

Memorandum of Understanding (MOU) between the Department of Environment (DOE) being represented by the Director, Dhaka Division and the Upazilla Nirbahi Officer (UNO), Kaliakoir Upazilla representing the Kaliakoir Upazila Fisheries Committee (UFC) including the Union Parishads of Mouchak, Madhyapara, Ataboho, Chapair, Boali, Fulbaria, Srifaltali and the Resource Management Organizations (RMOs) of Turag and Mokosh-Kalidaha

Whereas the Department of Environment hereinafter referred to as DoE is the statutory body for implementing environmental legislation for conservation of environment, improvement of environmental standards, and control and mitigation of environmental pollution in the country and is represented in this MoU by the Director, Dhaka Division (hereinafter referred to as the First Party)

AND

Whereas the Upazila Fisheries Committee hereinafter referred to as UFC has been established and endowed by the Government of Bangladesh to ensure sound and sustainable management of wetland resources in the Upazila and particularly in the Turag-Bangshi river and its floodplains by supporting the Resource Management Organizations (RMOs) formed by Management of Aquatic Ecosystems through Community Husbandry (MACH) project having partnership with Bangladesh Centre for Advanced Studies (BCAS) to restore the degraded aquatic habitats of the said area in order to increase fish productivity and to restore aquatic life forms and biodiversity in general, which involves in its activities Union Parishads of Mouchak, Madhyapara, Ataboho, Chapair, Boali, Fulbaria, Srifaltali of the Kaliakoir Upazilla, and is represented in this MoU by the UFC chairman – the Upazila Nirbahi Officer, Kaliakoir Upazilla (hereinafter referred to as the Second Party).

AND

Whereas both the parties in a meeting held on 30th July 2006 under the Chairmanship of Director General, DOE at the DoE Conference Room, Dhaka have agreed (i) to tackle the severe water pollution being created by identified industries in and around the jurisdictions of the Union Parishads of Mouchak, Madhyapara, Ataboho, Chapair, Boali, Fulbaria and Srifaltali, in Kaliakoir Upazila (hereinafter referred to as the **said area**) by ensuring that the identified industries and/or establishments operate appropriate waste/effluent treatment plants, and (ii) to protect the water bodies from industrial pollution, in particular the *khals* and the beels within the floodplains of the Turag-Bangshi including Mokosh Beel and the Turag River itself (including the RMO established sanctuaries namely Golachipakum, Lalkharkum, Gabtalikum,

Naokholadholi and Barodoho) hereinafter all referred to as the said water bodies and return their water quality to nationally acceptable standards.

The MoU is being signed by both the parties with the above objectives and in the following terms and conditions:

Role of DoE

- i) The DoE shall conduct a survey in collaboration with UFC and with possible support from MACH project. Survey will be conducted by using appropriate form in order to complete a situational analysis of the industrial operation and pollution, and also to assess the needs of and/or threat to the said water bodies against operation of the identified industries as early as possible. If necessary, the said form for industries may be improved in consultation with UFC. Once the survey is complete, a list of the polluting industries operating in the said Area (hereinafter referred to as the said list) be available for further action.
- ii) Upon finalization of the said list, the DoE shall take all necessary, appropriate and effective measures to regularly monitor the operation of the listed industries with support from the UFC and prevent further pollution by them of the said water bodies. In preventing any further polluting activities of the listed industries the DoE shall undertake the followings measures/actions, amongst others:
 - a. Notifying the polluting industries of their unlawful acts/omissions and requiring them to take appropriate corrective/remedial measures in line with the provisions of the ECA, 1995, ECR, 1997 and other applicable laws.
 - b. Initiation of legal measures against the violating and defiant industries and pursuing the same.
 - c. Consultation with UFC will take place prior to granting Environmental Clearance for new or existing industries (category 'Orange B' and 'Red') and renewal of existing industries (category 'Orange B' and 'Red') in the said area.
 - d. Assigning a designated representative and ensuring presence of that person in the meetings of the UFC upon invitation.
 - e. Seeking expert opinion from all relevant agencies including the referred project in recommending appropriate technical remedial measures to be taken by the polluting industries or monitoring the same.

- f. Undertaking regular water quality monitoring in the said area with support from the UFC and RMOs, and share the results of the same with the UFC so that the UFC could inform the polluting industries to take measures within the factory to improve the water quality discharged.
- g. Arranging and participating in awareness programs on the water pollution issues of the said Area in collaboration with and/or support from the UFC.
- h. The DoE will disseminate the results and progress of its activities under the above points a-g to the concerned stakeholders in the said Area through its regular reports presented in each UFC meeting. DoE will also disseminate the results in other similar areas as well as to appropriate national level agencies.

Role of UFC and its constituent bodies

- iii) Upon signing of this MOU, the UFC shall take all necessary, appropriate and effective measures to reduce pollution in the said Area by undertaking the followings measures/actions, amongst others:
 - a) If any proposal to establish a new industry is made to the chairmen of the concerned Union Parishads named in the title of this MOU (members of the UFC) they will table the proposal in the UFC meeting for review and advice, giving the proposer a response based on the considered opinion of the UFC.
 - b) The RMOs (members of the UFC) and their volunteers will monitor water quality in the river, beel and khal regularly, and will report this to the UFC and share this with DoE. This same monitoring team will assist DoE in its monitoring of effluent discharge from all industries in the said Area. DoE will help train and check the standards of this monitoring in order to improve and attain reliable standards.
 - c) Once the standards of effluent discharge from industries in the said Area are within national standards, the UFC will seek to take actions to clean residual pollution from water and soils in the said Area by making use of such resources as it has at its disposal or may obtain, and making use of expert advice from DoE and others.
 - d) This agreement is effective from the date of signing. This agreement may be amended or revoked if required by written agreement of the parties.

Signed this _____ Day of _____ 2007

Director, Dhaka Division
Department of Environment
(On behalf of the First Party)

Upazila Nirbahi Officer, Kalaikoir Upazila
and Chairperson, Upazila Fisheries Committee
(On behalf of the Second Party)

Witness

- 1.
- 2.

Witness

- 1.
- 2.