself and by various donors. The Local Governments usually carry out small-scale extensions of the existing piped system, and provide tube-wells and other water collection points and sanitation units, particularly for the low-income communities. In many instances, NGOs also support community based organizations (CBOs) to establish and operate water collection points connected to piped supply systems, tube-wells, as well as provide community and pit latrines. With the increased number of Paurasabhas with piped water supply, it is observed that WSS sector will require standardization, post construction support and sector oversight.

#### THE PROJECT & ITS SOCIAL IMPLICATIONS

7. The project is designed to have four components: (a) Policy Advisory Support and Capacity Strengthening; (b) Investment for Water Supply Infrastructure; (c) Improving Sanitation and Drainage; and (d) Project Implementation and Management Support. Each of these components has multiple subcomponents. Out of these, the activities under the components (b) and (c) are most likely to give rise to social safeguard issues and impacts. The component (b) will support building water supply infrastructures in some 30 selected municipalities. They will include (i) surface or ground water intake facilities depending on availability and sustainability of the water sources; (ii) water treatment facility based on raw water quality; (iii) water storage/reservoirs; (iv) pipe networks for transmission and distribution; (v) household connections including meters; and (vi) related appurtenances of the water supply system.

8. The component (c) on improving sanitation and seepage management will support (i) improved access to public toilets in Paurasabhas with efficient management models; (ii) improving the infrastructure, equipment, and management of emptying services by small private and informal sector actors under contract with the Paurasabhas; (iii) fecal sludge treatment using innovative treatment methods<sup>1</sup>; and (iv) supporting awareness generation / software activities to encourage households for regular emptying of their tanks, and upgrading their toilets using own resources and loans / grants available from existing sources. The Project will also finance investments in drainage infrastructure in Paurasabhas that show progress in implementing water supply schemes (say, 50% of bulk and distribution system construction is completed) and achieve a minimum (50%) score from the institutional scorecard. The Paurasabhas will keep their high priority drainage investments plans prepared in advance to utilize the reward as soon as they become eligible.

<sup>1</sup> This may include anaerobic treatment of sludge emptied from septic tanks for biogas generation and to aid in dewatering of sludge and co-composting of dewatered sludge with solid wastes in Paurashavas which already have an organized and functional collection system.

9. Based on their existing capacity and strength, DPHE has selected 30 Paurasabhas in 19 districts, from a pre-selected list of 50 with a minimum population of at least 30,000. The selection criteria that have been used are: (i) land availability; (ii) access to electricity supply; (iii) need for piped water supply and sanitation coverage; (iv) incidence of poverty; (v) potential for economic growth; (vi) connectivity -- in terms of proximity to highways; (vii) availability of water sources and quality and quantity of water, as well as the need for treatment; and (viii) Paurasabhas' commitment to improve sustainability of WSS operations.

10. Social safeguard issues are likely to vary from one Paurasabha to another, depending on geographical locations, existing water supply and sanitation facilities and, more importantly, availability of lands under ownership of the individual Paurasabhas. The selection criterion, *land availability*, is meant to include lands required for construction of the water supply options, such as OHT (osmosis hydrological treatment), pump houses, water treatment plants, including pipelines to carry water into the towns and reservoirs, and the like. There would also be a need for lands to build the wastewater and fecal sludge treatment facilities. It is likely that the above facilities would be located outside the town where the lands may not be under ownership of all 30 Paurasabhas. It is thus possible that some Paurasabhas may have to use private lands, that are most often acquired by using the existing land acquisition ordinance. But it is determined that the Paurasabhas do not have the financial and technical resources to acquire private lands and deal with the safeguard impacts that would be caused on the private landowners. As such, it is decided that DPHE / Paurasabha would use alternative means, as proposed in Section B of this RSMF, where use of private lands is absolutely necessary.

11. The WSS activities within the towns will consist of laying the underground pipelines and improving and/or building the drainage systems anew. As being planned, Paurasabhas would lay the pipelines along the existing road networks. Since the roads have been built on Paurasabha's own lands, it is generally assumed that the civil works associated with the pipelines and drainage would cause no safeguards impacts. The civil works will however cause considerable temporary inconveniences for the townspeople, depending on how wide the roads are and how quickly the contractors lay the pipelines and restore the roads for pedestrian and vehicular traffic. Pending design of the civil works and assessment of actual condition on the ground, it is also possible that the civil works may cause temporary displacement / closure of business premises that may have encroached into Paurasabha or other public lands by the roads, as well as those that are operated in the open. The drainage systems would also follow the road networks, but the impacts, if any, would depend on their actual travel path on the ground. If built at the edge of the roads, it is possible that some structures that may have encroached into the shoulders may have to be dismantled. If built away from the edge, they will cause considerable disruptions to pedestrian and vehicular movement -- unless the construction works are completed quickly.

12. Considering the potential impacts both within and outside the towns it is concluded that the project would trigger the Bank's Operational Policy on Involuntary Resettlement (OP 4.12). Also, it is possible that some of the 30 Paurasabhas may have peoples of Small Ethnic Communities (SECs) among the residents. It is likely that peoples of SECs living in towns would face the same impacts as those faced by the mainstream residents. However, the facilities for surface water and fecal sludge treatment, that are more likely to be located outside the towns. Peoples of SECs living outside the towns might be affected depending on exact location of these treatment facilities. Considering the possibility, the project has also

triggered the Bank's OP 4.10 on Indigenous Peoples.

13. Pending assessment of the actual impacts on the ground, it is decided that the project will use a framework approach to address the potential social safeguard issues. As such, DPHE has proposed this RSMF taking into account the relevant GOB legislations; provisions and compliance requirements as per the Bank's OP/BP 4.12; and addressing other social issues and concerns related to gender, citizen engagement, community / stakeholder consultations, grievance redress mechanism, management of labor influx and others that are relevant to water supply and sanitation in small towns. The proposed RSMF will provide the basis to prepare and implement impact mitigation plans as and when needs arise to deal with social safeguard issues that may transpire from the use of public and private lands. *[It is to be noted that DPHE has also prepared a standalone Small Ethnic Community Planning Framework (SECPF) that provides principles and guidelines to identify and implement impact mitigation measures where peoples of SECs are adversely affected.]*

#### SAFEGUARD OBJECTIVES OF RSMF

14. As noted, the RSMF provides general policies, guidelines, codes of practice and procedures to be integrated into planning and implementation of BMWSSP. Consistent with the existing sector policies of GOB and those of the World Bank's operational policies, the primary objective is to help ensure that activities under the project will:

- Enhance positive social (and environmental) outcomes of the WSS activities implemented in the individual Paurasabhas;
- Ensure community / stakeholder participation, including women, while identifying the potential adverse impacts, including those that will be caused on the livelihood of poor and vulnerable, as well as specific mitigation measures for effective implementation of the planned project activities; and
- Ensure compliance with the World Bank's relevant social safeguard policies, and address other social issues that are considered crucial for inclusive development of communities.

#### BASIC PLANNING PRINCIPLES

15. Considering the potential adverse impacts associated with the use of private lands and displacement of authorized and unauthorized private activities from their own and other public lands, DPHE / Paurasabhas will adhere to the following principles:

- Prior to fixing travel path of the underground pipelines for water supply and sanitation, layout of the drainage systems, and location of the surface water and wastewater and fecal sludge treatment facilities, DPHE / Paurasabhas will undertake community and stakeholder consultations, separately with men and women, about the project's objectives, scopes, and social safeguard and non-safeguard implications. As noted above, safeguard impacts may also consist of temporary displacement / closure of business activities that may have encroached into the public lands along the roads, including those that are operated in the open. While consultations will be open to all, DPHE / Paurasabhas will ensure participation of the following entities and peoples.
  - All formal/informal local entities like NGOs which may have been working in those municipalities, community-based organizations (CBOs), local persons with interests and concerns about water supply and sanitation, as well as others with stakes in the project and are deemed key actors to influence design and implementation of the project activities.

- The persons, such as public land users, private landowners, business owners and others, who would be affected by the project activities.
- The persons who would be affected in terms of loss of livelihood and/or loss of access to common property resources.
- Unless absolutely required, DPHE / Paurasabha will avoid use of private lands and lay the pipelines, to the extent feasible, in ways so that temporary displacement / closure of commercial and other activities from public and private lands remain at a minimum.
- DPHE / Paurasabha will avoid, to the extent feasible, civil work activities that will threaten cultural way of life of peoples who belong to the Small Ethnic Communities; severely restrict their access to common property resources and livelihood activities; and affect places / objects of cultural and religious significance (e.g., places of worship, ancestral burial grounds, etc.).
- DPHE / Paurasabha will undertake social screening of all construction activities to identify potential social safeguard issues, and adopt and implement impact mitigation measures consistent with the Bank's OP 4.12 and OP 4.10.

#### SAFEGUARDS SCREENING & IMPACT MITIGATION GUIDELINES

16. *Screening of social safeguard issues and impacts will be participatory.* DPHE, Paurasabha members and the consultant will be joined by local residents to select alternative travel paths for the pipelines and layout of drainage systems that will cause minimum disruptions to the economic and other activities that might exist by the roads. Among other information, screening will help prepare impact estimates in terms of ownership of the lands where they would be located; type of activities – commercial, residential, etc. that would be affected; number of such activities that may have to close down during laying of the pipelines. (A social screening form is suggested in Attachment A1.)

17. The land-based activities outside the towns may consist of treatment facilities for fecal sludge and wastewater, and for surface water from rivers and reservoirs for treated water (and for locating deep tube-wells where Paurasabhas may not have suitable lands within the towns and under its ownership). The pipelines for carrying the wastewaters and fecal sludge out, and treated water into the towns, from their respective treatment facilities may also use private lands. With these possibilities, social safeguard screening will gather information on distance of the sites for above facilities from the nearest residential areas served by the project; ownership of the lands where the facilities would be located; how lands in the selected sites would be obtained -- where they are under private ownership; details of any arrangements that may have been made with the concerned landowners; and other information that have social implications. If the fecal sludge and wastewater is carried by pipelines to the treatment facility, and the treated water into the towns through private lands, there would also be a need to reach consensus with the landowners in advance.

18. *Guidelines for Using Public and Private Lands.* Considering the reality that availability of public and private lands may vary from one Paurasabha to another, Section B of this RSMF provides certain principles, policies and guidelines for obtaining private land on voluntary contribution / donation, direct purchase from landowners, acquisition, and use of public lands, and impact mitigation; mitigation measures; and implementation and monitoring arrangements for mitigation plans.

## ADDRESSING GENDER ISSUES

19. Traditionally, there has been almost a rigid division of labor regarding activities related to water supply, sanitation and maintaining hygienic condition around the households. Women and adolescent girls are disproportionately burdened by inadequate and poor quality of water and sanitation services as they normally collect water, cook, clean and are also the caregivers in the household. Women and adolescent girls are most often responsible for collecting water regardless of the distance from home and the potential safety risks on the way to and from the water sources. As such, household supply of piped water, as proposed by the project, would immensely benefit women saving them time and from the hardships and personal safety hazards while collecting water from outside sources.

20. However, there are also widely recognized concerns about the existing gender gaps in water supply and sanitation (WSS) services sector that are related to inequities in women's access to clean water and sanitation, employment in the WSS sector, and a lack of voice and agency. It is likely that all households, especially the poor female-headed households (FHHs) and those headed by poor physically disabled persons, may not be able to take advantage of the piped supply where connections would require financial commitments beyond their ability. As to employment, women constitute a negligible proportion of the persons employed in WSS sections, with many of the Paurasabhas without a single female employee. Another critical gender issue in this sector is gender-based violence (GBV) on and harassment of women and girls who fetch water from distant sources.

21. Project design will address these and other gender concerns -- as learned from consultations with women in the selected municipalities and review of information from other sources. DPHE will separately prepare a *Gender Action Plan* with provisions for reducing the existing gaps in access to water supply and sanitation; substantially increasing employment of women in the WSS sections; and including women in Town Level Coordination Committees (TLCCs) and any other committees that would be created during subproject preparation and implementation. It is expected that TLCC memberships and meetings would provide women a venue to raise their voices and discuss their concerns, about WSS services, safety, GBV and other concerns that threaten their security. The Paurasabhas will routinely monitor performance of TLCCs and will keep records of GBV cases / issues discussed in the TLCC meetings and actions / measures that have been implemented. Participation of women in TLCCs and other committees will be treated as one of the indicators of inclusion and gender.

## CITIZEN ENGAGEMENT STRATEGIES

22. The project has a robust Citizen Engagement strategy and includes: (i) Community / Stakeholder Consultations as the primary tool to promote stakeholder participation in the project design and implementation process; (ii) a Grievance Redress Mechanism (GRM) to respond to the needs of beneficiaries and to address and resolve grievances / complaints regarding implementation of the stipulations adopted in this RSMF, as well as other issues that are of significance, but may have been overlooked by the decision-makers; (iii) Citizen Report Cards assessing community / stakeholder satisfaction at Year-2 over the Baseline, and at Year-5 over the Baseline and Year-2. The assessment would be linked to top-up funds that would be awarded to the Paurasabhas with satisfactory performance; (iv) Beneficiary Feedback (BF) indicator measuring percentage of increased satisfaction of citizens with provision of WSS services.

23. BMWSSP will support DPHE / Paurasabhas to ensure citizen engagement throughout its implementation period and monitor their involvement in decision-making. As a part of overall Project and Behavior Change Communication, DPHE will engage a consultant with proven expertise to carry out information campaign to enhance local awareness of the activities planned under the project. Building community awareness and gathering beneficiary feedbacks will be carried out through open community meetings, workshops, etc., by widely publicizing these events using leaflets / brochures and other communication means. The project will track progress in ensuring citizens engagement by measuring proportion of the beneficiaries aware of what was supposed to be done and satisfied with the DPHE and Paurasabha performance in actual supply of water to individual households. Below are elaborations of citizen engagement strategies that would be included in the RSMF.

#### **Community/Stakeholder Consultations**

24. Consultations<sup>2</sup> with the Paurasabha residents and other stakeholders, such as community-based organizations (CBOs), local governments, Upazila level government agencies, NGOs working in the Paurasabha or Upazila, and others interested in water supply and sanitation, who would be a key to identify the least disruptive travel paths for the pipelines, drainage layout and location of the wastewater and fecal sludge treatment facilities. Consultations will be held in open community meetings in environment where the participants -- irrespective of their socioeconomic status -- would be able to freely share their experiences, observations and opinions. To identify and integrate gender issues into project design and implementation, DPHE / Paurasabhas will also hold separate consultations / focus group discussions with women for a better understanding of their needs and how they would benefit by the project. Inputs and feedbacks received in these meetings will be considered for integration into project design.

25. Among other issues that could be unique in nature, consultations in a given Paurasabha will focus on the following:

- Learn about how the communities have been meeting their water supply and sanitation needs, and their perceptions about piped supply to the individual households.
- Collectively identify and agree on the travel paths of the water supply and wastewater pipelines within the towns, which would be least disruptive to the existing commercial and other activities by the roads.
- Collectively identify and agree on location of the treatment facilities for wastewaters and fecal sludge, and surface water and reservoirs for treated waters outside the towns, and the travel paths of the pipelines, which may have to use private lands.
- Where "water collection points" are required for poor and those who cannot afford to pay for home connection, their locations will be selected together with the

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<sup>2</sup> Consultation is defined as a continuous two-way communication process consisting of: "feed-forward" the information on the program's goals, objectives, scope and social impact implications to the program beneficiaries, and their "feed-back" on these issues (and more) to the policymakers and program designers. In addition to seeking feedback on program specific issues, participatory planning approach also serve the following objectives in all development programs: public relations, information dissemination and conflict resolution.

potential users and women. (Physically challenged people's need should also be taken with due consideration).

- Discuss the social safeguard implications / impacts that would be associated with the use of existing road networks to lay the pipelines, referring to temporary closure / displacement of commercial and other activities, as well as the inconveniences that would be caused by digging.
- Where a Paurasabha does not have land of its own or any public lands in close proximity to build treatment facilities for fecal sludge and wastewaters, and for surface waters and reservoirs, consultations will explore the ways and means as to where and how the lands could be made available for the facility (Guidelines are provided in Section B).

26. More focused consultations might be necessary where DPHE / Paurasabhas cannot avoid use of private lands and / or displacement of non-titled households which may have

transpiring from the project activities. The complaints may range from land-related issues to household connections to piped water supply. Based on consensus, the GRCs will basically try to resolve grievances / complaints amicably and quickly, in order to facilitate implementation of the civil works, and any issues that may concern land availability for wastewater and fecal sludge, and surface water treatment facilities.

29. Where decisions at the Paurasabha levels are found unacceptable by the aggrieved persons, GRCs will refer such unresolved cases to the PMU with details of the complaints and hearings, for a decision by the Project Director. If a decision made at PMU level still remains unacceptable, the case will be referred to the Local Government Division (LGD) of the line ministry. *A decision accepted by an aggrieved person at any level of hearing will be binding on the Paurasabha and DPHE. It is also important to note that the GRM does not preempt an aggrieved person's right to seek redress in the courts of law.*

30. GRC memberships, as suggested below, would be gender-representative and consist of individuals of good repute – known in the Paurasabhas for their personal integrity and fairness. Female members will account for at least a third of the total number of GRC members. In Paurasabhas where a considerable proportion of the residents belong to

the small ethnic communities (SECs), GRC membership will include their representatives.

GRC Membership

- An Unelected Paurasabha Representative (Convener – non-voter)
- An Elected Member of the Paurasava
- An Elected Female Member of the Paurasava.
- Headmaster of local Higher Secondary School
- A female who is known to work on or advocate for women development
- A female representative of an NGO working in the area
- A social / environmental specialist of DSM Consultant (Member Secretary – non-voter)

31. One of the persons overseeing RSMF implementation in a Paurasabha will be given the responsibility to receive, review and sort the cases in terms of nature of grievances and urgency of resolution, and schedule hearings in consultation with the GRC convener. All cases at the GRC level will be heard within three weeks of their receipt; but those related to financial matters for poor and vulnerable will be heard in two weeks or earlier. At PMU, PD's decisions on unresolved cases will be communicated to the GRC in one week. Decisions, if any, on unresolved cases at the levels above DPHE will be made in no more than four weeks.

32. To ensure that grievance redress decisions are made in formal hearings and in a transparent manner, the convener will use the following guidelines:

- The person designated by the Paurasabha will receive all redress applications without making a judgement about merits of the complaints. The Paurasabhas will maintain a Grievance Register containing all complaints regardless of their merits.
- The designated person will give the complainants signed receipts with their names, addresses, dates, and brief descriptions of the complaints, and will officially inform the complainants about the hearing dates.
- Reject a grievance redress application with any recommendations written on it by a GRC member or others, such as politicians and other influential persons;
- Remove a recommendation by any person that may have been written separately and submitted with the grievance redress application;
- Disqualify a GRC member who has made a recommendation on the application or separately before the formal hearing;
- Where a GRC member is removed, appoint another person in consultation with the Project Director, and keep the World Bank informed about the change and the reason to do so; and
- The convener will also ensure strict adherence to the impact mitigation policies and guidelines adopted in this RSMF and the mitigation standards, such as compensation rates, established through market price surveys.

33. To ensure impartiality and transparency, hearings on complaints will remain open to the public. The GRCs will record the details of the complaints, the reasons that led to acceptance or rejection of the individual cases, and the decisions agreed with the complainants. DPHE / Paurasabhas will keep records of all resolved and unresolved complaints and grievances and make them available for review as and when asked for by the World Bank and other interested entities/persons.



34. Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported Project may submit complaints to existing Project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address Project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/Projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

### **Labor Employment, Accommodation & Treatment**

35. Living accommodation for low-skilled workers, who are often large in numbers, is always left to labor suppliers (or labor *sardars*) who are extremely reluctant to provide the basic amenities required to live in a reasonably safe and hygienic environment. Labor requirements for individual Paurasabhas will remain unknown until the designs of the civil works are finalized. But to ensure safe and hygienic conditions in the "labor camps", DPHE, Paurasabhas and the Contractors will address the following issues -- as separately applicable for male and female workers:

- Identifying alternative locations where labor camps could be set up during implementation of the civil works in each selected Paurasabhas (should be away from the residential neighborhoods, to avoid confrontations with the local residents);
- Ensuring hygienic living conditions with clean, arsenic-free drinking water, sanitation and other facilities (drinking waters from shallow tube-wells must be tested for presence / absence of arsenic, and the test results must be preserved for inspection);
- Ensuring measures required for safety and dignity of female workers in terms of living accommodation, sanitation and washing facilities, etc.;
- Ensuring that the contractors do not employ child labors who are under 14 years of age;
- Preventing confrontation of workers with the local communities who might adversely react to the presence of non-local labors (It is to be noted that contractors do not like to hire local labors who might protest working extra hours without pay); and
- Preventing exposure to health risks linked to Sexually Transmitted Diseases (STDs). In collaboration with the Upazila Health Complex, Paurasabhas will establish a "baseline" on the present status and routinely monitor increase / decrease in the incidence of STDs.

### **DOCUMENTATION, MONITORING & REPORTING**

36. DPHE / Paurasabhas, assisted by DSM consultant, will ensure preparation and availability of the following and any other documentation as and when requested by the World Bank:

- Minutes of the community / stakeholder consultations, as conducted during preparation of the SIA and Social Screening of the activities in each Paurasabha on the project itself and its social safeguard implications with respect to displacement from Paurasabha and other public lands, private land requirements, temporary displacement / closure of roadside businesses and residential premises, relevant mitigation measures adopted in the RSMF, etc. Consultations during social screening will focus on building community consensus on more substantive issues like the ones described below:
  - Travel paths of the pipelines for water supply within the towns, and those that will be laid to carry (i) wastewater and fecal sludges to the treatment facilities; and (ii) clean water from the treatment facilities to the towns where Paurasabhas may draw waters from surface sources like rivers and other waterbodies.
  - Drainage layout plans and related impacts where Paurasabhas do not presently have them and the potential safeguard impacts associated with building such systems.
  - Location of the treatment facilities for fecal sludge and wastewater, as well as the surface water that will be drawn from natural sources.
  - Location of reservoirs for clean water from the treatment plants – within and outside the town – where such facilities might be required, focusing on availability of suitable lands and their ownership.
  - Use of private lands under unavoidable circumstances, and how they would be obtained, with an account of any agreement that may have been reached with the concerned landowners.
  - Locations and operation of “water collection points” wherever Paurasabhas decide to provide them for those who cannot afford to pay for household connections (this will use inputs received from women during consultations).
- Inventory of different categories of affected persons based on the census of affected persons / households and affected assets.
- Records of complaints and grievances, and the decisions --both positive and negative -- given by the Grievance Redress Committee (GRC), PMU, or by LGD.

37. In addition to SIA for each selected Paurasabha, DPHE will provide the Bank with the following information for its review of performance and compliance with the provisions adopted in this RSMF:

- Social Screening Report for each Paurasabha on the information sought in *Attachment A1*, which will be used to determine if there is a need for impact mitigation plans. Socials screening will also address issues that may not have been covered in the suggested screening instrument, but have important social implications.
- Bi-Monthly updates informing progress in land availability – both public and private – in Paurasabhas where land-related issues remain unresolved;
- Bi-monthly updates of progress on the agreements made with the private landowners, where they are offering lands on “voluntary donation/contribution” “contribution against compensation” as described in the following section of this RSMF;
- Bi-monthly account of the complaints / grievances lodged with the GRCs indicating (i) number of complaints received, with a brief description of each; (ii) number of

them heard at the at GRC level, with decisions accepted and rejected by the complainants; (iii) number of them referred to the PMU and LGD. The report will include the number of cases reviewed at PMU and LGD, with decisions that were given in favor and against the complainants.

- Detailed report for World Bank Implementation Support Missions covering all Paurasabhas, which will include the information sought above; preparation and implementation of impact mitigation plans, if any; and any issues that are to be addressed to improve Paurasabhas' performance in dealing with social issues.

#### IMPLEMENTATION ARRANGEMENTS & CAPACITY BUILDING

38. DPHE will have the responsibility to implement the project in all selected Paurasabhas. Jointly with the Paurasabhas and communities, DPHE will determine (based on screening) whether or the extent to which, the stipulations adopted in the RSMF would apply and, if required, would prepare the impact mitigation plans. With active participation of DPHE, the Paurasabhas will implement the applicable mitigation measures where the WSS services activities cause adverse impacts on peoples. In the same manner, the Paurasabhas would also supervise the construction works on a day-to-day basis, with the active guidance of DPHE.

39. For the project as a whole, DPHE will establish a Project Management Unit (PMU) at its headquarters and will staff it, among others, with specialists to perform the tasks required to prepare and implement the Paurasabha-specific activities, including those required for social safeguard compliance. While a senior DPHE official will lead the PMU as Project Director, a Project Manager will also be appointed to coordinate the day-to-day managerial activities and provide technical guidance and inputs for the different project components, including those that include social and environmental issues. Other designated officials of PMU and at least one official each from its District- and Upazila-level DPHE offices will work closely with the specialists.

40. It is recognized that BMWSSP is the first Bank-supported project with social safeguard and non-safeguard issues that DPHE would implement. To make it a little more challenging, the project would be simultaneously implemented in 30 Paurasabhas over a time-period of 5 years. And this is the first time DPHE officials would be introduced to social safeguard aspects of civil works required for the WSS services. But it is also recognized that DPHE lacks professional staff to oversee the Bank's compliance requirements specified in its operational policies on social and environmental safeguards. Capacity constraints in terms of familiarity and working experience with the Bank policies on social safeguards are even more pronounced at the Paurasabha level. In general, each Paurasabha has 1 Assistant Engineer and 2 to 3 Sub-assistant Engineers who are responsible for operation, maintenance, and safeguarding the water supply and sanitation facilities.

41. It is decided that in addition to the PMU personnel, officials from DPHE's District and Upazila levels, as well as the Paurasabha staff would work closely with the project-based field specialists to execute and monitor the program. The PMU and regional Technical Support Unit (TSU) will ensure engagement of key staff, including those required to perform the process tasks related to social and environmental issues, including safeguards, and providing implementation and coordination support to the Paurasabhas. To build institutional capacity for social and environmental management in the proposed and

future WSS services projects, DPHE will keep a provision for short- and long-term training courses for its own and Paurasabha staff.

#### **PUBLIC DISCLOSURE OF RSMF**

42. As required, the RSMF and all mitigation plans will be subjected to review and clearance by the Bank's Regional Safeguards Advisor (RSA). After receipt of the Bank clearance, DPHE will disclose Bangla translation of the RSMF to the public before project appraisal, and authorize the Bank to disclose it at its Country Office Information Center and in its Infoshop. DPHE will also ensure that copies of the translated document are made available at its Headquarters, District and Upazila Offices, and all selected Paurasabha Offices, public libraries, and other places accessible to the public. As to disclosure, DPHE will inform the public through notification in two national newspapers (Bangla and English) about this RSMF and where it could be accessed for review and comments.

### Attachment AI: SCREENING FORM FOR SOCIAL SAFEGUARD ISSUES

*[To be filled in jointly by DPH/Paurasabha and Consultant for each WSS site and all other physical works. The Consultant will summarize the impacts and mitigation requirements in the Screening Report and attach copies of the filled-in screening forms. Wherever necessary, the Consultant can use multiple screening forms for each site and related works, and add any important information that may not have been included in this form.]*

#### A. NAME & LOCATION OF PAURASABHA-----

1. Paurasabha Name: ..... District: .....  
Upazila: .....
2. Distance (km) of the town ('town' will always mean the area which will be provided with WSS services) from: District headquarters: .....; Nearest town/trading Center: .....
3. Distance (km) of the town from the nearest highway: .....
4. Population size: Paurasabha: .....; Town that will be provided with WSS: .....
5. Brief account of predominant economic activities of local communities in and around the town:
6. Proposed WSS services and off-site support infrastructures (e.g., surface water sources, treatment plants, etc.) will be located in an area where residents are:  
 All Mainstream Peoples (None who belong to SECs/Tribal Community)  
 Majority Mainstream Peoples (Approx. % of SEC peoples: .....)  
 Majority SEC peoples (Approx. % of Mainstream Peoples: .....)
7. Distance (km) of the SEC settlement nearest to the town: .....
8. Brief description of the land-based works (pipelines, deep tube-wells, sludge treatment facilities, surface water treatment facilities, reservoirs for treated clean water, etc.):

Within the town: .....

.....

Outside the town: .....

.....

#### B. PARTICIPATION IN SOCIAL SCREENING                      Screening Date(s):.....

9. Names of Consultant's representatives who participated in screening to identify social safeguard and other issues within and outside the town:
10. Names of DPHE officials who participated in screening:
11. Names of Paurasabha officials, with their designations, who participated in social screening:

12. *Names of community members/townpeople & organizations who participated in social screening:*  
List them in separate pages with names, addresses, signatures, contact numbers and other information to identify them during preparation of impact mitigation plans.
13. *Names of peoples of SECs (where they are a considerable group among the townpeople, Paurasabhas will ensure that they are also included in social screening).*  
List them in separate pages names, addresses, signatures, contact numbers, and other information to identify them during subproject preparation.
14. *Names of Would-be affected persons who participated in social screening:*  
List them in separate pages with names, addresses, signatures and contact numbers and other information to identify them during preparation of impact mitigation plans.

## C. LAND AVAILABILITY AND IMPACTS

### WITHIN THE TOWN

#### Pipelines for water supply & wastewater and fecal sludge

15. *No. of roads in which pipelines will be laid (excluding those for household connections):* .....
16. *Total length (in meters) of pipelines:* For water supply: .....  
For carrying wastewater & fecal sludge to the treatment plant: .....  
For carrying cleaned water from the treatment facility: .....
17. *As per layout plan, the length of pipelines that will be laid along the sides of the roads:* .....
18. *Roadside businesses/shops that will be displaced:*  
Partially/Temporarily -- Number of roadside businesses/shops: .....  
Permanently -- Number of roadside businesses/shops: .....  
(Include brief description of building materials for both)
19. *No. of owner-operated businesses:* ..... *No. of tenant-operated businesses:* .....
20. *Roadside residential premises that will be displaced:*  
Partially/Temporarily -- No. of residential premises: .....  
Permanently -- No. of residential premises: .....
21. *No. of owners who live in the premises:* ..... *No. of tenants:* .....  
(Include brief description of building materials for both)

#### Drainage (If Planned)

22. *Total length of drainage that will be improved and/or built anew:* .....
23. *Drainage channels will be dug:* [ ] Along side of the roads [ ] Middle of the roads
24. *Roadside businesses/shops that will be displaced:*  
Partially -- No. of roadside businesses/shops: .....  
Permanently -- No. of roadside businesses/shops: .....  
(Include brief description of building materials for both)
25. *Roadside residential premises that will be displaced:*  
Partially -- No. of roadside residential premises: .....  
Permanently -- No. of roadside residential premises: .....  
(Include brief description of building materials for both)

### Water Sources

26. Water will be supplied from:  Deep tube-wells  Surface sources like rivers & other water bodies
27. If the source is deep tube-wells, they will be located:  Within the Town  
 Outside the Town
28. Amount of land required for Deep Tube-wells, including accommodation for caretakers: .....
29. The Paurasabha has the required amount of lands within the Town:  Yes  No  
If not, how would the Paurasabha obtain the land: .....

### OUTSIDE THE TOWN

#### Wastewater and Fecal Sludge Treatment Facility (WFSTF)

(It is assumed that the WFSTF will be located Outside the Town.)

30. Distance (approx.) of the WFSTF site (in km):  
From the Town: ..... From the nearest settlement outside the Town: .....
31. Amount (approx) of land required for the WFSTF (in decimals): .....
32. The WFSTF will be located Outside the Town in lands owned by:  
 Public entities (Paurasabha, Khas, other government agencies. Indicate name: .....)  
 Private citizens (Number of private owners: .....
33. As to public ownerships, the lands are currently used by: .....  
And currently used for: .....
34. Number of SEC households which are among the private landowners: .....
35. SEC households are among the current users of public lands:  Yes  No  
If 'Yes', the users have legal agreement with the land-owning public entities:  Yes  No
36. If 'Yes', the users have legal agreement with the land-owning public entities:  Yes  No
37. If the lands are public (including Paurasabha's own) and under use by private citizens, how would DPHE / Paurasabha obtain the lands?: .....
38. If lands are private, how DPHE/Paurasabha would obtain them: .....

#### Surface Water Sources

39. Surface water will be drawn from:  Rivers  Other sources .....
40. Distance: From the Town: ..... From Reservoirs: Within town: .....  
Outside Town: .....
41. Amount of land required for the Water Treatment Facility (WTF): .....
42. The WTF will be located Outside the Town (by the source) in lands owned by:  
 Public entities (Paurasabha, Khas, other government agencies)  
 Private citizens (Number of private landowners: .....)  
Number of private landowners who would be affected: .....  
Number of landowners who belong to SEC: .....





## B. GUIDELINES FOR USING PUBLIC & PRIVATE LANDS AND IMPACT MITIGATION NEEDS AND ISSUES

### LAND NEEDS & IMPACT MITIGATION ISSUES

1. Land-based civil works in a typical Paurasabha will consist of digging to lay the underground pipelines, and construction of small-scale drainage systems and the wastewater and fecal sludge treatment plants (WFSTPs). It is also possible that some Paurasabhas will use natural sources like rivers for drinking water that would also require treatment facilities. Carrying the wastewater and fecal sludges to the treatment plants would require pipelines, which would also be needed to supply the treated clean water to the towns. The Paurasabhas may or may not have lands of their own outside the towns to locate the treatment plants and laying the pipelines. If they don't, and no suitable public lands are available, they would have to use private lands.

2. Within the towns, once the pipelines are laid, the road networks would be restored to the existing useable condition. As to developing new drainage systems or improving / expanding the existing ones, may or may not involve additional lands and dismantling of existing structures that may have encroached into the Paurasabha / public lands. If drainage is built along the edges of existing roads, which are generally quite narrow, needs may arise to resume the public lands that may have been encroached into. This would in effect mean dismantling structures that are used for commercial and residential purposes. It is recognized that landownerships and availability of public lands would vary from one Paurasabha to another. Pending knowledge of the actual situation on the ground, DPHE proposes the following options to use public and private lands.

### 3. USING PUBLIC LANDS

- Under Authorized Use: If the required lands are under lease from the Land Ministry or any other GOB agencies, DPHE may seek to use such lands by fulfilling the lease conditions.
- Under Unauthorized Use: Where the current users are well-off and an end to further use would be socioeconomically inconsequential, DPHE / Paurasabha and communities may persuade them to relinquish occupancy of the lands for greater benefit of the community. However, where the lands are presently used for living and livelihood by the poor and vulnerable, DPHE / Paurasabha can take them back only by mitigating the resultant adverse impacts in accord with the provisions of OP 4.12 and OP 4.10, or in manners acceptable to the affected persons / households. The following condition will however apply:

*The current users will have the option to refuse to relinquish occupation of the lands without the fear of any adverse consequences.*

### 4. USING PRIVATE LANDS

It is determined that DPHE and Paurasabhas do not have adequate technical and financial resources to legally acquire private lands. As also widely known, acquisition under the present acquisition ordinance is highly cumbersome and can take any length of time to complete the process. In addition, there are provisions in the Bank's OP 4.12 which are also to be fully implemented to satisfy its compliance requirements, before the lands can be made available for civil works. Considering the capacity and resource constraints, it is

decided that the project will not undertake any WSS services activities that would require private land acquisition. DPHE / Paurasabhas will instead consider the following options where use of private lands is absolutely necessary:

- On Voluntary Contribution. Since the amount of private lands is expected to be quite small, the concerned private landowners, if requested by the community, may elect to contribute the lands without compensation. In accepting contribution, DPHE / Paurasabha will however ensure that,
  - There are no encumbrances on the contributed lands;
  - The contributions do not affect the livelihood of vulnerable persons and, if they do, DPHE / Paurasabha and the community would devise and implement mitigation measures acceptable to the affected persons; and
  - The contributors give up all claims on the lands and the titles are legally transferred to Paurasabha.
- On "Contribution Against Compensation". Voluntary contributions are seen more feasible where the landowners are well-off and very few in number. But where landowners are quite marginal and vulnerable, the beneficiary communities can offer this option as an incentive. However, the following condition will apply:

*The landowners will have the option to refuse to accept the 'contribution against compensation' offer without the fear of any adverse consequences.*

5. DPHE / Paurasabha will apply the principles and guidelines as proposed in this RSMF (paragraphs 6- 9) to all selected Paurasabhas, regardless of their location and scope of work, which will require use of public and private lands that are to be obtained by using the above options.

#### **IMPACT MITIGATION OBJECTIVES**

6. The principles and guidelines adopted in this framework are to avoid or minimize adverse impacts on public land users and private landowners, mitigate the unavoidable impacts, and assist to improve, or at least restore, the affected persons' living standards and income earning or production capacity to the pre-project levels. To achieve these objectives, DPHE / Paurasabhas will adhere to the following strategic guidelines:

- Avoid or minimize displacement of persons / households who may have been using public lands for residential and livelihood purposes;
- Adhere to the guidelines adopted in this RSMF while using the options to obtain private lands (under Voluntary Contribution and Contribution Against Compensation); and
- Identify and mitigate the unavoidable adverse impacts associated with displacement from public lands and use of private lands, and any other impacts identified during implementation of the civil works for underground pipelines, drainage systems and building the facilities for surface water treatment, as well as those for wastewater and fecal sludge treatment.

#### **LAND USE PRINCIPLES**

7. DPHE and Paurasabhas will select the pipeline and drainage alignments, and the locations of surface water treatment plant (SWTP), WFSTPs and any other land-based activities with alternative considerations to avoid or minimize displacement from public lands and the use of private lands as per the following principles:

- Where lands are required, DPHE / Paurasabhas will consider,
  - Use as much of public lands as possible
  - Completely avoid displacement from private homesteads
  - Avoid or minimize displacement of homesteads from public lands
  - Use lands of lower value in terms of productivity and uses
  - Avoid affecting premises that are used for business / commercial activities
  - Avoid affecting religious sites like places of worship, cemeteries, and buildings / structures that are socially and historically important.
- Not undertake works that will significantly restrict access of the communities, especially the socioeconomically vulnerable groups, to common property resources that may have been a primary source of their livelihood.

#### IMPACT MITIGATION PRINCIPLES

8. Adverse impacts are unlikely where private landowners make voluntary contributions. Impact mitigation issue will arise where public lands are resumed from private uses, or sought from private owners on "contribution against compensation". In such cases, DPHE / Paurasabhas will adhere to the following principles to avoid / minimize adverse impacts and adopt appropriate mitigation measures:

- As a first step toward mitigating adverse impacts, DPHE / Paurasabhas will always try to avoid not to cause adverse impacts on persons / households who are socioeconomically vulnerable.
  - Where adverse impacts are absolutely unavoidable, DPHE / Paurasabhas will ensure that the beneficiary communities collectively rehabilitate the affected persons / households with measures acceptable to them.
- Where displacement from public lands is unavoidable, DPHE / Paurasabhas will assist the affected persons / households to relocate on available public lands in the vicinity.
  - DPHE / Paurasabhas will mobilize the communities to collectively provide financial and material assistance to the affected persons / households to move and rebuild their houses.
  - Where business activities of any kind are displaced, DPHE / Paurasabhas will mobilize community assistance to relocate them in the vicinities to ensure that they remain operational and do not lose income.

#### ELIGIBILITY FOR COMPENSATION/ASSISTANCE

9. The persons/households affected by the WSS services and other land-based activities in a Paurasabha are eligible for compensation and assistance. Pending social screening, the most likely eligible groups are:

- Private Landowners: Persons who have legal rights to the affected lands and other assets, such as houses / structures, trees, etc., built and grown on them.
- Non-Titled Persons/Households: Who do not have legal rights to the affected lands, but use them for living and livelihood purposes.
- Owners of Displaced Businesses: Compensation for income loss from businesses that are (i) displaced from private lands and those belonging to Paurasabhas and other public agencies; and (ii) required to temporarily close down during

implementation of the civil works. In both cases, compensation / assistance will apply to the actual owners of the affected businesses.

- Employees of Affected Businesses -- who are employed in the above two types of affected businesses.
- Rental Income Earners, from built premises situated on private lands. (Those who earn rental income by erecting buildings / structures on Paurasabha and other public lands will be ineligible for compensation / assistance.)
- Leaseholders. Owners of affected business, agricultural, fisheries and other activities on formally leased-in public lands, where leases stipulate compensatory conditions in cases where lands are taken back or acquired before lease expiration.
- Unforeseen Impacts: DPHE will adopt and implement measures in consultation with affected persons and the Bank, to mitigate any adverse impacts that may have so far remained unknown and not covered in this RSMF.

10. **Cut-Off Dates**: Will be established to identify the non-land assets that will qualify for compensation and to discourage abuse of the mitigation policies by defrauding the project. These are the dates on which census of the affected persons / households and assets are taken. No person or his/her assets will qualify for compensation unless they are recorded in the census taken on the cut-off dates.

#### COMPENSATION/ASSISTANCE STANDARDS

11. Compensation / assistance will apply to persons / households displaced from public lands; private landowners who agree to make "contribution against compensation"; owners and employees of the businesses that may remain closed during implementation of the civil works. Depending on an affected person's preference, DPHE / Paurasabhas and the beneficiary communities may consider using both financial and material forms of compensation and assistance. DPHE / Paurasabhas will ensure delivery of the agreed compensation / assistance in a timely and transparent manner. Compensation for the affected assets will be determined according to the following principles (also see the Entitlement Matrix below):

- *Lands of All Kinds*: Will apply to the lands that might be available on "contribution against compensation". Compensation in such cases can be negotiated with the landowners (ref: paragraph 4).
- *Built Assets*: Replacement costs of houses / structures at prevailing market prices of the same building materials, plus the current costs of labor to build them. Depreciation and value of the salvageable building materials will not be deducted while computing the compensation.
- *Trees & Other Irreplaceable Items*: Current market prices of affected trees and other assets which are irreplaceable.
- *Business Income*:
  - *Temporarily Closed Businesses*: The owners will be paid for income loss at rates based on average daily net income for smaller of the number of days needed to reopen the individual businesses, or complete the civil works.
  - *Partially Affected Businesses*: Where business premises are partially dismantled and the remainders are structurally safe and useable, compensation -- calculated as above -- for smaller of the number of days

needed to repair and reopen the individual businesses, or complete the civil works.

- *Businesses Completely Displaced from Present Premises:* (i) Relocation within Paurasabha in its own or other public lands, *plus* compensation for 30 days based on average daily net income, or (ii) Compensation, calculated as above, for the number of days the business owners need to find alternative locations themselves, which will be paid for a maximum of 60 days.
- *Loss of Employment Income from Displaced & Temporarily Closed Businesses:* Persons who have been continuously employed by the displaced and temporarily closed businesses for at least 3 months up to the day of PAP census (cut-off date), will be compensated for the period until their employers restart their operations, or for a maximum of 30 days. The daily rates will be based on their monthly / daily salary paid by the employers.
- *Loss of Income from Rented-out Premises:* Three months' rent at the current rates for loss of rental income from premises affected on private lands.
- *Loss of Access to Livelihood Resources:* Provide alternative access in consultation with the affected persons / households.

12. DPHE / Paurasabhas, beneficiary communities, and the affected landowners will jointly determine / negotiate the compensation where they agree to offer lands on "contribution against compensation". Current prices of other assets, such as building materials, trees, etc., will be in accord with those in the local markets.

13. DPHE / Paurasabhas will document the impacts and affected persons / households, mitigation measures agreed with them, and verifiable evidence that the agreed measures have been implemented. The cases of voluntary private contributions and "contributions against compensation" will also be documented with appropriate evidence and will remain open to verification by the World Bank and other interested persons / entities. (Documentation formats for impact assessment and mitigation; contribution of lands and other assets; and a schedule of compensation for using public and private lands are provided in *Attachments B1, B2 and B3*).

## ENTITLEMENT MATRIX

### 1. LOSS OF PRIVATE LANDS & EVICTION FROM PUBLIC LANDS

Ownership Type	Entitled Person	Entitlement	Responsibility
<i>Private Lands</i>	<i>Legal Owners, as recorded in the ownership documents</i>	Negotiated costs, as agreed between DPHE / Paurasabha and beneficiary communities, the and affected landowners, <i>plus</i> the registration costs and stamp duties.	DPHE / Paurasabha
<i>Public Lands (including DPHE/Pourasabha's own) under lease</i>	<i>Leaseholders</i>	Fulfillment of the lease conditions, as recorded in the lease documents.	DPHE / Paurasabha

### 2. LOSS OF HOUSES/STRUCTURES ON PRIVATE & PUBLIC LANDS

Type & Location	Entitled Person	Entitlement	Responsibility
<i>All Houses / Structures on the Lands to be Used for SWW Services activities</i>	<i>Legal owners, as recorded in the ownership documents.</i>	<ul style="list-style-type: none"> <li>Replacement costs of houses / structures at current prices of the same building materials, plus current cost of labor to build them.</li> <li>Depreciation and value of the salvageable building materials will not be deducted while computing the compensation</li> </ul>	DPHE / Paurasabha
<i>Structures on Public Lands</i>	<i>Vulnerable Non-titled persons / households</i>	<ul style="list-style-type: none"> <li>Arrangements for physical relocation on public lands in the vicinity</li> <li>Assistance in cash and / or kinds to rebuild the houses / structures.</li> <li>Allowed to keep the salvageable materials.</li> </ul>	DPHE / Paurasabha

### 3. LOSS OF TREES ON PRIVATE & PUBLIC LANDS

Location	Entitled Person	Entitlement	Responsibility
<i>On private Lands</i>	<i>Legal owners as recorded in the ownership documents</i>	<ul style="list-style-type: none"> <li>Current market value of trees, based on species, size and maturity.</li> <li>Current market prices of fruits on trees, if they are felled before harvest.</li> <li>Owners are allowed to fell the trees and keep them.</li> </ul>	DPHE / Paurasabha
<i>On public Lands</i>	<ul style="list-style-type: none"> <li><i>Non-titled owners</i></li> </ul>	As those stipulated above for trees and fruits.	DPHE / Paurasabha

#### 4. LOSS OF BUSINESS & RENTAL INCOME

Impact Type	Entitled Person	Entitlement	Responsibility
<i>Loss of Business Income (Temporarily)</i>	Business owners (to be identified during social screening / PAP census).	Daily net income for number days businesses remain closed for construction works.	DPHE / Paurasabha
<i>Businesses that are permanently displaced</i>	Business owners	Relocation in public lands, within Paurasabha, <i>plus</i> compensation for 30 days based on average daily net income, <u>or</u> Compensation, calculated as above, for the number of days business owners find alternative locations themselves, to be paid for a maximum of 60 days.	DPHE / Paurasabha
<i>Loss of Rental Income (Temporarily)</i>	Owners of the premises rented out	A month's rent at current rates	DPHE / Paurasabha
<i>Business Employees</i>	Employees who have been employed for at least 3 months up to the cut-off dates/PAP census.	Compensation for number of days remain closed for construction, or until employers re-open their businesses -- but for a maximum of 30 days.	DPHE / Paurasabha

#### 5. LOSS OF ACCESS TO LIVELIHOOD RESOURCES

Impact Type	Entitled Person	Entitlement	Responsibility
<i>Loss of Access to Livelihood Resources</i>	To be identified during preparation of Paurasabha-wise WSS services activities	Provision of alternative access in consultation with the affected persons / households	DPHE / Paurasabha in consultation with local communities

#### 6. UNFORESEEN LOSSES

Impact Type	Entitled Person	Entitlement	Responsibility
<i>As may be identified during preparation &amp; implementation of the Paurasabha-specific activities</i>	<i>As identified</i>	As determined in consultation with World Bank and the stakeholders.	DPHE / Paurasabha and local communities

## STAKEHOLDER CONSULTATIONS

14. In addition to the citizen engagement and community consultations described in Section A, consultations here will focus more on the persons / households that would be adversely affected. DPHE / Paurasabhas will conduct these consultations in open meetings in an environment where the participants – regardless of their socioeconomic conditions – can openly express their observations and opinions. Depending on actual situation on the ground, consultation topics will include,

- WSS services activities, such as piped water supply, drainage systems, treatment plants for raw surface waters and wastewater and fecal sludge, and any other land-based activities that would be carried out in individual Paurasabhas and their impacts -- both positive and negative -- on the Paurasabha residents.
- Details of the likely adverse impacts -- both temporary and permanent -- on existing commercial activities and residences by the roads that will be used to lay the underground pipelines and build the drainage systems. Where the Paurasabhas don't have their own lands, consultations will also include the 2 options proposed in this RSMF and explore the way as to how suitable pieces of lands could be obtained for treatment plants for raw surface waters and wastewater and fecal sludge.
- Specifics of the mitigation measures and the process that will be followed to implement them (mitigation principles, compensation eligibility and standards, compensation determination and payment, etc.).
- The rights and responsibilities on the parts of the stakeholders themselves and the agencies involved in the project (DPHE, Paurasabha, World Bank, Consultant, etc.).
- Functions and limitations of GRM, and how the aggrieved persons / complainants could lodge their complaints and grievances, as well as hearings and reference of unresolved cases to higher levels and, most importantly about the GRC memberships.

15. *DPHE / Paurasabhas will undertake separate consultations with the female stakeholders and discuss all of the above issues and record and analyze their opinions and preferences separately. DPHE / Paurasabhas and consultant will examine the feedbacks received at these meetings, especially those from the female participants, for incorporation into project design.*

16. As to recordkeeping, DPHE / Paurasabhas will prepare the minutes, indicating dates, venues, impact issues and mitigation measures that have been discussed, and the details of any agreement that may have been reached with the affected persons and communities. DPHE / Paurasabhas will share the signed minutes and details of these meetings with the communities and will make them available for review by the World Bank and other interested persons and entities.

## DOCUMENTATION

17. DPHE / Paurasabhas will ensure availability of the following documentations for review by the World Bank and other interested persons and entities:



- Minutes of stakeholder consultations on social safeguards implications of using private and public lands; alternative means of obtaining the required lands; mitigation measures adopted in this RSMF; compensation procedure; etc.
- Agreements where private lands, if any, have been obtained through “voluntary contribution” and “contribution against compensation”.
- Records of persons / households who may have been displaced from public lands and where they have been relocated.
- Agreements made on compensation with the affected persons / households and the evidence of payment.
- Records of complaints and grievances received by the GRCs, hearings at different levels, and the number of decisions given in favor and against the complainants.

**ATTACHMENT B1: IMPACT ASSESSMENT AND MITIGATION DATA SHEET**

*[To record information on lands and other assets to be used for Paurasabha-specific activities]*

1. *Name, location, land area and population of the Paurasabha:*

Name: ..... Upazila: ..... District: .....

Land area (approx.): ..... Paurasabha (Town) population: .....

2. *Number of households / establishments that will be supplied with piped water:* .....

3. *Brief description of the of the civil works (pipelines, drainage, treatment plants for wastewater & fecal sludge, raw surface waters, etc.) and related activities that will be implemented in the Paurasabha:*

4. *Description of the existing uses (commercial, residential, etc.) of the roads that will be used to lay the pipelines and build the drainage systems:*

5. Public Lands Used: Total amount (acre/decimal): .....

Number of affected users: Non-titled: ..... Encroachers: .....

Others: .....(Specify: .....)

- *Other assets affected on public lands, including common property resources used as livelihood by vulnerable persons:*

.....  
.....

Private Lands Used: Total amount (acre/decimal): .....

Total number of affected landowners: .....

*Other private assets affected:* .....

*Livelihood activities affected:* .....

6. *How the private lands obtained:*

<i>Lands obtained through</i>	<i>Amount</i>	<i>No. of Contributors</i>
Voluntary contribution		
Contribution against compensation		
Other means (specify): .....		
.....		

18. *Compensation payment*

<i>Compensation paid to</i>	<i>No. of persons paid</i>	<i>Total amount paid (Tk)</i>
Contributors against compensation		
Non-titled (squatters)		
Others (specify) .....		
.....		

9. *Documentation:* Types of evidence of voluntary contribution obtained:

Signed written statement witnessed by community members

Others (specify) .....

~~~~~

*This form was filled in by (Name):* .....

*Designation:* .....

*Signature:* .....

*Date:* .....

**ATTACHMENT B2: FORMAT FOR DOCUMENTING CONTRIBUTION OF ASSETS**

*[For each person who has made voluntary contribution and 'contribution against compensation']*

Name, location, land area and population of the Paurasabha:

Name: ..... Upazila: ..... District: .....

Land area ( approx.): ..... Paurasabha (Town) population: .....

Location of land & other assets:

Union (if applicable): .....

Mouza: ..... Dag Nos:  
.....

The following agreement has been made on (Day-Month-Year) ..... between  
the,

Owner(s) ....., resident of .....  
..... and the Paurasabha (Recipient).

1. That the Owner(s) holds the legal right to the land (Dag No., Khatian No., Mouza, etc)  
..... and  
other assets situated on it.
2. That the Owner(s) hereby voluntarily contributes to the Recipient portion (in decimal) of  
this asset for building WSS infrastructure (and any other related activities) for the  
benefit of the Paurasabha and the public at large. There are no vulnerable groups losing  
livelihood as a result of this contribution of land, nor are there any other encumbrances  
on the land.

*Either, in case of Voluntary Contribution:*

3. That the Owner(s) will not claim any compensation against the contribution of this asset.

*Or, in case of Contribution Against Compensation:*

4. That the Owner(s) will receive compensation against the contribution of this land and other  
assets as per the attached Schedule.
5. That the Recipient agrees to accept this grant of assets for the purposes mentioned above.
6. That the Recipient shall implement WSS infrastructures (name) .....  
.....  
and take all possible precautions to avoid damage to adjacent land/structure/other assets.

4. That both the parties agree that the planned WSS infrastructure (name)

.....

.....

so developed on the land shall be public / community property.

8. That the provisions of this agreement will come into force from the date of signing of this document.

9. That the owner gives up all claims to the land and the title of the land will be transferred to the recipient through the existing legal process in the country.

.....

*Signature of the Owner(s)*

.....

*Signature of the Recipient*

**Witnesses** (Name, signature, father's/husband's name, and address):

5. ....

6. ....

**ATTACHMENT B3: SCHEDULE OF COMPENSATION FOR PRIVATE & PUBLIC LANDS**

*[For each person who has made 'contribution against compensation' and non-titled person (squatter) and encroacher who has been paid compensation or assisted in any other form]*

Name, location, land area and population of the Paurasabha:

Name: ..... Upazila: ..... District: .....

Land area ( approx.): ..... Paurasabha (Town) population: .....

Location of land & other assets:

Union (if applicable): .....

Mouza: .....Dag Nos: .....

1. Name(s) of Compensation Recipient: .....

Father's/Husband's Name: .....

2. Compensation for:      Contribution of land against compensation  
                                    Displacement from public land (squatter/encroacher)

3. Compensation Schedule

| <i>Affected Items</i>                                      | <i>Amount/units<br/>Compensated<br/>for</i> | <i>Agreed<br/>Compensation</i> |
|------------------------------------------------------------|---------------------------------------------|--------------------------------|
| Land (in decimal)                                          |                                             |                                |
| Houses/structures (Floor area in sft):                     |                                             |                                |
| <i>Structure type</i> (bamboo, mud, brick, etc.):<br>..... |                                             |                                |
| Trees (Number) .....                                       |                                             |                                |
| Others (Specify): .....                                    |                                             |                                |
| <b>Total Agreed Compensation:</b>                          |                                             |                                |

Agreed compensation in words: .....

Compensation Payment:

|                                                                                                              |                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <i>Agreed Compensation Paid:</i><br>.....<br>.....<br>Name & Signature of Paurasabha Official<br>Date: ..... | <i>Agreed Compensation Received:</i><br>.....<br>.....<br>Signature of Recipient<br>(Contributor/Squatter/Encroacher)<br>Date: ..... |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|