

# **Accelerating Transport and Trade Connectivity in Eastern South Asia (ACCESS) – Bangladesh Phase 1 Project**

## **AS PART OF A MULTIPHASE PROGRAMMATIC APPROACH (MPA)**

### **Resettlement Policy Framework (RPF)**

- **Roads and Highways Department (RHD)**
- **Bangladesh Land Port Authority (BLPA)**

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## ABBREVIATIONS

AP	Affected Person
ARAP	Abbreviated Resettlement Action Plan
ARIPA	Acquisition and Requisition of Immovable Property Act
BLPA	Bangladesh Land Port Authority
CBM	Coordinated Border Management
CCL	Cash Compensation under Law
CPR	Common Property Resources
DDR	Due Diligence Report
ESS	Environmental and Social Standards
ESF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
EP	Entitled Person
FGD	Focus Group Discussion
GoB	Government of Bangladesh
GRM	Grievance Redress Mechanism
GRC	Grievance Redress Committee
IDA	International Development Association
IoL	Inventory of Losses
IPF	Investment Project Financing
IVC	Inventory Verification Committee
LMP	Labor Management Plan
MoLGRD&C	Ministry of Local Government, Rural Development and Co-operatives
M&E	Monitoring and Evaluation
MOE	Ministry of Environment
MOF	Ministry of Finance
MoRTB	Ministry of Road Transport and Bridges
NBR	National Board of Revenue
NGO	Non-Governmental Organizations
OFC	Optical Fiber Cable
PAH	Project Affected Households
PAP	Project Affected Persons
PAVC	Property Assessment and Valuation Committee
PIC	Project Implementation Committee
PIU	Project Implementation Unit
PMO	Project Management Office

PMU	Project Management Unit
PSC	Project Steering committee
PVAC	Property Valuation Advisory Committee
RAP	Resettlement Action Plan
RCS	Replacement Cost Study
RHD	Roads and Highways Department
RPF	Resettlement Policy Framework
ROW	Right of Way
RSEC	Social and Environmental Circle of RHD
RV	Replacement Value
SES	Socio-economic survey
SEP	Stakeholder Engagement Plan
<b>SEVCDF</b>	Small Ethnic & Vulnerable Community Development Framework
TOR	Terms of Reference
WB	World Bank
WBG	World Bank Group

## Glossary

**“Associated Facilities”** means facilities or activities that are not funded as part of the project but are: (a) directly and significantly related to the project; and (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded, or conducted if the project did not exist.

**“Census”** is a complete count of the population affected by a project activity, including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

**“Cut-off date”** is when PAPs and their affected assets, as relevant, have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy before the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census. The census details will be notified and disseminated among the PAPs and other related stakeholders.

**“Forced eviction”** defined as the permanent or temporary removal, against the will of individuals, families and/or communities, from homes or land (or both) which they occupy, without the provision of, or access to, appropriate forms of legal or other protection. The exercise of eminent domain, compulsory acquisition or similar powers, is not considered to be forced eviction, providing it complies with the requirements of national law, and is conducted in a manner consistent with basic principles of due process (including provision of adequate advance notice, meaningful opportunities to lodge grievances and appeal, and avoidance of the use of unnecessary, disproportionate or excessive force).

**“Informed consent”** means the people involved are fully knowledgeable about the project and its implications and consequences and freely agree to participate in the project. Power of choice refers to the people involved have option to agree or disagree, without adverse consequences imposed formally or informally by others.

**“Involuntary resettlement”** covers physical displacement (relocation, loss of residential land or loss of shelter) and economic displacement (loss of land or access to land loss of assets or access to assets, or loss of income sources or means of livelihood) as a result of: (a) involuntary acquisition of land; or (b) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers whether such losses and involuntary restrictions are full or partial, permanent, or temporary. It means the involuntary taking of land resulting in direct economic and social impacts caused by the involuntary taking of land resulting in relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether or not the PAP has moved to another location and causes adverse impacts on the livelihoods of the displaced persons due to Involuntary restriction of access to legally designated parks and protected areas.

**“Land acquisition”** refers to all methods of obtaining land for project purposes, including outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.

**“Livelihood”** refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

**“Negotiated settlements”** refers to situations where the Borrower needs to acquire specific land or restrict its use for project purposes. Rather than doing so through an expropriation proceeding, the Borrower first tries to arrive at a mutually agreeable negotiated settlement with the landowner/user. The minimum negotiated amount will be 25% above the eminent domain compensation.

**“Project affected persons” (PAPs)** means persons impacted by involuntary resettlement as defined below. includes any person or entity or organization affected by the Project, who, on account of the involuntary acquisition of private land or repossession of public land from formal or private information uses, in support of the implementation of the Project, would have their (i) standard of living adversely affected; (ii) right, title or interest in all or any part of a house and buildings, land (including residential, commercial, agricultural, plantations, forest and grazing land) water resources, fish ponds, communal fishing grounds, annual or perennial crops and trees, or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily; and (iii) business, profession, work or source of income and livelihood lost partly or totally, permanently or temporarily. PAPs are categorized as (a) who have formal legal rights to land or assets; (b) who do not have formal legal rights to land or assets but have a claim to land or assets that is recognized or recognizable under national law; or (c) who have no recognizable legal right or claim to the land or assets they occupy or use.

**“Resettlement Action Plan (RAP)”** is a resettlement instrument (document) to be prepared when subproject locations are identified. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementing the project activities causing adverse impacts.

**“Resettlement Assistance (RA)”** means the measures to ensure that project-affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.

**“Replacement Value/ Cost (RV/RC)”** is a valuation method yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive, more than a year.

**“Restrictions on land use”** refers to limitations or prohibitions on the use of agricultural, residential, commercial, or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones.

**“Security of tenure”** means that resettled individuals or communities are resettled to a site that they can legally occupy, protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

**“Vulnerable groups or individuals”** refers to people who, by factors beyond their control, (a) may be more likely to be adversely affected by the Project’s environmental and social impacts; and (b) may be more limited than others in their ability to claim or take advantage of Project benefits. Such an individual or group is also more likely to be excluded from or unable to participate fully in the mainstream consultation process and may require specific measures or assistance (or both).

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## Executive Summary

### Introduction and Project description

1. This Resettlement Policy Framework (RPF) is jointly prepared and owned by the Bangladesh Land Port Authority (BLPA), an autonomous body under the Ministry of Shipping, Bangladesh National Board of Revenue (NBR) under the Ministry of Finance and the Road and Highways Department (RHD) under the Ministry of Road Transport and Bridges (MoRTB), per Government of Bangladesh's (GoB) legal policy and World Bank's (WB) Environmental and Social Framework. There are four components in this program. Under component 2, sub-components 2a, 2b and 2c will be implemented by BLPA, NBR, and RHD respectively for upgrading green and resilient regional transport and trade infrastructure, which poses social risks and impacts largely due to the land acquisition and involuntary resettlement at the Bhomra and Benapole land ports (BLPA)s. This RPF is prepared to guide land acquisition and resettlement and the consequent preparation and implementation of sub-project specific Resettlement Action Plans (RAPs) where the BLPA, and RHD are applicable under the program. The potential risks and impacts may include: (i) land acquisition along the expanded right-of-Way (ROW); (ii) permanent and/or temporary physical displacement of residential and commercial HHs including the Common Property Resources (CPR); (iii) temporary economic displacement of some vendors and businesses along the ROW and in market areas where some rural roads will be constructed and/or rehabilitated; (iv) Loss of trees and crops; (v) Increased risk of SEA/SH and road accidents.

### Objectives and purpose of RPF

2. Final design of the sub-projects are ongoing. Hence, it was agreed to prepare an RPF that would guide the respective IA to prepare relevant RAP/s. This RPF has been prepared in consistent to World Bank's ESS5 on land acquisition, restriction on land use and involuntary resettlement to clarify resettlement principles, implementation arrangements, and criteria to be applied to site-specific activities to be designed during implementation. As designs are not completed and also the feasibility study is ongoing (for BLPA component), it was decided to prepare the RPF. This RPF will guide the project implementing agencies (IAs) to prepare site-specific Resettlement Action Plans (RAPs) to avoid or minimize land acquisition and involuntary resettlement to the extent feasible, assess residual resettlement impacts, devise compensation and entitlement measures on the principle of replacement cost (as defined in ESS5) and relocation and livelihood restoration of the project affected persons (PAPs).

### Baseline information

3. During preparation of the RPF, IAs together with its consultants visited selected sample sites to identify the initial impacts and risks. During screening and the consultations with different stakeholders, community people opined that construction of RHD roads and up-gradation of the BLPA land ports will dramatically improve the living standards and livelihood opportunities lifestyle of local people with local economy and socio-cultural environments, trade and commerce, transport development, infrastructure expansion, establishment of small and medium scale industries and urbanization. As IAs is in process to finalize the sub-project location and the Right-of-Way (RoW) of the road, based on the community needs and assessment, actual project impacts will be identified based on Census, Inventory of Loses (IOL) and Socio-Economic Survey (SES).

### Policy, legal and principles governing resettlement

4. The RPF has taken into account applicable laws, identified major gaps and suggested how to prepare the RAP/s and advise for measures therein in consistent with Bank's ESS5.

### Resettlement planning procedures

5. The RPF will provide a preliminary assessment of the potential impacts of the sub-project. It will also help to identify opportunities for avoidance or minimization early in the project cycle so that the design process can be informed appropriately. The screening will also help identify the scope of further assessments and the timeframe required to obtain the regulatory clearances (if any).

### **Entitlement and eligibility criteria**

6. The RPF stipulates eligibility and provisions for compensating losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers will be compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income. Other than PAPs any entities/ CPRs affected by the project within the RoW are entitled for the compensation and/ or appropriate measures.

### **Consultation and participation**

7. During consultation with different stakeholders, including land and structure owners, squatters, CPR management, wage earners, etc., BLPA and RHD has registered all the concerns raised by the potential affected people. The Project Displaced Persons (PDPs) particularly expressed high concerns of adversities they would be subjected to because of land acquisition and raised questions about compensation rates and payment process. All the concerns are in line with ESS5 mitigation measures policy, BLPA and RHD has incorporated those concerns with the entitlement matrix of this RPF.

### **Institutional and implementation arrangements**

8. BLPA will arrange for RPF/RAP implementation and monitoring mechanism. The PIU will have an Environmental and Social Cell in the PIU. At overall project level all RPF/RAP oversight will be ensured by BLPA. The Deputy Director including Assistant Project Director & Project Manager of the Social cell will be assisted by a Senior Social Specialist-ACCESS will ensure the preparation and implementation of the RAPs. The Supervision Consultants and Contractors will have Environmental and Social Specialists to supervise and implement the RAP provisions. RHD's institutional arrangement consist of Program Steering Committee (PSC) at Ministry level; Project Implementation Unit (PIU) at project level; and project Implementation Committee (PIC) at RHD field level. An Inter-ministerial "Project Coordination Committee" (PCC) between the 3 IAs (RHD, NBR, BLPA) will be established. As per the ARIPA 2017 and relevant WB guidelines, a procedure to deal with and resolve any queries as well as address complaints and grievances about any irregularities in the application of the guidelines adopted in this RAP for assessment and mitigation of social and environmental impacts through grievance redress mechanism (GRM).

### **Tentative Budget**

9. Tentative budget for the BLPA would be USD 980,000; NBR USD 40,000 and USD 160,000 for the RHD. This budget be will borne with the project. This budget does not include the cost of land acquisition and resettlement borne with the respective IAs.

### **Monitoring**

10. Third-party independent monitoring will review all the social standard Due-Diligence Reports (DDR) prepared for this project. The extent of monitoring activities will be proportionate to the project's risks and impacts. Affected persons will be consulted during the monitoring process. Periodic monitoring reports will be prepared and disclosed, and affected persons will be informed about monitoring results on time.

## Chapter 1: Introduction and Project Description

### 1.1 Introduction

- This Resettlement Policy Framework (RPF) is jointly prepared and owned by the Bangladesh Land Port Authority (BLPA), an autonomous body under the Ministry of Shipping and Road and Highways Department (RHD) under Ministry of Road Transport and Bridges (MoRTB) following Government of Bangladesh's (GoB) legal policy and World Bank's (WB) Environmental and Social Framework, specifically ESS-5 "Land Acquisition, Restrictions on Land and Involuntary Resettlement". This RPF is for ACCESS Program – Bangladesh Phase 1 as part of the World Bank's Multiphase Programmatic Approach (MPA). There are four components in this program and among them sub-components 2a, 2b and 2c under component 2 will be implemented by BLPA (under Ministry of Shipping) NBR (Customs Wing, Ministry of Finance) and RHD (Ministry of Road, Transport and Bridges) respectively for upgrading green and resilient regional transport and trade infrastructure .
- Under sub-component 2a, the project activities will support building resilient land port infrastructure (by BLPA) by upgrading 3 land ports infrastructure, systems, and processes to become climate resilient, green, and sustainable, focusing on energy efficient waste and pollution reduction, water preservation, and renewable energy.
- Under sub-component 2b of NBR, the sub-project activities will involve upgradation of physical infrastructure of Chittagong Customs House within the existing building footprint of the land already owned by NBR. The proposed buildings include customs houses, warehouses, transshipment sheds, truck sheds, export sheds, environmental labs, office and residential buildings, etc.
- World Bank will finance the program for Automated border management system (ABMS) along with the resilient land port infrastructure and technical (TA) assistance to foster contemporary border management under BLPA and 43.10 km of national highway (Sylhet-Charkhai-Sheola Highway) under RHD considered as associate facilities and thus, a common approach has been taken in this RPF to meet the requirements of ESF and World Bank's due-diligence under ESS5 for all involuntary resettlement related activities.
- The civil works under Component 2 by NBR will involve construction/renovation of the existing infrastructure/facilities of the customs house and training academy within the land already owned by NBR which will not require land acquisition/requisition no presence of informal occupants/squatters. If the sub-project activities lead to displacement of informal occupants from their existing tenements and/or businesses it will require necessary compensation and rehabilitation in accordance with the RPF, as appropriate, for all such project affected persons (PAPs), if any, therein.
- As the exact project location and Right of Way (RoW) of the proposed four lane road under RHD sub-component has been finalized, this RPF is prepared to guide land acquisition and resettlement and the consequent preparation and implementation of Resettlement Action Plans (RAPs) by RHD under the program. ACCESS Phase 01 sets out the principles and objectives governing the preparation and implementation of this social risks and impacts, mitigation measures according to the ESS5 requirements. The aim is to ensure that adverse socio-economic impacts of the programs on Project Affected Persons (PAPs) are adequately mitigated and the PAPs are not worst off as a result of project interventions.

### 1.2 Program Components

- The program has the following components related to the RPF:
- The ACCESS will help Bangladesh in modernizing regional transportation and trade infrastructure, systems, and procedures. The Project would fund infrastructure at the Benapole, Bhomra, Burimari

Land Ports, custom house and trainings academy in Chattogram for better connectivity. The infrastructure will be built on digitization, contactless, and paperless processing principles. In addition, the project will assist in creating an automated border management system, procedural, regulatory, and legislative reforms, and accompanying capacity-building support in enabling modern trade facilitation practices. The Project will improve efficiency, climate resilience and safety of movement of goods and people along the corridor.

- The program is anchored around the following three pillars that will be common across all projects in Eastern South Asian countries -- under the Program.
  - Adoption and implementation of digital and automated systems to facilitate trade;
  - Upgrading of regional transport infrastructure, last mile and hinterland connectivity, and modernization of priority trade gateways (land ports and customs houses); and
  - Technical assistance and capacity building to enable reforms required for the adoption of contemporary trade facilitation environment in the sub-region.
  
- In Bangladesh, the Phase 1 of the Program (Project) will have 4 components, as following-
  - Component 1: Digital Systems for Facilitate Trade
  - Component 2: Green and Resilient Regional Transport and Trade Infrastructure
  - Component 3: Institutional and Policy Strengthening for Transport and Trade
  - Component 4: Contingency Emergency Response Component (CERC).

### 1.3 Program Principles

11. The sub-project adopts the following policy principles and mitigation measures in line with the national legal framework and World Bank ESS5:
  - Affected households will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that discriminate against achievement of the resettlement objectives. Lack of legal rights to lost assets or tenure status and social or economic status will not bar the affected households from entitlements to compensation and assistance;
  - Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operation and engineering solutions that have the least impact on populations in the project area;
  - No site clearing will be done in anticipation or before being considered for inclusion in the project site;
  - Affected households residing, working, doing business and/or cultivating land within the impact area during the conduct of the census and in the detailed measurement survey (DMS), are entitled to be compensated for their lost assets, incomes and businesses at replacement cost, and will be provided with assistance to improve or at least maintain their pre-project living standards, income-earning capacity and production levels;
  - Affected households will be fully consulted and given the opportunity to participate in matters that will affect their lives during the design, implementation and operation. Moreover, plans for the acquisition and use of assets will be carried out in consultation with the affected households who will receive prior information of the compensation and other assistance available to them;
  - Any acquisition of, or restriction on access to, resources owned or managed by the affected households as a common property such as pasture area will be mitigated by arrangement that will ensure they have access to equivalent resources;

- There will be no deductions in compensation payments for structures or other affected assets for salvage value, depreciation, taxes, stamp duties, fees or other payments;
- There will be effective mechanisms for hearing and resolving grievances during the planning and implementation of the component subprojects;
- If ownership over any affected asset is under dispute, the case will be handled in accordance with the grievance redress mechanism agreed with the EA;
- Existing social, cultural and religious practices will be respected;
- Special measures will be incorporated in the RAP to complement mitigation and enhancement activities to protect socially and economically vulnerable groups at high risk of impoverishment. Appropriate assistance will be provided to help them improve their socioeconomic status;
- Particular attention will be paid to the needs of vulnerable and disadvantaged groups as those individuals or groups who, by virtue of, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits and ensure their participation in consultations;
- Adequate resources will be identified and committed during the preparation of the RAP. This includes adequate budgetary support fully committed and made available to cover the costs of compensation, resettlement and rehabilitation within the agreed implementation period for the project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities;
- Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system;
- The RAP or its summary will be translated into local language (Bangla) and placed in district and sub-district offices for the reference of affected households and other interested groups;
- Civil works contractors will not be issued a notice of possession for any given geographic location in accordance with the approved RAP until (a) compensation payment at replacement cost have been satisfactorily completed for that area; (b) agreed rehabilitation program by RHD and affected persons is in place; and (c) the area is free from all encumbrances. The RAP implementation consultant will submit the report with the affected individual/HH's written consent. This will be verified by the PMC and certified by the PIU;
- Cash compensation for affected households losing commercial structures will be made available well ahead of civil works to allow the affected households sufficient lead time for reconstruction and to re-establish the business. No demolition of assets and/or entry to properties will be done until the affected household is fully compensated and relocated;
- Capacity development of the existing RHD Social and Environmental Circle (RSEC) , other related government agencies and local industries to identify the impacts and manage the related risks in accordance with ESS 5.

#### **1.4 Objective and purpose of the RPF**

12. The key objective of the RPF is to provide a framework through which to appropriately identify, address and mitigate adverse socioeconomic impacts that may occur due to the implementation of subprojects that involve the involuntary acquisition of land and the subsequent resettlement of affected families.
13. The purpose of the RPF provides policies and procedures to manage potential risks and impacts associated with implementation of this program and to identify detailed steps to prepare and implement the RAPs/ARAP as needed.
14. Specifically, the RPF covers the following:
  1. Reviews the existing national legal and regulatory framework of Bangladesh and compares it with World Bank's ESS 5 on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement for identifying gaps and providing gap filling measures;

2. Describes and defines the process for preparing RAP/s, cut-off dates for title and non-title holders, valuation process of impacted assets/ properties etc.;
3. Provides the principles and methods to be used in valuation of loses, and a description of eligibility and entitlements;
4. Identifies the consultation mechanism and approaches to be adopted while preparing and implementing RAPs including public disclosure;
5. Describes and defines monitoring and evaluation arrangement and roles and responsibilities of different stakeholders;
6. Outlines the legal framework, eligibility criteria of displaced population, valuation methodology, compensation provision, and entitlement matrix and implementation process;
7. Outlines implementation arrangement including schedule and grievance redress mechanism;
8. Outlines principles and objectives governing resettlement preparation and implementation;
9. Explains the due diligence procedures in case of project interventions linked to activities of other sub-project components

## **1.5 Methodology**

15. RPF is prepared to guide BLPA and RHD for anticipated land acquisition and involuntary resettlement under the project and is applicable for all components, as relevant, of the ACCESS phase 01 project.
16. The methodology followed in preparing the RPF consists of the following steps:
  - Review of the project details and meeting/discussions with various stakeholders including local communities;
  - Review of the policy and regulatory requirements of WB and GoB;
  - Reconnaissance field visit and initial scoping and screening of the identified proposed investment sites to determine the key social parameters and aspects that are likely to be impacted by the project activities;
  - Collecting and analysis of baseline social data with the help of secondary literature review;
  - Consultations with the stakeholders including beneficiary/affected communities and developing the consultation process
  - An initial assessment of the potential and likely impacts of the project activities
  - Prepare an outline Social Management Plan
  - Compilation of the present RPF.

## **1.6 Approval, Discloser and Updating of the RPF**

17. The RPF will be disclosed in BLPA/NBR/RHD website and in hard copy made available in locally accessible locations in the project area, including BLPA/NBR/RHD offices at all the respective sites) The executive summary will be translated into Bangla (local language) and disclosed through above channels. The feedback will be obtained from the stakeholders and will be in the final version and approved by the respective Project Directors. This RPF will be periodically reviewed and updated during the project's implementation stage, integrating the feedback from the monitoring, supervision, and consulting firms engaged for assessment and implementation of RAP at the field.

## Chapter 2: Baseline information, potential impacts and risks

### 2.1 Baseline Information and impact assessment procedure

18. The project impacts, socio-economic and baseline conditions will be assessed based on a Census, socio-economic survey, and consultations with all directly and indirectly affected HHs to prepare site-specific Resettlement Action Plans (RAPs). The extent and magnitude of impacts and data on socio-economic conditions will be collected at household and community levels through various field surveys and stakeholder consultation meetings.
19. The survey questionnaires will contain an inventory of losses of each affected household, which will include details of potentially affected structures (i.e. houses), agricultural land, trees and other assets belonging to each affected person or household, as relevant. The survey will also include inventory of businesses/commercial structures and public and community structure on the Project right-of-way. Table 01 below presents the methodology will be adopted in the surveys/census for data collection for impact assessment and preparation of the Resettlement Action Plan.

**Table 01: Project Impact and Baseline Assessment Methodology**

Unit Level	Data Collection Tools and Techniques
Household Level	<ul style="list-style-type: none"> <li>• Households census/interviews</li> <li>• Inventory of losses survey (structures, trees and other assets)</li> <li>• Inventory of businesses/commercial units</li> <li>• Affected agricultural plots survey</li> <li>• Livelihood assessment survey</li> <li>• Gender assessment survey</li> <li>• Communication needs assessment survey</li> <li>• Impacts of road intersections survey</li> </ul>
Community Level	<ul style="list-style-type: none"> <li>• Inventory of community structures</li> <li>• Village profiles for livelihood impact assessment survey</li> <li>• Stakeholders and community consultation meetings</li> <li>• Focus group discussion</li> <li>• Stakeholders meetings with Upazila administration</li> </ul>

20. While preparing the RPF, both RHD and BLPA sat together and the consultants visited selected sample sites to identify the initial impacts and risks. During screening and the consultations with different stakeholders, community people opined that construction of RHD roads and improvements of BLPA's land ports will dramatically improve the living standards and livelihood opportunities lifestyle of local people with local economy and socio-cultural environs, trade and commerce, transport development, infrastructure expansion, establishment of small and medium scale industries and urbanization.
21. During preparation of RPF, RHD and also BLPA conducted series of consultation/ discussion meetings with different stakeholders including transport owners and users; local administration; local people; transport association, local business owners, police, female association etc.
22. As per the cut-off date by which PAPs and their affected assets, as relevant, will be identified and new entrants to the site will not be able make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census. The census details will be notified and disseminated among the PAPs and other related stakeholders

**Table 02: Socio-economic baseline of the project area**

Sector	Baseline (RHD)	Baseline (BLPA)
<b>Transport Sector &amp; Traffic Status</b>	<p>According to the local people and administration less than 1% HHs are engaged with transport sector which reflects insignificant contribution to maintain normal livelihood.</p> <p>One of the main reasons for low income from this sector is narrow roads and traffic. There is no separate provision for slow-moving vehicular traffic (SMVT) or non-motorized traffic (NMT).</p> <p>Capacity constraints are caused by congested junctions, roadside parking, markets, and built-up areas. Road safety on the existing road is inadequate because it is overcrowded with different vehicles, including rickshaws, bicycles, motorcycles, cars, buses, and trucks. When vehicles break down this reduces the highway to a single lane leading to traffic delays and congestion.</p>	<p>There is no separate provision for slow-moving vehicular traffic (SMVT) or non-motorized traffic (NMT). Capacity constraints are caused by congested junctions, roadside parking, markets, and built-up areas.</p> <p>Road safety on the existing road is inadequate because it is overcrowded with different vehicles, including rickshaws, bicycles, motorcycles, cars, buses, and trucks.</p> <p>When vehicles break down this reduces the highway to a single lane leading to traffic delays and congestion.</p> <p>100 percent of the stakeholders expressed that upgrading two lane road to four lane will reduce the accident and accelerate the livelihood of the local people to improvements.</p>
<b>Local business and agriculture</b>	<p>The project road construction will affect 313.92 acres of land, and its 176.03 acre is agricultural land. Around 50% of the local business depends on the agriculture products as expressed by local businessmen. Wholesalers buy different types of agricultural crops like banana, eggplant, onion, ma and various kinds of sweets. There are also market places for livestock such as hen, duck, cows, goat, buffalo etc. Businessmen are collecting livestock from local market to send to capital city using the existing RHD road which is very narrow. Due to poor communication system, people have to sell the products to businessmen with a very low price.</p> <p>Currently, there are crises of agricultural inputs like seeds, pesticides, fertilizers, harvesting machines, power tillers, tractors, and irrigation equipment. Local farmers and</p>	<p>In Burimari land port area, one of the major professions is shop/hotel owners with the highest percentage of 20%. Followed by agriculturists (18.95%) and labors (16.84%). The lowest percentage (1.05%) is farmers, teachers and home businesses. 24.21% are other professions like helping hand, rickshaw puller, Govt employee, etc.</p> <p>In Bhomra land port area, 95% of professions reported in the survey HH where 527 respondents participated. In professions 21.25% are laborers, which is the major profession there, agriculturists (12.23%, 9.68% are private employees, 7.02% are small business holders, 8.54% students</p>

	<p>businessmen believe that proposed four lane RHD roads will improve their marketing network for produced agricultural goods and products; whole sellers can directly purchase agro products from local villages and ensure fair price of the locally produced products; crops intensity and crop productivity will be increased.</p> <p>Moreover, local farmers have to pay more transportation cost carrying non-durable goods like milk, vegetables, and different types of fruits to the upazila and district market places. They have to use non-motorized vehicles like rickshaw, van, bi-cycle etc. for transportation in the RHD road where possibility of accident is high. A total of 904 affected business units will be affected either temporarily or permanently.</p>	<p>5.69% is raising livestock and rest of the 35.52% are from other professions.</p>
<b>Infrastructure</b>	<p>Majority of the infrastructures in the project areas are tin-made (around 70%) used for commercial purposes. About 26% of the affected structure area is of residential houses against 69% of the total affected area used for commercial purposes. Affected community structure area constitutes 4% of total structure area. According to the survey, 32% of the roadside structures are owned by squatters.</p>	<p>There are many road side shops affected by the project. These roads sides shops are the main source of livelihood for many low income people.</p> <p>Affected community structure area constitutes minimal of total structure area. According to the survey, 75% of the roadside structures are owned by encroachers.</p>
<b>Occupation</b>	<p>The business being the main occupation for about 82% affected HHHs, of whom 14% are female, 8% are service holders, and about 5% are either retired from a job or incapable due to old age. About 80% of female HHHs are housewives, and about 3% are service holders. Agricultural farming seems to be the least pursued occupation. There are lack of opportunities for small scale investment in petty business like trading fruits, vegetables, retailing of fish and agriculture products. Small and marginal farmers are not motivated to produce agricultural products as they don't get fair price. However, If the proposed roads under RHD component are constructed, it is expected that farmers will be able to employ labors from and vulnerable families, transport owners will be</p>	<p>In Burimari land port area One of the major professions is shop/hotel owners having highest percentage of 20%. Followed by agriculturists (18.95%) and labors (16.84%). The lowest percentage (1.05%) is of farmers, teachers and home businesses.24.21% are other professions like helping hand, rickshaw puller, and Govt employee etc. In Bhomra land port area, 95% of professions reported in the survey HH where 527 respondents participated. In professions 21.25% are labors which is the major profession there, agriculturists (12.23%, 9.68% are private employee,7.02% are small business holders, 8.54%students 5.69% is raising</p>

	<p>increased and they will engage more local people from the vulnerable group. According to the local people, if the RHD roads are constructed, the transport system will be developed, new industries will be established, and female participation at different sectors will increase. Lots of people will be engaged with the commercial activities like transportation business, transporting agricultural products through-out the country. New hotels, restaurants, pharmacies, poultry, hatchery, rice mill, saw mill, oil mill, etc. will create jobs.</p>	<p>livestock and rest of the 35.52% are from other professions.</p>
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## 2.2 Potential Impacts and Risks

23. RHD and BLPA are in process to finalize the Right of Way (RoW) or land port boundaries and exact location of the proposed changes following which actual project impacts will be identified based on Census, Inventory of Loses (IOL) and Socio Economic Survey (SES). The potential risks and impacts may include: (i) land acquisition, and involuntary resettlement impacts along the expanded right-of-Way (ROW); (ii) permanent and/or temporary physical displacement of residential and commercial structures including the Common Property Resources (CPR); (iii) temporary economic displacement of some vendors and businesses along the ROW and in adjacent market areas; (iv) Loss of trees and crops (iv) Risk of SEA/SH and road accidents. However, during the operation & maintenance phase, impacts to the economy from improved roads connectivity, road safety and new infrastructure are expected to be positive.
24. Due to the nature and scale of the program, the overall environmental and social risk rating for the project is assessed 'Substantial', largely due to social risks and impacts from land acquisition and the consequent physical and economic displacement, involuntary resettlement and the implications on livelihoods of the PAPs, particularly at the Bhomra and Benapole land port and Sylhet-Sheola road. The risk categorization also considers the limited capacity of IAs on E&S risk management, particularly regarding the provisions of Bank's ESF and specifically, the ESS5. A summary of potential impacts and risk under BLPA and RHD components is given below:

**Table 03: Potential impacts and risk**

Components	Potential interventions	Possible impacts and Risks
<b>Sub-component 2a: Resilient land port infrastructure development at Benapole, Bhomra, and Burimari (BLPA)</b>	<ul style="list-style-type: none"> <li>Build resilient land port infrastructure (by BLPA) by upgrading 3 land ports infrastructure, systems, and processes</li> </ul>	<ul style="list-style-type: none"> <li>Impact on land acquisition</li> <li>Disputes due to non-presence of tittle</li> <li>Impact on land, structures, trees, income generating opportunities and livelihood resources in the project area</li> </ul>
<b>AND</b>	<ul style="list-style-type: none"> <li>Separate Slow-Moving Vehicle Traffic (SMVT) lanes will be introduced on both sides of the main carriageway</li> </ul>	<ul style="list-style-type: none"> <li>Increase of vulnerability</li> <li>Risk of forced eviction</li> <li>Eviction of squatters and street</li> </ul>
<b>Subcomponent 2c: Regional connectivity infrastructure (RHD)</b>		<b>Vendors</b> <ul style="list-style-type: none"> <li>Temporary economic displacement</li> </ul>

25. Upgrading the existing road and infrastructure may traverse through small and large scale business, few residential settlements, CPRs, and agriculture land, which may involve significant adverse social impacts and risks at various levels during construction and operations. Overall, the proposed planned work is expected to be significant in terms of impacts. However, during detail design stage, the project will try to use GoB land as much as possible. Laying duct at the time of road construction would allow for significant cost savings. Studies have shown that coordinating duct rollout with road construction adds only 0.9-2 percent to the total cost of the road. This program will, in general, discourage land acquisition and will do so only when no alternative are available and adequate mitigation and compensation measures have been put into place for the PAPs. There is no provision of voluntary land donation in this project, but in cases when these happens, it will be subject to strict scrutiny and prior approval by the World Bank will be required. In all cases, land acquisition cannot result in a person or household being worse off than pre-project levels and adequate measures will be put into place to compensate the PAPs.
26. During the construction if heavy machineries are required to use private lands temporarily for moving to the sites and affect structures, trees or any other assets, the contractors will require to secure written consent and permission from the land owners. Any construction induced permanent and/or temporary impacts i. e: damages of crops, trees, structures, livelihood must be addressed according to the entitlement matrix suggested with Table 07.
27. ACCESS phase 01 program for project implementation will involve physical displacement of roadside shops, residential and commercial buildings, business enterprises, petrol and CNG filling stations etc. Among the roadside shops and markets like tea stalls, grocery shop, vegetables, motor vehicle repairing shops and mobile vendors, etc., will be mostly affected. The majority of them are found in temporary sheds made of CI sheet and wood/bamboo. Some roadside mobile vendors were identified during the field visit, who regularly sit in the roadside markets once weekly or daily. These vendors do not own any structures; they can move their baskets, but they will temporarily lose business due to the project. Non-titled persons (squatters) will receive compensation for lost housing, business, and other productive means or livelihood opportunities lost through relocation. Any damages on the structures or income will be compensated. Majority of the structures used by the vendors and/or squatters shiftable.

## Chapter 3: Policy, Legal and Principles Governing Resettlement

### 3.1 Land Acquisition policy and laws of Bangladesh

28. Principles related to land acquisition and involuntary displacement of people ensure management of involuntary resettlement and restoration of project-affected persons' livelihood (PAPs). The resettlement principles adopted for the project recognizes the Acquisition and Requisition of Immovable Property Act 2007 (ARIPA 2017), the requirements of the World Bank environmental and social standard on land acquisition, restrict on land use and involuntary resettlement (ESS5) and responding to the relevant local laws, policies and guidelines related to citizen participation and complaints hearing in development processes. The RPF has been prepared based on the general findings of the review of existing experience and consultations with selected stakeholders' groups as a guide for compensation, resettlement, and livelihood restoration of PAPs. This RPF applies to relevant components of the Project causing land acquisition and involuntary resettlement.
29. The Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing eminent domain for land acquisition and requisition in Bangladesh. ARIPA 2017, detailed the land acquisition process from section 4 to section 19. According to ARIPA 2017, compensation to be paid for affected land, structures, trees, crops and any other damages caused by such acquisition. Under the ARIPA 2017, the Deputy Commissioner (DC) determines the value of the acquired assets as at the date of issuing the notice of acquisition under section 4(1).
30. The DCs thereafter enhance the assessed value by 200% and another 100% premium for loss of standing crops, structures and income due to compulsory nature of the acquisition. The compensation such determined is called the Cash Compensation under Law (CCL). If the land acquired has standing crops cultivated by a tenant (Bargadar) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. ARIPA 2017 under section 4 (13) permits the acquisition of the community properties if it is for a public purpose provided that project for which the land is acquired provides for similar types of assets in some other appropriate place or reconstruct the community properties.
31. The Ministry of Land (MoL) is authorized to deal with land acquisition. The MoL delegates some of its authority to the Commissioner at Divisional level and to the Deputy Commissioner at the District level. The DCs are empowered by the MoL to process land acquisition under the ARIPA 2017 and pay compensation to the legal owners of the acquired property. Khas (government owned land) lands should be acquired first when a project requires both khas and private land. If a project requires only khas land, the land will be transferred through an inter-ministerial meeting following the acquisition proposal submitted to DC or MoL, as the case may be. The DC is empowered to acquire a maximum of 50 standard bigha (6.75 ha) of land without any objection where the Divisional Commissioner is involved for final decision. Acquisition of land more than 50 standard bigha is approved from the central Government of Bangladesh proposed by the Ministry of Land with concurrence from the Prime Minister's Office (PMO).
32. The land owner needs to establish ownership by producing record-of-rights to be eligible for compensation under the law. The record of rights prepared under the State Acquisition and Tenancy Act 1950 (revised 1994) are not always updated and as a result, legal land owners have faced difficulties trying to "prove" ownership. The project affected person (PAP) has also to produce rent receipt or receipt of land development tax, and where applicable duplicate carbon receipt (DCR) in proof of payment of revenue charges for mutation of land holding. Land holding under 25 standard bigha (3.37 ha) being exempted from LD Tax, the concern owners need to obtain certificate from the land revenue office to that effect.
33. Households and assets moved from land already acquired in the past for project purposes and/or government khas land are not included in the acquisition proposal and therefore excluded for considerations for compensation under the law. Lands acquired for a particular public purpose cannot be used for any other purpose. Furthermore, the Act under its section 15 provides for the acquisition of entire houses/buildings if their owners request to acquire the entire house or

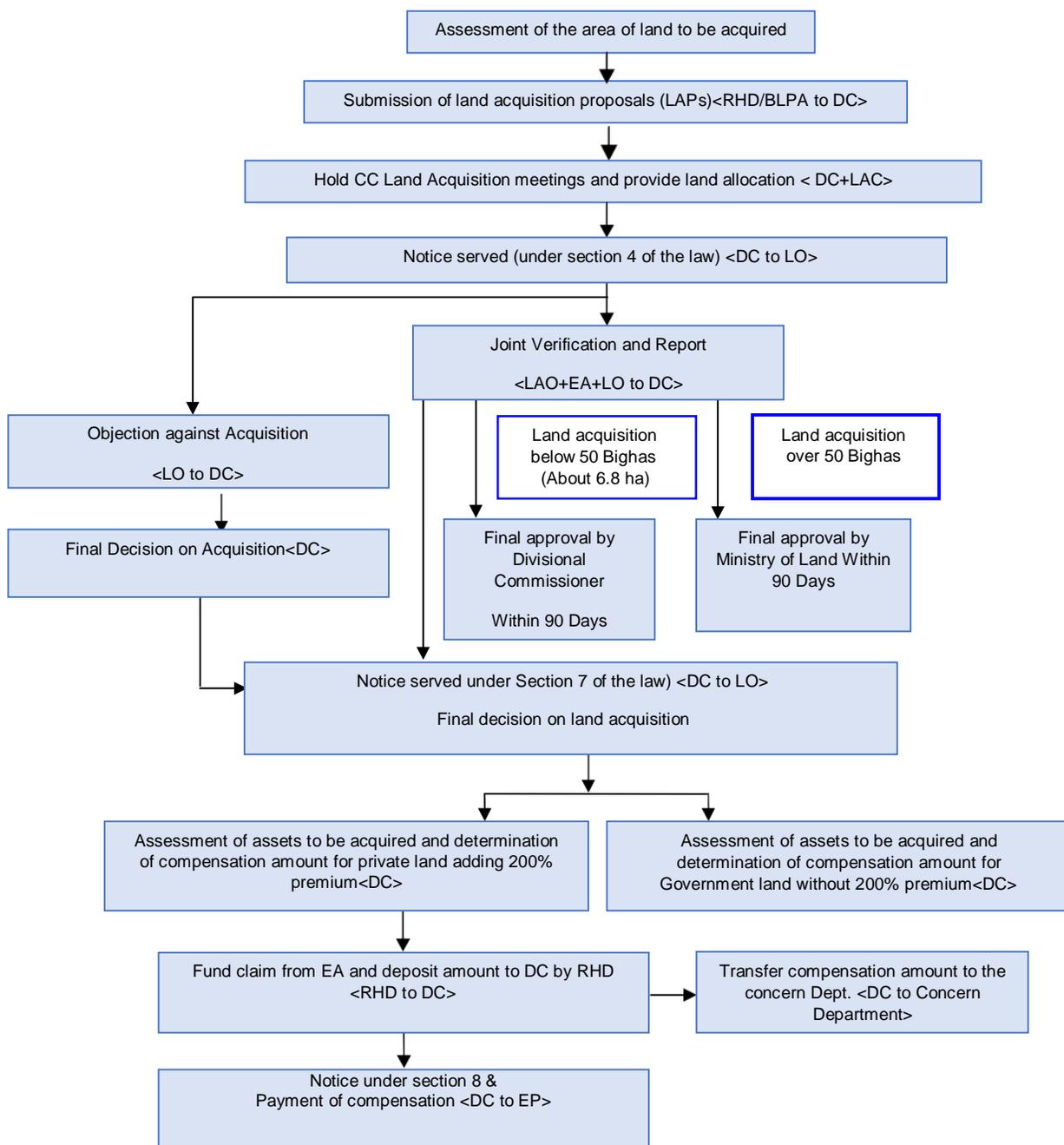
building against partial acquisition. The government is obliged to pay compensation for the assets acquired.

**Table 04: Land Acquisition Process under ARIPA, 2017**

Relevant Section	Steps in the process	Responsibility under ARIPA,
<b>Section 4(1)</b>	Publication of preliminary notice of acquisition of property for a public purpose	Deputy Commissioner
<b>Section 4 (3) (1) (i)</b>	Prior to the publication of section 4(1) notice; Identify the present status of the land, structures and trees through videography, still pictures or appropriate technology.	Deputy Commissioner
<b>Section 4 (3) (1) (ii)</b>	After the publication of the section 4(1) notice a joint verification should be conducted with potentially affected households and relevant organizations.	Deputy Commissioner
<b>Section 4 (7)</b>	After publication of preliminary notice under the section 4(1), if any household has changed the status of the land for beneficial purposes, changed status will not be added to the joint verification notice.	Deputy Commissioner
<b>Section 4 (8)</b>	If the affected person is not happy with the joint verification assessment, he/she can complain to Deputy Commissioner within 7 days of issuing sec 4(1) notice.	Affected Person
<b>Section 4 (9)</b>	Hearing by Deputy Commissioner within 15 working days after receiving the complaints. In case of government priority projects, hearing will be within 10 working days.	Deputy Commissioner
<b>Section 5 (1)</b>	Objections to acquisition by interested parties, within 15 days of the issue of section 4 (1) Notice	Affected Person
<b>Section 5 (2)</b>	Deputy Commissioner submits hearing report within 30 working days after the date of the sec 5(1) notice. In the case of government priority projects, it will be within 15 working days.	Deputy Commissioner
<b>Section 5 (3)</b>	DC submits his report to the (i) Government (for properties that exceed 16.50 acres; (ii) Divisional Commissioner for properties that do not exceed 50 standard bighas. Deputy Commissioner makes the final decision If no objections were raised within 30 days of inquiry. In case of government priority project, it will be 15 working days	Deputy Commissioner
<b>Section 6 (1) (1)</b>	Government makes the final decision on acquisition within 60 working days after receiving report from the Deputy Commissioner under sec 5(3) notice.	Government
<b>Section 6 (1) (2)</b>	Divisional Commissioner makes the decision within 15 days or with reasons within 30 days since the submission of the report by Deputy Commissioner under sec 5(3) notice.	Divisional Commissioner
<b>Section 7 (1)</b>	Publication of the Notice of final decision to acquire the property and notifying the interested parties to submit their claims for compensation	Deputy Commissioner
<b>Section 7 (2)</b>	Interested parties submit their interests in the property and claims for compensation within 15 working days (in case of priority project 7 days).	Affected Person
<b>Section 7 (3)</b>	Individual notices have to be served to all interested persons including the shareholders within 15 days of issuing Section 7(1) notice.	Deputy Commissioner
<b>Section 8 (1)</b>	Deputy Commissioner makes a valuation of the property to be acquired as at the date of issuing Section 4 Notice; determine the compensation; and apportionment of compensation among parties interested.	Deputy Commissioner
<b>Section 8 (3)</b>	DC informs the award of compensation to the interested parties and sends the estimate of compensation to the requiring agency/person within 7 days of making the compensation decision	Deputy Commissioner
<b>Section 8 (4)</b>	The requiring agency/person deposits the estimated award of compensation with the Deputy Commissioner within 120 days of receiving the estimate.	Deputy Commissioner

<b>Section 9 (1)</b>	During valuation of assets, Deputy Commissioner will consider the following: (i) Average market price of land of the same category in the last 12 months; (ii) Impact on existing crops and trees; (iii) Impact on other remaining adjacent properties; (iv) Impact on properties and income; and (v) Relocation cost for businesses, residential dwellings etc.	Deputy Commissioner
<b>Section 9 (2)</b>	Additional 200% compensation on current mouza rate is added to the estimated value. If private organizations acquire, added compensation will be 300%.	Deputy Commissioner
<b>Section 9 (3)</b>	Additional 100% compensation on top of the current market price for impacts mentioned under sec 9(1) and (2).	Deputy Commissioner
<b>Section 9 (4)</b>	Appropriate action should be taken for relocation on top of the above mentioned sub-sections.	
<b>Section 10 (2)</b>	If an entitled person does not consent to receive compensation, or if there is no competent person to receive compensation, or in the case of any dispute with the title to receive compensation, Deputy Commissioner deposits the compensation amount in a deposit account in the Public Account and Deputy Commissioner acquires the land. But if any person complains about the ownership of the land, with appeal, he/she will be able to collect the amount from Deputy Commissioner. There is no fixed time for this.	Deputy Commissioner
<b>Section 11 (1)</b>	Deputy Commissioner awards the compensation to entitled parties within 60 days of receiving the deposit from the requiring agency/person.	Deputy Commissioner
<b>Section 12</b>	When the property acquired contains standing crops cultivated by bargadar (shareholders), such portion of the compensation will be determined by the Deputy Commissioner and will be paid to the bargadar in cash.	Deputy Commissioner

*According to the initial field screening, no tribal people are expected to be affected by the road project of RHD neither by the expansion work of the 3 land ports by the BLPA. However, if tribal people are identified during census and socio-economic survey, a separate SEVCDF will be prepared following the guidelines of ESS7 and thus detailed legal framework will be described.*



(EA=Executing Agency DC=Deputy Commission)

Figure 01: Land Acquisition and Compensation Payment Process under ARIPA, 2017

### 3.2 The World Bank environment and social standards

34. Since October 2018, all World Bank funded Investment Project Financing (IPF) are required to follow the Environmental and Social Framework (ESF) consisting ten (10) Environment and Social Standards (ESS). These ESSs set out their requirement for the borrowers to identify and assess environmental

and social risks and impacts associated with any project. The ESSs support the borrowers in achieving good international practice relating to environmental and social sustainability, assist them in fulfilling their national and international environmental and social obligations, enhance transparency and accountability and ensure sustainable development outcome through ongoing stakeholder engagement. Among the 10 standards, ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and land use restrictions can adversely impact communities and persons. IAs have prepared this RPF following the guidelines suggested under ESS5.

### 3.2.1 Objectives of ESS 5

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;
- To avoid forced eviction;
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

### 3.2.2 Applicability of ESS 5

35. ESS5 will apply as the direct social and economic impacts of a project that are permanent or temporary and are caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (iv) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. The ESS5 also applies in case any subproject activities found as 'linked' or 'associated facility'. This ESS requirements and provisions apply to all components of IAs that result in involuntary resettlement, regardless of the source of financing. This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:

- Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
- Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to settle would have resulted in expropriation or other compulsory procedures;
- Restrictions on land use and access to natural resources cause a community or groups to lose resource usage where they have traditional or customary tenure or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
- Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;

- Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
- Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
- Land acquisition or land use restrictions occurring prior to the project were undertaken or initiated in anticipation of, or preparation for, the project.

36. **Forced eviction:** The RHD and BLPA will not resort to forced evictions of affected persons. The exercise of eminent domain, compulsory acquisition or similar powers by DC will not be considered to be forcedeviction providing it complies with the requirements of ARIPA 2017 and the provisions of this ESS, and is conducted in a manner consistent with basic principles of due process. Due process is including the following types of procedural protections:

- consultation with all affected household;
- adequate and reasonable notice for all affected persons prior to the scheduled date ofeviction;
- information on the proposed evictions;
- where groups of people are involved impartial observers will be presented during eviction;
- all persons carrying out the eviction will be properly identified;
- evictions are not to take place in inclement weather or at night, or during festivals orholidays unless the affected persons consent otherwise;
- provision of legal remedies; and
- provision, where possible, of legal aid to persons who are in need of it to seek redress fromthe courts.

### 3.3 Gaps between ESS5 and ARIPA 2017 and Gap filling measures

37. The following are the key gaps of the ARIPA, 2017 vis-a-vis the World Bank ESS5 are presented below.

**Table 05: Gaps between GOB policies/act and ESS5**

Sl.	Gaps between WB ESS 5 and ARIPA 2017	Gap-filling measures/actions taken in this Project
1	Gaps with regard to avoidance and minimized project impacts	The project designs adopted aimed to minimize impacts and adjusted tracks and station design further to reduce impacts and risk
2	ARIPA 2017 does not require the preparation of resettlement plan or resettlement action plan (RAP)	RAP/s will be prepared for all sub-projects interventions and without the approval of RAP/s by the bank, construction works will not be started
3	ARIPA 2017 recognize title owners only; informal settlers are not covered. DC declare cut-off date only for title-holders	All affected persons including titled, non-titled, encroachers will be identified for the compensation and assistance at full replacement cost Cut-off date for non-title holder will be consider the date of census survey
4	Existing acts and methods of assessments do not ensure full replacement costs and transitional support	If the compensation according to the ARIPA 2017 do not meet the replacement cost, additional top-up payments will ensure replacement cost at current market price together with transitional support

5	No provisions in ARIPA 2017 for Land-for-land replacement to mitigate the losses of PAPs, especially the vulnerable groups, whose livelihood depends mainly on farming / land	Land-for-land replacement will be offered to the affected persons, especially the vulnerable groups, whose livelihood depends mainly on farming/land, subject to availability of such land. The replacement land will of similar or comparable value, of productive potential in case of agricultural land, locational advantages, and other relevant factors.
6	Consultation with affected communities not legally required under ARIPA 2017	Extensive consultations will be carried out during all phases of the project. A separate SEP will be prepared.
7	The affected land owners can object to the acquisition in the beginning, but once hearing is done and settled, there is no scope of further complaint during the acquisition process	There is a provision of two-tier grievance redress mechanism in the project. 1 <sup>st</sup> level GRC is local GRC (LGRC), and 2 <sup>nd</sup> level is PIU level. If not settled, people will first approach the local or site GRC and request to forward the case to PIU GRC. This GRC will also hear complaints related to land acquisition also.
8	Relocation assistance or support allowed for tittle holders only under ARIPA 2017. No support is allowed for the squatters/illegal occupants	Affected households and businesses will receive relocation assistance and support from the project irrespective of titled, non-titled, encroachers etc.
9	Income and livelihood restoration assistance is restricted only to additional 100% compensation	Project benefits include income and livelihood restoration, including training for alternative incomes, andseed grants for small businesses. Vulnerable people will be also included livelihood restoration program
10	There is no policy against land restriction and force eviction	Force eviction and land restriction is not allowed in this project. However, the exercise of eminent domain, compulsory acquisition or similar powers by DC will not be considered to be forced eviction providing it complies with the requirements of ARIPA 2017 and the provisions of this ESS, and is conducted in a manner consistent with basic principles of due process (process are described with Section 3.4.2
11	ARIPA 2017 do not consider/recognize impacts imposed by the associate facilities. The act even doesnt explicitly cover restriction of accessas an impact that would require compensation or resettlement	Following ARIPA 2017 and ESS5, will be taken and impact and risk assessment will be conducted for the associated facilities as well. Impact and risk assessment will be also conducted for any kind of “restriction of access” by the project. This RPF will be applied by all 3 implementing agencies.
12	ARIPA 2017 does not have anyprovision to give special attention to the vulnerable groups like women,disables, ultra-poor or disadvantaged group	The project will take special attention for the vulnerable people and groups for i.e. additional grant, livelihood training, job opportunities during construction etc.

**IAs will ensure implementation of the followings for different interventions:**

38. **Project design:** IAs will try to avoid involuntary land acquisition or restrictions on land use. For this purpose, both will consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement. The overall principle will be to balance the environmental, social, and financial costs and benefits, while paying particular attention to impacts on the women, poor and vulnerable.
39. **Compensation and benefits for affected persons:** All lands proposed to be acquired, requisitioned, affected structures, trees, business, community property and crops under the Project will be compensated as per replacement cost consistent with both government and ESS5. When land

acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, both will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods to the pre-project level. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculating compensation will be documented, and compensation distributed according to transparent procedures.

40. **Impacts on Temples, Mosques, Madrasahs and Grave:** It is expected that a number of community properties will be affected due to project interventions. The project will provide compensation and relocation assistance to all community groups for respective community facilities. The social and environmental cell of RHD and BLPA with the support of PIU and implementing /firm will provide all necessary assistance including finding out alternative sites for relocation of the establishments.
41. Some of the CPRs may be very sensitive on religious and social ground and will require consultation with the management committees and local people during relocation. Adequate funds for compensation will be kept in the budget for land acquisition and reconstruction, so that the committee may build new community structures.

#### **Measures for Relocation of the CPRs**

42. As per land acquisition law of Bangladesh Common Property Resources such as mosque, school, graveyard, madrasa, temple cannot be acquired without obtaining a no-objection certificate from the Management Committee of the concerned CPR. Nevertheless, CPRs would be relocated for execution of such development project. For relocation of these CPRs the following points should be taken into consideration:

- **Relocation of Mosques**

43. Each of the mosques has a management committee. The mosques are being maintained with financial assistance of the local people. This is a very sensitive religious institution in this almost exclusively Muslim community. Muslims go to the mosque to pray five times in a day. Therefore, the management committee and the mosque users must be consulted before acquiring the mosque and during the relocation process. Before shifting the existing mosque, a new one will have to be established to continue praying without interruption. It should be ensured that the new mosque would be of better quality than the previous one.

- **Relocation of Temple/Church**

44. As per land acquisition law, these cannot be acquired. But due to greater interest of the Project, the temples and church may be purchased in consultation with the concerned community. In that case, the temple and church management committee will be consulted before relocation and will need to provide the Project owners with a no-objection statement for acquisition of the Temple/Church. A new temple and church will be established in the respective communities with easy accessibility. The compensation will be paid to the management committee in case of the community-operated temples and churches. In the case of a family-operated temple the project will pay compensation and reestablishment of such is the responsibility of the HH operating the temple after compensation is paid to them.

- **Relocation of Graveyard/Mazar/cremation ground**

45. According to the GoB ARIPA 2017, the Project cannot acquire graveyards. But in many projects with an extensive RAP, graveyards have been relocated with the cooperation of the local people. The community and the graveyard/mazar/cremation ground management committee will be consulted in detail regarding the relocation. The religious leaders will be included in the decision making process and the Project will bear all costs for relocation.

46. The following steps will be followed during relocation of the graveyard:
- The affected community will identify an alternate location
  - The Project will buy or acquire or take possession of the alternative land for relocation of the graveyard
  - The Project will develop the graveyard with all infrastructures available in the present one; at least up to the existing standard, if possible, with improved conditions such as boundary wall, levelling of land, inside paths, mosque or other infrastructures related to a graveyard
  - The Project will transfer all the top soils from the existing graveyard (one-meter depth) to the new one by following religious customs and norms
47. All these steps will either be undertaken by the PIU or the management committee with full compensation depending on the agreement reached by both parties. The IAs will have a big role in liaison with the community and ensuring all necessary support as required and desired by the affected community. The SEC and the Grievance Redress Committee (GRC) will have an important role in this respect.
48. Compensation will be made to the management committee covering the land, boundary wall, inside paths and other infrastructures, trees (if any in the affected graveyard), registration cost, stamp duty to buy new land, and any other losses identified.
49. **Public services and facilities:** Public services and facilities interrupted and/ or relocated due to relocation will be fully restored and re-established at their original location or a relocation site. All RPF compensation, relocation, restoration and rehabilitation provisions apply to public services and facilities. These include but are not limited to schools, health centers, parks, community centers, local government administration, water supply, shrine and graveyards. However, for graveyard, the consent of the religious persons, local persons, and local administration will be sought to mitigate the impact. Impacts on religious sites will be avoided as much as possible.
50. **Vulnerable PAs:** All vulnerable PAs including disabled-headed, elderly-headed and poor household etc are entitled to livelihood restoration/ improvement support in the form of cash, job-placement, and additional financial support in the form of grants for investments in business or re-employment related equipment and buildings, as well as organizational and logistical support to establish the PAP in an alternative income generation activity.
51. **Small ethnic communities:** No small ethnic communities are identified in the potential project areas during initial screenings and consultations. However, PIUs will conduct social surveys including census during the preparation of the RAP and if any household belonging to small ethnic communities are found then actions will be taken to ensure appropriate dialogues with them and include necessary measures in the RAP. The development of a detailed SEVCDF (i.e tribes, minor races, ethnic sects and communities) may require to be prepared as per Bank's ESS7 with the provision of free, prior and informed consent as appropriate.
52. **Affected Women and Female-headed households:** To ensure a clear understanding and due consideration of specific relocation and/ or resettlement impacts on displaced women and to safeguard their livelihoods, specific provisions for women will be adopted for the resettlement process, including (i) enumeration of all women and, if applicable, of their status as heads of household or otherwise vulnerable persons; (ii) collection of gender disaggregated socio-economic data; (iii) consultation of women in joint or separate meetings; (iv) due consideration of grievances lodged by women; and (iv) provision of compensation and/ or new titles to women if they are titled or recognized owners of lost assets, and provisions of restoration and rehabilitation measures to women, if households are female headed or women's livelihood is directly concerned. The RAP for relevant activities will detail the scope of impacts on women including intra-household analysis and

where required gender action plans will be prepared, implemented and monitored within or outside RAPs.

53. **Community engagement:** The IAs will engage with affected communities through the process of stakeholder engagement described in ESS10 on Stakeholder Engagement and Information Disclosure. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives for the different categories of the PAPs. The engagement process and procedures will also include differentiated methods for the vulnerable and disadvantaged PAPs that are detailed in the SEP. Disclosure of relevant information and meaningful participation of affected communities and persons will occur during the consideration of alternative project designs throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.
54. **Grievance redress mechanism (GRM):** IAs will ensure that a grievance redress mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes impartially. The ARIPA 2017 allows objections by the landowners to acquisitions at the beginning of the legal process. Once the objections are heard and disposed of, there is virtually no provision to address grievances and complaints that individual landowners may bring up in the later stages of the process. Since the act does not recognize them, there is no mechanism to hear and redress grievances of people who do not have legal titles to the acquired lands.
55. IAs will establish a procedure to deal with and resolve any queries and address complaints and grievances about any irregularities in applying the guidelines adopted in this RAP for assessment and mitigation of social and environmental impacts through grievance redress mechanism (GRM). The GRM will deal with complaints and grievances related to both social/resettlement and environmental issues in this Project. Grievance redress committees (GRC) will be formed to receive and resolve complaints as well as grievances from aggrieved persons from the local stakeholders including the project-affected persons. Based on consensus, the procedure will help resolve issues/conflicts amicably and quickly, saving the aggrieved persons from resorting to expensive, time-consuming legal actions. However, the procedure will not pre-empt a person's right to go to law courts. There will be two-tier grievance redress mechanism; 1<sup>st</sup> at local/ site level, and 2<sup>nd</sup> at PIU level.
56. **Planning and implementation:** Where land acquisition or restrictions on land use are unavoidable, PIUs will, as part of the environmental and social assessment, conduct census, inventory of losses (IOL) and socio-economic survey (SES) to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits. The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. The PIUs will establish a cutoff date for eligibility in conjunction with the census. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal.

## Chapter 4: Resettlement planning procedures

### 4.1 Resettlement and Relocation Process

57. The components and subcomponents with physical works/interventions require screening. The social screening will occur during the project preparation stage as soon as fairly accurate site location(s) is (are) known for the sub-project.
58. The social screening will provide a preliminary assessment of the potential impacts of the sub-project. PIU with the support of PIC will conduct the screening. The screening will help identify issues that can be verified during field investigations and provide a preliminary idea regarding the nature, extent, and timing of social issues that would need to be handled during the subsequent stages.
59. It will also help to identify opportunities for avoidance or minimization early in the project cycle so that the design process can be informed appropriately. The screening will also help to identify the scope of further assessments and timeframe required for obtaining the regulatory clearances (if any). If further assessments and plans (such as RAP, ARAP, etc.) are deemed necessary, these plans will be prepared according to the guidelines provided in this RPF.
60. So at the identification stage, BLPA and RHD will conducted screening and following steps will be followed:

**Table 06: Resettlement Planning, responsibility and timing**

Screening and Preparation Step	Responsibility	Timing
<b>Identification of Sub-Project (form provided in Appendix 2 of RPF)</b>	Project Implementation Committee (PIC) and Project Implementation Unit (PIU) together with relevant experts in the E&S Cell (i.e. of BLPA/ Unit (i.e. RSEC for RHD)	After identification of potential location(s) in consultations with the local people
<b>Census, SES, IOL and Property Valuation Survey</b>	Once the project location is identified, E&S Cell / Unit with the support of RAP preparation agency will conduct relevant surveys. During the survey, Social Specialists and Gender Specialist will conduct consultation meetings with the local people and affected HHs.	Within 2 weeks of finalizing the project locations(s)
<b>Preparation of specific plans and instruments (RAP, LAP)</b>	Based on the survey outcomes and qualitative data from the consultation and following the guideline of RPF, RAP will be prepared. They will also prepare land acquisition plan with the support of implementing / firms and submit to DC office.	RAP/LAP will be prepared and approved before the invitation of bids for corresponding activities.
<b>Implementation of RAP</b>	Once the RAP is approved by the Project Director, PIU will implement the same with the support of INGO/Consulting Firm and DC office. World Bank E&S team will review the status of implementation through supervision.	Compensations will be paid prior to the award of the contract and commencement of the construction

### 4.2 Detailed Assessment and Survey

61. The PIUs will conduct census and socioeconomic survey(s), with appropriate socioeconomic baseline data to identify all persons affected by the project and assess their socio-economic impacts. Once the detailed design

is finalized, the required social census surveys will be conducted by the PIUs, if necessary, with the support of a consultancy firm or NGO. Based on this survey outcomes, a social impact assessment will be done, including potential social impacts, income and livelihood of displaced persons, and gender-disaggregated information pertaining to the affected persons' economic and socio-cultural conditions. The project's potential social impacts and risks will be assessed against the requirements presented in this RPF and applicable laws and regulations of the jurisdictions in which the project operates that pertain to involuntary resettlement matters.

62. The census will cover 100% of affected persons. The purpose of the census is to: (i) register who the potentially affected persons are; (ii) assess their income and livelihoods; and (iii) inventory of their assets affected due to the project; (iv) gender-disaggregated and where relevant ethnicity-disaggregated in case of presence of small ethnic communities, information pertaining to the economic and socio-cultural conditions of displaced persons. Before census survey, consultation must be conducted with all affected households. The baseline socioeconomic sample survey of affected persons aims to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socioeconomic status of affected persons. The survey will cover at least 30% of affected persons and 20% of significantly affected persons and rest 50% may cover samples from the project impact zone. The survey will also collect gender-disaggregated data to address gender issues in resettlement. The survey will carry out the following: (i) preparation of accurate maps of the subproject area; and (ii) analysis of social structures and income resources of the population.
63. As part of the social impact assessment, the PIUs will identify individuals and groups who may be differentially or disproportionately affected by the program because of their disadvantaged or vulnerable status. Where such individuals and groups are identified, PIUs will propose and implement targeted measures, so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in relation to sharing the benefits and opportunities resulting from development.
64. The census and socio-economic survey will identify-
- The scope and scale of land acquisition and impacts on structures and other fixed assets;
  - Any project imposed restrictions on use of, or access to, land or natural resources ;
  - Identifying public or community infrastructure, property or services that may be affected;
  - Characteristics of displaced HHs, baseline information's on livelihood and standards of living;
  - land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non- title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
  - the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
  - The social and cultural characteristics of displaced communities include a description of formal and informal institutions that may be relevant to the consultation strategy and designing and implementing the resettlement activities.

### **4.3 Valuation method**

#### **4.3.1 Valuation method for land**

65. In the event of permanent land acquisition of titled land, the first premise is provision of replacement land. If no alternative land is available within a reasonable distance such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be provided. This should be valued based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

66. In addition, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures). This will be calculated based on the price of making the permanent improvement at current prevailing market rates for labor, equipment and materials.
67. Where land lost is only a small proportion of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided should be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land). If land is required temporarily, standing crop will be compensated at fully matured market rate or government rate, whichever is higher. The compensation will be paid to the sharecroppers rather than the owner, where the tiller is not the owner (e.g. tenant or share cropper). Hence, there will be no adjustment in the terms of the rent of share cropping agreement. Aside from the payment for standing crop, the project will ensure that the land is returned to its original form so it is suitable to resume its former use.

#### 4.3.2 Valuation method for structure

68. Structures replacement values will be based on:
- Depreciation of the structures are not allowed.
  - Transition allowance will be provided, if a place needs to be rented before new house construction
  - Measurements of structures and detail of materials used.
  - Average replacement costs of different types of household buildings.
  - Structures are based on information on the numbers and types of materials used to construct different structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors, etc.). Prices of these items collected in different local markets.
  - Costs for transportation and delivery of these items to the acquired/ replacement land or building site.
  - Estimates of construction of new buildings including labor required.
  - Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household, or (ii) directly damaged by subproject activities.

#### 4.3.3 Valuation method for trees and crops

69. The current prices for the crops will be determined taking into account the forest and agricultural department recommended rate and the highest market price, whichever is higher. Where land is rented, 2 seasons or annual crop estimate will be compensated depending on the crop. Where land is owned, aside from the replacement land or cash compensation for land, the owner will also get compensation for 2 seasons or annual crop estimates depending on the crop. The crops used will be the ones that are currently or have most recently been cultivated on that land. In addition, PAPs will be encouraged to harvest their produce before loss of land. In order to ensure that this is possible, and that appropriate market prices are received for yields, there needs to be consultation beforehand so that harvesting can be properly planned. The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation should be updated to reflect values at the time compensation is paid.
70. All the affected trees within the RoW will be identified through census and IOL. For perennial trees, cash compensation at replacement cost is equivalent to current market value given the type, age, and productive value (future production) at the time of compensation. Timber trees will be based on diameter at four feet height at current market value.
71. Fruit trees will be compensated to the owner based on the price of a replacement sapling along with the annual value of the fruit produced by that tree for the number of years it will take the sapling to reach full maturity, using Government or highest market price, whichever is higher.

#### 4.4 Land Acquisition and Resettlement Planning

72. Proposed upgradation of the project road by RHD involves widening the existing ROW and straightening the existing alignment at places requiring 313.91 acres of additional land acquisition, affecting about 700 households (AHs) with various types of structures and physical assets on the land to be acquired. There are 16 community structures likely to be displaced due to land acquisition and about 2,500 families will lose agricultural land.
73. Proposed upgradation of the land ports by BLPA requiring about 100 acres approximately (to be finalized after the completion of the design) of additional land acquisition; which will affect about 50 households (AHs) (as per present plan – but this will increase/ decrease) with various types of structures and physical assets on the land to be acquired. There are 05 community structures likely to be displaced due to land acquisition and as per present status no families will lose agricultural land.
74. Land will be acquired for the project under the GoB's 'Acquisition and Requisition of Immovable Property Act 2017 (ARIPA'17). As the Executing Agency (EA) of the project, the respective IAs responsible for preparing the land acquisition proposal and implementing the RAP.
75. The IAs will engage an experienced non-government organization (NGO) or a consultancy firm to assist them in preparing LAP and implementing the RAP. The will assist IAs from preparation of land acquisition proposal and liaison with Deputy Commissioner's office to expedite and arrangements for land acquisition activities till handing over of Land to IAs from DC office and Gazette publication.

#### 4.5 Preparation of RAP

76. The RAP will be based on the social impact assessment and meaningful consultation with the affected persons. It will include the results and findings of the census of affected persons, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanisms, and results monitoring mechanisms. RAPs will comply with the principles outlined in this agreed RPF. Disbursement of compensation payments and entitlements will be made prior to displacement.
77. RAP will include measures to ensure that the affected persons are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives. During the identification of the impacts of resettlement and resettlement planning, and implementation, the EA will pay adequate attention to gender concerns, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms, to ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their incomes and living standards. The resettlement plan will specify the income and livelihoods restoration strategy, the institutional arrangements, the monitoring and reporting framework, the budget, and the time-bound implementation schedule. Guideline to prepare a RAP is in Appendix 2.

## Chapter 5: Entitlement and Eligibility Criteria

### 5.1 Principles

78. The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location. Meaningful consultations with the affected persons, local authorities, and community leaders will allow for establishing criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. Affected persons will be classified as:
- persons who have formal legal rights to land or assets
  - persons who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
  - Persons who have no recognizable legal right or claim to the land or assets they occupy or use.
79. Those covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF. Persons covered under (c) above are to be provided with resettlement assistance in place of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities and acceptable to the World Bank.
80. Persons who encroach on the area after the cut-off date are not entitled to compensation or resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land or had use of it, before the entitlement cut-off date.
81. Special attention would be given on women in general apart from women-headed households, who are able to directly receive compensation for their losses. No cultural/traditional barriers should affect the possibility of women (as married or single adult members of households) to receive compensation directly or jointly with their spouses, if married.
82. Following ESS5, the IA in coordination with the DC Office and the INGO would confirm that compensation payments are on time. If there is any undue delay the IA would negotiate with the DC Office so that the compensation entitlements would be adjusted to current (the then) market values to achieve the objective of paying for the loss of assets at full replacement cost.

### 5.2 Methods to Determine Cut-Off Date

83. Cut-off date is the date after which eligibility for compensation or resettlement assistance will not be considered. It will be established to identify the non-land assets that will qualify for compensation and discourage abuse of the mitigation policies by defrauding the project. Date of service of notice under Section 4 of Land Acquisition and Requisition of Property Act (ARIPA 2017) is considered as legal cut-off dates for the land owners. The 1<sup>st</sup> day of the census survey to be the cut-off date for the squatters and encroachers and recognized as social cut off dates.

### 5.3 Eligibility Criteria

84. The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers will be

compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

85. The PAPs who are entitled to compensation under the Project include:
- Persons (both female and male) whose structures are in part, or in total, affected temporarily or permanently by the Project;
  - Persons (both female and male) whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;
  - Persons (both female and male) whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
  - Persons (both female and male) whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
  - Persons (both female and male) whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
  - Persons (both female and male) whose access to community resources or property is affected in part, or in total, by the Project.
86. Other than PAPs, any entities affected by the project within the RoW are entitled for the compensation. If any Common Property Resources (CPR) are affected or unavoidable, according to section 4(13) and 20(1) of ARIPA 2017, CPRs can be acquired or requisitioned. However, before affecting any CPRs all compensation has to be paid and ensure that affected CPRs are reconstructed before dismantling or damaged. For example if any schools are affected by the project, a new school has to be constructed before demolishing the affected school.
87. Where land is to be acquired, titled or legal owner (both female and male) will receive compensation for land acquired by the Project at replacement cost. This will be in cash at replacement value or land-for-land with a combination of productive potential, location advantages, and other factors of which is at least equivalent to the advantages of the land taken to the satisfaction of the PAP (of equal size and/or productive value and be satisfactory to the PAP). Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.
88. Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to mitigate project impacts fully. Table 07 below presents the Project's entitlement matrix, based on potential losses.
89. Compensation eligibility will be limited by a cut-off date to be set for each subproject and PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. However, they will be given sufficient advance notice and requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated, and they will not pay any fine or sanction. Forced eviction will only be considered after all other efforts are exhausted.

#### **5.4 Determination and Payment of Top-up**

90. Where an owner loses lands and other assets in more than one mouza or land administration unit, the person will be counted once, and his/her top-up will be paid as a single amount. The amount of top-up payment to be received by the affected person will be determined by comparing the total amount of CCL paid by the DCs for lands and other assets acquired in all mouzas with the total replacement costs and/or market prices thereof. Top-up payment will be counted in a manner that positive differences will be counted as positive but negative differences will be calculated as zero. But suppose any PAP produces more than one CCL together (for one category of loss such as land or structure) before the RHD/BLPA/I for top-up payment where one CCL carries positive difference between CCL and RV and another carries negative difference. In that case, the top-

up amount will be calculated considering both CCL and if there is additional payment found from the calculation the PIUs will arrange for payment.

91. Where DC's CCL payment is not made together for all lands and other assets acquired from an owner due to legal disputes or other reasons, The PIUs will determine the top-up payment amount for the acquisitions as a whole, but pay on the lands and other assets for which CCL has been paid. Top-up for the rest will be paid whenever the CCL payment is made after resolution of the disputes. Compensations/entitlements due to the PAPs, including those who are not covered by the ARIPA 2017, but eligible according to this RAP and ESS 5, will be paid in full before they are evicted from the acquired private and public lands. Based on the principles proposed for impact mitigation, the following matrix defines the specific entitlements for different types of losses, entitled persons, and the institutional responsibility to implement them.

## 5.5 Entitlements matrix: Eligible PAPs, Assets and Compensation Guidelines

**Table 07: Eligibility and Entitlement Matrix**

Unit of Entitlement	Entitlements
<b>Impact category 1: Acquisition of agricultural, homestead, commercial, waterbodies (ponds) land</b>	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> <li>• Cash compensation under law (CCL) which includes 200% premium</li> <li>• If Replacement Value (RV) is higher than CCL, the difference will be paid by IAs</li> <li>• RV of land/agricultural land/ waterbody.</li> <li>• Stamp duty of registration cost (if any)</li> <li>• Relocation Allowance @ BDT 1000 (one thousand) per decimal/ perennial waterbody</li> <li>• Value of standing crops at current market price</li> <li>• Scope to resettle project sponsored residential resettlement site for legal homestead losers. If the remaining land is unusable, the compensation provided will be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land)</li> <li>• Land-for-land replacement will be offered to the affected persons, in particular the vulnerable groups, whose livelihood depends mainly on farming/land, in near vicinity with RHD and BLPA making their best efforts for it. The replacement land will of similar or comparable value, of productive potential in case of agricultural land, locational advantages, and other relevant factors.</li> </ul>
<b>Impact category 2: Requisition of agricultural, homestead, commercial, waterbodies (ponds) land</b>	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> <li>• Rental price of land as determined by DC in consultation with the land owners, BLPA and RHD following the guideline of ARIPA 2017</li> <li>• Replacement Value (RV) and dislocation Allowance as recommended by PVAC, if any assets other than the land is affected and required relocation.</li> <li>• If the land or assets are leased to third party, compensation to the third party and income loss to the owners will be paid as recommended by DC.</li> <li>• Land has to be returned to the owner as original condition, otherwise compensation has to be paid as decided by DC and land owner.</li> </ul>
<b>Impact category 3: Loss of residential, commercial structures with title to land</b>	
Legal owner(s) as identified by DC in the process of CCL payment.	<ul style="list-style-type: none"> <li>• Cash compensation under law (CCL) which includes 100% premium or RV whichever is higher.</li> <li>• If RV is higher than CCL, the difference will be paid by the PIUs as top-up.</li> <li>• Transfer Grant @ 2% of RV of affected structure.</li> <li>• Reconstruction Grant @ @ 5% of RC affected structure which will include land development, labor cost and transportation cost</li> <li>• In collaboration with the local government and RAC the IAs will make best efforts to identify alternative residential or commercial sites for the affected HHs.</li> <li>• Owner will be allowed to take away all salvageable materials free of cost.</li> <li>• Dismantling cost for non-shiftable structure will be determined by the PVAC based on the actual price and consultation with affected HHs.</li> </ul>
<b>Impact category 4: Loss of residential, commercial structures without title to land (squatters/vendors/encroachers)</b>	

<p>Non-titled persons owners, vendors and encroachers those own residential and commercial structures (shiftable and non-shiftable built on GoB land as found during census)</p>	<ul style="list-style-type: none"> <li>• Replacement value of the structure will be determined in consultation with affected HHs.</li> <li>• The consultation process should ensure that women’s perspectives are obtained and their interests factored into all aspects of resettlement planning and implementation.</li> <li>• Replacement cost should enable the affected person to purchase or construction of housing that meets acceptable minimum community standards of quality and safety.</li> <li>• Transaction costs should include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.</li> <li>• Transfer grant at actual cost which will include labor cost and transportation cost.</li> <li>• Special Allowance of BDT 20,000/- (twenty thousand) for disabled, elderly headed and very poor household for male and for female Tk. 30,000/=.</li> <li>• Three (3) months income; for large scale business 250,000/= and small scale 150,000/=.</li> <li>• For wage earner 90 day wage @ 500/= day and employee three (3) month’s salary.</li> <li>• Two (2) month’s rent for owner and tenants; additional 25% tenants as moving allowance.</li> <li>• Development, labor cost and transportation cost</li> <li>• RHD in collaboration with RSEC while BLPA with the E&amp;S Cell, and the respective local government will make best efforts to identify alternative residential or commercial sites for the affected HHs.</li> <li>• Owner will be allowed to take away all salvageable materials free of cost.</li> <li>• Dismantling cost for non-shiftable structure will be determined based on the actual price and consultation with affected HHs.</li> </ul>
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**Impact category 5: Loss of common property resources (CPR) with or without tittle to land**

<p>Legal owners (land, structures, trees <b>or any other assets</b>) identified by DC in the process of CCL payment.</p> <p>Socially recognized owners/non-titled (structures, trees <b>or any other assets</b>) affected on the ROW as identified by Census and verified by IVC.</p>	<ul style="list-style-type: none"> <li>• Cash compensation under law (CCL) which includes 200% premium for land (title holder).</li> <li>• If RV of land is higher than CCL, the difference will be paid by the PIUs as top-up.</li> <li>• Cash compensation under law (CCL) which includes 100% premium for assets other than land (title holder).</li> <li>• If RV of assets other than land is higher than CCL, the difference will be paid by the PIUs as top-up (title holder).</li> <li>• Replacement Value (RV) of structure, trees or any other assets other than land for non-titled holder.</li> <li>• Transfer Grant at actual cost which will include labor cost and transportation cost.</li> <li>• Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost.</li> <li>• Owner will be allowed to take away all salvageable materials free of cost.</li> <li>• Dismantling cost for non-shiftable structure will be determined by the PVAC/RSEC/E&amp;S Cell based on the actual price and consultation with affected HHs. Or</li> <li>• Project will construct a new community property in consultation with community and / or managing committee</li> <li>• No community property cannot be demolished until new one is constructed.</li> </ul>
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**Impact category 6: Loss of timber and fruit bearing trees, bamboo and banana groves**

<p>Legal owner(s) as identified by the DC in the process of CCL payment.</p> <p>Socially recognized owners of trees grown on public or other land, as identified by Census and verified by PVAC.</p>	<ol style="list-style-type: none"> <li>1. Timber trees and bamboo: RV of trees and bamboo.</li> <li>2. Fruit-bearing trees without timber: if the tree is at or near fruit-bearing stage, the estimated current market value of the fruit.</li> <li>3. Fruit-bearing trees with timber: RV for the timber, and estimated current market value of fruit.</li> <li>4. Banana groves: RV of all trees and estimated current value of one-time crop of each full-grown tree.</li> <li>5. Owners will be allowed to fell trees and take the timber, free of cost after payment of CCL or RV as applicable.</li> </ol>
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**Impact category 7: Loss of standing crops/fish stock**

<p>Owner cultivators as identified in joint verification by DC and the PIUs.</p> <p>Socially recognized owners of crops/fish stock as identified by Census and verified by PVAC.</p> <p>Sharecroppers</p>	<ol style="list-style-type: none"> <li>1. Cash compensation under law (CCL) which includes 100% premium for title holder and sharecroppers.</li> <li>2. 100% top-up payment on DC's CCL for legal owners and sharecroppers.</li> <li>3. Replacement value of crops if planted on GoB land by squatters and /or sharecroppers.</li> <li>4. 1 month advance notice to be issued in time to harvest standing crops. If not possible, the value of standing crops at full harvest value will be paid.</li> <li>5. RV of existing standing crops/fish stock.</li> <li>6. Owners will be allowed to harvest crops and fish stock.</li> </ol>
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**Impact category 8: Loss of leased /mortgaged in land/ponds**

<p>Leaseholder with legal papers.</p> <p>Socially recognized lessee or sharecropper, in case of customary informal tenancy arrangements, including socially recognized agreements.</p>	<ol style="list-style-type: none"> <li>1. RV of crops/fish stock.</li> <li>2. Outstanding lease money back to the lessee by the owner as per agreement.</li> <li>3. Dislocation allowance @ BDT 1000 per decimal of land/ pond area to be finalized as per the recommendation of PVC.</li> </ol>
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**Impact category 9: Loss of income from displaced commercial/ industrial premises (owner operated)**

Any proprietor or businessman or artisan operating in premises, at the time of issuance of Notice u/s 4 and/or during Census.	One time Assistance for alternate rental based on the average rental rate/month within the project influence area determined by PAVC and transitional allowance @ three months rental cost.
<b>Impact category 10: Temporary loss of income (wage earners in agriculture, commerce &amp; small business and industry) for title and non-title</b>	
Regular wage earners affected by the acquisition. Also applicable for non-titled	<ul style="list-style-type: none"> <li>Grant to cover temporary loss of regular wage income @ average wage/day prevalent at that point of time in the locality for 30 days for wage labour or as determined by PVAC/ E&amp;S Cell.</li> <li>Income and livelihood restoration assistance, to be created by the Project.</li> </ul>
<b>Impact category 11: Loss of income from rented -out and access to rented-in residential/ commercial premises</b>	
Owner of the rented-out premises as identified by Census and verified by PVAC. Household/person rented-in any such structure as identified by Census and verified by PVAC.	One time Assistance for alternate rental based on the average rental rate/month within the project influence area determined by PVAC and transitional allowance @ three months rental cost. Actual shifting assistance will be calculated and compensated.
<b>Impact category 12: Adverse Impact On Host Population Due To Relocation of PAPs</b>	
Households relocated to the host villages	Enhancement of carrying capacity of common civic amenities/utilities of the host communities as per assessment by the PIUs.
<b>Impact Category 13: Severely affected and Vulnerable HHs and livelihood assistance</b>	
Persons losing more than 10% of their income from all sources as identified by Census and verified by PVAC.  Squatters	<ol style="list-style-type: none"> <li>Income restoration grants for at least 6 (six) months based on 6 Manon the minimum wages prevalent at that point of time. Additional skill training and credit support under income generation program, as relevant/appropriate.</li> <li>Special Assistance of a one-time payment of BDT 50,000/- for vulnerable household as each female-headed, disabled-headed, elderly-headed and poor household as decided by RAC and/or PIU.</li> <li>All the vendors and squatters will be eligible for Skill training and credit support under income generation program.</li> </ol>
<b>Impact Category 14: UNFORESEEN ADVERSE IMPACTS</b>	
Households/persons affected by any unforeseen impact identified during RAP implementation	Entitlements will be determined as per the RPF.
<b>Impact category 15: Construction induced impact</b>	
Title and non-title land structure, tree and /or any type of assets owners	<ul style="list-style-type: none"> <li>RV of damaged land structure, tree, crops/fish stock and/or any type of assets owners as determined by IA and affected land/ asset owners.</li> <li>Owner will be allowed to take away all salvageable materials free of cost.</li> </ul>

## Chapter 6: Consultation and Participation

### 6.1 Purpose of stakeholder’s engagement:

92. This chapter mainly focuses on the people’s opinion about relocation, resettlement, project messages, planning about resettlement relocation of the displaced households.

### 6.2 Project Stakeholders

93. A summary of project stakeholders are given below. Detailed project stakeholder analysis are described with SEP.

**Table 08: Project stakeholder analysis**

<p><b>Subcomponent 2a: Resilient land port infrastructure development at Benapole, Bhomra, and Burimari (BLPA).</b></p> <p><b>Subcomponent 2c: Regional connectivity infrastructure (RHD)</b></p>	<ul style="list-style-type: none"> <li>• Directly project affected PAPs</li> <li>• Squatters and vulnerable HHs</li> <li>• Potential affected commercial HHs</li> <li>• District and Upazila Administration</li> <li>• Local Administration and Local municipality</li> <li>• Elected Officials and Local Politicians</li> <li>• Possible directly and indirectly affected CPR i.e educational, religious and health institutions;</li> <li>• PD and PIU-RHD/ BLPA, RHD/BLPA project officials, RSEC, CSC</li> <li>• DC and land office of the district.</li> </ul>
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94. During RPF preparation, IAs have conducted different consultation meetings and workshops with different stakeholders. RPF related issues were also raised, discussed and reflected in this RPF. This RPF will also be consulted with all relevant stakeholders. The discussion and the concerns and responses are extensively documented in SEP. A summary of consultation meetings and FGDs are in Annex 7 and 8.

**Table 09: Consultation Meetings and FGDs**

Date	Name of the IA	Meeting & Place	Participants (Male)	Participants (Female)	Total
10 December 2021	BLPA	FGD at Burimari Land Port with local community (Zero Point) (males only)	13	-	13
11 December 2021	BLPA	FGD at Conference Hall, Burimari Land Port with Importers and C&F Agents	10	-	10
11 December 2021	BLPA	FGD at Tatipara, Burimari Land Port with Community Elite Persons	10	-	10
11 December 2021	BLPA	FGD at Burimari Bazar with Truck Labor Association	07	-	07
11 December 2021	BLPA	FGD at Burimari Land Port with local community (Zero Point) (females only)	-	13	13
13 December 2021	BLPA	Consultation Meeting with stakeholders at Burimari Land Port	39	01	40

Date	Name of the IA	Meeting & Place	Participants (Male)	Participants (Female)	Total
24 January 2022	BLPA	Tower mor, Purbo para Jam-E Masque, Bhomra, Sadar, Satkhira	08	-	08
24 January 2022	BLPA	Labor Association Office, Bhomra	09	-	09
25 January 2022	BLPA	Jahangir Market, Bhomra Bazar, Sadar, Satkhira	09	-	09
26 January 2022	BLPA	Golam Eazuddin's house, Majherpara, Lakshmidari, North side of Bhomra zero point, Sadar, Satkhira	-	08	08
27 January 2022	BLPA	Golam Eazuddin's house, Majherpara, Lakshmidari, North side of Bhomra zero point, Sadar, Satkhira	10	-	10
06 February 2022	BLPA	Mst. Papiya Khatun's house yard, Near terminal gate no. 9, Benapole Land port, Boro Anchra, Benapole, Sharsha, Jessore	-	21	21
06 February 2022	BLPA	Nazmul Islam's house, Gatipara, Benapole, Sharsha, Jessore	22	-	22
07 February 2022	BLPA	Mr. Aminur Rahman's House, Terminal Para, gate 9, Benapole, Sharsha, Jessore	07	-	07
09 February 2022	BLPA	Benapole Labor Union Office	10	-	10
9 December, 2021	NBR	Online (Zoom); Consultations with the participants from IAs (focal person), government officials based in Dhaka Headquarters of relevant departments.	24	04	28
20 December, 2021	NBR	Conference Room, Custom House, Chattogram; Local level consultation with the participants of district level government officials of NBR, representatives of C&F Association, and representatives of Chattogram Women Chamber and Commerce.	18	04	22
29 April 2019	RHD	Public Consultation Meeting, Jhalopara Government Primary School	250	250	500
May 2021	RHD	Interview of GoB Official- Deputy Conservator, Sylhet	-	-	-
May 2021	RHD	Interview of GoB Official- Director, DOE	-	-	-
24 April 2019	RHD	FGD- Transport Workers- Golapganj, Sylhet	15	-	15
28 April 2019	RHD	FGD- Small/ Medium-level Businessperson- Phulbari, Golapganj, Sylhet	8	4	12
30 April 2019	RHD	FGD- Local people- Sylhet City Corporation	6	6	12
30 April 2019	RHD	FGD- Local people- Biyanibazar, Sylhet	6	6	12
1 May 2019	RHD	FGD- Small/ Medium-level Businessperson	10	7	17
4 May 2019	RHD	FGD- Businessperson and Transport Workers- Biyanibazar, Sylhet	10	3	13

Date	Name of the IA	Meeting & Place	Participants (Male)	Participants (Female)	Total
5 May 2019	RHD	Community Consultation- PAPs and community people- Biyanibazar, Sylhet	10	4	14

### 6.3 Outcomes of consultation meetings

95. During preparation of RPF, IAs have taken different stakeholders' opinion and those are incorporated with the entitlement matrix preparation. During consultation with different stakeholders, including land and structure owners, squatters, CPR management, wage earners, etc., BLPA and RHD has registered all the concerns raised by the potential affected people. The Project Displaced Persons (PDPs) particularly expressed high concerns of adversities they would be subjected to because of land acquisition and raised questions about compensation rates and payment process. The payment process in their views is lengthy, non-transparent and cumbersome on their part to prove legal ownership of land. Cited examples of long late receipt and/or even non-receipt any compensation for land previously acquired by other public agencies. All the concerns are in line with ESS5 mitigation measures policy, BLPA and RHD has incorporated those concerns with the entitlement matrix of this RPF. (Details are in Annex 7 and 8)

### 6.4 Future stakeholder engagement activities

96. Stakeholder engagement activities will need to provide stakeholder groups with relevant information and opportunities to voice their views on issues that matter to them. The activity types and their frequency are adapted to the three main project stages: project preparation (including design, procurement of contractors and supplies), construction, and operation and maintenance.

**Table 11: Future stakeholder engagement activities**

Target stakeholders	Topic(s) of engagement	Method(s) used	Responsibilities
<b>PREPATORY</b>			
<ul style="list-style-type: none"> <li>• People potentially affected by land acquisition</li> <li>• People residing in project area</li> <li>• Roadside residential and business squatters</li> <li>• Vulnerable households</li> </ul>	<ul style="list-style-type: none"> <li>• Land acquisition process</li> <li>• Assistance in gathering official documents for authorized land uses</li> <li>• Compensation rates, methodology</li> <li>• Resettlement principles</li> <li>• Resettlement and livelihood restoration options</li> <li>• Grievance mechanism process</li> </ul>	<ul style="list-style-type: none"> <li>• Face-to-face meetings</li> <li>• Disclosure of written information: brochures, posters, flyers, website Information boards or desks in local language</li> <li>• Grievance procedures through consultation, information brochures</li> <li>• The project would arrange separate consultation sessions for different target groups</li> </ul>	<ul style="list-style-type: none"> <li>• PIU</li> <li>• Specialists responsible for land acquisition</li> </ul>

Construction Phase			
<ul style="list-style-type: none"> <li>• People potentially affected by land acquisition</li> <li>• People residing in project area</li> <li>• Vulnerable households</li> <li>• Contractors</li> <li>• Local Government</li> <li>• DC office</li> </ul>	<ul style="list-style-type: none"> <li>• Grievance mechanism</li> <li>• Employment and/or livelihood opportunities</li> <li>• Health and safety impacts (RAP, Community H&amp;S)</li> </ul>	<ul style="list-style-type: none"> <li>• Separate meetings as needed for women and vulnerable</li> <li>• Individual outreach to PAPs as needed</li> <li>• Disclosure of written information: brochures, posters, flyers, website, Information boards in RHD and BLPA's local offices</li> <li>• Grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>• PIU, PIC Specialists responsible for land acquisition</li> <li>• Safeguard consultants</li> <li>• Contractor</li> </ul>

## 6.5 Description of Information Disclosure Methods

97. As a standard practice, the Project ES framework documents including RPF and RAP released for disclosure are accompanied by making available the registers of comments and suggestions from the public that the PIU subsequently documents in a formal manner. PIU will continue applying the similar approach to disclosure for any additional ESS appraisal materials and monitoring reports that will be prepared as part of the project development. All reports (e.g. M&E) related with the resettlement will be disclosed.
98. The PD will continue applying the similar approach to disclosure for any additional E&S appraisal materials that will be prepared as part of the project development. The RPF and RAP in Bangla, and English will be made available for public review in accordance with the World Bank. The RPF will be released in the public domain simultaneously with the E&S documents and will be available for stakeholder review during the same period of time.
99. The disclosure materials will be distributed by making them available at venues and locations accessible by the community and places to which the public has unhindered access. Free printed copies of the ES framework documents in Bangla and English will be made accessible for the general public at the following locations:
1. IA's headquarters, Dhaka and affected District and Upazila Offices
  2. The District Administration offices;
  3. The IAs Project offices;
  4. Affected Upazila Headquarters;
  5. Affected Union Parisad Offices;
  6. Other designated public locations to ensure wide dissemination of the materials.
  7. Newspapers, posters, radio, television;
  8. Information centers and exhibitions or other visual displays;
  9. Brochures, leaflets, posters, nontechnical summary documents and reports;
  10. Official correspondence, meetings.

## 6.6 Grievance Redress Mechanism

### 6.6.1 Introduction

100. IAs will establish a procedure to deal with and resolve any queries and address complaints and grievances about any irregularities in applying the guidelines adopted in this RAP for assessment and mitigation of social and environmental impacts through grievance redress mechanism (GRM).

101. The GRM will deal with complaints and grievances related to both social (i.e. Resettlement and SEA/SH) and environmental issues in this Project. Grievance redress committees (GRC) will be formed to receive and resolve complaints as well as grievances from aggrieved persons from the local stakeholders including the project-affected persons.
102. Based on consensus, the procedure will help resolve issues/conflicts amicably and quickly, saving the aggrieved persons from resorting to expensive, time-consuming legal actions. However, the procedure will not pre-empt a person's right to go to the courts of law.

### 6.6.2 Objectives of GRM

103. The fundamental objectives of the GRM, implemented through the GRC serving as a para-legal body, are to resolve any resettlement-related grievances locally in consultation with the aggrieved party to facilitate smooth implementation of the social and environmental action plans.
104. Also to democratize the development process at the local level and to establish accountability to the affected people. However, the procedures will not pre-empt a person's right to go to the courts of law.
105. There will be two-tier grievance redress mechanism; 1<sup>st</sup> at local level, and 2<sup>nd</sup> at PIU level. All cases at the local level will be heard within 15 calendar days of their receipt. PIC with the support of INGO/Consulting Firm will inform all affected stakeholders and interested group about the program GRM and different committees at local, project, ministry level.

### 6.6.3 Composition of GRC

106. First level GRC will be formed in the local level within the 1<sup>st</sup> quarter of implementation where community people will be able to complaint/ raise grievances directly to the field level project office. This local GRC will ensure easy accessibility by the PAPs, local communities and interested stakeholders, so that any grievances can be solved directly or within a very short period of time. Immediately after the formation, this GRC will mass-publicized around the respective project sites and other places (e.g. market/ Union Parishad/ Upazilla Parishad) relevant to project stakeholders.
107. The membership of the GRCs will ensure proper presentation of complaints and grievances as well as impartial hearings and investigations, and transparent resolutions. Where grievances are among the affected persons, the membership composition of the GRCs will take into account any traditional conflict resolution arrangements that communities may practice.
108. If the aggrieved person is a female, the Convener will ask the concerned female UP Member or Municipal Ward Councilor to participate in the hearings. Members of the GRCs will be nominated by the PD's Representative.

*Table 12: GRC memberships*

<b>At Local/ Site Level</b>	
1. PD's representative	Convener
2. Social Specialist at PIU	Member-Secretary
3. Local UP Member/Ward Councilor	Member
4. Teacher from Local Educational Institution	Member
5. Representative from Local Community Women's Group	Member
6. Representative from the PAP Group	Member
<b>At PIU Level</b>	
1. Project Director of the PIU	Convener

2. Social Specialist at the PIU	Member
3. One female representative from PIU	Member
4. A representative from affected community	Member

109. All complaints will be received at the Office of the Convener through the INGO/ Consulting firm. All cases at the local level will be heard within 15 calendar days of their receipt. Grievances received through any channel will be registered and a notification of receipt with assurance of necessary review and resolution given in writing to the aggrieved persons.
110. If a local/site level decision is again found unacceptable by the aggrieved person(s), the Convener in consultation with the aggrieved person will refer the case to the PIU with the minutes of the hearings at local level. PD will be the Convener and Social Specialist will be the Member Secretary at PIU level with one female member of the PIU as Member and one Representative from the affected community as a Member.
111. All the unsolved complaints at the PIU level, decisions on unresolved cases will be made in no more than 15 days by an official designated by the Secretary of respective ministries. A decision agreed with the aggrieved person(s) at any level of hearing will be binding upon the Project. There will be budgetary allocation for local committee members for participating meetings and refreshments during meeting.
112. The following steps will be followed for the successful implementation of GRM:
- Step 1:** Project stakeholders will be able to provide feedback and report/record complaints through several channels: in person at the Project’s site office, Complaint Box located at the sub-project sites, and to the Convener by mail, telephone, and email. There could be occasions when the complainant might shy away from identifying oneself (e.g. in SEA/SH-related grievances). In such cases most of the complaints if are of common nature affecting a person/ group. These complaints should also be addressed in the same manner as if the Complainant has an identity and if found correct, appropriate measures be taken and communicated to all concerned.
- Step 2:** Complaints and feedback will be compiled in each level and recorded in a register. He or she will place the grievances to the committee and the complained person with the goal to resolve complaints within seven days of receipt.
- Step 3:** As soon as the complaint is received, the responsible person will communicate with the Complainant and provide information on the likely course of action and the anticipated timeframe for resolution. This step involves gathering information about the grievance to determine the issue's facts, verifying the complaint’s validity, and then developing a proposed resolution. All activities during this and the other steps will be fully documented, and any resolution will be logged in the register. If complaints are not resolved within ten days, the responsible person will forward the complaint to the PIU GRC along with relevant documents for action at PIU GRC’s end. The complainant must be informed about this matter immediately.
- Step 4:** All efforts must be made to come to some amicable solution by PIU level GRC within fifteen days from receipt of the complaint from local level. This step involves informing those to submit complaints, feedback, and questions about how issues were resolved, or providing answers to questions. If the complainant is not satisfied with the resolution, he or she will be informed of further options, which would include elevating the complaint to PSC level which would take 15 days to provide a solution.
113. To ensure impartiality and transparency, hearings on complaints will remain open to the public. The GRCs will record the details of the complaints and their resolution in a register, including intake details, resolution process and the closing procedures. The IAs will maintain the following three Grievance Registers:

1. **Intake Register:** (1) Case number, (2) Date of receipt, (3) Name of complainant, (4) Gender, (5) Mother/ Father or Spouse, (6) Complete address, (7) Main objection (loss of land/property or entitlements), (8) Complainants' story and expectation with evidence, and (8) Previous records of similar grievances.
  2. **Resolution Register:** (1) Serial no., (2) Case no., (3) Name of complainant, (4) Complainant's story and expectation, (5) Date of hearing, (6) Date of field investigation (if any), (7) Results of hearing and field investigation, (8) Decision of GRC, (9) Progress (pending, solved), and (10) Agreements or commitments.
  3. **Closing Register:** (1) Serial no., (2) Case no., (3) Name of complainant, (4) Decisions and response to complainants, (5) Mode and medium of communication, (6) Date of closing, (7) Confirmation of complainants' satisfaction, and (8) Management actions to avoid recurrence.
114. Grievance resolution will be a continuous process in subproject level activities and implementation of those. The PIU will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by Bank and any other interested persons/entities. The PIU will also prepare periodic reports on the grievance resolution process and publish these on the respective IA website.
115. To ensure that grievance redress decisions are made in formal hearings and in a transparent manner, the Convener will apply the following guidelines:
- A standard application format will be used for receiving grievances which will be available at the office of PIU /Consulting firm. This application format would be concurred by the PD.
  - 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 separately accompany the grievance redress application.
  - Disqualify a GRC member who has made a recommendation on the application separately before the formal hearing.
  - Where a GRC member is removed, appoint another person in consultation with the Project Director.
  - The Convener will also ensure strict adherence to the impact mitigation policies and guidelines adopted in this RAP and the mitigation standards, such as compensation rates established through market price surveys.

#### 6.6.4 GRM for Dealing SEA/SH Related Issues

116. The GRM will be tailored to receive SEA/SH related grievances which will be handled following a survivor-centric approach. All such grievances will ensure strict confidentiality in line with the World Bank guidelines provided in the WB good practice note on gender-based violence. The IA/PIU will nominate a focal point to receive and deal with SEA/SH related grievances, assisted by the Gender/SEA-SH Expert in the PIU. Grievances related to SEA/SH will be reported by the PIU and the nature of the complaint will be recorded along with the other relevant information of the complainant such as: age of the victims, nature of the case incidence, relation to the project, etc. PIU will assist the victim with necessary support, including psycho-social counseling, medical treatment, legal remedies as necessary, for which it will assess the case and may also refer to relevant service providers, including qualified NGOs, health facilities, law enforcement agencies or others pertinent government agencies using the information on available services.

## Chapter 7: Institutional and Implementation Arrangements

### 7.1 Institutional arrangement

117. The overall responsibility of environmental performance, including ESMF/ESIA/ESMP implementation of the project, will rest with the individual PIUs. All PIUs will have their own PD and relevant ES Specialists. Additional technical experts will be mobilized to support the PIU as needed. Also, the PIU will engage independent consultants to supervise the contractors assuring ES management requirements and measures on their execution of construction-related, infrastructural development and other activities that have significant environmental impacts identified in the ESMF/ESIA. The PIU will ensure adherence to the monitoring parameters, including quality requirements and all ESMP measures.
118. The project will have two Monitoring Committees to be formed within 3 (BLPA) and 6 (RHD) months of the commencement of the Project. The upper-level committee will provide overall guidelines and cooperation for project implementation especially for the disbursement of fund provided in the RAP and liaise with various stakeholders including Development Partner, different governmental organizations and other relevant agencies. The upper-level committee will comprise-
- Representative from Ministry of Shipping (MoS);
  - Representative from Local Administration (DC/Upazila Nirbahi Officer (UNO) or authorized representative);
  - Representative from Local Government (Chairman/Ward member);
  - Representative from IA;
  - Representative from Project Affected Persons.
119. The PIU will also engage an independent organization to carry out external monitoring and evaluation on implementation of RAP by BLPA and RHD.
120. The field level committee will be established one for each port is the same as local level and align with the GRM and will comprise-
- Concerned Port Officer as representative of BLPA- Chairman;
  - Local UP Chairman-member;
  - Concerned UP woman member- member;
  - Representative of business community working in the port area (importer, exporter, Clearing and Forwarding (C&F) agent etc.) – member;
  - Representative of PAPs- member;
  - Sub-Assistant Engineer (SAE) of the port- Member Secretary.
121. The field level committee will be responsible for direct implementation of RAP especially making disbursement of payment of compensation to individual PAPs together and in coordination with the DC. They will facilitate the disbursement process through dissemination of Land Acquisition (LA)/RAP related information to PAPs and other stakeholders; assist the PAPs getting mutation and other documents needed for submission to DC to get payment of compensation; assist DC/UNO offices to identify suitable guardian to receive cheque on behalf of underage children; assist weaker segments among the PAPs (women, uneducated, lacking competence to deal land related issues) to get proper compensation in time; and cooperate and coordinate with DC/UNO offices to arrange disbursement of cheques to individual PAPs at local level.
122. BLPA will arrange for RPF/RAP implementation and monitoring mechanism. The PIU will have an Environmental and Social Cell in the PIU. At overall project level all RPF/RAP oversight will be ensured by BLPA. Executive Engineer of BLPA will head the Environmental and Social Cell of BLPA. One Assistant Project Director & one Project Manager each in charge of the project's Environment and Social aspects. The Deputy Director including Assistant Project Director & Project Manager of the Social cell will be assisted by a Senior Social Specialist-ACCESS who is in-charge for Community Engagement and Gender. The Supervision Consultants and Contractors will have Environmental and Social Specialists to supervise and implement the RAP provisions.

M&E Consultants (here Supervision Consultant) will do regular monitoring with periodic reporting as necessary. At the end of the project, an end-line evaluation will be carried out.

123. RHD, for efficient and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the RAP. ACCESS phase 01 Institutional arrangement consist of PSC, PIU, and PIC. Institutional arrangements required for implementation of Resettlement Plan includes capacity augmentation of RHD head office, RHD field offices, Deputy Commissioners offices, appointment of INGO/Consulting Firm, formation of various committees like: GRC, PAVC, RAC, etc. The Deputy Project Director at Head Office will function as the Chief Resettlement Officer (CRO). The CRO will have overall responsibility relating to resettlement and rehabilitation policy guidance, coordination, planning, monitoring and reporting. Secretarial Staffs at Head Office will assist the CRO. At the field level, the CRO will be assisted by PIC. Besides, a resettlement NGO/Firm will be appointed for the implementation of resettlement plan. The resettlement expert of the project Implementation Committee (PIC) would be engaged to carry out internal monitoring and evaluation of the project. External Monitoring Agency will be engaged for the project.
124. There will be a PSC chaired by the Sr. Secretary/Secretary of respective ministry. The PIU-RHD/BLPA will report to their Ministerial Project Steering Committee (PSC). PSC will include representatives from ministries, LAR Advisor, division, departments/agencies that are part of overall implementation, coordination, and strategy. PSC will be responsible for: (i) providing implementation advice and operational guidance; (ii) reviewing financial, safeguard implementation and physical progress; (iii) resolving any implementation problems (iv) providing any other necessary direction for effective implementation.
125. The respective ministry approves the LAP and RAP of the project prepared by the RHD/ BLPA with the support of the consulting firm. The respective ministry also responsible for approve different committees like Grievance Redress Committee (GRC), Property Valuation Advisory Committee (PVAC) and Resettlement Advisory Committee (RAC) proposed in the RAP through gazette notification.
126. Project Implementation Units (PIU) will be formed headed by Project Director (PD). PIU will be consist of PD, DPD, with relevant E&S, Gender, Labor, Stakeholder Engagement, Communication specialists/ experts. PD will be themain responsible person to implement the Project. The Deputy Project Director at PIU will function as the Chief Resettlement Officer (CRO) and keep good coordination with Social and Environmental Circle of RHD(RSEC). The PIU with necessary support of RSEC/E&S Cell will ensure that implementation follows both.
127. There is a dedicated Social and Environmental Circle (RSEC) at the RHD as a technical wing who is responsible for ES management of all RHD development projects and same by a E&S Cell of BLPA. As RSEC will be the part of PIU, the RSEC will be responsible for overseeing the RAP implementation, supervision and monitoring with coordination of PIU Social Specialist/s. RSEC and PIU are also responsible for monitoring CSE to ensure ESF compliance of the project. Senior Social/Resettlement specialist will keep good coordination with the RSEC to ensure compliance of social due diligence.
128. BLPA will arrange for RPF/RAP implementation and monitoring mechanism. The PIU will have an Environmental and Social Cell in the PIU. At overall project level all RPF/RAP oversight will be ensured by BLPA. Executive Engineer of BLPA will head the Environmental and Social Cell of BLPA. One Assistant Project Director & one Project Manager each in charge of the project's Environment and Social aspects. The Deputy Director including Assistant Project Director & Project Manager of the Social cell will be assisted by a Senior Social Specialist-ACCESS who is in-charge for Community Engagement and Gender.
129. The Supervision Consultants and Contractors will have Environmental and Social Specialists to supervise and implement the RAP provisions. M&E Consultants (here Supervision Consultant) will do regular monitoring with periodic reporting as necessary. At the end of the project, an end-line evaluation will be carried out. The all of the monitoring and evaluation reports will be shared with Bank for their feedback. The BLPA considers that they can carry out midterm review and end line evaluation internally and does not intend to engage any third party. The third party may be engaged for impact evaluation later after two- or three-year project execution. There is no need to include any budget here for the midterm review or end line evaluation as third-party involvement is not required. The project execution period is already over at the time of impact evaluation, and the budget cannot be included under the project.

130. There will be a project implementation committee (PIC) at field level both for BLPA in respective land ports and also for the RHD. PIC will actively assist the PIU. For the RHD, PIC will consist of RHD Local Executive Engineer (XEN), Sub Divisional Engineer (SDE), Sub-Assistant Engineer (SAE) and one field level Social Specialist. While for the BLPA respective Deputy Directors of the respective land ports with the field level E&S team members will from the PIC. PIC will be actively assisted by I /Consulting Firm and CSC.
131. As first Phase of the program will be implemented in three upazila under Sylhet district, PIC will be formed based on the implementation area. The XENs will be directly assisted by the social expert of PIC and CSC. In respect of non-compliance of legal documents, RHD district and upazila staff from PIC will assess where, and to what extent, this is causing delays in payment of CCL and the INGO/consulting firm will support all affected households including title and non-title to receive compensation and resettlement assistance according to ESS5 WB. Where land acquisition will be involved, the RHD XENs and Social Experts with the support of INGO/consulting firm will coordinate with the respective DC offices. With respect to the valuation of structures and trees, the RHD, through its Social Experts and I, will prioritize facilitating and expediting the surveys and increase its participation in the valuation process by PWD and forest offices by providing equivalent officers in the valuation team. Where there is serious concern about the valuation levels proposed, RHD will take follow up action to achieve a satisfactory outcome.
132. The CSC functioning under the RHD will be directly responsible for contract administration and day-to- day project supervision including environmental and social management. The CSC will consist of one social and one environmental expert. The CSC will keep good coordination with PIU, RSEC, PIC and RAP implementing INGO/consulting firm on RAP implementation and monitoring. The consultants will also support the PIC and PIU in preparing quarterly progress reports to the RHD, who will submit semi-annual reports to co-financier for review.
133. IA will hire INGO/consulting firm to support PIU for preparation of RAP. During RAP preparation regular coordination with PIU,RSEC and PIC for alignment demarcation, census ,socio-economic and IOL survey and RAP preparation.
134. INGO/Consulting Firm will support the PIU, RSEC and PIC when and where required. INGO/Consulting Firm will work closely with PIC. The role of INGO/Consulting Firm will be to facilitate sound implementation of the project. The INGO/Consulting Firm will work as a link between the Project Authority and the affected persons.
135. Implementation of RAP for affected persons will be carried out in eight (8) steps. PIU will ensure implementation of the RAP with the support of the INGO/Consulting Firm .

Step-1: Formation and Preparation

- Organize inception meeting with relevant stakeholders
- Provide ESF orientation to the team according to ESS 2, ESS 5, ESS 7 and ESS 10
- Capacity building through organizing training and workshop
- Institutional Arrangements & Logistics
- Submit inception report and require approval from RAP verification survey

Step-2: Develop Implementation Tools/Mechanism

- Develop tools and materials for information campaign (i.e. Booklet, Leaflet, etc.)
- Develop monitoring tools for implementation progress
- Develop reporting format such as monthly/quarterly/semi-annual/annual
- Develop/update GRC application form
- Develop/update focus group meeting checklist
- Develop format of Entitled Persons file and Entitlement Card
- Develop format of payment debit voucher
- Develop ID card format for the EPs
- Develop computerized Management Information System (MIS)
- Develop internal server for data management, sharing and monitoring

Step-3: Land Acquisition

- Liaise with DC office in case of land acquisition and compensation payment
- Assist DC offices in land acquisition process
- Assist in serving notice under section 4 and Joint Verification
- Assist in serving notice under section 7
- Assist in preparation of LA estimate and award book
- Assist in serving notice under section 8 by DCs
- Assist PAPs in updating record of rights and receiving compensation
- Assist DC office during transfer of land

#### Step-4: Social Preparation and Information Dissemination

- Formation of focused groups with various occupation groups at the field
- Information campaign
- Disclosure of RAP policy
- Regular meetings with affected people for updating record of rights and other documents for receiving compensation from DC office and RHD/ BLPA
- Consult the displaced people to get ready for relocation after getting compensation
- Develop ideas, script, and mechanism for organizing and executing awareness campaign outside the RAP implementation
- Organize, follow-up and recap various awareness campaign

#### Step-5: Payment of Compensation

- Collection of award book from the DC office
- Collection of CCL from PAPs after getting compensation
- Prepare CCL statement as per DC payment
- Devise ID number for each of the entitled persons
- Preparation of EP file and EC
- Preparation indent (EP payment list)
- Opening Bank Account by the APs
- Prepare ID cards for the EPs using photograph
- Calculate Individual entitlement based on category of losses and policy of the RAP
- Prepare Debit voucher and other necessary documents for making payment of additional compensation and other benefits
- Payment of additional grants and resettlement benefits
- Assist EPs in producing Grievances, if any

#### Step-6: Relocation/Resettlement

- Payment of resettlement benefits to EPs
- Assess relocation options of the PAPs and provide facilities in relocation choices
- Assist APs in moving private graves (if requested by the affected households)
- Assist displaced households/EPs in relocation and resettlement
- Support APs in retitling and updating of their record of rights
- Implement Income and Livelihood Restoration Program (ILRP)
- Develop training need assessment report & training materials for ILRP
- Assist to relocate common public property
- Give moral support to affected person in terms of resettlement

#### Step-7: Establishment of Grievance Mechanism

- Development/finalization of format for grievance cases including
- Assist PAPs in producing grievances
- Conduct meetings on GRM

- Disclose GRM process among the people
- Resolve grievances and report on monthly basis

Step-8: Submission of Progress Report

- Generate progress reports for real-time monitoring of RAP implementation progress using user-friendly menu driven software
- Share the report with project authority and relevant stakeholders
- Incorporate feedback and response
- Submission of final reports.

## 7.2 Specialist Responsibility at Construction phase

136. **Social Specialist at PIU and Junior Social Specialist in PIC:** The PIU and PIC will have a dedicated Social Specialists to ensure implementation of RPF, RAP and other social management responsibilities. Social Specialist will be Dhaka based and will maintain liaison with RSEC, PDs and other stakeholders during the Project implementation. The Specialist will also monitor construction activities to ensure that social mitigation measures are properly implemented.
137. **Contractor’s Social Officer:** The contractor shall have a Social Safeguard Officer on the site who will be responsible for implementing all social, gender, and labor issues with the PIU/I team guidelines. PIU with support of social specialist will make sure that all contractors workers and counterpart who are involved in project implementation receive both initial and on-going social and gender awareness training including on the CoC and contractor’s ESMP sufficient to ensure they are familiar with their social responsibilities under the RPF.

**Table 14: RPF related activities, responsibility and approval authority**

Actions	Responsibility	Approval authority
<b>RAP preparation stage</b>		
Census, SES, IoL and Property Valuation Survey (PVS) for RAP preparation	PIC with the support of /firm	PD, Resettlement Specialist in the PIU
Consultation with affected HHs and relevant Stakeholders	PIU with the support of RSEC and /firm	PD, PIU
Preparation of RAP	PIU with the support of RSEC and /firm	PSC
<b>RAP Implementation stage</b>		
Land acquisition and compensation for title holder	PIU with the support of implementing /firm	DC
Compensation for non-titleholder	PIU with the support of implementing /firm	PSC
Top-up payment for tittle and non-title	PIU with the support of implementing /firm	PSC
PVAC formation	PIU	PSC
GRC formation	PIU	PSC
RAC formation	PIU	PSC
Implementation of RAP and quarterly implementation report	PIC with the support of implementing/firm	PIU
<b>Monitoring</b>		

Internal monitoring report	PIU with the support of PIC	PSC
External monitoring report	External monitor	PSC

138. The Bank does not provide approval to any client documents which also include the RPF and RAPs. However, the IAs/client will seek comments from the Bank on the documents and based which the client will receive ‘no objection’ from the Bank.

### 7.3 Capacity Building

139. Both BLPA and RHD are a long-time Bank client and is quite familiar with Bank safeguard policies and Bank processes. Both IAs has a reasonable track record of implementing safeguard policies in Bank-financed projects. Currently, the environmental standards-related activities of RHD SEC have a very limited scope to reviewing RAP reports only. They have no role in social compliance at the field level. Their role should be expanded to supervising field level ESF compliance. In this regard, the modality of their involvement needs to be re-visited and their accountability needs to be strengthened. Besides this, an in-house capacity of social monitoring may be developed. Different projects may be able to conduct operational monitoring using these facilities without hiring external firms.
140. Environmental and social framework training will help ensure that the requirements of the ESS and subsequent social standards are clearly understood and followed by all project personnel throughout the project period. In collaboration with the PSC, the PIU will ensure that these training are provided to all Project personnel. The social training program will be finalized before the commencement of the project. The training will be provided to the Project staffs, construction contractors, and other staff engaged in the Project. Training will cover all staff levels, ranging from the management and supervisory to the skilled and unskilled categories. The scope of the training will cover general environmental and social awareness and the requirements of the ESS5 and other ESSs, with special emphasis on sensitizing the project staff to the social and genders aspects of the area. Different raining programs will be initiated which can be realigned based on the needs.

**Table 15: Training**

Contents	Participants	Responsibility	Schedule
<b>Introduction to World BankESF</b>	PSC, PIU, RSEC, PIC, implementing agency and contractors	RHD/ BLPA	Prior to the start of the Project activities.
<b>ESF guidelines and RPF</b>	PSC, PIU, RSEC, implementing agency and contractors	RHD/ BLPA	Prior to the start of the Project activities.
<b>Screening method, social survey procedures, RAP and LAP preparation</b>	Selected Project staff; PIU, PIC, Consulting firm/	PIU/safeguard specialist	Prior to the start of the Project activities.
<b>Training on ESS 2, ESS10and ESS5</b>	PSC, PIU, RSEC Selected contractors’ crew	PIU	Prior to the start of the field activities.
<b>Preparation and review of RPF, RAP, and SEVCDF</b>	PSC, PIU;RSEC Design, Monitoring and supervision consultant	PIU	Prior to the start of the field activities.
<b>Grievance Mechanism and handling procedures</b>	Contractors, PIU, consulting firms/, Construction crew	PIU	Prior to the start of the construction activities.(To be repeated as needed)

<b>Internal and External Monitoring procedures and reporting</b>	PSC, PIU, RSEC and INGO/Consulting Firm s, contractors	PIU	Before and during the construction activities.(To be repeated as needed)
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## 7.4 Guidelines for Bid Documents

141. All civil works will start upon completion of land acquisition and when land is handed over to the contractor(s) by the IAs/PIUs. The PIU will ensure that the related provisions are included in the bid documents of the contractors. This will include:
- All relevant RPF items relevant for contractors and firms are included in tender documents (specifications and BOQs);
  - Provide clear information to potential bidders regarding social considerations for the workpackage/s;

## 7.5 Budget

142. A tentative budget is proposed below, which may be changed/updated once the RAP is being prepared. This budget do not include the cost of land acquisition and resettlement.

**Table 16: A tentative budget<sup>1</sup>**

Item	Man-month	Total (in USD) for BLPA (3 landports)	Total (in USD) for NBR (2 sites)	Total (in USD) for RHD (1 highway)
Resettlement and Social Specialist (at PIU)	24	50,000	-	50,000
Consulting firm for RAP preparation (for all IAs)	Lump-sum	1,50,000	-	50,000
RAP Implementing Agency (NGO/consulting firm) (for all IAs)	Lump-sum	1,50,000	-	-
External Monitor for third-party monitoring	24 months over the period of 5 years	1,00,000	-	-
Capacity Building for PSC, PIU, INGO-Consulting Firm and relevant government agencies	Lump-sum	2,00,000	-	-

<sup>1</sup> The RAP/s, as prepared, should incorporate the 'final' budget. Additional budget would be provided, as and when required by the respective IAs.

Grievance handling cost	Lump-sum	60,000	-	-
			-	20,000

## Chapter 8: MONITORING

143. Both IAs will conduct regular monitoring and evaluation of the updating and implementation of the RAP. Monitoring and evaluation are intended to help ensure that the resettlement action plan is prepared and implemented according to the resettlement policy framework. Moreover, external monitor of the project will review all the RAP/s prepared for this project. External monitor will establish dialogue with the affected communities and ensure that their concerns and suggestions are incorporated and implemented in the project. External monitor will work closely with the PIU, RSEC, PIC and internal monitoring team to implement the RAP and specifically responsible for implementation of proposed compensation, rehabilitation, and income restoration measures, consultations with affected persons (APs) during rehabilitation activities and assisting in grievance redress. He or she will prepare resettlement training programs and workshops for the staff of the PIU and contractors.

### Third Party Monitoring for RAP Implementation

144. Third party monitor will be engaged within the 2<sup>nd</sup> quarter of the respective sub-projects to provide an independent periodic assessment of resettlement implementation and impacts, to verify internal reporting and monitoring, and to suggest adjustment of delivery mechanisms and procedures as required. A social and economic assessment of the results of delivered entitlements and a measurement of the income and standards of living of the PAPs before and after resettlement are integral components of this monitoring activity. To function effectively, the organization responsible for external monitoring should be independent of the governmental agencies involved in resettlement implementation. Regular external monitoring should begin along with implementation activities and continue until the end of the project.
145. During project preparation, and as part of the RAP, the hired monitoring firm/ NGO along with the IAs will develop a monitoring and reporting framework for resettlement activities. Central to this framework are the census of PAPs and the inventory of assets that constituted the basis for the agreed RAP. The firm/ NGO responsible for oversee the progress in resettlement preparation and implementation through regular progress reports, submitted through normal channels, monitoring key indicators of finance, inputs and activities. They will report to PIU. PIC will submit RAP implementation progress report to PIU on a regular basis.
146. The following activities are the standard functions of the external monitors:
- Verification of internal reports, by field check
  - Interview a random sample of PAPs in open-ended discussions to assess their knowledge and concerns regarding the resettlement process, entitlements, and rehabilitation measures.
  - Participate as an observer in public consultations for PAPs at the village, union or Upazila level. (Organizing these meetings is the responsibility of the implementing agency)
  - Observe the functioning of the resettlement operation at all levels to assess its effectiveness and compliance with the RAP.
  - Check the type of grievance issues and the functioning of grievance redress mechanisms by reviewing processing of appeals at all levels and interviewing aggrieved PAPs.
  - Survey the standards of living of the PAPs (and that of an unaffected control group where feasible) before and after implementation of resettlement to assess whether the PAPs' living standards have improved or been maintained.
  - Advise project management unit regarding possible improvements in the implementation of the RAP.
147. IAs will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of this ESS. The extent of monitoring activities will be proportionate to the project's risks and impacts. For this Project IAs will ensure competent professionals to monitor the implementation of RAP/s, design corrective actions as necessary, provide advice

to RSEC, PIC, CSC and INGO/Consulting Firm’s on compliance with ESS and periodic monitoring reports will be prepared and affected persons will be informed about monitoring results in a timely manner. Third party/ independent monitoring firm/ NGO, as mentioned above, will be recruited for regular monitoring and reporting. At the mid-term of the project they will conduct mid-term impact progress and after completing the project they will conduct an end-line-impact-evaluation to assess the impacts achieved during the project.

**Table 17: Monitoring process of key indicators**

MonitoringAspects	Potential Indicators
Delivery of Entitlements	<ul style="list-style-type: none"> <li>• Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix.</li> <li>• Disbursements against timelines.</li> <li>• Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors’ camps, been included.</li> <li>• According to schedule, timely disbursements of the agreed transport costs, relocation costs, income substitution support, and any resettlement allowances.</li> <li>• Documented evidence of land donation</li> <li>• Documented evidence of land acquisition completed with transfer of title</li> <li>• Percentage of compensation paid for land acquisition/requisition or rented</li> <li>• Percentages of compensation paid for the affected structures/assets/crops/trees</li> <li>• Restoration of social infrastructure and services.</li> <li>• Affected businesses receiving entitlements, including transfer and payments for net losses resulting from lost business.</li> </ul>
“Private-Private”disputes	<p>Clear and adequate rules for the recognition of relevant land tenure rights is provided</p> <p>Fair criteria and functioning, transparent and participatory processes for resolving competing tenure claims are established</p> <p>Efforts are taken to inform affected people about their rights and access to impartial advice are provided</p>
Consultation	<ul style="list-style-type: none"> <li>• Strategy for consultation and information disclosure is prepared</li> <li>• Consultations organized as scheduled</li> <li>• Project information’s are disclosed</li> <li>• Affected, interested, disadvantage and vulnerable groups are identified</li> <li>• views of disadvantage and vulnerable groups are considered during designing the entitlement and special measures are taken</li> <li>• Schedules are planned for the various stakeholder engagement activities</li> <li>• Knowledge of entitlements by the relevant stakeholders including project affected people</li> <li>• If tribal people are affected, separate consultation has to be conducted with them</li> </ul>

Grievances	<ul style="list-style-type: none"> <li>• Operationalization of the grievance redress mechanism proposed with RPF.</li> <li>• Information on the resolution of the grievances</li> <li>• Process by which people affected by the project can voice their grievances and concerns</li> <li>• Process to document complaints and concerns</li> <li>• Grievance recording (e.g. MIS, grievance log book)</li> <li>• Stipulated timeframes for acknowledgement and resolution of complaints</li> <li>• Awareness raising, or communications efforts to inform stakeholders about the GRM and appeals process to analyze complaints and share feedback with management</li> <li>• Grievance reports published and frequency</li> </ul>
Communications and Participation	<ul style="list-style-type: none"> <li>• Number of general meetings (for both men and women).</li> <li>• Percentage of women out of total participants.</li> <li>• Number of meetings exclusively with women.</li> <li>• Number of meetings exclusively with vulnerable groups.</li> <li>• Number of meetings at new sites.</li> <li>• Number of meetings between hosts and the displaced persons.</li> <li>• Level of participation in meetings (of women, men, and vulnerable groups).</li> <li>• Level of information communicated—adequate or inadequate.</li> <li>• Information disclosure.</li> <li>• Translation of information disclosure in the local languages.</li> </ul>
Budget and Time Frame	<ul style="list-style-type: none"> <li>• Social Safeguard Specialist/expert appointed and mobilized on schedule for the field and office work.</li> <li>• Capacity building and training activities completed on schedule.</li> <li>• Achieving resettlement implementation activities against the agreed implementation plan.</li> <li>• Funds allocation for resettlement to implementing agencies on time.</li> <li>• Receipt of scheduled funds by resettlement offices.</li> <li>• Funds disbursement according to the resettlement action plan.</li> <li>• Social preparation phase as per schedule.</li> </ul>
Livelihood and Income Restoration	<ul style="list-style-type: none"> <li>• Types of training and number of participants in each.</li> <li>• Number of displaced persons who have restored their income and livelihood patterns (women, men, and vulnerable groups).</li> <li>• Number of new employment activities.</li> <li>• Extent of participation in rehabilitation programs.</li> <li>• Degree of satisfaction with support received for livelihood programs/activities.</li> <li>• Percentage of displaced persons who improved their income (women, men, and vulnerable groups)</li> <li>• Percentage of displaced persons who improved their standard of living (women, men, and vulnerable groups)</li> <li>• Number of displaced persons with replacement agriculture land (women, men, and vulnerable groups)</li> <li>• Quantity of land owned/contracted by displaced persons (women, men and vulnerable groups)</li> </ul>

**Table 18: Reporting Requirements**

Report/ Document		Prepared By	Submitted to	
Training Records	Register of all trainings and capacity building activities conducted under the project	Social and Environment Circle of RHD (RSEC)/ BLPA with the support of consultants.	PD	Within 3 weeks of any training/capacity building activity
Completed Safeguards Screening Forms	Identifies Potential Environmental and Social Issues	Social and Environment Circle of RHD (RSEC)/ BLPA with the support of PIC	PD	After completion
GRM Records	Register of grievances received and actions taken	GRC or Consultants during construction phase and then relevant Implementing Agency officer thereafter	PD	Monthly
Preparation of RAP	Site specific RAP will be prepared	I and PIU and RSEC with the support of /consulting firm	PD	Within 3 months of deployment
Internal Monitoring	Monitoring data as defined in the RPF	Contractor, Social and Environment Circle of RHD(RSEC)/ BLPA, PIC and CSC and/or Consultants	PD	Monthly
External/independent Monitor	Monitoring data as defined in the RPF	External/independent monitor	PD	Quarterly

## Appendix 1: Social Screening Form

This form will be filled up by the PIU along with the community members at Union and Upazila Level and must be submitted to PD and PSC. Before final selection World Bank clearance is required]

### General Information

Title of the project: .....

Complete address of screening locations including coordinates.....

Screening Date: .....

<b>Probable Involuntary Resettlement Effects</b>	<b>Yes</b>	<b>No</b>	<b>Not Known</b>	<b>Remarks</b>
-				
<b>Involuntary Acquisition of Land/ Land Donation/ Land Taking</b>				
Will the project require land for the proposed intervention				.
1. If yes, will there be any land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land known? If yes, please provide detail information at remarks column.				
4. Is there any possibility of voluntary land donation for the rural roads and market construction? If yes, please provide detail information at remarks column.				
5. Will there be loss of residential and commercial structures due to land acquisition? If yes, please provide detail information at remarks column.				
Is there any presence of squatters within the project				

ROW? If yes, please provide detail information at remarks column.

6. Will there be loss of agricultural and other productive assets due to land acquisition? If yes, please provide detail information at remarks column.

7. Will there be losses of trees, and fixed assets due to land acquisition?  
If yes, please provide detail

Probable Involuntary Resettlement Effects -	Yes	No	Not Known	Remarks
information at remarks column. 8. Will there be loss of businesses or enterprises due to land acquisition? If yes, please provide detail information at remarks column.				
9. Will there be loss of income sources and means of livelihoods due to land acquisition? If yes, please provide detail information at remarks column.				
<b>Involuntary restrictions on land use or on access to legally designated parks and protected areas</b>				
10. Will people lose access to natural resources, communal facilities and services due to project interventions? If yes, please provide detail information at remarks column.				
11. If land use is changed, will it have an adverse impact on social and economic activities? If yes, please provide detail information at				

remarks column.				
12. Will access to land and resources owned communally or by the state be restricted? If yes, please provide detail information at remarks column.				

**Information on Displaced Persons:**

Any estimate of the likely number of persons that will be displaced by the Project? <input type="checkbox"/> No <input type="checkbox"/> Yes
If yes, approximately how many?
Are any of them poor, female-heads of households, or vulnerable to poverty risks? <input type="checkbox"/> No <input type="checkbox"/> Yes
Are any displaced persons from indigenous or ethnic minority groups? <input type="checkbox"/> No <input type="checkbox"/> Yes
During Screening, project authority will conduct consultation with the primary and secondary stakeholders and provide their observations in the following sections (13 to 18 )
13: Who are the stakeholders of the project?
Answer:

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
-				
14: What social and cultural factors affect the ability of stakeholders to participate or benefit from the proposed policy or project?				
Answer:				
15: Are project objectives consistent with their needs, interests and capacity?				
Answer:				
16: What will be the impact of the project or sub-project on the various stakeholders, especially women and vulnerable groups?				
Answer:				
17: What social risks might affect project or sub-project success?				
Answer:				

18: Has the project authority or any other organizations conducted any consultations with the affected community or people? If yes. Please provide a summary.

Answer:

**1. Prepared by (Name):** .....

**Signature:**..... **Date:** .....

2. Project Implementation Unit

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

Name of the PIU head: .....

01. Names of Members participated in  
Screening 02.

3. name of the Participants from local Government

01.....

02.....

## Appendix 2: Guideline to prepare a Resettlement Action Plan

- **Description of the project:** General description of the project and identification of the project area .
- **Potential impacts:** Identification of:(a)the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe ofthe project;(b)the zone of impact of such components or activities;(c)the scope and scale of land acquisition and impacts on structures and other fixed assets;(d)any project-imposed restrictions on use of, or access to, land or natural resources;(e)alternatives considered to avoid or minimize displacement and why those were rejected; and(f )the mechanisms established to minimize displacement, to the extent possible, during project implementation
  - **Objectives:** The main objectives of the resettlement program .
- **Census survey and baseline socioeconomic studies.** The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project .The census survey also serves other essential functions: (a)identifying characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;(b)information on vulnerable groups or persons for whom special provisions may have to be made; (c)identifying public or community infrastructure, property or services that may be affected; (d)providing a basis for the design of, and budgeting for, the resettlement program;(e)in conjunction with establishment of a cutoff date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and (f)establishing baseline conditions for monitoring and evaluation purposes .As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:(g)land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;(h)the patterns of social interaction in the affected communities, including social net-works and social support systems, and how they will be affected by the project; and(i)social and cultural characteristics of displaced communities, including a description of for-mal and informal institutions (e .g ., community organizations, ritual groups, non-governmental organizations (s)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities

- **Legal framework:** The findings of an analysis of the legal framework, covering:(a) the scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;(b)the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such

procedures, and any available grievance redress mechanisms that may be relevant to the project;(c) laws and regulations relating to the agencies responsible for implementing resettlement activities; and(d)gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.

- **Institutional framework:** The findings of an analysis of the institutional framework covering:(a)the identification of agencies responsible for resettlement activities and s/CSOs that may have a role in project implementation, including providing support for displaced persons;(b)an assessment of the institutional capacity of such agencies and s/CSOs; and(c)any steps that are proposed to enhance the institutional capacity of agencies and s/CSOs responsible for resettlement implementation
- **Eligibility:** Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates .
  - **Valuation of and compensation for losses:** The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
  - **Community participation:** Involvement of displaced persons (including host communities, where relevant): n(a)a description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;(b)a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;(c)a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and(d)institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented .
  - **Implementation schedule:** An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project .
  - **Costs and budget:** Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies .

- **Grievance redress mechanism:** The plan describes affordable and accessible procedures for third- party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
- **Monitoring and evaluation:** Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.
- **Arrangements for adaptive management:** The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.

# RESETTLEMENT ACTION PLAN

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Period from.....to.....20.....

Project Phase: .....

Case No.	Complainant's name, gender and location	Nature of complaints and expectation of complainant	Date of Petition submitted	Method of Resolution with dates	Decisions and date of communication to the complainant	Agreement with And commitment to complainant	Progress (solved/pending)	Reason, if pending
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## Appendix 4: Terms of Reference for Third Party Monitor

### PROJECT BACKGROUND

The Government of Bangladesh (GoB) through the Ministry of Finance (MoF) has requested the World Bank (WB) to support the preparation and implementation of the ACCESS Regional Transport and Trade Facilitation Program (MPA Program) with the **[Name of the IA]** as one of the implementing agencies.

**[Name of the IA]** will implement construction, rehabilitation and improvements of [description of the major activities]. The exact locations of the roads are in process of finalization at this point. The program is envisaged to be implemented in phases and could run from 12 years of implementation. The Program would be implemented in X phases. [Details of the Phases]

**[Name of the IA]** seeks to engage an independent External Monitoring Agency (EMA) to review the internal monitoring and undertake third party monitoring & evaluation of the RAP implementation process for the Government of Bangladesh.

### KEY OBJECTIVE OF EXTERNAL MONITORING

Monitoring is an integral part of the resettlement process. As part of this Project, a three-tier monitoring system has been designed to monitor and evaluate the progress of the Social Action Plan. These 3-levels comprise of: a) Internal monitoring at EA level involving the I and [name of the IA] field offices; b) monitoring by project construction supervision consultant (CSC) and c) independent external monitoring. The primary objective for engaging an independent external monitor is to review the efficacy of internal monitoring, design and conduct periodic third party monitoring and feedback **[Name of the IA]** and GoB on policy improvement and enhancement of implementation process. The External Monitoring Agency (EMA) will review implementation process as per set policies in the RAP and assess the achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the affected people, the effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning.

### SCOPE OF WORK

The scope of work of the External Monitoring Agency (EMA) will include the following tasks:

- To develop specific monitoring indicators for undertaking monitoring of all aspects of Resettlement Action Plan;
- To review and verify the progress in land acquisition/resettlement implementation of the Project;
- Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches, implementation strategies;
- Evaluate and assess the adequacy of compensation given to the APs and the livelihood opportunities and incomes as well as the quality of life of PAPs of project-induced changes;

- Identification of the categories of impacts and evaluation of the quality and timeliness of delivering entitlements (compensation and rehabilitation measures) for each category and how the entitlements were used and their impact and adequacy to meet the specified objectives of the Plans. The quality and timeliness of delivering entitlements, and the sufficiency of entitlements as per approved policy;
- To analyze the pre-and post-project socio-economic conditions of the affected people. In the absence of baseline socio-economic data on income and living standards, and given the difficulty of APs having accurate recollection of their pre-project income and living standards, develop some quality checks on the information to be obtained from the PAPs. Such quality checks could include verification by neighbors and local village leaders. The methodology for assessment should be very explicit, noting any qualifications;
- Review results of internal monitoring and verify claims through sampling check at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes;
- To monitor and assess the adequacy and effectiveness of the consultative process with affected PAPs, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these;
- Identify, quantify, and qualify the types of conflicts and grievances reported and resolved and the consultation and participation procedures;
- Provide a summary of whether involuntary resettlement was implemented (a) in accordance with the RAP, and (b) in accordance with the stated policy;
- To review the quality and suitability of the relocation sites from the perspective of the both affected and host communities;
- Verify expenditure & adequacy of budget for resettlement activities;
- Describe any outstanding actions that are required to bring the resettlement activities in line with the policy and the RAP. Describe further mitigation measures needed to meet the needs of any affected person or families judged and/or perceiving themselves to be worse off as a result of the Project. Provide a timetable and define budget requirements for these supplementary mitigation measures;
- Describe any lessons learned that might be useful in developing the new national resettlement policy and legal/institutional framework for involuntary resettlement.

#### **METHODOLOGY AND APPROACH**

The general approach to be used is to monitor activities and evaluate impacts ensuring participation of all stakeholders especially women and vulnerable groups. Monitoring tools should include both quantitative and qualitative methods. The external monitor should reach out to cover:

- 100% PAPs who had property, assets, incomes and activities severely affected by Project works and had to relocate either to resettlement sites or who chose to self-relocate, or whose source of income was severely affected.
- 10% of persons who had property, assets, incomes and activities marginally affected by Project works and did not have to relocate;

- 10% of those affected by off-site project activities by contractors and sub-contractors, including employment, use of land for contractor's camps, pollution, public health etc.;

The monitoring should be supplement by focus group discussions (FGD) which would allow the monitors to consult a range of stakeholders (local government, resettlement field staff, s, community leaders, and, most importantly, PAPs) and community public meetings which are open public meetings at the resettlement sites to elicit information about performance of various resettlement activities.

## OTHER STAKEHOLDERS AND THEIR RESPONSIBILITY

- Responsibility of **[Name of the IA]**

**[Name of the IA]** through its Project Management Office (PMO) at headquarters and in the field offices will ensure timely supply of background references, data and project options to the independent monitor. It will ensure uninterrupted access to work sites and relevant GOB offices and **[Name of the IA]** in particular. The independent external monitor will sit in quarterly coordination meetings with the **[Name of the IA]** in presence of the supervision consultant and the [name of the IA] should organize that at PMO or Field level as appropriate.

Recommendation based on the result of the monitoring should be offered to **[Name of the IA]** to cover up the deficiencies identified by the external monitor. **[Name of the IA]** will accept the recommendations of the external monitor if it is within the scope of work and there is nothing incorrect in the report.

- Responsibility of Supervision Consultant

The supervision consultant will provide appropriate protocol at site or at its Project Office for the mission of the EMA. It will on behalf of **[Name of the IA]** ensure free access to work sites, impact areas and the database on resettlement and civil works. The supervision consultant will ensure timely intimation of its civil works planning as and when made or updated during the construction period and keep the external monitoring and evaluation consultant informed.

- Responsibility of the Implementing

The RAP implementing NGO will assist and cooperate the external monitor through providing free access to its database and the automated management information system (MIS). It will provide copies of the progress reports and other reports as requested by the external monitor. The I may have to carry out surveys as well for fulfilment of the requirements of the external monitoring.

- Panel of Experts (POE)

The POE will keep closer look into the activities of the external monitor in light of the social safeguard strategy and the involuntary resettlement guideline. It will ensure timely response from the EA on queries and recommendations from the independent monitor.

## TEAM COMPOSITION OF THE EXTERNAL MONITORING AGENCY

The EMA should focus on field based research on institutional arrangement, implementation strategy, policy objectives and the targets. In addition, data collection, processing and analysis should be performed to pin point problem areas and weaknesses and to highlight corrective measures, if needed, to achieve the objectives on schedule. Thus, there is a need for a dedicated monitoring team with adequate gender representation. Further, it is essential that the central team or field level coordinators responsible for monitoring, are skilled and trained in data base management, interview technique as well as social and economic/finance.

Keeping in mind these criteria, the team should ideally include:

Position/expertise	Qualification and experience
1. Team Leader/ Implementation Specialist	Masters in social science/science with 10 years working background in planning, implementation and monitoring of involuntary resettlement for infrastructure projects. Experience in institutional capacity analysis and implementation arrangement for preparation and implementation of resettlement plans, and knowledge in latest social safeguard policies of the international development financing institutions in Bangladesh are preferred.
2. Social Impact Specialist	Masters in social science/science with 10 years working experience in social impact assessment including census and socioeconomic surveys, stakeholders' consultation, and analyzing social impacts to identify mitigation measures in compliance with social safeguard policies of the international development financing institutions and national legislations. Experience of preparing resettlement framework and action plans and implementation of plans for externally financed projects is essential.
3. Gender Specialist	Masters in social science with 10 years working experience in relevant field; Thorough knowledge of gender issues and their implications in development projects; research and work experience relating to gender issues; and knowledge of techniques and their applications in mobilizing community participation in development programs.
4. Data Analyst	Graduate with working experience and knowledge of software, those are most commonly used in Bangladesh; demonstrated ability to design and implement automated MIS(s) for monitoring progress, comparing targets with achieved progress and the procedural steps.

#### TIME FRAME AND REPORTING

The EMA will be employed over a period of 5 years with intermittent inputs from the professional team to continue one year after completion of the RAP implementation.

Quarterly and annual monitoring reports should be submitted to the **[Name of the IA]** with copies to the World Bank. An evaluation report at the end of the Project should be submitted to the **[Name of the IA]** with critical analysis of the achievement of the programs and the performance of **[Name of the IA]**.

The external monitors will provide monitoring and evaluation report covering the following aspects:

- Whether the resettlement activities have been completed as planned and budgeted;
- The extent to which the specific objectives and the expected outcomes/results have been achieved and the factors affecting their achievement or non-achievement;
- The extent to which the overall objective of the Resettlement Plan, pre project or improved social and economic status, livelihood status, have been achieved and the reasons for achievement / non achievement;
- Major areas of improvement and key risk factors;
- Major lessons learnt and
- Recommendations.

Formats for collection and presentation of monitoring data will be designed in consultation with **[Name of the IA]**, consultants and panel of experts.

#### **QUALIFICATION OF THE EXTERNAL MONITORING AGENCY**

The EMA will have at least 10 years of experience in resettlement policy analysis and implementation of resettlement plans. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. s, Consulting Firms or University Departments (consultant organization) having requisite capacity and experience as follows can qualify for services of and external monitor for the Project.

- s registered with the Social Welfare Department of the GOB/Consulting Firms registered with the Joint Stock Company/ Appropriate Departments of any recognized University in Bangladesh;
- The applicant should have prior experience in social surveys in land based infrastructure projects and preparation of RAP as per guidelines on involuntary resettlement of World Bank;
- The applicant should have extensive experience in implementation and monitoring of resettlement plans, preparation of implementation tools, and development and operation of automated MIS for monitoring;
- The applicant should be able to produce evidences of monitoring using structured instruments and computerized MIS with set criteria for measuring achievement;
- The applicant should have adequate manpower with capacity and expertise in the field of planning, implementation and monitoring of involuntary resettlement projects as per donor's guidelines.

Interested agencies should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on monitoring of resettlement implementation and preparation of reports. The profile of consultant agency, along with full CVs of the team to be engaged, must be submitted along with the proposal.

## **BUDGET AND LOGISTICS**

The budget should include all expenses such as staff salary, office accommodation, training, computer / software, transport, field expenses and other logistics necessary for field activities, data collection, processing and analysis for monitoring and evaluation work. Additional expense claims whatsoever outside the proposed and negotiated budget will not be entertained. VAT, Income Tax and other charges admissible will be deducted at source as per GOB laws.

Appendix 5: Terms of Reference for RAP IMPLEMENTATION  
on behalf of **[Name of the IA]**

**I. Introduction to the Project**

1. [Details of the Project]

**2. Main Components of the Sub-Project are:**

- [Components of the Project]

This RFP is for submission of proposal to assist **[Name of the IA]** in implementation of LA and RAP for the [Details of the relevant activities].

**II. Project Impacts**

4. The length of the project road section is [X km] covering the [Project area details]. Residential/Commercial and Community establishments will require relocation due to undertaking of the project. Besides, Agricultural land losers and indirectly affected individuals or households will experience loss of income due to acquisition and requisition of about X acres of land. **[Name of the IA]** will be responsible for preparation and implementation of Resettlement Action Plan (RAP) following the policy requirement of the co-financiers and the Government of Bangladesh. Compensation and other assistances will be paid to the Project Affected Persons (PAPs).

**III. Land Acquisition and Resettlement Policies**

- Government of Bangladesh Legal Framework and Co-financiers Policies

5. Current legislation governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Act 2017 (ARIPA). The act requires that compensation be paid for

- (i) land and assets permanently acquired (including standing crops, trees, houses);
- (ii) Any other damage caused by such acquisition.

6. The Deputy Commissioner (DC) determines the market price of assets based on the legislative procedures and in addition to that pays an additional 200 percent on the assessed market value established by DCs. However, the Ordinance does not cover project-affected persons without title to land or ownership record, such as informal settlers/squatters, occupiers, and informal tenants and lease-holders (without registration document) and does not ensure replacement market value of the property acquired.

7. The act has no provision for providing resettlement assistance and transitional allowances for restoration of livelihoods of the non-titled affected persons. The act has been applied for this project for land acquisition; however, displaced persons, irrespective of their title will be assisted under resettlement framework, of co-financier's environment and social framework (ESS5) on involuntary resettlement.

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**B. Resettlement Principles Adopted by the Project**

8. In view of the above legal framework as well as ESS5 on Involuntary Resettlement, the resettlement principles and guidelines followed in this project are:

- Affected households will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that discriminate against achievement of the resettlement objectives. Lack of legal rights to lost assets or tenure status and social or economic status will not bar the affected households from entitlements to compensation and assistance;
- Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operation and engineering solutions that have the least impact on populations in the project area;
- No site clearing will be done in anticipation or before being considered for inclusion in the project site;
- Affected households residing, working, doing business and/or cultivating land within the impact area during the conduct of the census and in the detailed measurement survey (DMS), are entitled to be compensated for their lost assets, incomes and businesses at replacement cost, and will be provided with assistance to improve or at least maintain their pre-project living standards, income-earning capacity and production levels;
- Affected households will be fully consulted and given the opportunity to participate in matters that will affect their lives during the design, implementation and operation. Moreover, plans for the acquisition and use of assets will be carried out in consultation with the affected households who will receive prior information of the compensation and other assistance available to them;
- Any acquisition of, or restriction on access to, resources owned or managed by the affected households as a common property such as pasture area will be mitigated by arrangements that will ensure they have access to equivalent resources;
- There will be no deductions in compensation payments for structures or other affected assets for salvage value, depreciation, taxes, stamp duties, fees or other payments;
- There will be effective mechanisms for hearing and resolving grievances during the planning and implementation of the component subprojects;
- If ownership over any affected asset is under dispute, the case will be handled in accordance with the grievance redress mechanism agreed with the EA;
- Temporarily affected land and structures will be restored to pre-project conditions following the requisition procedures;
- Existing social, cultural and religious practices will be respected;
- Special measures will be incorporated in the RAP to complement mitigation and enhancement activities to protect socially and economically vulnerable groups at high risk of impoverishment. Appropriate assistance will be provided to help them improve their socioeconomic status;
- Particular attention will be paid to the needs of vulnerable and disadvantaged groups [as those individuals or groups who, by virtue of, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status,

sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits] and ensure their participation in consultations;

- Adequate resources will be identified and committed during the preparation of the RAP. This includes adequate budgetary support fully committed and made available to cover the costs of compensation, resettlement and rehabilitation within the agreed implementation period for the project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities;
- Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system;
- The RAP or its summary will be translated into local language (Bangla) and placed in district and sub-district offices for the reference of affected households and other interested groups;
- Civil works contractors will not be issued a notice of possession for any given geographic location in accordance with the approved RAP until (a) compensation payment at replacement cost have been satisfactorily completed for that area; (b) agreed rehabilitation program by RHD and affected persons is in place; and (c) the area is free from all encumbrances. The RAP implementation consultant will submit the report with written consent of the affected individual/HH. This will be verified by the PMC and certified by the PIU;
- Cash compensation for affected households losing commercial structures will be made available well ahead of civil works to allow the affected households sufficient lead time for reconstruction and to re-establish the business. No demolition of assets and/or entry to properties will be done until the affected household is fully compensated and relocated;
- These principles will be also applied to the [Project area] of **[Name of the IA]** which will be connected with World Bank funded **[Name of the IA]** roads/infrastructures.

#### **IV. Mitigation of Adverse Impact**

9. A total of [project area] land will be required for [details of the project activities] which will affect households and/or businesses directly or indirectly. An attempt has been made to minimize land acquisition and involuntary resettlement through adopting the most feasible technical design. A census of 100% households and establishment within the project is in process to establish the Inventory of Losses (IOL) following the engineering design of the road which has been verified with joint verification data during the detailed design.

10. As per the census survey, the project will have substantial resettlement impacts. The compensation entitled for the loss of land and structures at replacement value, shifting and reconstruction assistance, and income restoration assistances are detailed in the entitlement matrix of the RAP. Special support for affected people belonging to vulnerable groups, e.g.,

poor and women-headed households, households having handicapped people are included in the resettlement plan.

11. The PAPs will be entitled to

- Compensation for the loss of land, crops/ trees at their market value;
- Compensation for structures (residential/ commercial/community) and other immovable assets at their replacement market value;
- Assistance for loss of business/ wage income;
- Assistance for shifting and reconstruction, and
- Rebuilding and/ or restoration of community resources/facilities.

12. This will ensure that persons affected by land acquisition or dispossession of their physical assets – whether titled or non-titled – will be eligible for appropriate compensation and or resettlement assistance. Persons having no legal title but using the land under acquisition, if vacated for the project purposes, would be provided with compensation and resettlement assistance for structures and shifting/reconstruction allowances.

13. Households having customary rights to land and physical assets acquired – for instance, renters, sharecroppers, any kind of formal or informal tenancy contracts are also covered under the RAP resettlement framework. The people involuntarily displaced from homes, assets, or income sources as well as non-titled people affected by the project will receive priority access to these livelihood regeneration measures. The resettlement activities of the project will be carried out in consultation with the PAPs and all efforts will be made to minimize disruption during implementation. AP preferences will be taken into account in relocating and resettling the affected persons.

14. A summary entitlement matrix has been prepared on the basis of currently known impacts of the project. Census surveys conducted earlier identified the level of impact. The matrix shows the entitlements for each type of losses and dislocation. In case additional impacts are identified during implementation, the entitlement matrix will be revised through inclusion of compensation and assistance for the additional impacts as per the resettlement policy framework of the project.

## V. Objectives

- **[Name of the IA]** will engage an experienced for the consultation with affected persons and the implementation of RAP. In view of the experience gained from implementing resettlement in previous projects, involvement of s was particularly helpful and effective in the following areas:

- Gathering and sharing information during implementation to establish transparency
- Information campaign and community participation;
- Strengthening the capacity of the executing agency (EA) to deliver services and to implement resettlement plans. inputs are particularly important in involving local people, women/vulnerable groups in addressing resettlement- related concerns and benefit monitoring.

## VI. Scope of Work – General

16. The general scope of work for the selected I will include:
- Recruitment, deployment and training of the HQ and field staff;
  - Setting of office, equipment and implementation tools;
  - Information and communications campaign;
  - Assist in collecting CCL;
  - Assist in Land acquisition;
  - Carrying out additional census and IOL, if required for verification;
  - Prepare supplementary LAP during implementation for any “left out” land/plots or disputed area required for project implementation
  - Computerization of DC data (calculation sheet, DC Award, share determination);
  - Identification of entitled persons (EPs); participation in grievance redress committee (GRC), preparation of EP file, preparation of entitlement card, preparation of payment statement;
  - Disbursement of resettlement benefit;
  - Any resettlement-related technical services required by the EA;
  - Preparation of monitoring and supervision reports to EA as agreed in the contract. The activities mentioned above will be performed for estimated 4,362 units likely to be affected due to acquisition by the project
  - Submission of Project Completion Report (PCR) and detail statement of expenditure against payment to the PAPs and EPs.

## VII. Detailed Tasks to be performed by I

17. The selected I will assist RHD in implementing all stipulation agreed in the resettlement plans entirely, fairly and timely with full transparency. The main purpose of engaging an I is to assist the entitled persons to claim the compensation under the law to be paid by the DCs and resettlement benefit to be paid by RHD and their relocation, and assist **[Name of the IA]** in processing and paying resettlement benefits to the EPs.

18. **Assist in Land Acquisition:** Assist **[Name of the IA]** from preparation of land acquisition proposal and liaison with Deputy Commissioner’s office to expedite and arrangements for land acquisition activities till handing over of Land to **[Name of the IA]** from DC office and Gazette publication.

19. **Assistance to APs in collection of CCL:** CCL payment records are considered as the legal document to identify the owner or owners. **[Name of the IA]** through the will collect these documents from DC offices, distribute shares of the co-owners and issue ID cards based on the DC data.

20. **Carry out census or and verify IOL:** The I will carry out, where needed, additional census and/or verify existing IOL for compensation purposes. In case new areas are to be acquired, the will have to carry out census for additional areas.

**21. Collection of Award and Creation of Inventory of Losses (IOL):**

- (i) Collection and computerization of Land Acquisition (LA), joint verification data, payment of cash compensation under law data and resettlement benefit payment data, and reconciliation of all these;
- (ii) Creation of an electronic database of inventory of losses and dislocations.

**22. Information Dissemination and Feedback:**

- (i) Ensure dissemination of information on the project and resettlement policy to the project-affected persons and others (community groups, local administration, etc.) who are instrumental in effective and transparent implementation of the RPs;
- (ii) Assist **[Name of the IA]** and the local representatives in organizing consultation and recording the outcome of the meetings.

**23. Technical services:** Prepare software for reconciliation of data bases, create database, and prepare software for EP file and EC or their updating, calculating and processing payment, progress and performance and participatory monitoring and a computerized MIS for use by **[Name of the IA]**, the I and the review missions.

**24. Identification of Entitled Persons and Issuance of ID Card:** I will assist **[Name of the IA]** field personnel in identifying and issuing ID cards to the entitled persons identified as per Resettlement Policy Framework (RPF) duly certified by the U/P members or ward commissioners.

**25. Preparation/Updating of EP file:** Prepare the entitled person files bringing together all her/his losses or update on a regular basis.

**26. Preparation/updating of entitlement Card:** Prepare or update 'entitlement card' for the individual EPs as per their types of losses and the amount of compensation due for each types of losses from legal title and the amount of Resettlement Benefit to be paid by **[Name of the IA]** .

**27. Preparation/updating of Payment Statement:** Prepare and or update payment statements for individual EPs as per their types of losses and the amount of compensation due for each type of losses from legal title and the amount of Resettlement Benefit paid by **[Name of the IA]** .

**28. Disbursement of Resettlement Benefit:** Process payment of additional benefits based on the price approved by MORTB following recommendation of Property Valuation Advisory Committee and ensures that all resettlement benefits are paid accordingly.

**29. Participation in Grievance Redress:**

- (i) Ensure that the PAPs are fully aware of the grievance redress procedure and the process of bringing their complaints to the GRCs,
- (ii) Investigate the veracity of the complaints and try to settle them amicably, fairly and transparently before they go to the redress committee or the courts of law,
- (iii) Assist GRC in settling the dispute; and
- (iv) I will prepare minutes of the GRC meetings and communicate the decisions to the parties involved.

30. **Assistance to APs in the process of Resettlement:** The EPs and their losses will be identified and recorded in EP file. The EPs will be informed of the resettlement benefits adequately. Payment of entitlement will be processed and assisted in collection of those. They should be guided in relocating and investing the compensation and resettlement benefit in an appropriate manner.

31. **Monitoring and Supervision:** User-friendly menu driven software should be used to generate progress reports for real-time monitoring of progress. The software will be simultaneously operated by the PIU, , the project implementation consultant as well as by **[Name of the IA]** so that all the organizations are aware of the progress and problems instantly. Monitoring and supervision will include the following:

- (i) Utilization of manpower input;
- (ii) Internal coordination meetings; and
- (iii) Meeting with client and I.

32. **Progress Reporting:** The RAP requires that all EPs are paid the stipulated compensations/entitlements before they are evicted from the properties and/or construction work begins. The selected will provide RHD monthly report on the progress in RAP implementation, including any issue that might be hindering progress, separately for each civil works contract. The will design tabular and other formats appropriate for reporting on the above information. To the extent possible, the tables will have to be pre-programmed in the menu-driven MIS and the quantitative reports will have to be generated directly.

The report will contain the following together with the progress reporting;

- (i) A clear and complete account of work performed in each project component;
- (ii) Work planned for the next reporting period;
- (iii) Status of funding and expenditure;
- (iv) Identification of any problems encountered or anticipated that would affect the completion of the project within the time and money constraints set forth in the agreement, together with recommended solution to such problems.

### VIII. RAP Implementation Schedule

33. The Project Director will allocate manpower and provide time schedule as per the requirement of the civil construction. The I will assist **[Name of the IA]** in the tasks set out in Table 01.

**Tentative Activity Schedule of I for Implementation of RP**

Activities	Total Time (TBC)
Recruitment, training and deployment	1
Assist in collecting CCL	260
Census/Additional LAP, if needed	8
Information campaign	51
Assist PAPs in Relocation	51
	86

Identification of EPs	260
Technical services	260
Preparation of EP file	260
Preparation of EC	260
Preparation of Payment statement	260
Payment of Resettlement Benefit	240
Participate in GRCs	240
Assist EPs in the Process of Resettlement	240
Monitoring and Supervision	260

#### **IX. Support to be provided by the EA**

34. The implementing will be provided with a map showing locations of project and mouza maps.

#### **X. Accounts and Records**

35. The I shall keep accurate and systematic accounts and records in respect of the services in such form and detail as are customary in its profession and sufficient to establish accurately that the remuneration and reimbursable out-of-pocket expenses have been duly incurred. The I shall permit duly authorized representatives of the Client, to inspect and make an audit of all such documents, accounts and records in connection with payments made in accordance with this contract.

#### **XI. Ownership of Documents and Equipment**

36. All reports, documents, correspondence, draft publications, maps, drawings, notes, specifications, statistics, work product in any form and, technical data compiled or prepared by the I and communicated to the Client in performing the services (in electronic form or otherwise and including computer-disks comprising data) shall be the sole and exclusive property of the client, and may be made available to the general public at its sole discretion. The I may take copies of such documents and data for purpose of use related to the services under terms and conditions acceptable to the client but shall not use the same for any purpose unrelated to the services without the prior written approval of the client. All computer programs developed by the I under this contract shall be the sole and exclusive property of the client; provided, however, that the I may use such programs for their own use with prior written approval of the client.

37. Equipment, and materials furnished to the I by the client, or purchased by the I wholly or partly with funds supplied or reimbursed by the Client hereunder, shall be the property of the client. Equipment or materials brought into by the I and the personnel and used either for the project or personal use shall remain the property of the or the personnel concerned, as applicable.

#### **XII. Monitoring and Evaluation**

38. Measuring RP Implementation Progress: For monitoring progress of I work in RAP implementation, an appropriate monitoring format should be prepared with score/weight against each activities and sub-activities. User-friendly menu driven software should be used to generate progress reports for monitoring the progress regularly. The software will be simultaneously operated by the RU and I and the construction supervision consultant so that all the organizations are aware of the progress without delay.

39. Proper orientation to the **[Name of the IA]** staff members is to be given so that they can supervise the I activity appropriately from the very beginning and operate the menu-driven MIS to remain updated about the progress and problem. CCL payment records should be collected from DC office regularly and be compared with the payment data of the I so that the progress achieved, mistakes made, if any by the stakeholders in the process of RP implementation are checked and verified instantly. Before making payment of entitlement, land schedule and census data will be compared with the payable amount, to avoid mistakes or fraud

40. Criteria for measuring performance of I staff: There are number of actions needed in collecting CCL and grants. The operatives will investigate the steps completed so far in collecting compensation for a particular plot. Data collected through Focus Group meetings in this connection will be processed in a computerized system to monitor the progress in CCL and grant collection by the EPs. Performance evaluation of the operatives, especially the field staff will be judged by that progress. Production and application of RP implementation tools, payment of grants and resettlement of PAPs should also be the basis for calculating I performance.

41. The I will develop monthly progress reporting format as per the requirement of the co-financiers and RHD. Based on the quantitative reports generated through the above- mentioned computerized system monthly progress report by I will be prepared and submitted to the **[Name of the IA]**. The will ensure the following issues in implementation of the RPs in addition to the above.

### **XIII. Coordination**

42. The will meet regularly with the **[Name of the IA]** to discuss progress and constraints on activities during the previous month. Actions to be taken and the key actors for the tasks concerned will be identified as tasks assigned from respective agencies. In case any items are not covered by the RAP, the coordination meeting should come up with recommendations, which should be approved and implemented through executive order of the **[Name of the IA]** .

**43. Payment of service charges:** Bills for the services will be paid as per the progress achieved during the preceding month

### **XIV. Criteria for I Selection**

44. The I to be selected for the tasks must have proven experience in resettlement planning and implementation.

(i) The I shall have the demonstrated capacity to mobilize the required trained and experienced field staff.

- (ii) The I shall have the experience in implementation of large resettlement plan like the present project
- (iii) I must have at least ten years of working experience in the implementation of resettlement and land acquisition under externally funded development program
- (iv) The I must be registered under the Social Welfare Department or under NGO Affairs Bureau
- (v) The I must present certificate/s from the concerned government department/agency to verify its satisfactory performance in resettlement social/census survey, planning and implementation of resettlement plan, monitoring and evaluation through effective management information systems and preparation of analytical reports that meet the standards of co-financiers.

45. The I shall have to present audit report for the past three years. Further details are available in the Data Sheet.

#### **XV. Staffing**

46. The must be able to present evidence of sufficient experienced and trained qualified manpower to be mobilized to this end. The I shall have to provide staff input to carry out the works under this Terms of Reference.

46. The must be able to present evidence of sufficient experienced and trained qualified manpower to be mobilized to this end. The I shall have to provide staff input to carry out the works under this Terms of Reference. The man-months and designation of the staff shall have to be as stated in the following table.

**Table 02: Tentative Man-month and designation of the staff**

<b>Item No.</b>	<b>Position</b>	<b>Number of staff.</b>	<b>Indicative man-month</b>
<b>A. Professional Staff</b>			
1	Team Leader (resettlement specialist)	1	60
2	Deputy Team Leader	1	60
3	Resettlement Specialist	1	60
4	Area Manager (one for each district)	3	180
5	MIS Specialist/Database Manager	1	12
<i>Sub-total</i>		7	372
<b>B. Office Support Staff</b>			
1	Office Manager/Accountant	1	60
2	Computer Operator/Office Assistant	2	120
3	Messenger/MLSS	2	120
<i>Sub-total</i>		5	300
<b>C. Field Support Staff</b>			
1	Computer Operator/Office Assistant	3	180
2	Land surveyor	3	30
3	Resettlement worker	32	1920
4	Messenger/MLSS	3	<del>298</del> P a g

<i>Sub Total</i>	41	1028
TOTAL	56	1700

## XVI. Qualifications and Experience of Key Staff

47. Following Tables presents a general description of key staff.

**Table 13: Qualification of the Key Staff and minimum required Experience**

Position	Minimum Academic Qualification	Specific experience
Team Leader (Resettlement Specialist)	MSc / MSS / MA	At least 5 years of experience (with at least 20 years of general experience) as Team Leader in resettlement survey, planning and implementation of land acquisition and resettlement Projects.
Area Manager (Resettlement Expert)	MSc / MSS / MA	At least 5 years of experience. (With at least 15 years of general experience) in resettlement implementation works, preferably as an area manager or field coordinator or surveyor.
MIS Specialist/ Database Manager	MA/MSc/ MSS/BSc in any Engineering Discipline	At least 5 years of experience. (With at least 10 years of general experience) as Data Manager/System Analyst/MIS Specialist. Experience in social survey/resettlement Data base management is essential.

**Table 14: Qualification of the Supporting Staff and minimum required Experience**

Position	Minimum Academic Qualification	Specific experience
Office Manager	MSc / MSS / MA /M.Com	At least 05 years of experience in similar
Position	Minimum Academic Qualification	Specific experience
Computer Operator/ OfficeAssistant	BA/BSc	At least 02 years of experience as Office Assistant. Adequate speed in data computerization is a must. Good typing speed in Bangla & English with good operational knowledge in MS Word, MS Excel, MS power Point.
Land Surveyor	Diploma in Civil Engineering /Survey	At least 05 years of experience in Similar position.
Resettlement Worker	BA/BSc	02 years of experience in similar position in resettlement

		implementation project.
Messenger /MLSS	SSC	03 years of experience in similar position.

Appendix 6: Terms of Reference for Social & Resettlement Specialist as Individual Consultant for  
**[Name of the IA]**

**1. Background:**

The Government of Bangladesh (GoB) through the Ministry of Finance (MoF) has requested the World Bank (WB) to support the preparation and implementation of the ACCESS Regional Transport and Trade Facilitation Program (MPA Program) with the **[Name of the IA]** as one of the implementing agencies. **[Name of the IA]** will implement [details of the major activities]. **[Name of the IA]** will implement construction, rehabilitation and improvements of priority rural roads and associated infrastructures in [project area]. The program is envisaged to be implemented in phases and could run from 12 years of implementation. The Program would be implemented in three phases. The first phase of this project will follow the same component structure as the overall program and will finance the [project activities for reference].

There is a dedicated [relevant E&S Cell/ Unit of the IA] as a technical wing who is responsible for ES management of all **[Name of the IA]** development projects. [Details of the Cell]. As an active member of [name of the cell], social and resettlement will be the part of PIU, who will be responsible for overseeing the RAP implementation, supervision and monitoring with coordination of PIU. He is also responsible to monitor CSE to ensure ESF compliance of the project. The Social and Resettlement specialist will keep good coordination with the PIU to ensure compliance of social due-diligence.

**2. Objectives:**

The objective of hiring a Social & Resettlement Specialist as Individual Consultant is to enhance the capacity of already established **[Name of the IA]** to support implementing the WB's E&S framework, preparation and implementation of the social framework instruments, supervising the consultants and monitoring the work progress of the ACCESS-ss phase 01 sub-projects. It will help in smooth running of the sub-project and better monitoring of the CSC/ for implementing RAP and the contractors' work in the field.

**3. Scope of Services:**

The Consultant will carry out the tasks including but not limited to the following:

- Deal with social safeguards and support preparation of social safeguards instruments including Resettlement Action Plan (RAP), social assessment as a part of Environmental & Social Impact Assessments (ESIAs), Resettlement Policy Frameworks, Social Management Framework as a part of an overall Environmental and Social Management Framework (ESMF), Stakeholder Engagement Plans (SEPs), Labour Management Procedures (LMPs), SEA/SH Risk Assessments & Mitigation Plan and any other instruments for the Project, in accordance with WB's Safeguard Policies/Environmental and Social Framework (ESF) and regulatory requirements of GoB;

- Ensure that the costs for implementation of recommended social management and monitoring plans, and any capacity strengthening measures, are included in the proposed projects' development costs;
- Conduct public consultations and ensure information disclosure to Project Affected Persons (PAPs) and other stakeholders as required by WB and Government;
- Ensure the implementation of social safeguards instruments developed for the projects and WB environmental & social safeguards' requirements and other national/international environmental and social management procedures & standards are met with;
- Perform the internal monitoring of social framework instruments during the project implementation, support and advise the PIU and Consultant's team in addressing a variety of social issues at all levels;
- Prepare necessary documents, such as Social & Resettlement guidelines and tools in consultation with stakeholders and assist **[Name of the IA]** in commissioning and managing additional and/or special studies/assessments, if necessary;
- Identify necessary social requirement to clear construction sites;
- Regularly visit the project sites; and carry out site supervisions during implementation of projects and activities, and provide feedback regarding social issues to the **[Name of the IA]** ;
- Regularly attend the GRC meetings to resolve the issues of the aggrieved stakeholders;
- Visit as and when required, the concerned offices of Land, Revenue and other line departments like Forest, Agriculture, and Water, Environment etc;
- Provide support in procurement of Social & Resettlement consultants (a firm or individual consultant) as and when required by the authority by preparing the Terms of References (TORs), Request for Proposals (RFP), Evaluation reports, and drafting of contract;
- Organize and conduct the trainings on Social Safeguards aspects of the projects covering the preparation and implementation, preparation of mitigation checklists, conducting monitoring, implementation of land acquisition procedures, Grievance Redress Mechanism (GRM), Gender, Citizens Engagement, and Community Consultations, etc.;
- Prepare the Quarterly Progress Report (QPR) of social standard instruments and ensure its timely submission to the WB;
- Review and revision of documents and ensuring timely delivery of outputs as agreed between WB and the project;
- Respond to ESS incidents and concerns as required; and
- Undertake other duties as per the requirements of the project or as directed by **[Name of the IA]** .

#### **4. Qualification and Experience**

- Master's Degree in Sociology/Anthropology/Social Development/Social Work/Development Studies and other any relevant field. Post Graduate degree will be preferable;
- Should have at least ten (10) years of professional post qualification working experience including 03 years working experience with the Public Sector development projects related to social and resettlement impacts;
- Candidate should have the sufficient knowledge of the Social Framework Standards specifically the WB.

- Candidates with experience of infrastructure/road sector projects funded by WB will be preferred;
- Command over written and spoken English and Bangla is essential;
- Demonstrated Computer user skills (e.g. desktop applications such as MS Office Word, Excel and Power Point).

**5. Reporting and Duration of assignment:**

The individual consultant shall report to relevant Project Director. Period of Contract shall be initially two years from the date of assumption of charge that may be extended further on satisfactory performance.

## Appendix 7: Details of Public Consultation Meeting and Focus Group Discussions

### Burimari Land Port Summary of Consultation Meeting with Officials (I)

Sl	Key Issues Raised	Participant/S Type	Response
1	Brief on the project	AD, Burimari Land Port Environmental and Social consultants Company Commander, Border Guard Bangladesh (BGB)	The AD of Burimari Land Port welcomed and thanked all the participants for their presence in the public consultation meeting. Then he gave a brief on the project. The consultants discussed to the participants what environmental and social standards will be maintained throughout the project like, preparing separate documents on Environmental and Social Management Framework (ESMF), Environmental and Social Impact Assessment (ESIA), Stakeholder Engagement Plan (SEP), Labor Management Procedure (LMP), Resettlement Policy Framework (RPF), Resettlement Action Plan (RAP), Sexual Exploitation & Abuse and Sexual Harassment (SEA/SH), Gender Action Plan (GAP), Environmental and Social Commitment Plan (ESCP) The BGB company commander then said that his organization would try to provide all possible assistance in implementing the project.
2	How the price is determined in case of land acquisition?	AD, Burimari Land Port Mr. Sayed, President, C&F Agents Union	Social consultants firstly said that, for the development or expansion of the existing land port, according to the World Bank's Environmental and Social Framework (ESF) the project Implementing Agency's primary target is to avoid any kind of private property/ land acquisition. If it is not avoidable then the project will go following the Resettlement Policy Framework and Resettlement Action Plan for land acquisition where policy from both the Government of Bangladesh and The World Bank will be followed. It was also discussed that, to determine the price of land or any kind of loss (e.g., structures, crops, tress, business etc.) there will be Property Valuation/Market Survey. He said that, if possible, there would be about 25 acres of vacant land on the east side of the present port. That space can be acquired and used for project work.
3	If someone runs a floating business on other's land or Government-owned land (Khas) and if that business is affected, how will that person be paid compensation?	Md. Anwar Hossain (In-Charge, Immigration Police, Burimari land port)	Answering the question raised by the Immigration Police consultants discussed in the meeting that any business, whether small, medium or large, permanent or temporary, would be compensated if affected by the project. The participant also wanted to know, if land acquisition takes place, compensation will be determined for the lands on the front side of the road and that are away from the main road. Consultants informed that by evaluating the market survey and government rate land price, all affected person/s should get a fair price for their land parcel.
4	If land acquisition takes place what will the community living close to land port do	From representatives that are living in the proposed land area adjacent to the existing land port (near zero point)	Consultants assured them again that if land acquisition is unavoidable, then the project will follow the RAP and accordingly affected persons will be compensated and provided support for their resettlement.



Figure: Consultation Meeting, Burimari Land Port, Burimari, Patgram, Lalmonirhat

## Summary of FGD with Burimari Local Importers/ C&F Agents (II)

The FGD with Local Importers/ C&F Agents was conducted on 13<sup>th</sup> December 2021.

Date	Location	Participants
13/12/21	Conference hall, Burimari Land Port Office, Burimari, Patgram, Lalmonirhat	10 (men)

Summary of Queries, Concerns and Suggestions Raised by Local Importers/ C&F Agents during FGD Sessions (II)	Responses
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- Development activities of Burimari Land Port are going to start in your area under Bangladesh Land Port Authority. What do you know about this project? If you know, tell us the details of what you know about the project. (Tell us in detail about the project's start time, about the land acquisition, how you know about the project.)**

Respondents said they did not know anything about land port development activities. At present, the perimeter of the land port is not sufficient for trade, they said. If the modernization of the port is done and perimeter of the land port is increased, it will bring positive change for the people of the port area. The size of the port yard needs to be increased. According to them, they conduct business properly by paying revenue / port charges etc. to the port authorities, but they are not getting the kind of trade-friendly benefits they are supposed to get from the port. Therefore, they think that the port development activities will bring opportunities for improvement in their area.
- What are the advantages and disadvantages of the project in the area? Who do you think could be directly affected by the project and who could be indirectly affected? Whose interest do you think is involved in land port development? What are your comments / suggestions for problem solving?**

They believe that the development of land ports will increase the dynamism of trade. They said that the yard (car park field in the local language) should be increased in the port during the discussion. At present the number of cargo vehicles entering the port is approximately 400/500 daily. Increasing the size of the yard will almost double the number of cargo vehicles entering. They expressed the view that a better banking system needs to be formulated in the port area. As no banking system is available inside the port, they need to move away from the port to complete their banking activities. As a result, their time is wasted.

Moreover, in order to develop the port, the roads adjacent to the port will also have to be developed, as a result of which the port-centric traffic congestion will be eliminated, more cargo vehicles can enter, which will also increase the revenue of the government.

The current weight scale of the port is flawed. If the port is developed, a weight scale that provides accurate measurements will be established, which will reduce the amount of losses to traders.

When the respondents were asked about the inconvenience caused by the project, they said that if the port is to be expanded as part of its development activities, land will be required. In that case if the land is acquired in a place where there is privately owned land then the land owners will face loss. But if the government compensates them for the land at a reasonable price, they think the acquisition will not cause much trouble.

Besides, the environment of the huge area adjacent to the port is unsuitable for human health. Many people suffer from respiratory problems due to dust and sand. Once the

Summary of Queries, Concerns and Suggestions Raised by Local Importers/ C&F Agents during FGD Sessions (II)	Responses
<p><b>Please discuss in detail what issues should be given priority in land port development project planning and why. (E.g., port infrastructure, what can be linked to modernization, what needs to be considered for residents and business groups living in the port and related areas, etc.)</b></p>	<p>project starts, the level of environmental pollution will increase.</p> <p>They mentioned that some issues should be given priority in the formulation of the development plan. Such as:</p> <ol style="list-style-type: none"> <li>1) Port area size should be increased 3 times more than at present</li> <li>2) The highway adjacent to the port has to be upgraded to 4 or 6 lane roads, starting from Zero Point to at least 10 km.</li> <li>3) In order to reduce the amount of dust, regular water sprinkling should be done by water truck</li> <li>4) Parking area should be increased</li> <li>5) A bypass road should be constructed along the railway line</li> <li>6) Planned sewerage system should be maintained</li> <li>7) Stone-breaking businesses scattered over a wide area should be given the opportunity to conduct business by enclosing the boundaries in a certain place.</li> <li>8) The bank is located about 3 km. away from the port. Therefore, it is important to set up bank branches inside the port to prevent wastage of time for traders.</li> <li>9) It is necessary to set up a mosque inside the port.</li> <li>10) Modern fire service system is required.</li> <li>11) It is necessary to increase the skilled manpower in different institutions or departments of the port.</li> </ol>
<p><b>What kind of problems do you think might arise if the land is acquired in the interest of the project? Explain the details of the compensation process when an acquisition is made. If you have any previous acquisition experience in your area, discuss it with us. If the acquisition is done, discuss what you think would be better to compensate for the loss.</b></p>	<p>They said that if land was acquired in the interest of the project in the port area, there would be no special problem if the land owners were given proper compensation. Privately owned land was acquired before the port was established on the present Burimari land port site. Many of those who lost land in the acquired area later bought land near the Zero Point area on the north side adjacent to the port and settled there. All those whose land has been acquired were compensated for the land as far as they know. However, it is best to use demesne land without acquiring privately owned land.</p>
<p><b>To whom/ where will you go to resolve any kind of complaint/problem arising out of the project? Do you know if there is any effective committee/arrangement in resolving the complaint? If so, tell us about the working style of that committee. (Whether there should be a committee, with whom this committee should be consisted of, what kind of work should be done, etc.)</b></p>	<p>A committee consisting of concerned authorities and local people's representatives may be formed to report any grievances or problems related to the project.</p>

Summary of Queries, Concerns and Suggestions Raised by Local Importers/ C&F Agents during FGD Sessions (II)	Responses
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**Give an idea about the existing educational institutions in your area. (Number of primary, secondary, higher secondary educational institutions / your satisfaction with the quality of education provided in the educational institutions / infrastructural condition of the educational institutions etc.). Do you think any school / college / madrasa / cultural heritage / historical place in your area will be affected by the impact of this project? If this happens, what is your advice to avoid or compensate for the loss?**

Excessive dust, noise, busy roads, etc. make children reluctant to go to school. Stone-crushing machines are supposed to be installed at least 300 yards away from the school, but the stone-crushing businesses are scattering them in an unplanned manner. Even if no educational institution is likely to be directly affected due to the project, it may worsen the existing situation.

**Do you think that the local area's religious institutions, historical and traditional establishments will be damaged due to the project? What are your comments / suggestions for problem solving?**

They said no religious institutions, historical structures are likely to be damaged due to the project.



Figure: FGD with Importer and C&F agent representatives

### Summary of FGD with Burimari Community Male (III)

Date	Location	Participants
10/12/21	North side of the Land Port boundary wall, Burimari, Patgram, Lalmonirhat	13 (men)

Summary of FGD Sessions with community males (III)	Responses
<ul style="list-style-type: none"> <li> <p><b>Development activities of Burimari Land Port are going to start in your area under Bangladesh Land Port Authority. What do you know about this project? If you know, tell us the details of what you know about the project. (For example, details about when the project will start, about land acquisition, how you know about all these things etc.)</b></p> </li> </ul>	<p>Participants present in the meeting said, they did not know of any projects related to the development activities of Burimari land port. One said he had heard from a person working at the port that the port would be expanded, separate parking would be provided, there would be a fire service, and a weight bridge (weight scale) would be built, but he did not know when that work would begin. He doesn't know anything. He added that he had heard that no land would be acquired on the port's north side.</p>
<ul style="list-style-type: none"> <li> <p><b>What are the advantages and disadvantages of the project in the area? Who do you think could be directly affected by the project and who could be indirectly affected? Whose interest do you think is involved in land port development? If any problem arises, what are your comments / suggestions for solving the problem?</b></p> </li> </ul>	<p>One of the respondents thinks that the project's impact will be economic development of the area, which means that the socio-economic condition of the people of the area will also be better. He said, "Coming of people from other areas to work in the project will actually increase the sales of food hotels, grocery stores, etc. in our area which will be good for us." However, he said that expanding the port could be started on the land lying fallow next to the existing port. By using the amount of space available there, the port can be increased 3/4 times more than the current one.</p> <p>Talking about the inconvenience, the respondent said that due to lack of proper management/ monitoring, the authorities are not able to manage the activities of the port properly. If the port is enlarged, it will be more difficult to manage its activities properly. The environment of their area is already much polluted due to the stone crushing businesses that import the stone through the port. He added that 90% of the people in the area have dry cough.</p>
<ul style="list-style-type: none"> <li> <p><b>Do men and women enjoy the wealth they deserve in the distribution of wealth and land in your area? What is the ratio of female land owner to male land owner in this area?</b></p> </li> </ul>	<p>In most families, women do not get the resources they deserve. In some families, it may be seen that a woman is being paid by her brother the same amount of property as she deserves.</p>
<ul style="list-style-type: none"> <li> <p><b>Is there a practice of child marriage in the area? If so, what is the percentage of child marriage? What are the causes of child marriage? Is there a dowry system in marriage? Please give us a detailed idea about all these.</b></p> </li> </ul>	<p>Respondents said that 10% of child marriages are prevalent in their area at present. And this practice is more common in extremely poor families. However, the practice of exchanging dowry in marriage is seen in 100% of the families in the area. Dowry is a social custom in the area, they said.</p>
<ul style="list-style-type: none"> <li> <p><b>What kind of problems do you think might arise if the land is acquired in the interest of the project? Explain the details of the compensation process when an acquisition is made. Does the acquisition create any inconvenient situation especially for women? If you have any previous acquisition experience in your area, discuss it</b></p> </li> </ul>	<p>In this regard, the participants said that today's land port has been built in the place where almost every one of the communities on the north side of the port used to live. The government has already acquired their land and built the port. They have moved from that place to current place. If this place is acquired again, it will be a big concern for them. This is because the plot where they have now bought land and settled anew was formerly a</p>

Summary of FGD Sessions with community males (III)	Responses
<p><b>with us. If the acquisition is done, discuss what you think would be better to compensate for the loss.</b></p>	<p>pond. They bought land in that pond and later filled the pond to settle. They have had to spend a lot of money for land filling purpose.</p> <p>Moreover, at present it is very difficult to get land for purchase in the vicinity of the port area. Because, the land owners here are able to earn five lakh (500,000) taka a year by renting land to the stone crushing traders. So no one wants to sell land in this area. They said that they have been living in the present place for a long time and all their income-based work has been developed based on this place. Once they have moved. Now if they have to relocate again, their standard of living will be severely affected. They will lose the opportunity to earn a living. Earlier they were verbally informed about the acquisition of land. Then suddenly the people appointed by the authorities came and took pictures and videos of their place, settlement etc. The process of compensating them for the acquisition was not easy. The distance from their settlement to Lalmonirhat Sadar is about 100 km. Every affected person had to travel to Lalmonirhat Sadar about 4/5 times.</p>
<ul style="list-style-type: none"> <li>• <b>To whom / where will you go to resolve any grievances / problems arising out of the project? Do you know if there is any effective committee / arrangement in resolving the complaint? If so, tell us about the working style of that committee. (E.g., whether there should be a committee, who should have this committee, what kind of work should be done, etc.?)</b></li> </ul>	<p>Participants also said that many well-to-do families have become extremely poor over the years due to the acquisition of arable land. Because those families could not use the compensation to build a new source of income, they were not skilled in any kind of work other than farming. Arable land was their economic strength.</p> <p>They are of the view that the port authorities themselves can solve any problem related to the project.</p>
<ul style="list-style-type: none"> <li>• <b>Do you think any school / college / madrasa / cultural heritage / historical place in your area will be affected by the impact of this project? What is your advice on how to avoid or compensate if something like this happens?</b></li> </ul>	<p>They believe that the project will not harm any educational institution or any cultural or traditional place in the area.</p>
<ul style="list-style-type: none"> <li>• <b>Do you think that the project will damage the religious institutions and historical sites in the area adjacent to the project? What are your comments / suggestions for solving such problems?</b></li> </ul>	<p>They think no religious institution or any traditional installation in the area will affect the project.</p>
<ul style="list-style-type: none"> <li>• <b>What is the type of land in the project area (mouza area of the project) (one crop / two crop)? What crops are usually produced on the land? What kind of crop is produced in which season / month? If a land does not</b></li> </ul>	<p>Double crop lands are commonly seen in the project area. The main crops grown here are Amon, Maize and Tobacco. At present large portion of land in Burimari area is leased to stone traders where they are conducting stone crushing business.</p>

Summary of FGD Sessions with community males (III)	Responses
produce any crop all year round, what is the use? When is the land vacant? Are fallow / vacant lands used for work?	
<ul style="list-style-type: none"> <li>• What kind of trees do you usually have in your area? How is the tree's price determined / at what price is it bought and sold?</li> </ul>	Ma, Jackfruit, Litchi, Coconut, Betel nut, Mahogany, Guava, Kadam, Blackberry etc. trees are more common in the area. The value of a tree is usually determined based on its size.
<ul style="list-style-type: none"> <li>• What type of ownership of the trees can be seen on the side of the road? How are these trees sold? Who gets the money if sold?</li> </ul>	Respondents said that the trees along the roadside include government trees as well as privately owned trees. The tree owner bears the selling price of privately owned trees.
<ul style="list-style-type: none"> <li>• If there are ponds / lakes in this area, for what purpose are they used? Is fish farmed in the ponds throughout the year? What fish is farmed? What is the price of fish?</li> </ul>	They said that ponds / lakes are less visible in Burimari area. It goes without saying that there are almost no ponds where fish are farmed.



Figure: FGD with community male

### Summary of FGD with Burimari Community elite persons (IV)

Date	Location	Participants
11/12/21	Roqun's House (Rowshon Villa), Tatipara, Burimari, Patgram, Lalmonirhat	10 (men)

Summary of FGD Sessions with community elite persons(iv)	Responses
<p><b>A development initiative of Burimari Land Port are going to start in your area under Bangladesh Land Port Authority. Do you know about this project? If you know about the project, tell us in details. (Tell us about the project's starting time and land acquisition, how did you know?)</b></p>	<p>Almost all the respondents answered that they had been hearing this issue in public for a few days. However, they said that they had no specific idea regarding this issue. Some added that, they didn't hear anything from adjacent authority. Notwithstanding, all the respondents wanted a proper development therein. When they were asked about starting time and acquisition process, they responded that they had no idea when the project would start. But majority of them had expressed perturbation over land acquisition. According to them, the land owners had to face a huge financial loss in acquiring the land of the present port.</p>
<p><b>What are the advantages and disadvantages of this project you think? Who do you think could be directly affected by the project and who could be indirectly affected? Whose interest do you</b></p>	<p>After giving a brief idea about the project and then asked them about its advantages and disadvantages, nearly all the respondents said that it would be an economic development for the people of that area. In this regard,</p>

Summary of FGD Sessions with community elite persons(iv)	Responses
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**think is involved in land port development? What are your suggestions for problem solving in this project?** Mr. Roknuzzaman Rokon, a stone trader, said, "if the port infrastructure develops, our stone imports will definitely increase, which will create more jobs opportunity in my organization that will be good for all. Based on his words, Mr. Abdus Salam said, "The Indian driver-helpers who carry these stones have to stay and eat here until unload the goods. As a result, Restaurants, hotels, tea stalls owner will definitely be benefited." On the question of loss, they have expressed concern about getting a fair price against land acquisition. Majority said that if this port is developed, it will be beneficial for all. Regarding the possible problems, the Imam of Zero Point Mosque, Mr. Saeed Ahmed said, "Road accidents are very often here, each and every day we heard about road accident. If the authority won't take proper road management plans, there is a good chance to increase road accidents here." Soon after, Mr. Ramzan Ali, a primary school teacher, said, "There may be obstacles in such work, but it will be easy in an orderly fashion if there is a proper plan."

**What kind of problems do you think might arise if the project acquired the land? Explain in details of the compensation process when an acquisition is made. Does the acquisition create any inconvenient situation especially for women?** They think that the biggest problem in acquiring land for the project is not getting a fair price. Some said that due to irregularities in the distribution of land price, market price and difference in mouza price, land owners are likely to suffer huge financial losses. When they were asked about past experience regarding land acquisition for present land port, they said, the owners of the lands acquired during the construction of the present port had to pay bribes to various offices to get compensation. They added that they had to travel daily to get the money they deserved. Many of them complained that they were paid far less than the market value. When they were asked how the acquisition could be compensated, Abdus Salam said, those whose land or infrastructure would be damaged would have to be properly compensated and their losses could be compensated if the project could provide them with employment. With his words, Altaf Hossain said, "homestead land is scarce."

**Are there any tribes / ethnic groups in the project area? If so, what kind of problems might those tribes have because of the project? Tell us your opinions / suggestions to solve that problem.** In response to this question, they said that there was no ethnic group living in their area.

**To whom / where will you go to resolve any problems arising out of the project? Do you know if there is any effective committee / arrangement in resolving the complaint? If so, tell us about the working style of that committee. (Whether there should be a committee. Who should this committee be with, what kind of work should be done, etc.)** when they were asked who they would go to if there was any problem related to the project, Mr. Sajjad replied, "We have to talk openly to the leaders concerned about the problem. This will solve most of the problems. If the situation will be more complicated, the resolving committee will find a solution by contacting the port authorities. However, there is no separate conflict resolving committee." All of the participants agreed that if there is such committee, the workers' rights will be protected and the working environment concerned will appeasement. When they were asked

Summary of FGD Sessions with community elite persons(iv)	Responses
	<p>who would be included in the committee, Altaf Hossain said he believed it would be better to form a committee comprising labor leaders, public representatives, government officials, law enforces agencies, BGB, political leaders and dignitaries from all walks of life. All the participants agreed to this statement.</p>
<p><b>Do you think any special aspect should be taken into consideration while using different resources used in the project (such as fuel, gas, water, sand, stone, road construction raw material etc.)? Can the use of the mentioned issues cause environmental pollution? If so, what are the actions that can be taken to reduce such pollution?</b></p>	<p>In response to this question, Altaf Hossain said that if the resources were not used properly in this project, environmental pollution and tremendous suffering of the people of the area will increase a lot. He added that if these materials will leave under open sky or bare land, there is a possibility of obstruction of pedestrians, which will be a suffering in regards to public movement. On whether there will be environmental pollution, Hafeez Noor Mohammad said that if cement, sand, rods, etc., cannot be covered, that will pollute the environment. He added that the environment that area had been polluted due to lack of proper management of stone traders at present. He further said that proper waste management was required in that project and authority should build a separate plant for waste management. Everyone agreed to his statement.</p>
<p><b>Will the project have any impact on roads, environment and canals/rivers? If so, what kind of impact? What are your comments suggestions in this regard?</b></p>	<p>In response to this question, Mr. Rokon said that that was normal for a new project to affect the environment /during construction negatively. He added, however, proper management must be taken to minimize it. He further added that other construction materials, including cement and sand, would be washed away by rainwater in rivers or reservoirs, harming the environment and animals. Therefore, to prevent such problems, an adequate shed should be built to store construction materials so that they do not harm the environment under any circumstances.</p>
<p><b>Do you think any school / college / madrasa / cultural heritage / historical place in your area will be affected by this project? If this happens then what is your advice to avoid or compensate for the loss?</b></p>	<p>They said, "the project will not directly damage any school-college-madrasa or traditional cultural-historical site, but they may cause some indirect damage.</p>
<p><b>Do you think that any religious institutions, historical and traditional structures will be damaged due to the project? What are your statements/suggestions for solving this problem?</b></p>	<p>They said, there were no mosques, madrasas or other important structures in the project area.</p>
<p><b>What is the type of the land in the project area (mouza area of the project) (one crop / two crop)? Which crops are usually produced on this land? What kind of crop is produced in which season / month? When is the land vacant? Are fallow / vacant lands used for work?</b></p>	<p>In reply they said, "The lands in the project area are generally cultivated with aman paddy, tobacco and corn. In addition, many landowners here earn money by renting land to stone traders annually.</p>
<p><b>What kind of trees do you usually have in your area? How is the price of these tree determined / at what price is it bought and sold?</b></p>	<p>Some said, "We have no such specific tress but eucalyptus, Mehguni, Ma, Bamboo, Banana trees etc. are plentiful in this area. Mr. Enamul said, "there are special rules for pricing trees. prices are determined by</p>

Summary of FGD Sessions with community elite persons(iv)	Responses
	eye sight.” According to Altaf Hossain, “there are other trees and more or less.” When asked about the price, Mr. Rokon said that large trees are usually sold for TK 20,000-100,000, medium trees are also sold for TK 5000-20000.
<b>What is the type of ownership of this tree that is on the side of this area? How are these trees sold? Who gets the money after selling?</b>	In response to this question, Ramzan Ali said that most of the trees along the road are owned by government. And if it is sold, the money is deposited in the government treasury.”
<b>If there is a pond / reservoir in this area, what is it used for? Is this pond / reservoir cultivating all the year? what type of fish is farmed? What is the price of fish?</b>	In reply, Mr. Ramzan Ali said, “Fish farming is very rare in this area.” Some of the respondents said that most of the water bodies remain uncultivated. “However, Rui, Katla, Tilapia and other carp fishes are the most cultivated fish in this area,” Mr. Altaf said. Mr Rokon said that fish prices were much higher compared to other areas. In the rainy season, it is a little less, but it is much more at other times. Further, he gave an example that 1 kg size rui fish is available here for 250 Taka, sold elsewhere for 200 Taka.
<b>What is the percentage of mobile usage of women and men in this area?</b>	When they were asked about the percentage of men and women using mobile phones, some of them said, “approximately 40 percent of women use mobile phones, while men use about 60 percent of mobile phones
<b>What percentage of households in this area have electricity connection? Is there any load shedding in your area? If occur, tell us in brief.</b>	“All the houses in this area have electricity connection but there is a lot of load shedding,” they said. Mr. Ramzan Ali said “at present there is at least 7/8 hours of load shedding in a day, which has put us in a lot of trouble. Students can’t study well due to this problem.” Everyone presents agreed with him.
<b>What percentage of people in this area use internet? Who uses the Internet more and what they use internet for?</b>	When they were asked about internet usage, one of them said, “those who have smart phones in this area use internet, whether they are men or women.” Mr. Abdus Salam Said, “Facebook and YouTube are the most browsing sites here and recently I see some young use the internet to play online games. Mr. Sazzad said, “however, Imo, WhatsApp are widely used for talking.



Figure: FGD with Community elite person

### FGD with Male-1 (Bhomra)

#### Metadata:

<b>Item type</b>	FGD
<b>Respondent Type</b>	Community Male
<b>Date</b>	27.01.2022
<b>Time</b>	4.30 pm to 5.30 pm
<b>Location</b>	Golam Eazuddin's house, Majherpara, Lakshmidari, North side of Bhomra zero point, Sadar, Satkhira
<b>Facilitator</b>	Sabbir Ahmed Dhali
<b>Note taker</b>	Md. Redoan Hossain Bhuiyan

Development activities of Burimari Land Port are going to start in your area under Bangladesh Land Port Authority. What do you know about this project? If you know, tell us the details of what you know about the project. (For example, details about when the project will start, about land acquisition, how you know about all these things etc.)

Respondents said they had heard of land acquisition at various times before to increase the size of the Bhomra port. Earlier, in 2005, some people came and said that they were from the AC Land Office. They put up flags in different places, took pictures of houses. Thus, they have been confronted with harassment many times before. Earlier, the DC had a meeting with the people about a place on the other side of the BDR camp in the interest of acquiring land for the port. They said they have no objection to acquiring land in any place other than their place of residence. There is a huge cultivating land area in the vicinity, which is locally known as 'Dantbhanga bill', land has already been acquired for the port there. They have a lot more cultivable land in that place, if the government wants they are willing to give their land for acquisition.

They said, "We are in favor of the development of Bhomra land port. Since the port is in our area, we want the port to be developed. But we are talking about arranging a place for us before you acquire the place. Before the government takes the place, those it will have to give new land to live to those whose land is acquired." But they request that they have no problem if the government acquires as much land as needed from the cultivable land in the adjoining cultivable lands, excluding their houses, markets, madrasas, schools, temples, mosques. One respondent said, "Mainly listen to me, Last but not least, we will not give up our home stead land."

What are the advantages and disadvantages of the project in the area? Who do you think could be directly affected by the project and who could be indirectly affected? Whose interest do you think is involved in land port development? If any kind of problem arises then what are your comments / suggestions for solving the problem?

Participants said that if their place of residence is acquired, they would have difficulty, in which case they would have no place to go. They said that all the lands that they had along the road in the vicinity of the port have been sold to other people. The remaining land has been used for business purposes. At present they have no residential land other than this place of residence.

They have no objection to the acquisition of the land of the null land area (locally known as Dantbhanga Bill) which leads from the main road behind Jahangir Market to the null lands. Only two / three families live on that side of the dirt road. At present, more houses can be found in the presently proposed area of the project as far north as possible. According to them, relocation of

business establishments or shops etc. for acquisition is acceptable, but they will not accept relocation of people's homes.

According to them, those who own land, those who are local residents here, if land is acquired for the need of the project, these locals will be the most affected. Those who have permanently built building houses on their own land in the area adjacent to the BGB checkpost have 2 kathas, 2.5 kathas, or 3 kathas of homestead land, this is their last piece of land for housing, and therefore they will be the most affected if land is acquired in this proposed area.

They also think that the start of the project could have an indirect effect on those living in the area. Noise, environment pollution, etc. for work on large scale projects may indirectly harm public life.

Some of the participants felt that the project could create many job opportunities in the area. In addition, those who are running various types of shops, food hotel business, residential hotel business, etc. in the port area may have an opportunity to increase their income, which may also bring project benefits to the people of the area.

What will be the impact on the women in your area due to the difficulties that may / may not occur as a result of the project? Please provide us with a detailed idea of how safe the environment in your area is for women and children.

Acquisition of land in the area for the purpose of the project would evict women and their families from the area, depriving them of the environment in which they had lived for a long time. One said, "Since women can't live here, what's the point of thinking about their inconvenience?"

If there have been any incidents of violence / abuse against women in the area before, please tell us about it. Please tell us in detail if there have been any conflicts / conflicts with women workers / women workers groups who have come to work under any project or participated in any work before.

Male members from Lakshedari, Majherpara village, who participated in the group discussion as part of the proposed project area, said they had never heard of any incidents of violence against women in their area. Naturally, in a family like the other ten, there may have been arguments between men and women, but no more violent incidents have been reported.

They further said that women do not participate in any kind of project work here, as a result of which there has never been any incident of violence against women workers in the workplace.

What kind of problems do you think might arise if the land is acquired in the interest of the project? Explain the details of the compensation process when an acquisition is made. Does the acquisition create any inconvenient situation especially for women? If you have any previous acquisition experience in your area, discuss it with us. If the acquisition is done, discuss what you think would be better to compensate for the loss.

Attendees said that if the government deems it necessary to acquire land in Lakshmidari, Majherpara area adjacent to Zero Point of the port, before the acquisition, new lands have to be purchased, houses/infrastructure should be build for these people who are currently living here. After completing the process of preparing the land for the place, constructing houses etc., the government can proceed to acquire the land.

One of the respondents said, "Suppose we two brothers have been living in the place where we are sitting and talking for a long time now. When this land is acquired, it will no longer be possible for

our two brothers to live in one place. Because of the current crisis and market value of the land to be purchased in this area, considering the availability and value of the land, it may be convenient for me to purchase land in one area / neighborhood and my brother may find convenient to purchase land for him in another neighborhood / village, away from me. As a result, we two families can no longer live together. At present, in the area of Majherpara, it is hard to find a piece of land to buy even if you are willing to pay 15 lac for one decimal. In that case, if we are asked to relocate after acquiring the ancestral property of these families, then where will we live, where will we stay, where will we get a place with the family members and children? ”

The participants in the discussion said that even if the government gives financial compensation or new land in exchange for land, we will not allow them to acquire our houses. Even if we are given crores of taka, we will not give houses. This will be the main problem for the port in acquiring land in the interest of the project, they said.

They are of the opinion that in the part of ‘Dantbhanga Bill’ where 8/10 acres of land has already been acquired for the port, there is much more land where the government can acquire as much land as it wants. They said in unison, "We have given a lot of labor and blood for this house, school, temple, mosque, we are not willing to give this place.”

“This is our forefather’s land, so we will not leave this place. Here we are each living with our own family members as well as building houses. After the acquisition, some will get land for housing, some will not, none of these stories will be accepted.

Do you think any school / college / madrasa / cultural heritage / historical place in your area will be affected by the impact of this project? What is your advice on how to avoid or compensate if something like this happens?

Rashida Begum Secondary School and Bhomra Government Primary School in the area are likely to be affected by the project. In this case, according to the people of the community, it would be better to acquire any vacant land for the port, excluding the areas where there is infrastructure.

Do you think that the project will damage the religious institutions and historical sites in the area adjacent to the project? What are your comments / suggestions for solving such problems?

It goes without saying that there is almost no possibility of any religious institution or historical site being damaged in the proposed areas of Bhomra land port.

What is the type of ownership of the trees that can be seen on the side of the road? How are these trees sold? Who gets the money if sold? What kind of trees do you usually have in your area? How the price of the tree is determined / at what price is it bought and sold?

According to the discussion, the amount of trees in the area is less than before. Large tamarind trees, banyan trees used to be seen but now huge trees are not seen. The roadside trees are owned by the government’s Roads and Forest Department. However, some of the roadside trees in the locality are privately owned. In the area, date palm, mahogany, coconut, raintree etc. trees are more common.

Give ideas about the value of different types of land in your area (dwelling, cultivable land, fallow land, usable / cultivable ponds, unused ponds, etc.).

to



Homestead  
land 7/8 lac  
taka, single  
crop land 40  
thousand,  
two-crop 60  
thousand,  
commercial  
space 10 lakh  
12 lakh taka,  
pond 1 / 1.5  
lakh taka.  
There is  
some  
amount of bi-

crop land in this area, but many crop lands are not seen here.

Picture: FGD with Community male near zero point



Picture: FGD with Community Male (2)

## Appendix 8: Stakeholder Consultation Meeting of NBR and RHD

### Details of the In-person Stakeholder Consultation Meeting:

<b>Issues</b>	<b>Description</b>
Stakeholder Consultation Meeting Date	20 December, 2021
Stakeholder Consultation Meeting Time	11.00 am - 1.00 pm
Stakeholder Consultation Meeting Venue	Conference Room, Custom House, Chattogram

### Summary of Stakeholder Consultation Outcomes (NBR)

<b>Issues</b>	<b>Discussion</b>
Environmental Risks and Management	<p>Due to the nature and size of the project, the participants were more interested to discuss on the infrastructural design and environmental aspects of the project. Followings are some key environmental factors that were identified and asked to take into consideration during implementation of the project:</p> <ul style="list-style-type: none"> <li>• Air and Noise pollution would be one of the vital issues, particularly during the period when the existing building would be demolished to build new ones. There should be a proper plan in place to minimize air and noise pollution during the implementation period.</li> <li>• Custom House, Chattogram discard huge amount of paper every day. They usually store those papers in a warehouse and then sell those off later. During the site visit, the World Bank team observed a huge amount of waste paper stored in the corners of the balconies those are waiting to get disposed in the proper way. However, a paper recycling center or/and waste treatment plant can be considered to build so that they can dispose them immediately to maintain a clean working environment.</li> <li>• Sound pollution management system in the new buildings; this needs to take into consideration by installing sound proof windows and other ventilation systems.</li> <li>• The Custom House, Chattogram has a decent number of trees inside their compound. During the implementation of the project, need to minimize the number of trees will be cut down.</li> <li>• Custom House, Chattogram chemical laboratory is one of the crucial laboratories in the country, where 90% of the chemicals are tested that are imported in Bangladesh. The lab is severely understaffed (it has only 4 people and among them 3 are assistants) and the lab technically operates only in two rooms. The ESMF should propose a “Hazardous Material Management Plan” before implementation of the project. The HCMP should clearly mention probations on how to transfer the chemicals from one place to another.</li> <li>• Water logging during the rainy season: Custom Excise and VAT Training Academy goes under water during the rainy season. This temporary yet hazardous problem makes lives miserable for the people who live and work in that area.</li> <li>• Custom Excise and VAT Training Academy (CEVTA) produces significant amount of waste every day and the representative of the CEVTA suggested a waste treatment plant in their compound to keep the environment clean and safe on a regular basis.</li> <li>• Drainage system: Proper drainage system is important to keep the area clean and safe for all. While designing and panning for this system, need to consider sustainability issues, like capacity and proper management in mind.</li> <li>• Rooftop Management: Green rooftop management can be considered to increase the aesthetic aspect of the building. Also, plantation, proper sitting area for small meetings, well managed open area for different activities can be considered within the design which can potentially benefit everyone.</li> </ul>
Social Risks and Management	<ul style="list-style-type: none"> <li>• Sometimes there are accidents and even fatalities during construction. Proper measures have to be taken to avoid these kinds of incidents.</li> <li>• Temporary resettlement of the NBR employees/workers living in the compound of both sites; proper compensation and related issues has to be</li> </ul>

considered with utmost care. There are no squatters/informal occupants at both sites.

- People visiting Custom House, Chattogram mostly have their lunch in the compound in an existing canteen. During the reconstruction of the compound, the canteen will not be there and that may create some inconveniences for the people visiting Custom House. An alternative of this system needs to be considered during the implementation.
- Mosquitoes and pesticides control measures; mostly forgotten but one of the crucial issues since serious health issues like dengue, chikungunya, etc. are associated with this.
- Traffic congestion: During the construction period, the amount of usable land will be reduced, hence creating traffic congestion inside the compound. An alternative plan needs to put in place to minimize the congestion.

#### Infrastructural Design Related Feedback for Custom House, Chattogram

Everyday around 2000 people come visit Custom House, Chittagong and the number of incoming people will go up in next decades, given the growth trajectory of Bangladesh. Hence, the design of the building has to be foresightful and it is important that the building is designed in a way that would be sustainable with green engineering design, remain relevant to time, and most importantly, can accommodate any changes in demand of time.

- The new buildings need to be built in a way that they have enough probation to use daylight during the day time as a source of light. Enough open space and green building need to take into consideration to minimize the use of Air Conditioner.
- The buildings need to have wide stair case to manage fire hazard; and the lift and stair can't be side by side.
- The building must have an emergency exit and the staircase of the exit has to be wide enough to accommodate enough people at a time during fire or any other disaster.
- The building must have a separate prayer room and washroom for ladies. Also, a separate rest room for child care or can be used as a rest room.
- The building must have two to three seminar halls of different capacity and an auditorium. Also, the present stakeholders suggested considering a gym/yoga center, a library and dining halls as of needs.
- The building must have three to four lifts and each lift should have a capacity to lift 20 people or more.
- Proper parking space is of high importance and it has to be properly managed to accommodate all incoming vehicles.
- The compound must have proper toilet facilities outside for the visitors.

#### Photos from the Stakeholder Consultation Meeting, Custom House, Chattogram



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### Summary of Stakeholder Consultation Outcomes (RHD)

s	Opinion and questions from stakeholders	Reply from RHD
<b>Land acquisition</b>	Project should avoid land acquisition rather use GoB land as much as possible. If land acquisition is unavoidable, land should be acquired both sides equally.	Project will try to acquire GoB land as much as possible. If unavoidable, private land will be acquired ensuring compensation at market rate.
<b>Compensation</b>	<p>-Land owners, farmers, sharecroppers, business tenants and squatters should receive compensation from the project without any delays</p> <p>-what will be the compensation mechanism for land, tree, structures etc</p> <p>-If one third of the structure is affected, what will be the project policy</p> <p>-If replacement cost is more than the CCL what will be the project procedure</p>	<p>-All the project affected people will receive compensation irrespective of titled and non- titles. No construction work will be started before the compensation is paid off.</p> <p>-Any types of compensation will be paid at current market price.</p> <p>-If one third of the structure affects due to project intervention and remaining structure is not safe for living, compensation will be paid for the whole structure.</p> <p>If replacement cost is more than the CCL, a top-up payment will be paid to the APs based on the suggestions of PAVC and Bank standards.</p>
<b>Project location</b>	stakeholders asked for the specific project locations	Existing Sylhet to Sheola 43.10 km two lane road will be upgraded to four lane road. However, finalization of the RoW of the four lane road is in process.
<b>Vulnerable HHHs/severely affected HHS</b>	Severely affected HHS requested special assistance from the project	Project will consider special assistance mechanism for the severely affected HHS. Unskilled labors and project affected people will be engaged during construction, if they prefer.
<b>CPR</b>	What is the resettlement assistance for the CPR? If CPRs are affected what will be the project policy Is it avoid or not?	Project will construct CPR with the cost of the project. However, same mechanism for the affected land and structures can be followed.
<b>Trees</b>	-Historical trees are requested not to cut	Historical trees will be avoided. Trees compensation will be at replacement rate.
<b>Business loss</b>	What will be the compensation mechanism for large, medium and small business loss and wage earners	Compensation for commercial land, structures and business loss will be provided.
<b>Wage loss</b>	What will be the compensation mechanism for wage earners?	Wage earners will be eligible for the wage lost and will be compensated as per the resettlement policy.
<b>Road safety</b>	Requested foot overbridged at market place and Overpass/rail crossing	Project team will consider the suggestions

## **Report on Focus Group Discussion (FGD) Sylhet–Suterkandi Road**

As part of the feasibility studies, an extensive consultation program with key stakeholders, including persons interested in or affected and displaced by project activities, was carried out, in line with the requirements pertaining to safeguards considerations of GoB and ADB. These meetings are also expected to provide communities with opportunities to express their concerns and/or support for the project and to suggest ways in which aspects of the project should be planned. The sub-contractor(s) should arrange public meetings at different places in the project area where project team experts will participate to the extent possible. The tools used for consultations were individual meetings, interviews, questionnaires, and Focused Group Discussions (FGDs). These consultations provided inputs in identification of the felt needs of the communities, and the relevant stakeholders. The project team arranged consultations with the local stakeholders for information dissemination and community participation with the concerned stakeholders and probable displaced persons.

### **Objectives of the FGD:**

The objectives are to prepare the feasibility study, detailed engineering design, Resettlement Framework (RF) and Resettlement Plan (RP), and thereby to prepare the project roads implementation through carrying out field investigations and data analysis

- Assess, from the perspective of community, including those from potentially affected groups, indicators of citizen involvement with a particular road;
- Obtain greater depth, detail and voice on aspects of particular interest about the project roads and citizens' participation in that respect.

Organized 2 (two) FGDs in two different locations, a total of 37 participants attended the FGDs held on 1-2 June 2018. One FGD was with transport operators, vehicle owners and the second one was with local elites and business community people.

### **Category of Participants for these FGD:**

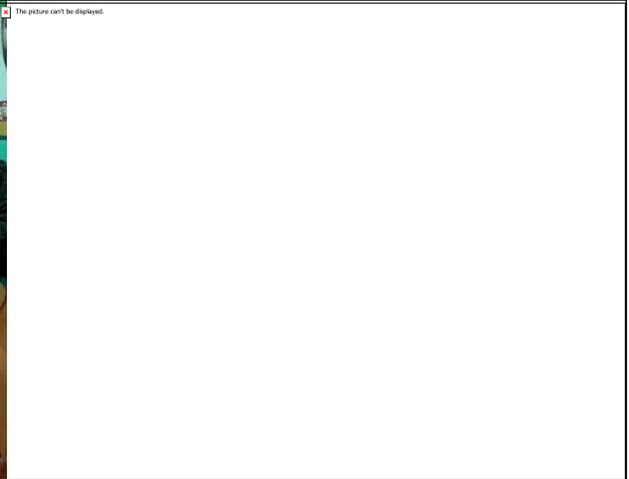
For these Sylhet –Suterkandi road of FGD participants were of different professional groups. Local Elites, Union Parishad Chairmen, Farmer, members, School Teachers, Businessmen, Entrepreneurs, Transport workers, Transport owners, students, Female participants, general people of the area, Probable Project affected persons were the participants of the FGD.

### **FGD Findings and Recommendations:**

While all the participants supported the proposed upgrading of the road, it was a common opinion of all FGD participants that the planned road up-gradation will reduce the traffic jam, make movement of vehicles faster, enhance mobility of people, reduce travel time and cost of transportation of products, and thereby might be contributing to betterment of the socio-economic condition of the people. Some issue-specific opinions and recommendations received from FGD sessions are briefly presented below.

- The road gets submerged at places during the rainy season due to poor cross-drainage structures.
- There are several risky curves that should be straightened while upgrading the road to 4 lanes.
- Land acquisition for proposed expansion of the road is a common concern expressed by many participants and urged for sufficient compensation for both land and structures to be affected due to expansion of the road. It was suggested that inclusion of local representatives in the land acquisition team/committee for proper identification of land owner and assessment of losses.

## Photographs of FGD



**Focus Group Discussion(FGD) Meeting**



**Interview with CNG Driver and Businessman**



**Interview with housewife and community People**

**Place of FGD: Golapganj, Sylhet**

**Date: June 01, 2018**

**Participant Attended: 17**

**Category of participants: Businessmen of the local market and transport operator’s //labors & vehicle owners**

Specifically the aims of the FGDs are to:

1. Assess, from the perspective of community, including those from potentially affected groups, indicators of citizen involvement with Sylhet –Suterkandi Road
2. Obtain greater depth, detail and voice on aspects of particular interest about Sylhet –Suterkandi Road and citizen participation.

A focus group discussion (FGD) is a good way to gather together people from similar backgrounds or experiences to discuss a specific topic of interest. The group of participants is guided by a moderator (or group facilitator) who introduces topics for discussion and helps the group to participate in a lively and natural discussion amongst them. The strength of FGD relies on allowing the participants to agree or disagree with each other so that it provides an insight into how a group thinks about an issue, about the range of opinion and ideas, and the inconsistencies and variation that exists in a particular community in terms of beliefs and their experiences and practices. FGDs can be used to explore the meanings of survey findings that cannot be explained statistically, the range of opinions/views on a topic of interest and to collect a wide variety of local terms. In bridging research and policy, FGD can be useful in providing an insight into different opinions among different parties involved in the change process, thus enabling the process to be managed more smoothly. It is also a good method to employ prior to designing questionnaires

Sl.	Focused Group	Issue of the Discussions	Findings and opinions of the participants
1	Male Group (Businessmen of the local market and transport operators //labors & vehicle owners)	<ul style="list-style-type: none"> <li>• Views of the people about the Sylhet – Suterkandi</li> </ul>	<p>AECL organized one FGD held at Golapganj, Sylhet on June 01, 2018 where businessmen of the local market and transport operators //labors &amp; vehicle owners were attended as participants.. Important findings and opinions are given below:</p> <ul style="list-style-type: none"> <li>•Participants said that they have heard about the expansion plan of this road from long ago.</li> <li>•They have known the news from the RHD officials and officials who’s comes from Dhaka. Development of this road is their heart driven demand, they added.</li> <li>•Businessmen and all transport related people have recognized the fact that development of this road is necessary because of its importance.</li> <li>•Participants have informed that various parts of the Sylhet-Suterkandi Road were under the water during last year’s flood time. Presently road is in too much worst position. It requires 30 minutes time to pass 10 Km distance of the road, now..</li> <li>• Local journalist Mr. Abdul Ahad said that facilities of the local people will be increased if this road is developed, maintaining international standard.</li> </ul>

			<p>construction because there are very few numbers of structures existed along the both sides of the road. Further they said that hopefully question will not be raised since government will pay three times price.</p> <ul style="list-style-type: none"> <li>•Local journalist &amp; General Secretary of the BanikSomittee Mr. Abdul Ahad said that benefits of the local people will much more than their losses if road is developed.</li> <li>•Participants also said that there can be no reason of concern if damages and losses is assessed rightly. Participants have shown their interest about cash payment.</li> <li>•In the meeting everyone’s agreed about development of this road. President of the Golapganj Bazar BanikSomittee Mr. AlekuzzamanAlek said that presently vehicles (with carrying stones) of seven province of India like Asam, Monipur, Meghalaya, Mijoram, Nagaland and Tripura are frequently moving up in this road This is one of the reason for present damaging situation of the road. Facilities of the local people will be increased if road is developed, he added.</li> <li>•Participants have informed that many local people both male and female (mostly male) moving up to the town as per their necessity. Moving up to town areas, even India will be increased if road is developed.</li> <li>•Participants have also informed that remittance is the main income source of the local people though notable income also comes from the agricultural product.</li> <li>•Participants demanded for constructing sufficient foot over bridges so that they could pass the road safely.</li> <li>•Since the road will be developed in international standard participants feel the necessity of road safety training for the road users particularly for the child labors, illiterate peoples, labor groups, and students</li> </ul>
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**Place of FGD: Charkhai Bazar, Biyanibazar, Sylhet**

**Date: June 02, 2018**

**Participant Attended: 20**

**Category of participants: Local elites & Businessmen**

**Specifically the aims of the FGDs are to:**

- Assess, from the perspective of community, including those from potentially affected groups, indicators of citizen involvement with Sylhet –Suterkandi Road
- Obtain greater depth, detail and voice on aspects of particular interest about Sylhet –Suterkandi Road and citizen participation.

A focus group discussion (FGD) is a good way to gather together people from similar backgrounds or experiences to discuss a specific topic of interest. The group of participants is guided by a moderator (or group facilitator) who introduces topics for discussion and helps the group to participate in a lively and natural discussion amongst them. The strength of FGD relies on allowing the participants to agree or disagree with each other so that it provides an insight into how a group thinks about an issue, about the range of opinion and ideas, and the inconsistencies and variation that exists in a particular community in terms of beliefs and their experiences and practices. FGDs can be used to explore the meanings of survey findings that cannot be explained statistically, the range of opinions/views on a topic of interest and to collect a wide variety of local terms. In bridging research and policy, FGD can be useful in providing an insight into different opinions among different parties involved in the change process, thus enabling the process to be managed more smoothly. It is also a good method to employ prior to designing questionnaires

Sl.	Focused Group	Issues	Findings and opinions of the participants
1	Mixed Male Group ( Local elites & Businessmen)	<ul style="list-style-type: none"> <li>• Views of the people about the Sylhet – Suterkandi</li> </ul>	<p>AECL organized one FGD held at Charkhai Bazar, Biyanibazar, Sylhet on June 02, 2018 where Local elites &amp; Businessmen were attended as participants.. Important findings and opinions are given below:</p> <ul style="list-style-type: none"> <li>•Participants more or less have known about the government planning.</li> <li>•They have known about the government plans regarding road development from the local representatives and RHD officials.</li> <li>•Participants said that road development is everyone’s demand. of them</li> <li>•They also said that presently this road is inappropriate for use. So everyone’s more or less will get benefits if the road is developed.</li> <li>• It is very natural that government will do development work in its own land but people will be affected if the governments do its development works in private ownership land. In such case, government should have to pay due compensation to the affected peoples.</li> <li>•Mr. MahfujurRahman who present in the meeting said that ‘there can be no reason of concern if damages and losses is assessed rightly’.</li> </ul>

			<ul style="list-style-type: none"> <li>•Participants have no objection about existing damages and losses assessment. To ensure transparency they just appealed to form a committee comprising with the affected people and involve the committee members with the assessment process.</li> <li>•Everyone who' were attended in the meeting welcome the decision of road development and said 'Development of this road is our dream and now we are feeling' lack of a good road'.</li> <li>•. Participants have informed that so many people both male and female are moving up to Sylhet town and India as well for business, treatment; jobs and educational purposes thought presently road condition is worst. They hoped that movement of the people will be increased than present tome if road is developed duly. They also hoped that standard of living of the people will be increased if road is developed</li> <li>•Participants treated agricultural product, remittance and business as main income source of their locality.</li> <li>•Participants has given advice for keeping separate space for bus- bay They also proposed for constructing of foot over bridges</li> <li>•Since the road will be developed in international standard participants feel the necessity of road safety training for the road users particularly for the illiterate people and students aiming to inform them about</li> </ul>
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## Appendix 9: Application Guidelines for Loss and Entitlements

### Matrix 1: Loss of land (residential, commercial, agricultural, fishery, fallow land)

Applicable to all land located within the boundary of civil works sites under road safety improvement subprojects.

Full replacement cost will be applied for land acquired. Compensation under law will be paid by DC and the top-up, if any, will be paid directly by the PIUs.

Replacement cost (RC) of acquired land will be enhanced by 15% (enhanced RC – ERC) where the affected land holder is a small farm household with a farm holding up to 1.5 acres or non-farm household (having farmland up to 0.05 acres and/or non-farmland up to 0.05 acres) depending on the income from the land acquired.

Vulnerable households are poor households (below the official poverty line-income at the time of assessment) headed by a woman, a disabled person, an elderly (over 65) person or a very poor household with income below the national extreme poverty line.

PAVC will recommend the RC /ERC of the land and the PIU will determine the Top-up.

PIU departments will provide resettlement payments (Top-up and vulnerability allowance (VA)) directly.

VA will be applicable when landowners dispossess the land for project purpose receiving compensation.

If the remaining land is unusable, with the formal request from the affected land owner, the Deputy Commissioner may choose to acquire the entire land in the plot.

Compensation top-up will be determined in circumstance when CCL amount paid after advance income tax is lower than the RC or ERC of the acquired land, as applicable.

### Matrix 2: Loss of structures (residential, commercial, community) within subproject boundary

Applicable to all structures located within the boundary of civil works sites to be demolished for any physical activities under the project.

Full replacement cost will be applied for permanent structures, while it will be repair and renovation cost for movable structures that can be relocated intact with minimum damages.

Vulnerable households are poor households (below the national poverty line) headed by a woman, a disabled person, an elderly (over 65) person or a very poor household under the national extreme poverty line.

PAVC will recommend the RC of the structures and Transfer Grant (TG) at current market price.

PIU departments will provide resettlement payments (RC, TG and VA) directly.

TG will be applicable when structure owners remove and take away structures on their own within the timeframe set by PIU departments.

Physically relocating residential households will be assisted in their effort of finding alternative site and accessibility provisions as available in the vicinity.

Compensation top-up will be determined in circumstance when CCL amount paid after advance income tax is lower than the RC of the acquired structure.

In case of community structures (mosque, temples, etc.), a replacement structure will be constructed at site identified by the affected community before dismantling the affected community structure.

Three months prior written notice of eviction will be given to the affected relocating households provided they have received compensation for their land and structures.

**Matrix 3: Loss of timber and fruit bearing trees, bamboo and banana groves**

- Applicable to all trees and plants located within site boundary at cut-off dates. Ownership of trees will be determined through a screening process guided by the PAVC based on information on plantation and maintenance of the affected trees.
- Compensation for timber trees and bamboo will be determined at replacement cost.
- The estimated current market price of fruits for full harvest will be determined for fruit-bearing trees without timber and if the tree is at or near fruit-bearing stage.
- Compensation for fruit-bearing trees with timber will be determined at replacement cost of timber added with the estimated current market price of fruit.
- Compensation for banana groves will be determined at replacement cost of all banana plants plus the estimated current market price of one-time crop of each full-grown plant.
- Private ownership of trees will be determined and decided during joint listing for titled affected persons and by the PAVC approved by PIU departments for non-titled affected persons.
- Compensation top-up will be determined in circumstance when CCL amount paid after advance income tax is lower than the RC of the acquired trees.

**Matrix 4: Loss of standing crops/fish stock**

- Compensation for standing crops will be based on annual yield provided by the Department of Agriculture Extension (DAE) and the market price will be provided by the Department of Agriculture Marketing (DAM).
- Compensation for fish stock will be based on harvest value determined by the Department of Fisheries.
- Ownership of crops and fish stock will be determined and decided during joint listing for titled affected persons and by the PAVC approved by PIU departments for non-titled persons.
- Compensation top-up will be determined in circumstance when CCL amount paid after advance income tax is lower than the RC of the acquired standard crops/fish stock.

**Matrix 5: Loss of income from displaced businesses**

Business transition allowance (BTA) will be based on three years average income but not exceeding BDT 30,000 (thirty thousand) per month for large business, BDT 20,000 (twenty thousand) for medium business and BDT 10,000 (ten thousand) for small business. Annual inflation will be applicable when implementation gap is more than a year.

BTA will be applicable for both business owners operated in self-owned structure and those operating in rented in structures.

Large scale business should have Income Tax and Vat Registration certificate, medium Scale business operators should have trade license or tax token, and small business are informal kiosks and street vendors without any legal authorization.

**Matrix 6: Loss of Possession of Affected Business Premises (allotted by PIU departments/other public or private agencies)**

- Displaced people will be noticed by PIU departments at least six months ahead of physical relocation.
- Business operators will be allowed to continue business up to one week prior to start civil construction.
- PIU departments will provide resettlement assistance directly.

**Matrix 7: Loss of income (wage earners in small business and industry excluding owners or employers)**

Affected employees must have been employed with a displaced business for at least twelve months (from the date of census), as identified by Census.

The minimum wage rate will be determined at current market price and needs of vulnerable groups will be assessed under the guidance of the PAVC.

The Allowance for Wage Loss (AWL) will be paid directly to the eligible affected persons by PIU departments.

**Matrix 8: Loss of Income from and Access to Rented-out Premises**

The owner of rented out premises will be entitled for Allowance for Loss of Rental Income (LRI) for each unit of premises rented out to separate household or person.

In case of any advance deposited by the tenant, an agreement on no-claim or outstanding balance should be certified by the local government representative between owner and tenant.

The LRI and Alternative Rental Allowance (ARA) will be paid by PIU departments directly to the eligible affected persons.

**Matrix 9: Unforeseen adverse impacts**

The unforeseen impacts will be identified through special survey by PIU departments as per request from impacted population. The entitlements will be approved by PIU departments and World Bank.

Appendix 10: Plot-based Primary Ownership Information of Land Proposed for Acquisition  
(Cha Form, ARIPA 2017)

Name of Project:

Name of Requiring Agency:

Location of Land

District:

Upazila:

Mauza:

1. Plot No.

2. Khatian No.

3. Class of Land:

Description of Land Ownership

4. Names and addresses of land owners as per latest land records

5. Names and addresses of land owners as per mutation khatian

6. Quantum of land and mutation case no.

7. Names of purchasers whose mutation has not been completed

8. Names and addresses of successors of deceased recorded/mutated owners

Owners in possession of land plots

Use of the land:

Name of current user(s) of land:

Name(s) of the current owners of the land parcel:

Relation of the user(s) with the legal owner(s):

Length of uninterrupted occupancy in the land by the current owner(s):

Type of ownership: [1] Succession; [2] Purchase; [3] Gift; [4] Exchange

Own share in the land plot:

Names of owner as per latest mutation khatian

Names of owners as per latest survey khatian

Land records available with the owner in possession of land

Latest survey khatian

Succession certificate (for parental property)

Namjari (mutation) khatian

DCR

Current LD tax receipt or Tax Exemption Certificate

*Additional supporting records in case of purchased land*

All registered deeds of land transfer made during the last 25 years

Original deed of purchase and/or copies of baya deeds

Latest owner's record linked to this transfer

List of any other missing land records:

Any contest over current ownership? [ ] Yes / [ ] No

Any litigation pending in the court? [ ] Yes / [ ] No