

Ministry of Water Resources
Bangladesh Water development Board(BWDB)
Climate-Smart Agriculture and Water Management (CSAWM) (BWDB Part) Project
Terms of Reference
for
PCU Support Expert (Individual) for Land Acquisition & Resettlement
(Contract Package No.CSAWM-WDB-PCU-SD-04)

1. Background of the Project:

The Government of Bangladesh and the World Bank (WB) funded project "Climate-Smart Agriculture and Water Management (CSAWM) " is being implemented for introduction of climate resilient agricultural and water management technologies and effective on-farm water management to support the cropping pattern . The Project Development Objective (PDO) of CSAWM is to enhance climate resilience and productivity of irrigated agriculture & fisheries in targeted sub-projects.

The CSAWM Project consists of four components and these are: i) Improved Climate Resilience of Flood Control, Drainage and Irrigation (FCDI) Infrastructure Systems; ii) Climate-Smart Agricultural Production and Marketing; iii) Project Management Support; and iv) Contingency Emergency Response.

The project implementation is a joint and shared responsibility of the Ministry of Water Resources (MoWR), Ministry of Agriculture (MOA) and the Ministry of Fisheries and Livestock (MoFL), respectively through the concerned agencies Bangladesh Water Development Board(BWDB), Department of Agricultural Extension(DAE) and Department of Fisheries(DoF). BWDB is the lead on activities related to improved and climate resilient Flood Control and Drainage (FCD), and Flood Control, Drainage and Irrigation (FCDI) infrastructures. DAE and DoF are the lead agencies for improved and climate resilient crop production and aquaculture production respectively. BWDB is acting as the lead and coordinating agency and MoWR is acting as the lead Ministry. In addition, this project will also address Participatory project Cycle Management (PSM) approach to promote the participatory and community mobilization aspects of subproject rehabilitation and management transfer and the involvement of communities in operations and (routine) maintenance (O&M) management. 110.35 Ha land acquisition is needed in 7 subprojects out of 19 subprojects located in 14 upazilas of 6 districts in Bangladesh.

There is a Project Coordination Unit (PCU) at BWDB, responsible for overall coordination across all project activities. PCU is headed by a Project Coordinating Director (PCD) and will be staffed with a Procurement Specialist, Financial Management Specialist and Land acquisition & resettlement specialist. There will be also separate design & supervision consulting firm for detail design/review of design, construction supervision, motivation & mobilization of WMOs in all the project cycle activities such as selection/review of rehabilitation of physical activities. Another separate consulting firm will be engaged for Monitoring & Evaluation of all activities under this project.

To support the the Land Acquisition & Resettlement activities of the project one Land Acquisition & Resettlement Expert will be hired as an individual consultant.

2. Objective of the assignment:

The main objective of the Land Acquisition & Resettlement Expert is to assist the PD-PCU of CSAWM in land acquisition and resettlement process including preparation and implementation



of Land Acquisition & resettlement Plans for selected Sub-projects following Bangladesh Acquisition and Requisition of Immovable Property Act, 2017.

The scope of the sub-consulting services in this ToR might require adjustment based on the project demand and situation during implementation of the project.

3. Qualifications and Experience:

The Land Acquisition & Resettlement Expert should have minimum Graduate Degree in any discipline from a recognized university with a minimum of 10 years experience in land administration & acquisition of land and resettlement activities for infrastructure projects. He/she should also have working experience in land survey, digitization of map, land plan, resettlement activities etc. Experience in working with World Bank/ADB or similar Development partners finance project or GoB funded infrastructure project will be an added advantage.

4. Overall Scope of Services:

Overall Scope of Services will be preparation & implementation of Land Acquisition Proposal & Resettlement action Plan and to assist the PCU in land acquisition & Resettlement process as well as to assist the affected persons in arranging relevant documents and records in favor of their rights and title to the land for expediting land acquisition process

5. Roles and responsibilities:

The specific responsibilities of the specialist will include but not necessarily be limited to the following:

A. Land Acquisition

The responsibility of the Land Acquisition & Resettlement Support Expert will be to assist the PCU in land acquisition process. The specific responsibilities of the specialist will include but not necessarily be limited to the following:

A.1 Preparation of Land Acquisition Proposal (LAP)

- (1) Follow the engineering design & drawing of project infrastructures and long sections and cross-section of embankments, khals and other structures to understand the requirement of additional land along the existing embankments and other water resources infrastructures.
- (2) Collection of mouza maps of land parcels, digitization of mouza maps and superimposing embankment and other hydraulic structures alignments on the digitized mouza maps.
- (3) Coordinate land survey following the long sections of the design of embankments, khals and other structures and the mouza maps with demarcation of alignment and adjust the alignment on ground.
- (4) Coordinate and supervise finalization of land plans and preparation of land schedule/plot index for each sub-projects as an LA Case.
- (5) Coordinate and liaise with the Director, Land and Revenue of BWDB in obtaining Administrative Approval on the proposed land acquisition for each sub-projects.
- (6) Develop and collect constituent documents and certificates as per requirement of the law and rules on land acquisition and prepare Land Acquisition Proposal with all required maps, drawings, schedules, documents and certificates for each sub-projects.

- (7) Liaise with the Executive Engineers (XEN) at field level ensuring that land acquisition remains the minimum and no vulnerable and tribal peoples are affected in the process of preparing the LAP.
- (8) Coordinate and seek technical assistance from the main consultant on social issues and community agreement on the land acquisition plans.

A.2 Submission of LAP and Following up LA Process

- (1) Closely follow up submission of the LAPs and the approval process by the Ministry of Water Resources, the District Land Allocation Committees (DLAC) and Central Land Allocation Committee (CLAC) /Ministry of Land.
- (2) Liaise with the LA officials in concerned Deputy Commissioners (DC) office and follow through the acquisition process for payment of compensation under law to eligible persons timely.
- (3) Follow up notifications under sections 4, 7 and 8, joint on site verification of physical assets and land use and valuation of land and assets under acquisition.
- (4) Assist affected landowners in procuring any missing legal documents required to claim compensation under law (CUL) with assistance from the AD, Land and Revenue at the zonal office of BWDB.
- (5) Responsible for mobilization of the land owners to ensure that everybody turns up in the process of expediting land acquisition.

A.3 Taking Over Possession of Land

- (1) Monitor payment of compensation under law by the LA Office of concerned DC offices.
- (2) Responsible for coordinating handing over land by the DC offices and taking over possession of land by the Executive Engineers on behalf of BWDB.
- (3) Ensure that land title is transferred against Bangladesh Water Development Board.
- (4) Notify the land owners for dispossession of their lands acquired following the payment of compensation at replacement value at the time of dispossession.

B. Resettlement:

The responsibility of the LA and Resettlement Support Expert will also perform the tasks of resettlement process for selected sub-projects , compensate affected persons, resettle & rehabilitate them through preparation and implementation of Resettlement Action Plans. The specific responsibilities of the specialist will be, but not limited to, the following:

B.1 Resettlement Planning

- (1) Review the design of social impact assessment (SIA) study of this project to make sure that the surveys and consultations are done on schedule and adequate resources and appropriate expertise are applied.

- (2) Monitor conduct of the SIA on site through the field office resources of the PCU to ensure that the surveys and consultations are full and inclusive.
- (3) Review the SIA reports prepared under this project and assist the Project Director for obtaining Bank clearance on the reports.
- (4) Responsible for obtaining Bank clearance of the Resettlement Action Plans (RAP) taking assistance from the Project Director, PCU, BWDB,
- (5) Make sure of timely preparing of RAPs and payment plan of land compensation.
- (6) Any other tasks as assigned by the PD regarding the process, preparation and approval of RAPs.

B.2 Implementation of RAPs

- (1) Make sure that the work program and implementation schedule of the RAP are being implemented correctly.
- (2) Assist XENs in collecting CUL payment information from DC offices, which are required to determine top-up payment.
- (3) Participate in grievance redress procedure and keep detailed records of grievances and the hearings, and assist to report the outcomes as per the format provided in the Resettlement Policy Framework.
- (4) Prepare and adopt RAP Implementation Guideline in consultation with the BWDB relevant departments and units with assistance from the main consultant & PCU, BWDB.
- (5) Initiate legal procedure, formation and establishments of participatory resettlement management committees including (i) Property Assessment and Valuation Committee, (ii) Grievance Redress Committees and (iii) Physical Relocation Assistance Committees.
- (6) Monitor identification of eligible project affected persons for compensation and assistance as per the provision of the RAPs and determining their compensation assistance cash amount.
- (7) In accordance with the Payment Modality of the RAP Implementation Guideline, monitor and make sure of the delivery of entitlements to the affected persons.
- (8) Carry out monitoring and evaluation on social safeguards implementation on behalf of the PCU.
- (9) Monitor the progress and report back to the Project Director, PCU on the status of implementation of the LAP & RAP.
- (9) Perform any other tasks/activities as directed by PD, PCU.

6. Duration :

Duration of the consultancy services would be for 24 (twenty four) months during the project period. It is expected to start the services from mid April, 2023 and will continue up to mid April, 2025. However, the Contract may be extended further; based on project needs and satisfactory performance of the consultants.

7. Institutional Arrangement:

The individual Consultant will be based in PD-PCU office as well as in the sub-project field offices under the Jurisdiction of concerned Executive Engineer, BWDB.

8. Logistics and facilities provided by the client:

BWDB may provide Computer, printer and necessary consumables. BWDB also provide office accommodation and support staff. All payments of support staffs will be made from specialist monthly payment as reimbursable item. Any non-consumable item purchased under this consultancy package shall be handed over to BWDB after completion of the contract. The expert will have to arrange own transportation for attending office on all regular workdays.

9. Reporting Requirement:

The Consultant will submit Inception Report and deliver (a) Monthly Progress Report, (b) Quarterly Progress Report, (c) Semi-annual Progress Report, (d) Annual Progress Report, (e) Draft Task Completion Report, (f) Draft Task Completion Report and (g) any other report as per requirement. The payment will be made against submission of satisfactory monthly report.

10. Selection method:

Selection of the Land Acquisition & Resettlement Expert will follow the procedures for selecting Individual Consultants described in the PPA-2006 and PPR-2008.