

Resettlement Plan

July 2012

BAN: SASEC Subregional Road Project

Joydevpur–Chandra–Tangail–Elenga Road Subproject

Prepared by the Government of the People's Republic of Bangladesh, for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 6 July 2012)

Currency unit	–	Taka (Tk)
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\$1.00	=	Tk. 81.815

ABBREVIATIONS

ADB	Asian Development Bank
APD	Additional Project Director
CCL	Cash Compensation under Law
CE	Chief Engineer
CMP	Current Market Price
CPRs	Common Property Resources
CRO	Chief Resettlement Officer
CRS	Commercial Resettlement Site
CSC	Construction Supervision Consultant
CSOs	Civil Society Organizations
CUL	Compensation under Law
DAM	Department of Agriculture Marketing
DC	Deputy Commissioner
DCP	Disclosure Consultation and Participation
DCRO	Deputy Chief Resettlement Officer
DDC	Detailed Design Consultant
DHs	Displaced Households
DPM	Deputy Project Managers
DPs	Displaced Persons
EA	Executing Agency
EC	Entitlement Card
EM	External Monitor
EP	Entitled Person
FGD	Focused Group Discussion
GOB	Government of Bangladesh
GRC	Grievance Redress Committee
HSC	Higher Secondary Certificate
IGS	Income Generating Schemes
INGO	Implementing Non-Government Organization
IOL	Inventory of losses
IR	Involuntary Resettlement
IVC	Inventory Verification Committee
JCTE	Joydevpur–Chandra–Tangail–Elenga Road
JMBP	Jamuna Multipurpose Bridge Project
JSC	Junior School Certificate
JVS	Joint Verification Survey
JVT	Joint Verification Team
LA	Land Acquisition
LAO	Land Acquisition Officer
LAR	Land Acquisition and Resettlement
M&E	Monitoring and Evaluation
MOC	Ministry of Communications
NASP	National AIDS and STD program

NRS	National Resettlement Specialist
O&M	Operation and Maintenance
DHs	Project Affected Households
PCR	Physical Cultural Resources
PD	Project Director
PMO	Project Management Office
PMs	Project Managers
PMU	Project Management Unit
PPR	Project Progress Report
PRA	Participatory Rapid Appraisal
PSA	Poverty and Social Assessment
PVAC	Property Valuation Advisory Committee
PWD	Public Works Department
R&R	Resettlement and Rehabilitation
RAC	Resettlement Advisory Committee
RC	Resettlement Consultants
RDM	Rural Development Movement (Polli Unnayon Andolon)
RHD	Roads and Highways Department
RO	Resettlement Officers
ROW	Right of Way
RC	Replacement cost
RP	Resettlement Plan
SDE	Sub-divisional engineer
SEC	Social and Environment Circle
SMVR	Slow moving vehicle road
SPS	Safeguard Policy Statement
SSC	Secondary School Certificate
STIs	Sexually Transmitted Infections
TA	Technical Assistance
TOR	Terms of Reference

WEIGHTS AND MEASURES

ha.	- hectare
km	- kilometer
km ²	- square kilometer
m	- meter
m ²	- square meter

NOTE

In this report, "\$" refers to US dollars.

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EXECUTIVE SUMMARY

1. **Introduction:** The Joydevpur–Chandra–Tangail–Elenga (JCTE) Road is one of the subprojects under the Bangladesh Subregional Road Project (the Project) which will be funded by the Asian Development Bank (ADB). The Project will assist the Roads and Highways Department (RHD) under the Ministry of Communications (MOC) of Bangladesh to implement part of the Road Master Plan (March 2008).

2. **Project Affected Area:** The JCTE Road which is about 70km in length passes through Gazipur and Tangail districts in the North Central region of Bangladesh. The existing road has recently been improved with new bypasses for Kaliakoir and Mizapur Upazila headquarters and Tangail district town. The road still crosses a number of built up areas and commercial settlement is growing along the new bypasses as well. The road improvement will affect settlements and business hubs at 37 mouzas in Gazipur and 33 mouzas in Tangail district.

3. **Project Displaced Persons:** The Project affected districts have a combined gross area of 7,712 sqkm with a total population of 9.97 million. Average population density is 1,293 persons/sq km. Economically active population among the male of age over 15 years is about 88% and that among the females is 37%. The Project intervention will displace or affect the productive resources of only 0.09% of the total population of the affected districts. Among the affected households, about 2% are headed by women. The affected population distributed over age shows that about 10% are in the age group up to 5 years and 18% are between 6 and 14 years. A 3% people are elderly above the age of 65 years. Male female ratio is calculated at 108 only, much higher than the national average of 100.3 in 2011. About 28% of the affected population is minor and under-aged. About 0.86% of the under-aged population (between 5 years and 18 years for girls and up to 21 years for boys) is reported to be married. Under-aged marriage is higher among the girls. About 7% of the adult women are widowed which, among the men, is only 0.43%. Vulnerability in terms of marriage is about 7.39% among the female population including the widows.

4. The affected population has a diverse occupation and sources of income. The census survey identified business, service and agriculture as the major income source of the population. Among the employed male population about 30% are engaged in business followed by 11% engaged in service and 10.03% in agriculture. Among the economically active women, 64% are reportedly housewives without cash earning. About 2.45% of the women are service holders and another 0.44% is engaged in business. An insignificant number of women are also engaged in agriculture, agriculture labor, traditional work, construction, industry and others. One woman is reported to be an overseas employee. No woman is engaged in transport sector work.

5. In the affected population, about 12% are illiterate or can sign only. Illiteracy is much higher among the female compared to male. Among the population of age 7 years and above, 45% have education up to the primary level, 22% up to the JSC level (eights grade), 10% up to SSC level and 6% up to HSC level. Only 3% of the population is graduates. An insignificant proportion of the population has vocational and religious educations.

6. **Consultation and Participation:** Public disclosure and consultation was carried out to obtain stakeholders' input to the project design and in assessing the impacts of the project. Adverse social impacts were also confirmed in consultation with the project displaced persons and their community along the JCTE route. Participation of stakeholders in improvement of the

JCTE road was facilitated through consulting them in course of the census and sample household survey. Consultation was carried out using the tools of participatory rapid appraisal (PRA) approach. Consultations with the communities revealed that they are in favor of the proposed intervention for improvement of the road. However, they were expecting fair compensation and proper resettlement and rehabilitation of the affected households and persons irrespective of their title. They also expected rational judgment in fixing of the alignments and the road corridor for improvement. People working in Gazipur, Dhaka, Narayanganj and Chittagong or searching for work and businesses there will be benefiting from the improved road.

7. **Project Impact:** Improvement of the route will ease traffic congestion and reduce travel time and increase in the availability of transports for the road users. It will also reduce road accidents to a large extent especially in the built-up areas due to inclusion of service road and division of carriageway.

8. The proposed improvement of the JCTE Road will take over 18.91 ha of land of which 6.94 ha will be acquired in Gazipur and 11.97 ha in Tangail district.

9. In addition to land acquisition, the proposed road improvement will require displacement of the residences of 103 households. The sub-project will also require displacing 1,645 commercial establishments. In addition to that 4 households will lose ponds. Thus the total project affected households (DHs) comes to 1,783. Summary of project impacts for JCTE is given in Table E.1.

Table E.1 Summary of Project Impacts

	Type of Impacts	Unit	Quantity
1	Total land acquisition requirement	Ha	18,911
2	Total private structures affected	No.	1,542
3	Total private structures affected	Sq. ft	369,010
4	Total households displaced	No.	2,394
5	Total displaced persons (physical and economic)	No.	9,885
6	Total physically displaced households	No.	103
	Total physically displaced persons	No.	474
7	Total physically displaced HHs from rented premises	No.	25
8	Total economically displaced households	No.	2,240
9	Total economically displaced persons	No.	8,960
10	Total CPRs	No.	47
11	Total government structures affected	No.	5
12	Total trees	No.	1,647
13	Total vulnerable households	No.	218

10. **Policy, Objectives and Entitlements:** The subproject impact and outputs of the consultation were reviewed with the Acquisition and Requisition of Immovable Property Ordinance II (1982) of Bangladesh and Safeguard Policy Statement (SPS) 2009 of ADB in determining resettlement policy framework and preparing the draft resettlement plan (RP). The primary objective of this RP is to identify impacts and to plan measures to mitigate the various adverse impacts of the subproject. The RP presents (i) type and extent of loss of assets, including land, structures, tree, crops and income; (ii) principles and legal framework applicable for mitigation of these losses; (iii) the entitlement matrix, (iv) implementation arrangement including monitoring and evaluation, and (iv) the budget.

11. **Disclosure and participation:** The consultation will be continued during the design and implementation levels through open community meetings and focused group discussions. The RP will be made available at RHD local offices and at local Union and Upazila parishads. Key features of the RP, particularly the entitlements, institutional arrangements for grievance redress etc. will be summarized in a booklet and distributed among the DPs and their communities along the project alignment. The draft RP will be uploaded in the ADB website.

12. **Summary Budget:** The total estimated cost of land acquisition, resettlement and rehabilitation of the displaced persons as per impacts identified is BDT 1,550.26 million (US\$ 20.95 million). This includes BDT 1,232.51 million as replacement cost of land, structures, trees and crops; BDT 31.90 million for relocation of housing, BDT 61.41 million for rehabilitation of affected households and assistance for business and BDT 80.87 million for implementation, monitoring and evaluation.

13. **Institutional Arrangement and Grievance Redress:** RHD will establish a Project Management Office (PMO) for the design and implementation of the RP. PMO will be headed by a Project Director of the level of Additional Chief Engineer. The Additional Project Director at Head Office will function as the Chief Resettlement Officer (CRO). Secretarial Staffs at Head Office will assist the CRO. At the field level, the CRO will be assisted by two Project Managers (PMs or Deputy Chief Resettlement Officer - DCRO) and two Project Managers (DPM) or Resettlement Officers (RO) and other field staff. Besides, an NGO will be appointed for the implementation of resettlement plan.

14. **Monitoring and Evaluation:** PMO will establish a monitoring and evaluation (M&E) system for collecting, collating and analyzing information on RP implementation in a systematic and continuous manner and identify the limitation of the process. Monitoring will be done both internally and externally to provide feedback to PMO as well as to assess the effectiveness of the RP policy and implementation.

15. Internal monitoring will be carried out by PMO at three consecutive stages of the process of RP implementation namely – a) RP preparatory stage, b) relocation stage and c) rehabilitation stage. The Project Director (PD) will carry out internal monitoring through the Additional Project Director with the help of the implementing NGO and the construction supervision consultant (CSC). Internal monitoring will comprise of monitoring both the process and output indicators. Internal monitoring reports on RP implementation will be included in the quarterly Project Progress Report of the RHD.

16. External monitoring will be carried out periodically for review and assessment of resettlement implementation, verification of the results of internal monitoring in the field and recommending adjustment in delivery mechanisms and procedures, as necessary. The Resettlement Specialist and Gender and Social Development Specialist of the Construction Supervision Consultant team will carry out the external monitoring. The external monitoring will be carried out on a quarterly basis. Further, mid-term and final evaluations will also be undertaken to assess the achievement of the RP objectives against the performance impact indicators.

17. The Project Manager of the subproject will prepare submit monthly progress reports on resettlement activities to PD. PD will submit quarterly reports to RHD SEC (Social and Environmental Circle) and ADB. The external monitor will submit bi-annual review reports directly to ADB detailing whether resettlement goals have been achieved and more importantly

whether the livelihoods and living standards of the DPs have been restored and or/enhanced and suggest suitable recommendations for improvements.

I. PROJECT DESCRIPTION

1. The Joydevpur–Chandra–Tangail–Elenga (JCTE) Road is one of the subprojects under the Bangladesh Subregional Road Connectivity Project (the Project) which will be funded by the Asian Development Bank (ADB). The Project will assist the Roads and Highways Department (RHD) under the Ministry of Communications (MOC) of Bangladesh to implement part of the Road Master Plan (March 2008).
2. The Subproject consists of a section of about 70km of road located in Gazipur, and Tangail districts. The JCTE Road originates from the Dhaka–Mymensingh road at Joydevpur in Gazipur district, follows the national highway number 4 (N4) up to approach road of the Bangbandhu (Jamuna) Bridge. The majority of the road follows an existing developed road corridor.
3. The subproject road suffers from capacity constraints caused by the geometric configuration (two lanes with shoulders but with no separate service road/non-motorized vehicle facility) compounded by areas of congestion at junctions and in built-up areas. The JCTE Road will be upgraded from two-lane to four-lane including a separate service road for slow moving vehicles on one side of the highway. A number of sharp bends on the route will also be straightened under the subproject. Passage over the bridges and culverts on the route will be improved to accommodate four lanes through replacement or construction of second structures.

A. Subproject Benefits and Impacts

4. The Subproject aims to improving major transportation network through widening and straightening the road networks and linking Jamuna Bridge to the networks in the central and southeast Bangladesh. Upgrading these links will strengthen domestic trade in the regions that will also promote economic activity between these regions. The goal of the subproject improvement is to provide efficient, safe, and environmentally sustainable road transport in the regions.
5. However, improvement of these roads at some locations will involve acquisition of private land or resumption of public land from private users. This Resettlement Plan (RP) has been prepared in accordance with ADB's Safeguard Policy Statement (2009) and guided by legal instrument governing land acquisition in Bangladesh to mitigate the impact.

B. Measures to Minimize Impact

6. Efforts have been made in roadway design for minimizing unintended impacts including loss of land and assets, loss of livelihood and physical displacement of people. In order to minimize impacts to the extent possible, the following key efforts were undertaken:
 - i. Existing road reserve (land) will be used as much as possible where available to accommodate the additional lanes and straitening the sharp bends.
 - ii. Alignment width through the built-up areas will be just to accommodate the four lanes, a divider, and the hard and the soft shoulders.
 - iii. Extensive consultations have been conducted with the affected communities and people in the Project areas to understand their views and incorporate the same in the Project design, as far as possible.
 - iv. The roadway design will be further reviewed during the detailed design to accommodate design alternatives to avoid resettlement.

1. Preparation of the Resettlement Plan

7. This RP has been prepared based on inventory of losses (IOL) established through census of affected households during the feasibility study. The RP covers affected households that are likely to lose their housing, commercial, and community structures. The surveys were carried out during May 2011 following the road design prepared by the feasibility study consultant. A detailed socioeconomic survey was carried out on sample households selected from the beneficiary and affected areas of the road alignment for preparing Poverty and Social Assessment.

8. Preparation of RP also benefited from public consultation at designated locations covering the beneficiaries and displaced persons. The individual consultant consulted the TA consultant, the Project Director at RHD, the garments factory management and industrial laborers along the route and the transport owners and workers related to this subproject. A Non-Government Organization (NGO) experienced in implementing resettlement program in Bangladesh conducted the census, socioeconomic survey and public consultation. This RP will be revised and finalized during detail engineering design of the subproject, and updated prior to implementation for any change in design.

2. Objectives of the Resettlement Plan

9. The RP is guided by legal instrument governing land acquisition in Bangladesh - the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982) and subsequent amendments in 1989, 1993, and 1994 and ADB Safeguard Policy Statement, 2009.

10. The primary objective of this RP is to identify impacts and to plan measures to mitigate various losses and dislocations of the affected persons due to undertaking the improvement of the Subproject in Gazipur and Tangail districts. The RP is based on the general findings of the census survey, field visits, meetings and consultations with the potential affected persons and their community. The RP presents:

- (i) type and extent of loss of assets, including land and structures;
- (ii) principles and legal framework applicable for mitigation of these losses;
- (iii) the entitlement matrix;
- (iv) outcome of the community consultation and focus group discussions;
- (v) institutional framework;
- (vi) R&R budget; and
- (vii) monitoring and evaluation.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Scope of Land Acquisition

11. The proposed improvement of the JCTE Road will be carried out mainly using available land. However, additional land will be required where existing road reserve is not adequate to accommodate the second two lanes and slow moving vehicle lane, and where the road will be substantially straightened. The improvement work will also need additional land for construction of new bridges. Table 1 shows that acquisition may take 18.911 hectares of both agricultural and non-agricultural land in two districts. The amount of land will be determined following the land acquisition plan. Table 1 shows an estimated distribution of land to be acquired by category based on assumption from the feasibility study.

Table 1: Land Acquisition for the Project

District	Non-agricultural land (ha)	Agricultural land (ha)	Total Land (ha)	%
Gazipur	2.310	4.633	6.943	36.72
Tangail	7.738	4.230	11.968	63.28
Total	10.048	8.863	18.911	100.00
% of Total	53.13	46.87	100.00	

Source: Estimate by PPTA Consultant, May 2011.

12. Land acquisition plan was not yet prepared when the census of affected persons was carried out. Number of affected land plots as well as number affected persons/households will be finalized when acquisition proposal will be prepared based on detailed engineering design of the road alignment for improvement.

B. Loss of Non-Land Assets

1. Loss of Physical Structures

13. The proposed improvement of JCTE road will affect residential, commercial and community house structures comprising of 12.58%, 72.5%, and 2.66% respectively. The rest are boundary wall and other structures. The affected structure includes 15.95% pucca (permanent), 15.89% semi-pucca (semi-permanent), 62.32% kutchha (temporary) and 5.84% thatched structures. A small number of structures such as bathroom, dug well, grave, chatal (rice mill including a concrete yard for drying paddy in sun), ponds and others will also be affected (Table 2).

Table 2. Affected Physical Structures on Right of Way

Category of Structure by use and ownership	Number of structures by construction materials (nos.)					
	Pucca	Semi-pucca	Kutchra	Thatched	Total	%
Residential	11	40	121	22	194	12.58
Commercial	108	179	766	65	1118	72.5
Community	17	6	17	1	41	2.66
Toilet	17	10	19	0	46	2.98
Bath House	6	3	3	1	13	0.84
Tube well	22	3	12	0	37	2.4
Dug well	2	0	0	0	2	0.13
Boundary wall	50	0	21	1	72	4.67
Others	8	2	0	0	10	0.65
Grave	1	0	0	0	1	0.06
Chatal	4	2	0	0	6	0.39
Pond	0	0	2	0	2	0.13
Total	246	245	961	90	1,542	100
% of Total	15.95	15.89	62.32	5.84	100	

Source: RDM Census Survey May 2011.

14. Total quantity of loss of physical structures due to the project is 369,010 sq. ft. Highest quantity of affected will be commercial (286,650 sq. ft.) followed by residential (54,084 sq. ft.). Loss of community structure will be 18,926 sq. ft, while 10,936 ft of boundary wall will be affected. See Table 3 for details.

Table 3. Quantity of Affected Physical Structures

Category of Structure by use and ownership	Unit	Floor area of structure by construction materials					
		Pucca	Semi-pucca	Kutchra	Thatched	Total	%
Residential	Sq. ft.	8,431	12,538	31,332	1,783	54,084	14.66
Commercial	Sq. ft.	43,312	61,739	171,930	9,669	286,650	77.68
Community	Sq. ft.	10,816	2,801	5,129	180	18,926	5.13
Toilet	Sq. ft.	1,189	417	374	0	1980	0.54
Bath House	Sq. ft.	385	185	150	25	745	0.20
Tube well	Sq. ft.	649	193	103	0	945	0.26
Dug well	Sq. ft.	95	0	0	0	95	0.03
Others	Sq. ft.	198	26	0	0	224	0.06
Grave	Sq. ft.	30	0	0	0	30	0.01
Chatal	Sq. ft.	4,700	600	0	0	5,300	1.44
Pond	Sq. ft.	0	0	31	0	31	0.01
Total	Sq. Ft.	69,805	78,499	209,049	11,657	369,010	
%		18.92	21.27	56.65	3.16	100.00	
Boundary wall	Ft.	9,431	0	1480	25	10,936	

Source: RDM Census Survey May 2011.

2. Scale of impact

15. A total of 2,394 households with 9,885 persons will be affected by the subproject. 2,240 households will be losing productive assets. The majority of households will be experiencing non-significant impact which is less than 10% of its productive assets. Households undertaking commercial activities will be most affected with 1,610 households, out of which 322 households will be experiencing significant impact. Details regarding the scale of impact can be found in Table 4.

Table 4: Scale of Impact

No.	Types of income losses from productive assets	Significance of impact (No. HH)				Total HHs
		Less than 10%		More than 10%		
		Number	% of total	Number	% of total	
1	Loss due to acquisition of land with residential structures and/or trees	71	3.0%	83	3.5%	154
2	Loss due to acquisition of land without structure (mainly agricultural land)	146	6.1%	420	17.5%	566
3	Loss of access to productive land by tenants	0	0%	64	2.7%	64
4	Loss of income from commercial structure by owners	745	31.1%	186	7.8%	931
5	Loss of income from commercial structure by renters	543	22.7%	136	5.7%	679
	Total	1,505	62.9%	889	37.1%	2,394

3. Physical Relocation of Households

16. As shown in Table 5, 103 HHs may need physical displacement (will be losing more than 50% of their residential structures). According to this estimate, 474 persons will be physically displaced from their residences. The subproject will need acquisition of 138 residences of which is 75 in Gazipur district and 63 in Tangail district. A total of 6 residences with business will be affected by the subproject which is 4 in Gazipur district and 2 in Tangail district.

Table 5: Physical Displacement of Households

District	Residence only	Residence and business premises	Residential renters	Total	Physical relocation required	Persons physically displaced
Gazipur	75	4	19	98	60	276
Tangail	63	2	6	71	43	198
Total	138	6	25	169	103	474

Source: RDM Census Survey May 2011.

4. Physical Relocation of Business Premises

17. The subproject will displace 57 structures without business, out of them 47 in Gazipur district, and 10 in Tangail district. A total number of 874 households operating businesses in their own structures will be affected. Among them 530 in Gazipur district, and 344 in Tangail

district. The table below illustrates that the number of displacement in case of structures with business is higher (94%) than that of only structure (6%). Table 6 provides additional details.

Table 6. Physical Displacement of Businesses Structure

District	Only structure	Structure with business	Total (no)	Total (%)
Gazipur	47	530	577	61.98
Tangail	10	344	354	38.02
Total	57	874	931	100

Source: RDM Census Survey May 2011.

5. Loss of Income

18. Income losers will receive benefit as per the provisions of entitlement matrix. Through all these measures the loss of income of the affected people will be restored. 2,240 households comprising of approximately 8,960 persons will experience loss of income. Loss due to agricultural land will be minimal and be covered through payment of replacement cost and dislocation allowances. 1,610 households will lose income from loss of commercial structure and the business. Despite the high number of households, the loss will be temporary and households will be compensated through paying income restoration support and other assistances as detailed in the Entitlement Matrix. Table 7 provides additional details.

Table 7. Category of people losing income due to dislocation

	Category of income losers	Approximate Displaced Persons	Economically
1	Agri. Land loser (households)		2,490
2	Owners renting out Residential structure (person)		85
3	Loss of business operated from rented in structure (person)		2,322
4	Loss of business operated from own premises and income from rented out business (person)		3,663
5	Wage loser (person)		106
7	Tenant (person)		294
	Total		8,960

Source: RDM Census Survey May 2011.

6. Loss of Trees

19. The subproject will affect 1,647 private trees of various species and sizes. Details can be found in Table 8. The public trees are subjects of the environmental impact assessment.

Table 8. Loss of Private Trees on Right of Way

Category of trees	Number of Trees by Size				
	Sapling	Small	Medium	Large	Total
Fruit and timber	92	111	193	194	590
Timber only	98	74	113	35	320
Fruits only	34	50	64	17	165
Fire wood	0	0	1	0	1
Medicinal	1	4	10	6	21
Banana	33	22	87	73	215
Bamboo	20	30	150	80	280
Others	12	17	13	13	55
Total	290	308	631	418	1,647

Source: RDM Census Survey May 2011.

7. Loss of Fish Stock and Crops

20. The subproject will affect 4 ponds. Acquisition will affect 18.9 ha of land mostly non-agricultural. Detail assessment of pond fish stock and standing crops will be done during the detailed design stage.

8. Displacement of Community Property

21. The subproject will affect a total of 52 common property resources (CPRs), out of which 29 were identified in Gazipur and 23 in Tangail district. The detailed breakdown can be found in the table below. Among these 52 CPRs, 14 mosques, 1 temple, 2 schools/madrasas, 3 graveyard/crematorium and 1 mazaar (shrine) are community used structures and these will be replaced under the project, on land suitable to the community and agreed to by the custodians. The other structures may be compensated at full **replacement cost**. Table 9 provides additional details.

Table 9. Affected CPR Structures

Type of CPR	Gazipur	Tangail	Total
Mosque	5	9	14
Temple	0	1	1
School/Madrasa	1	1	2
Bank/Private office	13	5	18
Govt. structure	5	0	5
Graveyard/Crematorium	1	2	3
Mazaar (shrine)	1	0	1
Other (Police box & passenger shed)	3	5	8
Total	29	23	52

Source: RDM Census Survey, May 2011.

C. Vulnerability

9. Project Impact on Indigenous Peoples

22. Gazipur and Tangail districts have indigenous peoples. The project interventions will affect mainly Muslim and Hindu communities. No indigenous peoples were identified during the census and no impact is envisaged on the indigenous population. Table 10 provides details per district.

Table 10. Tribal Population in Districts

Project Districts	Tribal Population	
	Households	Population
Gazipur	389	1,594
Tangail	4,028	17,462
Subproject Districts	4,417	19,056
Bangladesh	289,948	1,410,169

Source: BBS Population and Housing Census 2001

10. Women and Other Vulnerable DHs

23. A total of 218 DHs are assessed to be vulnerable in consideration of poverty, gender, age (above 60 years old) and disability. Out of the vulnerable DHs, 36 are hard-core poor, 36

non-poor female headed households, 134 elderly headed households, and 12 disable-headed households (Table 11). These vulnerable DHs will receive special assistance per Table 37.

Table 11. Vulnerable Displaced Households

Sl. No.	Category of Displaced Households	Number
1	Hard core poor (Male headed)	33
2	Hard core poor (Female headed)	3
3	Women headed Household (non-poor)	36
4	Elderly male headed	132
5	Elderly Female headed	2
6	Disable-headed	12
Total		218

Source: RDM Census Survey, May 2011.

D. Summary of Impacts

24. The JCTE road improvement project will affect an estimated 9,885 people in 2,394 households physically and economically. Common property resources include 47 structures and another 5 are government structures likely to be affected. Improvement of the road will cause to fell down 1647 private trees. The affected households include 218 vulnerable households in respect of poverty, gender, age and physical ability. Table 13 provides an overall summary of impact.

Table 12. Summary of Impacts

	Type of Impacts	Unit	Quantity
1	Total land acquisition requirement	Ha	18,911
2	Total private structures affected	No.	1,542
3	Total private structures affected	Sq. ft	369,010
4	Total households displaced	No.	2,394
5	Total displaced persons (physical and economic)	No.	9,885
6	Total physically displaced households	No.	103
	Total physically displaced persons	No.	474
7	Total physically displaced HHs from rented premises	No.	25
8	Total economically displaced households	No.	2,240
9	Total economically displaced persons	No.	8,960
10	Total CPRs	No.	47
11	Total government structures affected	No.	5
12	Total trees	No.	1,647
13	Total vulnerable households	No.	218

III. SOCIO-ECONOMIC INFORMATION AND PROFILE

A. Project Affected Area

25. The JCTE Road passes through Gazipur and Tangail districts in the North Central region of Bangladesh. The subproject interventions will affect (i) Gazipur Sador and Kaliakoir Upazilas of Gazipur district; and (ii) Mirzapur, Tangail Sador, and Kalihati Upazilas of Tangail district. The existing road has recently been improved with new bypasses for Kaliakoir and Mirzapur headquarters and Tangail district town. The road improvement will affect settlements and business hubs in 37 mouzas in Gazipur, and 33 mouzas in Tangail.

26. The Project affected districts have a combined gross area of 5,214sq. km with a total population of 6.90 million. About 79% of the population of the districts lives in rural areas (2001). Economically active population among the male of age over 15 years is about 88% and that among the females is 37%.

27. The Project intervention will displace or affect the productive resources of 0.14% of the total population of the affected districts. Table 14 provides details of the population.

Table 14. DPs as Proportion of District Population

District	Area (Sq km)	Population (No.)	Population Density (persons/sq km)	Affected population (No.)	Proportion affected (%)
Gazipur	1,800	3,333,000	1,852	5,875	0.17
Tangail	3,414	3,571,000	1,046	3,917	0.09
Total	5,214	6,904,000	1,324	9,792	0.14

Source: Population and Housing Census 2011, BBS and Census Survey, May 2011.

B. Profile of Affected Population

1. Ethnicity, religion and gender

28. As per the census survey of structure losing households, 91% are Muslim and 9% are Hindu. Based on estimates from census of 1,783 households, it was found that 1,615 will be affected from the Muslim community and 168 will be affected from the Hindu community. The census found no indigenous population affected by the Project or their land held acquired.

Table 15. Affected Households Head by Religion and Districts

Religion	Gazipur		Tangail		Total	
	No	%	No	%	No	%
Islam	1,024	92.34	591	87.69	1,615	90.58
Hinduism	85	7.66	83	12.31	168	9.42
Total	1,109	100	674	100	1,783	100

Source: RDM, Census survey May 2011.

29. As shown in Table 16, among the affected households about 2% are headed by women including one Hijra in Gazipur District. About 62% of the affected households are from Gazipur, and 37.7% from Tangail district.

Table 16. Affected Households by Gender of Household Heads

District	Male	%	Female	%	Total	
Gazipur	1078	97.20	31	2.80	1109	62.20
Tangail	664	98.52	10	1.48	674	37.70
Total	1742	97.70	41	2.30	1783	100

Source: RDM Census Survey, May 2011.

2. Age, Marital Status and Occupation

30. The sample population distributed over age show that about 10% are in the age group up to 5 years and 18% are between 6 and 14 years. As per BBS definition, 69% are economically active (age group 15 and 65 years). A 3% people are elderly, above the age of 65 years. Male/female ratio is 108 only, much higher than the national average of 100.3 as per 2011-national census. Table 17 provides additional information.

Table 17. Age Distribution of Sample Population by Gender and District

Age group	Gazipur		Tangail		Total		Both Sex (%)
	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)	
00-05	9.39	11.55	9.74	10.07	9.58	10.74	10.14
06-14	18.78	19.17	17.78	15.47	18.23	17.14	17.7
15-30	33.67	34.64	32.99	33.27	33.3	33.89	33.59
31-59	29.39	27.45	30.43	33.99	29.95	31.03	30.48
60-65	4.9	4.14	6.67	4.68	5.86	4.43	5.17
66 +	3.88	3.05	2.39	2.52	3.07	2.76	2.92
Total	100	100	100	100	100	100	100
Number	490	459	585	556	1,075	1,015	2,090

Source: Sample Household Survey, February 2011.

31. Age of marriage in Bangladesh is 18 years for females and 21 years for males. About 0.37% of the under-aged population (between 5 and 18 years for girls and up to 21 years for boys) is reported to be married. About 12% is unmarried and about 84% is reported to be married in the surveyed adult population. About 4.4% of the adult women are widowed which among the men is only 0.61%. Table 18 provides details.

Table 18. Marital Status of sample Population

Marital Status	Total	%	Male	%	Female	%
Unmarried	163	12.04	112	17	51	7.34
Married under aged	5	0.37	0	0	5	0.72
Married	1,124	83.01	543	82.4	581	83.6
Separated	2	0.15	0	0	2	0.29
Divorced	0	0	0	0	0	0
Window/Widower	60	4.43	4	0.61	56	8.06
Total	1,354	100	659	100	695	100

Source: Sample household survey, February 2011.

32. The sample population has a diverse occupation and sources of income. Among the employed male population, about 30% are engaged in business followed by 18% engaged in service and 4.4% in agriculture. Other occupations include traditional skills (2%), construction

(0.3%), wage labor (1.4%), and industry (3.7%). Among the economically active women, 66% are reportedly housewives without cash earning. About 2.7% of the women are service holders and another 0.56% is engaged in business. An insignificant number of women are engaged in agriculture, agriculture labor, traditional work and others. No woman is engaged in overseas employment, skilled profession, construction and transport sector (Table 19).

Table 19. Distribution of Sample Population by Occupation

Occupation	Gazipur		Tangail		Total					
	Male (no)	Female (no)	Male (no)	Female (no)	Male		Female		Both	
					No	%	No	%	No	%
Agri.	25	0	50	6	75	7.94	6	0.67	81	4.42
Agri. Wage labour	6	1	16	2	22	2.33	3	0.34	25	1.36
Overseas wage earner	1	0	0	0	1	0.11	0	0.00	1	0.05
Traditional skills	16	0	25	1	41	4.34	1	0.11	42	2.29
Skilled profession	0	0	3	0	3	0.32	0	0.00	3	0.16
Const.	4	0	2	0	6	0.64	0	0.00	6	0.33
Industry	29	13	24	1	53	5.61	14	1.57	67	3.65
Transport	3	0	12	0	15	1.59	0	0.00	15	0.82
Business	186	3	137	2	323	34.22	5	0.56	328	17.88
Service	36	16	70	8	106	11.23	24	2.70	130	7.09
Student	123	109	173	138	296	31.36	247	27.75	543	29.61
Others	1	0	2	3	3	0.32	3	0.34	6	0.33
Housewife	0	261	0	326	0	0.00	587	65.96	587	32.01
Total	430	403	514	487	944	100	890	100	1834	100

Source: Sample Household Survey, February 2011.

33. Traditional skills include weaver, goldsmith, fisherman, cook, blacksmith, barber and other occupations include sweeper, technician, maid servant, beggar, gypsy and others.

3. Education

34. Among the affected population, about 12% are illiterate. Illiteracy is much higher among the female compared to male. Among the population of age 7 years and above, 45% have education up to primary level, 24% up to JSC level (eights grade), 10% up to SSC level and 7% up to HSC level. Only 3% of the population is Graduate. An insignificant proportion of the population has vocational educations. See Table 20 for detailed literacy information per district.

Table 20. Literacy Level of Sample Population (Age 7 years and above)

Education Level	Gazipur				Tangail				Total (Both Sex)	
	Male	%	Female	%	Male	%	Female	%	No.	%
Primary Level	198	43.71	204	49.51	207	38.91	229	45.35	838	44.06
JSC Level	102	22.52	100	24.27	130	24.44	119	23.56	451	23.71
SSC level	49	10.82	33	8.01	65	12.22	51	10.1	198	10.41
HSC level	40	8.83	13	3.16	48	9.02	27	5.35	128	6.73
Graduate Degree	9	1.99	3	0.73	33	6.2	6	1.19	51	2.68
Post Graduate	3	0.66	1	0.24	6	1.13	3	0.59	13	0.68
Illiterate	52	11.48	58	14.08	43	8.08	70	13.86	223	11.72
Vocational education	0	0	0	0	0	0	0	0	0	0.00
Total	453	100	412	100	532	100	505	100	1902	100

Source: Sample household survey, February 2011.

4. Land holding

35. In a sample of 441 households in Gazipur and Tangail districts, 32% are landless among whom 7% do not own any land and 25% has land up to 5 decimal only. Landlessness is reported to be much higher in Gazipur than in Tangail district. About 47% are marginal land holders having land between 6 and 50 decimals. About 15% have small land holding (50 to 150 decimals), 2.5% are medium (151 to 250 decimals), 3.45% are large land-holders with more than 251 decimals (Table 21). Landlessness is one of the determinants of poverty in Bangladesh but people under poverty line are identified on the basis of per capita income. However, landless people in rural areas generally represents the poorer section of society.

Table 21. Land Holding of All Use by District

Size of holding	Gazipur		Tangail		Total	
	No	%	No	%	No	%
No land	28	14.07	3	1.24	31	7.03
Up to 0.05 acre	60	30.15	50	20.66	110	24.94
0.06 - 0.50 acre	78	39.2	129	53.31	207	46.94
0.51 - 1.50 acre	26	13.07	40	16.53	66	14.97
1.51 - 2.50 acre	3	1.51	8	3.31	11	2.49
2.51 - 7.50 acre	4	2.01	10	4.13	14	3.17
7.51 and above	0	0	2	0.83	2	0.45
Total	199	100	242	100	441	100

Source: Sample household survey, February 2011.

5. Housing and Tenancy

36. Housing in the project districts has peri-urban influence with typical rural dominance with tin made roof, tin fence. In the well off families, the floor is bricked. Use of thatched structure has been reduced substantially due to the involvement of huge maintenance cost that the poor people cannot afford. In project-affected districts, about 11% households possess pucca house and another 20% have semi-Pucca house. Tin/Kutchra housing still dominates (63%). About 3% of the households do not have their own structures but living in rented houses (Table 22).

Table 22. Housing Status of DHs by construction materials

Type of Main Living Structure	Gazipur		Tangail		Total	
	no.	%	no.	%	no.	%
Pucca	126	11.07	70	10.04	196	10.68
Semi Pucca	231	20.30	132	18.94	363	19.78
Tin/katcha	680	59.75	461	66.14	1141	62.18
Thatched	22	1.93	2	0.29	24	1.31
No structure	50	4.39	9	1.29	59	3.22
CRP	29	2.55	23	3.3	52	2.83
Total	1138	100.00	697	100.00	1835	100.00

Source: Census Survey, May 2011.

6. Access to civic facilities

37. Distance of educational institutions like primary schools, secondary schools, colleges and universities are within the reach of the affected population as they are on the existing road. About 95 percent of the affected population can access primary school within 2.0 km. In case of universities, about 11% can access with 1.5 to 2.0 km while for 89%, the distance is more than 2.0 km (Table 23).

Table 23. Distance of Educational Institutions

Civic Facilities	Unit of proportion of households	< 0.5 km	0.5-1.0 km	1.1-1.5km	1.6-2.0km	above 2.0km	Total
Primary School	No.	54	324	19	24	20	441
	%	12.24	73.47	4.31	5.44	4.54	100
High School	No.	31	236	53	60	61	441
	%	7.03	53.51	12.02	13.61	13.83	100
Madrasa	No.	14	249	36	63	79	441
	%	3.17	56.46	8.16	14.29	17.91	100
Collage	No.	5	93	20	60	263	441
	%	1.13	21.09	4.54	13.61	59.64	100
University	No.	0	0	6	42	392	440
	%	0	0	1.36	9.55	89.09	100

Source: Sample household survey, February 2011.

7. Access to drinking water, sanitation and fuel

38. Bangladesh has a high concentration of tube-wells as a source of drinking water. In the project area, about 89% households use drinking water from hand tube wells. About 11% is covered by piped water supply. Very few households are using dug well for drinking water (Table 24).

Table 24. Access to Drinking Water

Source of drinking water	Gazipur		Tangail		Total	
	No.	%	No.	%	No.	%
Piped supply	47	23.50	0	0	47	10.61
Tube well	152	76.00	242	99.59	394	88.94
Dug well	1	0.50	1	0.41	2	0.45
Total	200	100	243	100	443	100

Source: Sample Socioeconomic Survey, February 2011.

8. Sanitation in project affected area

39. Government initiatives have been going on to cover hundred percent of the households under safe sanitation arrangement. In the project area, 79% are using sanitary latrines and 20% are using latrine (without sanitation arrangement). About 1% does not have own latrine (Table 25). Use of sanitary latrine is more in the urban areas as in Gazipur, such use is 85%, followed by Tangail (74%).

Table 25. Sanitation Practice in Project Affected Area

Type of latrine	Gazipur		Tangail		Total	
	No.	%	No.	%	No.	%
Sanitary latrine	169	84.92	179	73.97	348	78.91
Non-sanitary latrine	27	13.57	61	25.21	88	19.95
No latrine	3	1.51	2	0.83	5	1.13
Total	199	100.00	242	100.00	441	100

Source: Sample Socioeconomic Survey, February 2011.

9. Sources of fuel for cooking

40. Firewood, straws, crop residues, and dried cow dung are the major sources of fuel for cooking in the rural areas. In urban/semi-urban areas, gas, kerosene and purchased fire wood is used for cooking. About 20% of the affected households in Gazipur and 3% in Tangail are using natural gas. About 3% are using kerosene and about 76% are using firewood and crops residues. About 12% of the sample households are using other sources of fuel for cooking (Table 26).

Table 26. Source of Fuel for Cooking

Source/Type of fuel	Gazipur		Tangail		Total	
	No.	%	No.	%	No.	%
Piped gas	47	20.09	7	2.59	54	10.71
Fire wood and straw	145	61.97	227	84.07	372	73.81
Kerosene	1	0.43	11	4.07	12	2.38
Others	41	17.52	25	9.26	66	13.1
Total	234	100	270	100	504	100

Source: Sample Socioeconomic Survey, February 2011.

10. Use of Electricity

41. Kerosene is traditionally the basic source of lighting in the rural households. However, in the project area, electrification has covered about 85% households. Coverage of electricity is the higher in Gazipur (94.5%) and the lower in Tangail (85%). About 10% of the households are getting light at night using kerosene only, which is 5.5% in Gazipur, and 14.5% in Tangail (Table 27).

Table 27. Use of Electricity by Affected Households

Scenario of using electricity	Gazipur		Tangail		Total	
	No.	%	No.	%	No.	%
Households having access to electricity	188	94.47	207	85.54	395	89.57
Households with no access to electricity	11	5.53	35	14.46	46	10.43
Total	199	100	242	100	441	100

Source: Sample Household Survey, February 2011.

11. Access to Credit

42. Other than banking and informal credit sectors, NGOs are meeting major credit needs of the rural and peri-urban population in Bangladesh. Among the sample household 263 are borrowers. Grameen Bank provided credit support to 45% of borrowers, 16% by BRAC, 10% by ASA and 28% by other NGOs. (Table 28).

Table 28. Access to credit by sample households

Name of NGO	Number of borrower	%
Grameen Bank	119	45.25
BRAC	43	16.35
ASA	27	10.26
Others	74	28.14
Total	263	100

Source: Sample Household Survey, February 2011.

43. Mainly the women have access to micro-credit. Although they are members of collateral group, they need to qualify and receive credit individually. Micro-credit is being used for buying rickshaw, rickshaw van, cattle for raising, operating business, leasing -in land, making house etc. Normally the loan amount is Tk. 10000–50000 but in case of business it goes up to Tk. 200,000. Sometimes, one borrower takes loan from 3-4 organizations at a time. There are also male groups organized in some villages in the similar manner as that of the female groups. Some people do not qualify for credit, some do not like it, some people are too old to receive credit and some people think that they will not be able to use the money or pay back the loan in time.

C. Gender Issues

1. Women Participation and Empowerment

44. Respect to women is increasing in Bangladesh with a good pace. In many areas, women participation is respected in more than 90% cases. Access to education by girls is 99% in terms of providing opportunity by the parents. In community decision making, the participation rate is

about 67% and 85% are enjoying voting rights to choose candidates by themselves. As shown in Table 29, women are also competing in election (46% cases are respected). Now, women's decision in the areas of birth control is 90% and independently choosing a bridegroom is 90%.

Table 29. Women Participation

Areas of Participation	Gazipur		Tangail		Total
	No	%	No	%	%
Cash Expenditure	186	93.94	224	93.33	94.84
Education of girls	193	97.47	240	100	98.75
Marriage of children	191	96.95	230	95.83	95.54
Brides opinion respected	182	92.39	213	88.75	90.37
Important sale/purchase	188	94.95	202	84.17	89.86
Seeking health service	186	93.94	231	96.25	95.91
Visit to market	150	75.76	190	79.17	81.49
Visiting relatives	188	95.43	220	91.67	93.4
Choices in birth control	181	91.41	215	89.58	90.39
Community decision	115	58.38	174	72.5	67.02
Voting rights	149	75.25	213	88.75	85.03
Competing in election	71	35.86	115	47.92	46.26

2. Project Impact on Gender

45. Bangladesh has advanced substantially in terms of gender equity and awareness of women. Women are increasingly becoming aware of their rights and roles. Enrollment in primary school by girls is more than the boys. Presence of women in parliament, public administration, and local elected government is also increasing. However, in cases of ownership rights, mobility, and access to information, women are still lagging behind. In addition, women are traditionally responsible for maintaining the cohesion of the family as well as being extensively involved in household chores in addition to unrecognized participation in economic activities. Preparation of food, organizing shelter, arranging sanitation and water facilities, and schooling of children are common areas where women play important roles. Women, under the circumstances, can be disproportionately impacted during construction particularly in the course of land acquisition; relocation and resettlement.

46. Based on the information provided in the census, women account for 48% of affected population and 2.3% affected households are headed by women. About 64% of the economically active women are engaged in household chores as housewives without any cash income. Only 3% is in industrial sector followed by 2.45% women employed in service and the rest are in business, agriculture and other occupations.

47. Legal ownership (in terms of title) does not reflect gender equity (i.e. women's names are not generally recorded on the title). It is therefore, anticipated that poor and vulnerable women, will be disproportionately affected by resettlement due to traditional roles and responsibilities combined with lack of empowerment. Female headed households will require additional support and assistance to find and organize alternative housing.

48. Sufficient measures should be taken to ensure women's rights during design and implementation of the project including relocation process and particular attention should be paid to improving their security of tenure through provision of land titles in both male and female

names. A gender action plan has to be designed and implemented with particular measures to address gender impacts like:

- i. Identification of the socio-economic condition, needs, and priorities of women, and monitor and evaluate the impact of land acquisition and resettlement on women separately;
- ii. Identification of the female headed households to be affected and setting of entitlement criteria to recognize female-headed households;
- iii. Provision of such entitlements that women are not disadvantaged by the process of land acquisition and resettlement;
- iv. Provision of resources in-kind (allotment of land, compensation for structures and other assistances) in the name of both spouses of households;
- v. Employment of women during project construction as well as hiring female staff in the resettlement implementing agency to assist female-headed households and women during resettlement activities, including planning and implementation of income restoration programs; and
- vi. Involvement of women's groups in resettlement planning, management, and operations and in job creation and income generation.

3. Risks of STIs Associated with the Project

49. Bangladesh is a low prevalence country for HIV/AIDS. But the epidemic around the globe as well as high prevalence of HIV/AIDS in neighboring countries will not spare Bangladesh if not conscious enough to prevent the epidemic in the country. Infrastructure development is creating wider scope for public interaction, cross-country migration, urban-rural migration and boosting of sex trade. There is every possibility of people being in contact with high risk groups through direct sex, blood transmission, injecting drug use and the like. The proposed road improvement will increase mobility of people and will invite number of internal and external migrant workers (including expatriates) during and after construction. Due to the influx of non-local people during construction and increasing urban rural migration, inter-district migration, there is a need to understand the risk of HIV/AIDS infection during and after construction.

50. Awareness is a primary tool for preventing HIV/AIDS STIs which is lacking in our country to a large extent. Lack of proper knowledge on HIV/AIDS is helping the deadly virus spread;. According to data on knowledge and behavior, only 17 per cent of the most-at-risk populations have correct knowledge about prevention and most people have misconceptions on HIV/AIDS. A population based survey among adolescents and young people (15-24 years) in 2005 indicated that only one out of three males in urban and one out of four in rural areas had correct knowledge of HIV and AIDS. Nearly 59 per cent of married women and 42 per cent of men of age 15-54 group have no idea as how to avoid HIV (NASP 2007).

4. Risks of human trafficking

51. Trafficking means transporting people away from their communities, by the threat or use of violence, deception, or coercion so that they can be exploited as forced or enslaved workers for sex or labor. When children are trafficked, it is merely the act of transporting them into exploitative work which constitutes trafficking. As one of the poorest countries in the world,

poverty provides traffickers with people who do not have adequate alternatives for survival in Bangladesh or aspire for higher income possibility and better life. People trust the offers of work or marriage abroad, which promise security but instead lead to slavery. One of the ways traffickers lure girls into work is through marriage. They offer parents who are too poor to give their daughter a dowry, a dowry-free marriage. Ultimately many are forced into prostitution, factory work and domestic labor. Women living under difficult conditions also try for way-out through a long distance or cross boarder migration and sometimes become victim of exploitation. Increased transport facility cause to increase in the risks of trafficking in the poverty stricken urban and rural areas of the country.

52. The estimate shows that 10–20 thousand women and children are trafficked to India annually. About 200,000 women are already been trafficked in different countries including girls as young as 9 years old (Jamil Ahmed Chowdhuri, 2003). These estimates essentially include cross-border labor migration where case of deception is common due to vulnerable work conditions.

53. Increasing speed through the improved road at the Jamuna Bridge, which would better link the capital City Dhaka, Garment City Gazipur, and the Port City Chittagong, one can anticipate it as a major route of transporting smuggled women and children to cities as well as across the border.

IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

A. Objectives

54. Disclosure, consultation and participation (DCP) in the project processing are required to ensure that adequate and timely information is made available to the beneficiaries and affected people. The DCP also enables opportunities for them to voice their opinions and concerns and participate in influencing decisions making and project processes. The Safeguard Policy Statement (SPS) 2009 of ADB stresses upon the significance of stakeholders DCP for ensuring formulation and execution of development projects compliance to environmental and social safeguards. The SPS requires that the executing agency will conduct meaningful consultation with displaced persons, their host communities, and civil society organizations. Consultation to be carried out throughout the project cycle and timely disclosure of relevant and adequate information has to be undertaken. Both men and women have to be consulted and involved equitably in project design and implementation. All relevant views of affected people and other stakeholders need to be considered in decision making, such as project design, impact assessment, mitigation measures, the sharing of development benefits and opportunities, and implementation.

55. The Project needs to ensure and should be undertaken in an atmosphere free of intimidation or coercion and is particularly inclusive of and responsive to the needs of the disadvantaged and vulnerable groups especially those below the poverty line, the landless, the elderly, female headed households, women and children, and indigenous peoples. Stakeholders' participation in Project planning promotes transparency, sustainability, and prevents possible delays through amicable conflicts management. Involvement of communities having interest with the Project or concerns on negative impacts and loss of property, income and social kinships, is vital in Project planning and design.

B. Identification of Stakeholders

56. The Roads and Highways Department (RHD) is the executing agency (EA) of the Project under the Ministry of Communications and the Asian Development Bank (ADB) is financing the feasibility study and project preparation. The Deputy Commissioners of Gazipur, Tangail and Sirajganj will be responsible for any land acquisition for improvement of the road section. The road users, local traders, farmers and the likely displaced persons along the road have primary stakes to the interventions for improvement of the road section. Secondary stakeholders of the road improvement include local community leaders, business community, NGOs, and CSOs and RHD and other related government agencies (Table 30).

Table 30. Classification of the Stakeholders

Type of Stakeholder	Stakeholder Profile
Primary stakeholders	Project beneficiaries (residents and road users) of the northwestern, north-central, central and southeastern regions of Bangladesh and persons affected due to involuntary displacement and resettlement in the project area.
Secondary stakeholders	Project owner and EA, Deputy Commissioners (DCs) and their supporting agencies, Local governments, Project consultants, Non-Government Organization (NGOs) and Civil Society Organizations (CSOs).

C. Participation of Stakeholders

57. Participation of stakeholders in improvement of the JCTE road was facilitated through consulting them in course of the census and sample household survey. Consultation was carried out using the tools of participatory rapid appraisal (PRA) approach. Consultation meetings were held to inform the communities and population about the positive and negative impacts of the Project, and the provisions for mitigation of negative impacts as per ADB policy on social safeguards. These meetings were used to get wider public input from both the primary and secondary stakeholders and from the women and vulnerable groups. The consultation methods followed to elicit required information were as mentioned in Table 31.

Table 31. Methods of Consultation and Participation

Stakeholders	Tools of PRA
Local communities and likely displaced persons	Individual interviews, field level observation, consultation meetings, spot consultation
Persons interested have same occupational category	Focus Group Discussion
NGOs, RHD	Individual interview, meetings or data requests

D. Feedback from Consultation

58. Improved transport infrastructure is one of the pre-conditions for the rapid economic growth in a country and balanced development across its regions. The northwest region of the country remained under-developed for long due to the Jamuna River which was mostly removed with the construction of the Jamuna Bridge. But the road network across the regions through the bridge is inefficient and poorly maintained. The proposed improvement of the JCTE road will remove this bottleneck and attach the northwestern region with the mainstream development of the country. Besides providing improved transport services, the improved road will reduce travel time as well as vehicle operating cost. In addition, this will help people to have better access to services, such as, health and educational facilities, markets, jobs, and other public services. Consultations with the communities revealed that they are fairly in favor of the proposed intervention for improvement of the road. However, they were expecting fair compensation and proper resettlement and rehabilitation of the affected households and persons irrespective of their title. They were also expected fair judgment in fixation of alignments and the road corridor for improvement. People working in Gazipur, Dhaka, Narayanganj and Chittagong or searching for work and businesses there will be benefiting from the improved road.

E. Outcome of Consultation Process

1. General observation

59. Affected persons and their community exchanged their opinions and views on various issues like (i) payment of resettlement benefit; (ii) need for project sponsored commercial resettlement sites; (iii) provision of resettlement site plots for squatters; (iv) gender compliant policy; (v) support for compensation award collection; (vi) special support for affected households with income restoration assistance; (vi) design built facilities to benefit the PAPs and their communities were pointed out in the consultation process. At some points realigning the road was requested. Table 32 provides additional information.

Table 32. Observation and action taken for mitigation

Issues	Observations/expectations	Action taken/Mitigation actions
Project sponsored resettlement sites	The Project will need to relocate a good number of shops and residences in certain locations. The likely affected heads of residential and commercial establishments opined in consultation meetings that they would not be able to find replacement homestead or commercial land. The reasons include that most of them are on the govt. land and would not receive any benefit as usufruct right for that. They prefer to stay around present location and desire for enjoying benefits of the project.	Financial assistance and training support are being proposed for restoration of their lost income
Provision of land or resettlement site plots for squatters	There are such families residing on govt. or relatives land for long and do not have the capacity to buy a homestead. The acquisition will cease such residential facilities from them. Support for alternative land or a plot in developed site would be necessary.	Financial support for organizing residential plot by the squatters. No such support will be given to the encroachers
Gender compliant policy	Women co-sharers often non-resident in the area should be identified to ensure payment of compensation and resettlement benefit of their lost property. The share of compensation of married off daughters should be as per law of land administration (Sister : Brother :: 1 : 2 as per Muslim law).	The acquiring body should identify all the awardees including the women of a jointly owned plot and issue them individual awards. Same should be done in case of giving resettlement benefits
Support for compensation award collection	The poor people losing land may not be able to organize necessary papers and documents to establish ownership and claiming compensation to the LA office. The cost of compensation collection may also is high. There should be some institutional and financial support for clearing/ updating ownership targeted to the poor and vulnerable groups likely to lose land.	It is suggested that requiring body may pay the additional Grant over CCL following notice under section -7. So that they can collect their resettlement benefit before CCL is paid. A support system has to be established in such a way that the EPs don't have to spend money for compensation collection.
Special support for affected vulnerable shop owners	Poor household dependent on shops significantly affected by the project should get special financial and institutional assistance to rebuild their income and livelihood status.	Financial assistance and training support are being proposed for restoration of their lost income

2. Location specific expectations

Summary outcomes by location of the consultation process in the Project area are presented in Table 33.

Table 33: Location specific expectation

Location	Consultant Findings
Tangail	Land price should be fixed at open market rate and compensation should be paid before eviction; The residual land should be leased out to the vulnerable shop owners affected; Resettlement for poor and landless people should be arranged by the project authority; The local youths and women should be employed in project construction on the basis of their qualification; Social institutions should be compensated and relocated elsewhere by the community groups with assistance from the project.
Gazipur	The suggestions include (i) good access roads to link bus stoppage with national, regional and Upazila roads should be included in the project cost. (ii) there should be under passes across the road to avoid severance at the built up areas. (iii) the social and educational institutions should be replaced as per desire of the affected community. (iv) Commercial resettlement sites should be developed with civic facilities like electricity, drainage, etc. The likely loss of assets and livelihood resources should be compensated and measures should be associated to restore the income and livelihood opportunities; Huge numbers of women workers are working in Gazipur area. They need special transportation arrangement and accommodation to attend their industries in time. Underpasses be constructed near the industries and market places so that the industrial workers, customers and farmers can cross the road without problem and road for slow moving vehicles be constructed along the entire length of the proposed road for transportation of local commodities including raw agri. harvest to their destination

F. Information disclosure measures

1. Disclosure of Legal and Policy guidelines

60. To keep transparency in planning and for active involvement of DPs and other stakeholders, the project information was disseminated through meetings and personal contacts. DPs were provided with information on legal provisions of land acquisition and ADB policy on involuntary resettlement. The public communications policy of ADB aims at enhancing stakeholders' trust in ADB operations. The Policy among others promotes, (i) awareness and understanding of ADB activities, policies, strategies, objectives, and results among general public; (ii) participatory development, ensuring a greater two-way flow of information between ADB and its stakeholders, including affected people; and (iii) transparency and accountability in ADB operations. The Policy also calls for other means of disclosure or dissemination, depending on the intended recipient or audience as well as the intended purpose for disclosing the information.

61. The Project design, alignment options, benefits and adverse social impacts were discussed with the displaced persons and their community. Stakeholders were asked for their views on the Project's overall as well as more specific discussion about their perception on land acquisition and compensation process, relocation requirements, and views on alternative options. Women and other vulnerable groups were also consulted concerning the specific project impacts and their livelihood aspects. The provisions of the ADB policy and Government laws on land acquisition were also disclosed to the displaced persons and their community.

62. During the census and sample household survey, meaningful consultations were held in designated points. Views of the community were shared with RHD and the Consultants especially on needs of service roads, underpasses, foot-over bridges, just consideration in straitening the bends and compensation and resettlement.

63. The consultation process, participants, location and dates have been shown in Table 34.

Table 34. Location and Methods of Consultation

Location	Participants an methods of consultation	Topics/Issues discussed
Boardghar, Kaliakoir, Gazipur on 13.05.2011	LGI Representatives, religious leaders, land owners, community leaders, shop owners, laborers, and other affected people were consulted through open meeting, FGD and personal contact.	Major impact in the area are new alignment proposed to straighten a sharp bend of length 500 M affecting 10 residences, 1 big industry, agri-land and irrigation canals Attitude of the community towards the project and the design and benefits, social development outcomes, adverse effects of the project, ADB IR policy and mitigation measures, land price, relocation and resettlement options, and major problems relating to the sub-projects. Extra road for slow moving vehicles along the highway, underpasses for students to cross the road safely.
Shohagpur Mirzapur Upazila, Tangail, on 13.05.2011	LGI representatives, owners of industries and petrol pump, Farmers, Shop owners, residential commercial and social structure owners, landless shopkeepers, and other affected people. Spot consultation; open meeting, FGDs and individual contact.	Major discussion went around land acquisition along 1 km section affecting 200 shops and 10 industries in the area. Project concept, design, land price and availability, development trend, project benefits, adverse resettlement impact, mitigation measures as per ADB policy, foot path along the road, underpass at market places etc.

2. RP Disclosure Plan

64. The consultation will be continued throughout the project cycle. The effectiveness of resettlement implementation is related to the continuous involvement of those displaced by the project. Several additional rounds of consultations with DPs will be required during detail design and RP implementation. The other round of consultations will occur when compensation and assistance are provided and actual resettlement begins. Information disclosure is pursued for effective implementation and timely execution of the RP. For the benefit of the community in general and DPs in particular, the RP will be made available at RHD local offices and at local Union and Upazilaparishads. For continued consultations, the following steps are envisaged in project design and implementation:

- (i) The Final RP will be uploaded in the ADB website for all and this information should be referenced/mentioned in the brochure of the implementing NGO for affected persons of the project.
- (ii) RHD will organize public meetings and will apprise the communities about the progress in the implementation of resettlement, and social activities.
- (iii) RHD will organize public meetings to inform the community about the compensation and assistance to be paid. Regular update of the progress of the resettlement component of the project will be placed for public display at the local level RHD office and at local Union Parishad Office.
- (iv) All monitoring and evaluation reports of the RP components of the project will be disclosed in the same manner as that of the RP.
- (v) Key features of the RP particularly the entitlements and institutional arrangements for grievance redress will be summarized in a booklet and distributed among the DPs and their communities along the project corridor.

- (vi) RHD will conduct information dissemination sessions at major intersections and solicit the help of the local community leaders to encourage the participation of the DPs in RP implementation.
- (vii) Attempts will be made to ensure that vulnerable groups understand the process and to take their specific needs into account.

V. GRIEVANCE REDRESSAL MECHANISM

A. Background and Objectives

65. Land acquisition in Bangladesh allows landowners object in the beginning of the legal process. Once the objections are heard and disposed off, there is virtually no provision to attend complaints and grievances that individual landowners may bring in the later stages of the acquisition process. As the law does not recognize the non-titled users of land, there is no mechanism to hear and redress their grievance in the legal process. Again, project interventions and construction activities on site may raise environmental, social and public health concerns among the displaced persons and their communities. The communities may also be interested in transparency in procurement and quality of construction. Complaints and grievances may, therefore, range from land acquisition, resettlement, procurement and quality of works on site. Disputes over ownership and inheritance of the acquired lands of affected persons and assets missed by the census, joint verification; valuation of affected assets; compensation payment; and the like may arise in the process of resettlement.

66. To deal with resettlement related disputes and to make the project accountable to the affected people and their community, a complaint and grievance mechanism will be in place under the project. The mechanism will be an officially recognized community based system to resolve disputes arising out of various matters related to land acquisition, resettlement, environmental, safety and other social concerns. The fundamental objectives of this mechanism 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. Another important objective is to democratize the development process at the local level and to establish accountability to the affected people.

67. Based on consensus, the procedure will help resolve issues/conflicts amicably and quickly, saving the aggrieved persons resorting to expensive, time-consuming legal actions.

B. Complaints and Grievance Mechanism

68. The complaint and grievance mechanism will be available to allow a DP appealing any disagreeable decision, practice or activity arising from land and assets, and from construction related activities. DPs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation. The project planning and implementation will be cautious enough to prevent grievances through advance counseling and technical assistance to the DPs in the land acquisition and compensation collection process. This will be ensured through careful LAR design and implementation, by ensuring full participation and consultation with the DPs, and by establishing extensive communication and coordination between the affected communities, the RHD, and local governments in general.

69. A Grievance Redress Committee (GRC) will be established at the community level in each Union to resolve complaints and grievances informally through community participation. The GRCs will be formed with representatives from RHD, local elected representatives from the Local Government Institutions (LGI), DPs, women DPs (if any), and appropriate local NGOs to allow voices of the affected communities to be heard and ensure a participatory decision-making process. GRC decisions will be on a majority basis and will be publicized among the

local communities. Complainants are encouraged to use the GRC, however, they may access the judicial system at any time.

70. GRC will be established at the community level at Union Parishads through a gazette notification from the Ministry of Communications.

71. The member secretary of GRCs will be regularly available and accessible for DPs to address concerns and grievances. Female U/P member and the female DP will participate in the grievance redress sessions when the complainant will be a female. Legal Advisor of the INGO will support the GRC in regular process.

C. Scope and Jurisdiction of GRC

72. The scope of work and jurisdiction of GRC are:

- (i) The GRC shall review, consider and resolve grievances, related to social/resettlement and environmental mitigations during implementation, received by the committee.
- (ii) Any grievances presented to the GRC should ideally be resolved on the first day of hearing or within a period of one month, in cases of complicated cases requiring additional investigations. Grievances of indirectly affected persons and/or persons affected during project implementation will also be reviewed by GRC.
- (iii) The GRC will not engage in any review of the legal standing of an “awardee” other than in direct losses or distribution of shares of acquired property among the legal owners and associated compensation or entitlement issues.
- (iv) GRC decisions should ideally be arrived at through consensus, failing which resolution will be based on majority vote. Any decision made by the GRC must be within the purview of social, resettlement and environmental policy framework.
- (v) The GRC will not deal with any matters pending in the court of law. But if the parties agree on through a written appeal, GRC can mediate. The parties will withdraw the litigation.
- (vi) A minimum three (3) members shall form the quorum for the meeting of the GRC.

D. Filing Grievance Cases and Documentation

73. DPs will be able to file their grievances without any fear and intimidation. Where required, the implementing NGO will assist the DPs in drafting the grievances. All grievances must be submitted in writing to the Chair, GRC. The complainant may be represented by the DP him/herself or appointed agent such as locally elected officials/legal advisors. The judgment made by GRC will be communicated to the concerned DP in writing. If dissatisfied, and with the agreement of the GRC, the DP may request a further review of the judgment of GRC by the Project Director. In such cases, the case will be forwarded to the PD with all documentations. If the disputant still remain unsatisfied, he/she can go to the formal court of law. In fact, the grievance redress system of the subproject does not bar any aggrieved persons to seek resolution from the court of law at any stage.

74. GRC procedures and operational rules will be publicized widely through community meetings and pamphlets in the local language (Bangla) so that DPs are aware of their rights and obligations, and procedure of grievance redress.

All GRC documents will be maintained by INGO for review and verification by supervision consultants and ADB. RHD Field Office(s) will act as the Secretariat to the GRCs. As a result, the records will be up-to-date and easily accessible on-site.

75. With the dissatisfactory reaction from the aggrieved DPs, the GRCs will forward the cases to the Project Director (PD), PMU for further review. Member secretary of GRC and the chairs will present the case records to the PD and facilitate impartial review of the complaints. Proceedings of such review meetings will be available for review by ADB. Member secretary will plead for the aggrieved DPs in the upper review and settlement focal points.

76. GRC meetings will be held in the respective Field Office of RHD or other location(s) as agreed by the Committee. If needed, GRC members may undertake field visits to verify and review the issues at dispute, including titles/shares, reason for any delay in payments or other relevant matters. The complaints and grievances from the DPs will be addressed through the process described below in Table 35.

Table 35. Grievance Resolution Process

Steps	Action level	Process
Step 1	Counseling	<p>Complaints and grievances from displaced persons will first be heard during personal contact and focus group meetings at the village level. The RP implementation operatives on site will counsel DPs for gaps in information about the policy and eligibility for compensation and resettlement assistance.</p> <p>If the complain is found outside the mandate of GRC, the RP implementing operatives will advise the aggrieved DPs to lodge their complaint in the court of law at the district level.</p> <p>If the complain is within the jurisdiction of GRC, the RP implementing operatives will advise the aggrieved DPs to formally lodge their complaint with the GRCs.</p>
Step 2	GRC Resolution	<p>Member secretary of the GRC will scrutinize the complaints and prepare Case File for the GRC hearing and resolution. A formal hearing will be held before the GRC at a date fixed by the member secretary of GRC in consultation with the Chair and the aggrieved DPs.</p> <p>On the date of hearing, the aggrieved DP will appear before the GRC at a place set in consultation with the DPs and RHD and produce proof in support of his/her claim. The member secretary will note down the statements of the complainant and documents with all proof.</p> <p>The decisions from majority of the members will be considered final from the GRC and will be issued by the Convener and signed by other members of the GRC. The case record will be updated and the decision will be communicated to the complainant DP by the member secretary of GRC at the village level.</p>
Step 3	Decision from PMU, RHD	<p>If any aggrieved DP is not satisfied with the GRC decision, the next option will be to lodge grievances to the Project Director of the Priority Roads Project at Dhaka within 2 weeks after receiving the decision from GRC. The DP, in the complaint, must produce documents supporting his/her claim. The PD will, with the assistance from the Land Acquisition and Resettlement Specialist of the supervision consultant will review the proceedings of the GRC hearing and convey its decisions to the aggrieved DPs within 2 weeks after receiving the</p>

		complaint.
Step 4	Decision from Chief Engineer, RHD	Should the resolution from the PMU fail to satisfy the aggrieved DPs, they will be facilitated to forward their case records for further review and settlement with the office of the Chief Engineer, RHD at Dhaka. The aggrieved DP will submit the petition with all documentary evidences of complaints and the resolution proceedings at Step 2 and 3 within 2 weeks after the decision from the PMU is received.

77. The PMU at RHD headquarters will keep record of complaints received for its use as well as for use by ADB during regular supervisions.

E. Approval of GRCs and Entitlements of GRC Members

78. All GRC members will attend a training and orientation meeting prior to commencement of their work. The training will be conducted by Project staff and consultants/resettlement experts.

79. GRC members (except for RHD and NGO representatives) will be entitled to Tk. 500/- (five hundred) per day as honorarium from the implementing NGO budget (i.e., reimbursable head). Light snacks/refreshments will be provided during the meetings under the NGO budget. In case of day-long meeting, GRC members may also be served lunch. Necessary stationery and other logistics will be made available by the NGO.

80. Any decisions and proceedings of GRC meetings will be finally approved by the Project Director, PMU, RHD. The approved GRC decisions will be implemented on site within the framework of the resettlement plan.

81. The Project proposes that DPs will be exempted from all administrative and legal fees. Complainants to the court will also have the right of free legal representation. The detailed procedures for redress of grievances and the appeals process will be widely publicized among the parties involved.

82. The GRC will hear the grievances once in 15 days. Since the entire resettlement process has to be completed before road constitution work starts, the GRC may meet more than once in every 15 days depending upon the number of such cases. The GRC will inform the concerned Entitled Persons of their decision within 15 days of the hearing of the grievances.

F. Grievance Redress Monitoring

83. The Project Manager of RHD will keep records of all the grievances and their redress in monthly cumulative formats, which are to be signed by the chairman of the Grievance Redress Committee. The format will contain information on the number of grievances received, resolved, and the number of unresolved grievances.

VI. LEGAL AND POLICY FRAMEWORK

84. The Government of Bangladesh (GOB) does not have a national policy on involuntary resettlement. Eminent domain law is applied for acquisition of land for infrastructure projects where it is evident as required for public interest. However, in projects with external finance, GOB adopts project specific policy on land acquisition and resettlement. The legal and policy framework of the Project on land acquisition and resettlement, therefore, is based on the GOB laws on Land Acquisition and ADB's Safeguard Policy Statement 2009. Based on the analysis of applicable laws and ADB's Policy requirement, land acquisition and resettlement (LAR) principles for JCTH Road Subproject have been adopted.

A. Legal Framework

1. Legislations Governing Land Acquisition in Bangladesh

85. The principal legal instrument governing land acquisition in Bangladesh is the *Acquisition and Requisition of Immovable Property Ordinance II* (1982) and subsequent amendments of the Ordinance II (1989, 1993, and 1994). The 1982 Ordinance requires that compensation be paid for (i) land and assets permanently acquired (including houses, trees, and standing crops,); and (ii) any other impacts caused by such acquisition. The Ordinance provides certain safeguards for the owners and has provision for payment of "fair value" for the property acquired. In addition to the Ordinance, another relevant law that applies to the Project due to acquisition of bank-line for river training works, is the *State Acquisition and Tenancy Act 1951* (Section 7) that defines the ownership and use right of alluvion (*payosti*) and diluvion land (*sikosti*) in the country. Legally, GOB owns the bank-line and eroded land in the river. However, the "original" owner(s) can claim the land if it reappears in a natural process within 30 years from the date of erosion. Due to river training and other protection measures, landowners might lose access to new land *in situ* or original site. Therefore, land acquired for the bridge, including bankline, would be considered for compensation after a joint review of the alluvion and diluvion (AD) line established by the Deputy Commissioner(s) of the three districts.

86. In all cases, the Deputy Commissioner (DC) determines (i) **replacement cost** of acquired assets on the date of notice of acquisition (based on the registered value of similar property bought and/or sold in the area over the preceding 12 months); and (ii) 50% premium on the assessed value (other than crops) due to compulsory acquisition. The DC payments or "awarded" to owners is called cash compensation under law (CCL). The value thus paid is invariably less than the "**replacement cost**" as owners customarily report undervalued land transaction prices in order to pay lower stamp duty and registration fees. As a result, compensation for land paid by DC, including premium, remains less than the real market price or **replacement cost**. If land acquired has standing crops cultivated by tenant (*bargadar*), the law requires that part of the compensation money be paid in cash to the tenants with registered deeds only. Places of worship, graveyard and cremation grounds are not to be acquired for any purpose. The Ordinance does not permit the displaced persons to take the salvageable materials for which compensation have been paid by the DC.

87. Under the 1982 Ordinance, the Government is obliged to pay compensation only for the assets acquired. Further, the Ordinance does not deal with social and economic impacts as a consequence of land acquisition. For instance, the Ordinance does not cover project-displaced persons without titles such as informal settler (squatters), occupiers, and informal tenants and lease-holders (without registration document). Further, the Ordinance has no provision for

resettlement of affected households and businesses or any assistance for restoration of livelihoods of the displaced persons.

2. ADB's Safeguard Policy Statement

88. The ADB has adopted Safeguard Policy Statement (SPS) in 2009 including safeguard requirements for environment, involuntary resettlement and indigenous people. The objectives of the Involuntary Resettlement Safeguard policy is to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

89. The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

90. The main policy principles of the Involuntary Resettlement Safeguard are:

- i. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- ii. Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and reporting of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- iii. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at **replacement cost** for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full **replacement cost** for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- iv. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land

- development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- v. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
 - vi. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
 - vii. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
 - viii. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
 - ix. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
 - x. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - xi. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
 - xii. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

3. Comparison of National Policies with ADB Policy

91. There is no national policy on involuntary resettlement in Bangladesh for implementation of infrastructure projects. The Acquisition and Requisition of Immovable Property Ordinance 1982 is the only instrument here for acquisition of land. The law covers the titled owners only and compensation is paid at market price determined through legal procedures. A 50% on the assessed market price is provided with the compensation and non-titled sharecroppers having legal agreements with the owners are also compensated. But in most cases, the market price even with the 50% enhancement is much lower than the actual market price of assets. Non-titled owners and users of land are not entitled for compensation under law. However, ADB policy (SPS 2009) covers all affected persons irrespective of their title and compensation for affected assets is recommended at full replacement cost including cost of titling. A comparison of ADB SPS 2009 with provisions of Ordinance II of 1982 has been discussed in Table 36. However, in internationally financed Projects, the ensuing involuntary resettlements were planned and implemented successfully in the country following donor policies. Resettlement in the Jamuna Multipurpose Bridge Project (JMBP), indeed, is considered a leading example with many "good practices" – for example, (i) identification of all displaced persons and issuance of

ID cards; (ii) cut-off date established by census; (iii) preparation of automated Loss Files and Entitlement Card (iv) Preparation of payment statement (v) compensation for losses irrespective of title to land; (vi) paying replacement cost of land and other assets; (vii) resettlement of the affected households; (viii) special provisions for assistance to poor women and vulnerable groups; (ix) training/livelihood programs for income and livelihood restoration; (x) project benefits for “host” villages; (xi) management information system for processing resettlement benefits, monitoring and evaluation; and (xii) involvement of NGOs in RP implementation – which has influenced many other projects since its completion in 2003. Involuntary resettlement was also successfully addressed in ADB financed projects including Jamuna Bridge Railway Link Project, Southwest Road Network Development Project and Southwest Area Integrated Water Resources Planning and Management Project.

Table 36: Below compares the ADB’s SPS 2009 with the National Policy (Ordinance II of 1982)

Sl. No	ADB SPS	Bangladesh Acquisition and Requisition of Immovable Property Ordinance (ARIPO) of 1982	Gaps Between ARIPO and ADB’s SPS-2009, and Actions to Bridge the Gap
1	Involuntary resettlement should be avoided wherever possible.	Not defined in the ARIPO	ARIPO does not deal with the minimization of involuntary resettlement. However, the government uses this approach as a standard practice.
2	Minimize involuntary resettlement by exploring project and design alternatives.	Not so clearly defined in the ARIPO. Sections 3 and 18 exempt the acquisition of property used by the public for religious worship, educational institutions, graveyards, and cremation grounds.	ARIPO does not deal with these issues and does not comply with ADB SPS, as the ARIPO has no provision for minimizing adverse impacts on private property or common resources, and does not deal with alternate design. The RP clearly mentions how to minimize the involuntary resettlement through proper alternate engineering design and adequate consultation with stakeholders.
3	Conducting census of displaced persons and resettlement planning	The ARIPO spells out that upon approval of the request for land by the office of the deputy commissioner, the acquiring and Requiring body staff will conduct the physical inventory of assets and properties found in the land. The inventory form consists of the name of person, quantity and quality of land, asset assets affected, and the materials used in the construction of house. The cut-off date is the date of publication of notice that land is subject to acquisition, and that any alteration or improvement thereon will not be considered for	The ARIPO does not define the coverage of the census survey. It only reflects the inventory of losses (IOL), which is more in physical terms and only includes the names of the owners, etc. The ADB policy spells out a detailed census through household surveys of displaced persons in order to assess the loss of income and vulnerability of the persons going to be affected by land acquisition but also population displacement and other entitlements as per the entitlement matrix. The RP fills this gap by incorporating the need for a census survey for the displaced persons.

Table 36: Below compares the ADB's SPS 2009 with the National Policy (Ordinance II of 1982)

Sl. No	ADB SPS	Bangladesh Acquisition and Requisition of Immovable Property Ordinance (ARIPO) of 1982	Gaps Between ARIPO and ADB's SPS-2009, and Actions to Bridge the Gap
		compensation.	
4	Carry out meaningful consultation with displaced persons and ensure their participation in planning, implementation, and monitoring of resettlement program.	Section 3 of the ordinance provides that whenever it appears to the DC that any property is needed or is likely to be needed for any public purpose or in the public interest, he shall publish a notice at convenient places on or near the property in the prescribed form and manner stating that the property is proposed for acquisition.	<p>The ARIPO does not directly meet ADB SPS.</p> <p>This section of the ordinance establishes an indirect form of information disclosure /public consultation. However, it does not provide for public meetings and project disclosure, so stakeholders are not informed about the purpose of land acquisition, its proposed use, or compensation, entitlements, and special assistance measures.</p> <p>The RP deals with the proper consultation process, which involves all stakeholders (DPs, government department/line agencies, local community, NGO, etc.), and the consultation will be a continuous process at all stages of the project development, such as project formulation, feasibility study, design, implementation, and post-implementation, including the monitoring phase.</p>
5	Establish grievance redress mechanism.	Section 4 allows the occupant of the land to raise objections in writing. These should be filed to the DC within 15 days of the publication. The DC will then hear the complaints and prepare a report and record of proceedings within 30 days following expiry of the 15-day period given to DPs to file their objections.	<p>The section 4 provision is consistent with ADB's grievance and redress policy. The RP has a special provision for grievance procedures, which includes formation of a grievance redress committee, appointment of an arbitrator, and publication of the notice of hearings and the scope of proceedings. The APs can raise any grievances relating to LA&R issues</p>
7	Improve or at least restore the livelihoods of all displaced persons.	The ARIPO does not address the issues related to income loss, livelihood, or loss of the non-titleholders. This only deals with the compensation for loss of land, structures, crops and trees, etc. for the legal titleholders.	<p>ARIPO does not comply with ADB SPS as there is no provision to assess the impacts on incomes and livelihood from the loss of employment and business, or to restore lost incomes and livelihoods.</p> <p>The RP keeps the provision for a census survey that will have the data on the loss of income and livelihood, and the same will be compensated as per the entitlement matrix for both physically and economically displaced persons.</p>
8	Land-based resettlement strategy	The ARIPO does not address these issues.	<p>The ARIPO does not meet the requirement of ADB SPS.</p> <p>The RP proposes the land-for-land compensation as its priority if feasible. Attempt will be made to find alternate land for the loss of land in case it is available and if it is feasible, looking at the</p>

Table 36: Below compares the ADB's SPS 2009 with the National Policy (Ordinance II of 1982)

Sl. No	ADB SPS	Bangladesh Acquisition and Requisition of Immovable Property Ordinance (ARIPO) of 1982	Gaps Between ARIPO and ADB's SPS-2009, and Actions to Bridge the Gap
			concurrency of host community and land value. However, this option may be a difficult proposition, considering the urban development projects in Bangladesh.
9	All compensation should be based on the principle of replacement cost.	The ARIPO states that the deputy commissioner (DC) determines the amount of compensation by considering: (i) the replacement cost of the property based on the average sale value of last 12 months preceding the publication of 1 st notice of acquisition; (ii) the damage to standing crops and trees; (iii) damage by severing such property from the other properties of the person occupying the land; (iv) adverse effects on other properties, immovable or movable, and/or earnings; and (v) the cost of change of place of residence or place of business. The DC also awards a sum of 50% on the replacement cost of the property to be acquired.	ARIPO is largely consistent with ADB SPS. However, there are differences in the valuation of land and prices of affected assets, where ADB prescribes the use of current market rates in the project area. ARIPO does not ensure replacement cost or restoration of pre-project incomes of the displaced persons. The RP addresses all these issues and spells out a mechanism to fix the replacement cost by putting in an independent evaluator who will be responsible for deciding the replacement cost, taking into consideration the Current Market Price and titling cost of the land .
10	Provide relocation assistance to displaced persons.	If DC considers that the structure can easily be transferred, he/she will give relocation cost but not cash compensation under law,	The ARIPO does not define the additional relocation assistance to displaced persons, other than the compensation for the direct loss of land and property. Hence, ARIPO does not comply with ADB SPS. The RP provides the eligibility and entitlement for the relocation of the displaced persons in the form of relocation assistance, which includes shifting allowances, right to salvage materials, and additional transitional assistance for the loss of business and employment.
11	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement	The ARIPO does not have this provision.	The ARIPO does not comply with ADB SPS. This is a major difference of the national law/policy compared to that of ADB. The ARIPO only takes into consideration the legal titleholders and ignores the non-titleholders. The RP ensures the compensation and assistance

Table 36: Below compares the ADB's SPS 2009 with the National Policy (Ordinance II of 1982)

Sl. No	ADB SPS	Bangladesh Acquisition and Requisition of Immovable Property Ordinance (ARIPO) of 1982	Gaps Between ARIPO and ADB's SPS-2009, and Actions to Bridge the Gap
	assistance and compensation for loss of non-land assets.		to all displaced persons, whether physically displaced or economically displaced, irrespective of their legal status of land on which the structure is built. The end of the census survey will be considered to be the cutoff date, and displaced persons listed before the cutoff-date will be eligible for assistance.
12	Disclose the resettlement plan, including documentation of the consultation in an accessible place and a form and languages understandable to affected persons and other stakeholders.	The ordinance only ensures the initial notification for the acquisition of a particular property	<p>The ARIPO does not comply with ADB SPS as there is no mention of disclosure of the RP.</p> <p>This RP ensures that the resettlement plan for each project, along with the necessary eligibility and entitlement, will be disclosed to the DPs in the local language (Bangla), in the project location and concerned government offices, and the same resettlement plan will also be disclosed on the executing agency's website and on the website of ADB.</p>
13	Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	The ARIPO has a provision to include all the costs related to land acquisition and compensation of legal property and assets. However, it does not take into account the costs related to other assistance and involuntary resettlement.	The ARIPO partially meets the requirement of ADB SPS as it only deals with the compensation pertaining to land acquisition. The resettlement framework provides the eligibility to both titleholders and non-titleholders with compensation and various kinds of assistance as part of the resettlement packages, and the entire cost will be the part of the project cost.
14	Pay compensation and provide other resettlement entitlements before physical or economic displacement.	The ARIPO has the provision that all the compensation will be paid prior to possession of the acquired land by EA.	The ARIPO meets the requirement of ADB SPS.
15	Monitor and assess resettlement outcomes, and their impacts on the standards of living of displaced persons.	This is not so clearly defined in the ARIPO.	<p>The ARIPO does not comply with ADB SPS.</p> <p>The RP has a detailed provision for a monitoring system within the executing agency. The executing agency will be responsible for proper monitoring of the resettlement plan implementation, and the internal monitoring will also be verified by an external monitoring expert.</p>

B. Resettlement Policy Commitments for the Project

92. The resettlement policy for the project has been designed to (a) cover all displaced persons irrespective of their title to land, (b) compensation for lost assets, and (c) restoration or enhancing the livelihoods of all categories of displaced persons. The households/persons displaced by the project interventions will receive cash compensation for land and other assets at full replacement cost as per market price at the time of dispossession. Additional measures will be taken to ensure minimum disruption during the project construction period. Thus, households to be displaced physically and affected economically will receive due compensation, relocation assistance, and allowances in accordance with the following guidelines and policy:

- i. Land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative project designs.
- ii. Where unavoidable, a time-bound RP will be prepared and DPs will be assisted in improving or at least regaining their pre-project standard of living.
- iii. **Replacement cost** of land and other assets will be paid at current market price and titling cost will be included in the **replacement cost** without any condition.
- iv. Consultation with DPs on compensation, disclosure of resettlement information to DPs, and participation of DPs in planning and implementing of the project will be ensured.
- v. Vulnerable and severely affected DPs will be provided special assistance.
- vi. Non-titled DPs (e.g., informal dwellers or squatters, DPs without registration details) will receive a livelihood allowance in lieu of land compensation and will be fully compensated for losses other than land.
- vii. Provision of income restoration and rehabilitation will be made.
- viii. The RP will be disclosed to the DPs in the local language which is Bangla.
- ix. Payment of compensation, resettlement assistance and rehabilitation measures will be fully provided prior to the contractor taking physical possession of the land and prior to the commencement of any construction activities on a particular package.
- x. Establishment of appropriate grievance redresses mechanisms to solve DPs' grievance if occurs.

C. Property Valuation and Compensation

1. Principles and Methodology

93. The principles of valuation of acquired land and assets are devised as per ADB policy on involuntary resettlement (SPS 2009). The policy states that all losses of the displaced persons have to be paid at full **replacement cost** at the time of dispossession of the property acquired for the purpose of infrastructure projects. The calculation of replacement costs will be based on (i) fair **replacement cost** at the time of dispossession, (ii) transaction/legalization costs, (iii) transitional and restoration (land preparation and reconstruction) costs, and (v) other applicable payments. In order to ensure compensation at replacement cost, good practice examples in compliance with ADB policy were followed for determining the **replacement cost** of acquired assets.

The calculation of unit value is done keeping in consideration the current market rate so as to meet the **replacement cost** of the land and lost assets etc. An NGO with relevant experience in valuation of land and assets (structure, trees, crops, fish stock, ponds, and the like) and preparation of budgets for land acquisition and resettlement in Bangladesh was subcontracted for valuation.

2. Valuation by Deputy Commissioners

94. Deputy Commissioners at respective road sections will determine **replacement cost** of land averaging sale price of land parcels for 12 preceding months. Sale price will be collected for each type of land (viti, bari, nal, nala, nadi, balu, fallow and the like) in each lowest land administrative unit called 'mouza'. The prices will be averaged for each type in each mouza and a 50% solatium will be added to determine the compensation under law. For acquired structures, the DCs will take assistance from the Public Works Department (PWD) for unit rates and again add 50% for compensation under law. For determining compensation for trees, Divisional Forest Office will be approached for assistance. Departments of Agriculture Extension and Department of Agriculture Marketing (DAM) will assist the DCs in determining compensation for standing crops. Fisheries Department at the district level will assist in determining compensation for fish stock.

3. Ensuring Replacement Cost

95. Compensation for land and physical assets has to be determined and paid to the displaced persons at full **replacement cost** before the time of dispossession. **Replacement cost** of land will be determined based on existing market rates to the extent possible and adding the applicable transaction cost like applicable stamp duty and other cost for title registration.

96. **Replacement cost** of houses/buildings will be determined based on construction type, cost of materials, transportation, types of construction, land preparation, labour, and other construction costs at current rates. No deduction for depreciation and transaction costs will be applied.

97. **Replacement cost** of standing crops will be determined at net market rates at the farm gate. **Replacement cost** of trees will be determined according to methodologies depending on their timber and/or fruit values. Wood trees will be valued based on age category (seedling, medium growth and full growth) and wood value and volume. Fruit/productive trees will be valued based on age. Seedling and medium growth fruit trees will be compensated based on the value of the investment made and full grown fruit trees will be compensated at net **replacement cost** of average annual productivity for number of years needed to grow a new fully productive tree.

98. DCs will pay Cash compensation under law (CCL) for land and assets in the process of land acquisition. If the CCL is less than the **replacement cost** determined by the executing agency, additional payment will be directly made to the DPs equivalent to the difference between RV and CCL.

VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

99. Displaced persons (DPs) entitled for compensation or at least rehabilitation provisions under the Project are those losing their land (titled or non-titled), tenants of agricultural land (irrespective of registered deeds) owners of buildings, crops, trees and objects attached to the land and those losing business, income and salaries.

100. Eligibility to receive compensation and assistance will be limited by the cut-off date. The cut-off date for compensation and assistance is considered for those identified on the project right of way land proposed for acquisition at the time of the detailed design when videography or photography survey of the affected households are identified and recorded. Any households or persons identified on the project right of way during this process will be eligible for compensation and assistance from the project.

101. DPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however, will be given sufficient advance notice, requesting to vacate premises and dismantle affected structures prior to project implementation. However, at the detailed design stage, if there is change in alignment and right of way, the inventory of displaced households will be updated through detail measurement survey and DP census.

102. **Compensation entitlement matrix.** The RP will be implemented according to a compensation eligibility and entitlements framework in line with both GOB laws and ADB Policy (SPS 2009). The entitlement are based on provisions for compensation for land and other assets following the Ordinance II of 1982 and replacement cost and other assistance and allowances following the ADB SPS 2009. The entitlements matrix for the project included in Table 37 complies with the policy framework for the project harmonizing the national law with ADB SPS 2009 and has been benefited from good practice examples on involuntary resettlement in Bangladesh.

Table 37. Eligibility and Entitlement Matrix

Loss Item 1: Loss of Agricultural Land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/titleholders as identified by Deputy Commissioner (DC)	<ul style="list-style-type: none"> • Replacement cost (RC) of agricultural land. • Dislocation Allowance of Tk.200 per decimal, not exceeding Tk. 20,000 • Stamp duty and registration cost on purchasing of replacement land using an amount not exceeding RV. Stamp duty and transaction costs will be paid if the replacement land is purchased within 6 months of receiving CCL. 	<ul style="list-style-type: none"> • RV will be recommended by PVAC. • DC will pay (cash compensation under law) CCL for the land. • If RV is higher than CCL, the difference will be paid by RHD with the assistance from the RP Implementing NGO (INGO). The dislocation allowance will be paid by RHD with assistance from INGO. 	<ul style="list-style-type: none"> • Legal owners will be assisted by INGO to organize legal documents in support of their ownership. • INGO will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from DC office.

<p>Implementation Issues:</p> <ul style="list-style-type: none"> Persons entitled will be informed of the details about the land acquisition and compensation process, resettlement package and payment procedure. PVAC will recommend RV for land based on current market price (CMP) assessed by an independent agency at the time of dispossession including cost of titling. CMP will be assessed for each affected mouza for each type of land averaging (i) minimum approved price of land available in the respective Sub-registrars' offices, (ii) reported price, and (iii) transacted price of land at those mouzas (CMP should not be less than minimum approved price of land). RV will be obtained by adding the titling cost prorated on the CMP thus obtained ($RV = CMP + CMP * a\%$, where 'a' is the rate of applicable registration cost for purchasing the land for CMP equivalent amount of money). The Ministry of Communications will approve RV. DC will determine the market price of land averaging last 12 months sale prices (from the date of service of notice u/s 3) as per registration deeds in affected mouzas for each type of land obtained from respective sub-registrar's offices. For all private land, the market price will be enhanced by 50% for CCL. For khas land (DC is the owner at respective districts on behalf of the government), CCL will be the assessed as the market price without 50% enhancement. Title updating for usufruct and other rights will be done before issuance of notice under section 6 with assistance from INGO. The INGO shall encourage Entitled Persons (EPs) to consider purchasing replacement land or investing the money in productive/ income generating activities.
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Loss Item 2: Loss of homestead, commercial, industrial land and common property resources

Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/titleholders as identified by DC	<ul style="list-style-type: none"> Replacement cost of land. Dislocation Allowance @ Tk. 300 per decimal not exceeding Tk 25,000. 10% of CCL per decimal as land development cost Stamp duty and registration cost on purchasing of replacement land using an amount not exceeding RV. Stamp duty and transaction costs will be paid if the replacement land is purchased within 6 months of receiving CCL. 	<ul style="list-style-type: none"> PVAC will recommend RV. DC will pay CCL for the land. If RV is higher than CCL, the difference will be paid by RHD with the assistance from the RP Implementing NGO (INGO). The dislocation allowance will be paid by RHD with assistance from INGO. EPs losing homestead land will be given land development cost of 10% of CCL 	<ul style="list-style-type: none"> Legal owners will be assisted by INGO to organize legal documents in support of their ownership. INGO will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from DC office.

Implementation Issues:

- Persons entitled will be informed of the details of the compensation policy, resettlement package and payment procedure.
- RV will be determined and approved for the project following the procedure as stated under LOSS ITEM 1.
- CCL for private and khas land will be determined by DC as stated under Loss Item 1.
- Title updating for usufruct and other rights will be done before issuance of notice under Section 6 with assistance from the INGO.
- The INGO will encourage and motivate EPs to purchase homestead/ commercial/ community or industrial land or invest the compensation money in productive or income generating activities.

Loss Item 3: Loss of water bodies (ponds, both cultivated and non-cultivated)

Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/titleholders as identified by DC	<ul style="list-style-type: none"> RV of the water body (private land). Dislocation Allowance of TK. 200 per decimal for perennial water-body, not exceeding TK 20,000 Stamp duty and registration cost on purchasing of replacement land using an amount not exceeding RV. Stamp duty and 	<ul style="list-style-type: none"> PVAC will recommend RV of private land. DC will pay CCL for the land. If RV is higher than CCL, the difference will be paid by RHD with the assistance from the RP Implementing NGO (INGO). The dislocation allowance will be paid by RHD with assistance from 	<ul style="list-style-type: none"> Legal owners will be assisted by INGO to organize legal documents in support of their ownership. INGO will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from

	transaction costs will be paid if the replacement land is purchased within 6 months of receiving CCL.	INGO.	DC office.
Loss Item 4: Loss of residential structures with title to land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/titleholders as identified by DC	<ul style="list-style-type: none"> RV of residential structure. Transfer Grant @ TK. 7 (seven) per sft of affected structure. Reconstruction Grant @ TK. 10 (ten) per sft of affected structure. "Special Assistance of one-time payment of TK. 10,000/- (ten thousand) for each female-headed, disabled, elderly (over 60) headed and very poor household whose annual income is less than or equal to Tk48,000. Owner will be allowed to take away all salvageable materials free of cost within RHD declared deadline. 	<ul style="list-style-type: none"> Applicable to all structures located on the Right of Way (ROW) at cut-off dates. PVAC will recommend the RV of the structures. DC will pay CCL for structure and if CCL is less than RV, RHD will pay the difference directly with the assistance from INGO. RHD will provide other resettlement benefits directly with assistance from INGO. 	Assistance in relocation and reconstruction.
Implementation Issues: <ul style="list-style-type: none"> Joint Verification (DC and RHD) and/or Census will identify (records floor areas and category) structure for titled owners. PVAC will recommend RC of structure considering the cost of materials, labor inputs and land development cost at current market rates. Ministry of Communications will approve the RV of structures recommended by PVAC. DC office with assistance from district PWD office will determine the market price of structures and enhance it by 50% for cash compensation under law (CCL). Compensation must be paid before EP dismantles and removes the structures as per civil works requirement. The date of service of notice u/s 3 will be the cut-off date for titled owners and Census will be recognized as the cut-off date for structures not covered by DC. 			
Loss Item 5: Loss of commercial/industrial structures with title to land			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/titleholders as identified by DC	<ul style="list-style-type: none"> RV of commercial, industrial, PCR structure. Transfer Grant @ TK. 10 (ten) per sft of affected structure. Reconstruction Grant @ TK. 15 (fifteen) per sft of affected structure. Owner will be allowed to take all salvageable materials free of cost within RHD declared deadline. 	<ul style="list-style-type: none"> Applicable to all structures located on ROW at cut-off dates. PVAC will recommend the RV of structures. DC will pay CCL for structure and if CCL is less than RV, RHD will pay the difference with assistance from INGO. RHD will provide other resettlement benefits with assistance from INGO. 	Assistance in relocation and reconstruction.
Implementation Issues: <ul style="list-style-type: none"> Joint Verification identifies (records floor areas and category) structure for titled owners and Census identifies structure for non-titled owners. 			

<ul style="list-style-type: none"> • RC of structure will be determined and approved in the process as stated in Loss Item 4. • CCL will be determined in the process as stated in Loss Item 4. • Compensation must be paid before EP dismantles and removes the structures as per civil works requirement. • The cut-off dates for titled owners and socially recognized owners as stated in Loss Item 4. 			
Loss Item 6: Loss of residential and other physical structures without title to land (squatters)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> • Socially recognized owners of structures built on the ROW as identified by JVT 	<ul style="list-style-type: none"> • RV of structure. • Transfer Grant @ Tk. 7 (seven) per sft of affected structure. • Reconstruction Grant @ Tk.10 (ten) per sft of affected structure. • "Special Assistance of one-time payment of Tk. 10,000 for each female-headed, disabled, elderly (over 60) headed and very poor household whose annual income is less than or equal to Tk48,000. • Owner will be allowed to take all salvageable materials free of cost within RHD declared deadline. 	<ul style="list-style-type: none"> • Applicable to all structures located on ROW at cut-off dates. • PVAC will recommend the RV of structures. • RHD will provide other resettlement benefits directly with assistance from INGO. 	<ul style="list-style-type: none"> • Plot in the resettlement site will be provided for commercial structure losers, and assistance in relocation.
<p>Implementation Issues:</p> <ul style="list-style-type: none"> • Joint Verification identifies (records floor areas and category) structure for titled owners and Census identifies structure for non-titled owners. • RV of structure will be determined and approved as stated in Loss Item 4. • Compensation must be paid before EP dismantles and removes the structures as per civil works requirement. • The cut-off dates for titled owners and socially recognized owners as stated in Loss Item 4. 			
Loss Item 7: Loss of residential and other physical structures without title to land (encroachers)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> • Legal owners identified by DC in the process of CCL payment. • Socially recognized owners of structures built on the ROW as identified by JVT 	<ul style="list-style-type: none"> • RV of structure. • Transfer Grant @ TK. 7 (seven) per sft of affected structure. • Reconstruction Grant @ Tk.10 (ten) per sft of affected structure. • Owner will be allowed to take all salvageable materials free of cost within RHD declared deadline. 	<ul style="list-style-type: none"> • Applicable to all encroachers located on ROW at cut-off dates. 	
<p>Implementation Issue:</p> <ul style="list-style-type: none"> • Joint Verification identifies (records floor areas and category) structure for titled owners and Census identifies structure for non-titled owners 			
Loss Item 8: Loss of trees with title to land (owner of trees on public land or leasee)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services

<ul style="list-style-type: none"> • Legal owner/titleholders as identified by DC • Socially recognized owners of trees grown on public or other land, as identified by JVT. • Owners of trees such as Forest Department, ZillaParishad, Society, Union Parishad, Lessee on public land 	<ul style="list-style-type: none"> • Timber trees and bamboos: CCL + 50% of CCL • RV of trees determined by PVAC. • Value of fruits determined by PVAC. • 0.25% of CCL value for new plantation • Owner of the tree will be allowed to take the salvageable trees free of cost within the RHD declared deadline from within the Corridor of Impact 	<ul style="list-style-type: none"> • Applicable to all trees and plants located on ROW at cut-off dates. • DC will pay CCL as applicable for trees/plants. • If CCL is less than RV or there is no CCL (for socially recognized owners), the difference or RV of different species of trees will directly be paid by RHD with assistance from INGO. • PVAC will recommend RV of trees and fruits. 	<p>INGO to explain RP policies regarding compensation for the trees of different categories and size and make the EPs aware that they could take the timber and fruits free of cost.</p>
<p>Implementation Issues:</p> <ul style="list-style-type: none"> • Standard rates for trees of different species available with the Department of Forestry will be considered by PVAC in calculating the RV. • DCs will determine the market price of trees with assistance from district Department of Forest and enhance it by 50% to fix compensation under law (CCL). • The INGO will provide guidance in plantation and post-plantation care. 			
<p>Loss Item 9: Loss of standing crops/fish stock with title to land</p>			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Owner cultivators as identified in joint verification by DC and RHD.	<ul style="list-style-type: none"> • RV of standing crops/fish stock. • Owners will be allowed to take crops and fish stock within RHD declared deadline. 	<ul style="list-style-type: none"> • Applicable for all crops/fish stock standing on land/pond within ROW at the time of dispossession. • DC will pay CCL for crops/fish stock. • RHD will pay the difference directly with assistance from INGO if CCL is less than RV. • PVAC will recommend RV of crops/fish stock at take away. 	<p>INGO will assist DPs in the process of claiming compensation from DC offices for organizing necessary documents.</p>
<p>Implementation Issues:</p> <ul style="list-style-type: none"> • RV of crops/fish stock will be recommended by PVAC (based on data obtained from district agriculture extension office and district marketing officer) for those identified through joint (DC/RHD) on-site verification before taking over land. • DCs will determine the market price of crops with assistance from district Department of Agriculture Extension and District Agriculture Marketing Officer and market price of fish with assistance from district fisheries officer. 			
<p>Loss Item 10: Loss of leased or mortgaged land or ponds</p>			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Leaseholder with legal papers.	<ul style="list-style-type: none"> • RV of crops/fish stock. • Dislocation Allowance will be paid to the actual cultivator of the acquired land by RHD with assistance from INGO @ Tk. 300/dec. • The cultivator will be allowed to take the crops/fish within the RHD 	<ul style="list-style-type: none"> • With legal agreement: Legal owner and mortgagee/ leaseholder will be paid CCL by DC in accordance with the law. • With customary tenancy agreements, including socially-recognized verbal agreements: Legal owner will receive CCL from DC. 	<ul style="list-style-type: none"> • INGO will assist in ensuring that the lessee receives all eligible payments. • INGO will mediate refund of outstanding lease money by the owner to the lessees.

	declared deadline	The legal owner will pay the outstanding liabilities to the lessee/mortgagee. Under the following conditions: (i) all contractual liabilities are already paid up; (ii) if not, the legal owner will get the residual payment after all liabilities are paid up. • RHD will ensure RV of crops to the cultivator with direct payment of the difference, if CCL is less than RV, with assistance from INGO.	
Implementation Issues:			
<ul style="list-style-type: none"> JVT will identify each land owner and any persons who presently have interest in the acquired land due to mortgage, lease or <i>khai-khalashi</i> right. Any disputes over status of present interest in the land will be resolved through grievance redress procedure. Once resolved, INGO will assist in processing payments of all outstanding liabilities on the land to the appropriate persons. Dislocation Allowance to cover loss of income will be paid to the tenant as per project-specific policy provisions 			
Loss Item 11: Loss of income from dismantled commercial and industrial premises			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Any proprietor or businessman or artisan operating in premises, at the time of issuance of Notice u/s 3 and/or as per census should be identified by JVT.	<ul style="list-style-type: none"> An amount equivalent to three months net income against the owner's name as per census but not exceeding Tk. 24,000 in total. One time moving assistance of TK. 5,000 for tenants. 	<ul style="list-style-type: none"> RHD will directly pay the entitlement to the eligible displaced persons with assistance from INGO. 	Vulnerable EPs will be brought under income generating program.
Implementation Issues:			
<ul style="list-style-type: none"> Primary eligibility to be based on businessmen identified by Census and /or DC/RHD joint verification. All the business operators will be entitled for grant against loss of business and a commercial plot at resettlement site. However, one time moving assistance will be provided to only the tenants. The income-generating program will be implemented engaging an NGO experienced in rehabilitation and livelihood generation activities for the poor. 			
Loss Item 12: Loss of income (wage earners in agricultural, small business and industry (excluding owners or employers))			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Regular wage earners affected by the acquisition as identified by the JVT.	<ul style="list-style-type: none"> Grant to cover temporary loss of regular wage income @ TK. 250 X 90 days for skilled labor; TK. 200 X 90 days for unskilled labor. 	<ul style="list-style-type: none"> EP must have been an employee of landowner or business located in the acquired lands for at least twelve months, as identified by Joint Verification and/or Census. The needs of vulnerable groups will be assessed. The resettlement benefits will be paid by RHD with assistance from INGO. 	<ul style="list-style-type: none"> Vulnerable EPs will be brought under income and livelihood regenerating program. Involvement of qualified DPs in construction work. Involvement of qualified DPs in tree plantation and social afforestation.
Implementation Issues:			
<ul style="list-style-type: none"> Primary eligibility to be based on wage earners identified by Census and/or Joint Verification. Further claims and grievances, if any, will be settled by the grievance redress committee. 			
Loss Item 13: Loss of income from rented-out and access to rented-in residential and commercial			

premises			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> Legal owner/titleholders of the rented-out premises as identified by the JVT. Household/persons on rented-in any such structure as identified by JVT. 	<ul style="list-style-type: none"> Rental assistance for both residential and commercial rented-out EPs or owner of the structure for the amount equivalent to 3 months rent but not exceeding Tk. 7,500. Rental assistance for both residential and commercial rented-in EPs for the amount equivalent to 1 month rent but not exceeding Tk. 3000 Additional structures erected by tenant will be identified by the JVT and compensated Right to salvage materials from demolished structure erected by tenant. 	<ul style="list-style-type: none"> Each renter of affected premises will be entitled for the dislocation allowance. The owners of rented out premises will be entitled for dislocation allowance for each unit of premises rented out to separate households or persons. Dislocation Allowance will be paid by RHD with assistance from INGO. In case of any advance deposited by the tenant, an agreement on non-claim or outstanding balance should be certified by the local government representative between owner and tenant. The agreement will have to be submitted by both parties at the time of payment of resettlement assistance. It will be considered an essential part of the payment procedure. 	EPs will be brought under income and livelihood regenerating program.
Implementation Issues:			
<ul style="list-style-type: none"> Census and/or joint verification will identify the owner and renter of the residential and commercial premises 			
Loss Item 14: Loss of Tube-well			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> Legal owner/titleholders as identified by DC Socially recognized owners of structures built on the ROW as identified during census and by the JVT. 	<ul style="list-style-type: none"> Compensation to be determined by the PVAC at the rate mentioned in RP. Salvageable materials will be allowed to take away free of cost. 	<ul style="list-style-type: none"> RHD will pay the difference with assistance from INGO Salvageable materials will be given back after payment of CCL for the tube well. 	INGO will guide installation of arsenic free tube-well
Implementation Issues:			
CCL will be paid by LA office, difference between RV and CCL will be paid by RHD, and owners without any condition will take salvageable materials away.			
Loss Item 15: Loss of Toilet			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> Legal owner/titleholders as identified by DC Socially recognized owners of structures built on the ROW as 	<ul style="list-style-type: none"> Compensation to be determined by the PVAC at the rate mentioned in RP. Salvageable materials will be allowed to take away free of cost without disturbing the project work. 	<ul style="list-style-type: none"> Additional grant over and above the CCL will be paid by RHD with assistance from INGO Salvageable materials will be taken away after the CCL has been paid by the DC 	INGO will ensure water sealed toilet.

identified by census and the JVT.			
Implementation Issues: CCL will be paid by LA office, difference between RV and CCL will be paid by RHD, salvageable materials will be taken away by the owners without any condition.			
Loss Item 16: Shifting of household's belonging/inside materials			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner as identified by Deputy Commissioner (DC) in the process of CCL payment.	An amount of Tk.1000 will be given to each PAH who will lose shelter if shifted within the deadline declared by RHD	RHD will make payment of the additional entitlement with assistance from INGO	As appropriate
Implementation Issues: This additional entitlement will be paid to the head of the household by RHD after the shifting household belongings other than housing structures.			
Loss Item 17: Reconnection of utilities (gas, electricity, telephone, water, sewage, etc)			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Legal owner/titleholders as identified by DC	New connection assistance as determined by PVAC	RHD will make payment of the compensation money with assistance from INGO	INGO will help reinstallation of the line
Implementation Issues: This additional entitlement will be paid to the head of the household by RHD after the reconnection is confirmed by the INGO.			
Loss Item 18: Loss of Income and livelihood			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
<ul style="list-style-type: none"> Vulnerable households whose annual income is \leq Tk. 48,000/- including the households with disabled/handicapped/widow or female headed identified by census and JVT. EPs losing main source of income whose have no alternative source of income as identified by JVT. 	<ul style="list-style-type: none"> Tk.10,000/- as one time grant in addition to other compensations for male headed households. Tk. 12,000/- as one time grant in addition to other compensation for female headed including disabled/handicapped/widow member family. Skill Training for vulnerable households not exceeding Tk. 8,000 for one member and Tk. 3000 for trainer NGO irrespective of the training period. 	The EPs will be identified as per the census and income and livelihood support will be provided by RHD with assistance from INGO. Cost of trainer will be borne by RHD.	INGO will motivate the EPs for appropriate skill training
Implementation Issues: <ul style="list-style-type: none"> Vulnerable households losing income from business, employment, livelihood resources and for the transitional time up to permanent settlement will be assessed by NGO-RHD joint verification. These persons will be covered under the skill training program and the allowances will be paid upon performance following the entitlement package. 			
Loss Item 19: Loss of government agency provided residence			
Persons Entitled	Entitlements	Application Guidelines	Additional Services
Households/ persons residing in	<ul style="list-style-type: none"> Shifting to housing of equal or better condition 	1. Applicable to all government employees	RO, RHD will identify the government

<p>government agency assigned housing as identified by the Accommodation Board and Administration Unit</p>	<p>provided by the government agency</p> <ul style="list-style-type: none"> • Shifting cost covered by the government agency • Right to salvage materials from demolished structure erected/extended by the government employee. 	<p>residing in government assigned housing on ROW on cut off dates</p> <p>2. Shifting cost will be covered by the government agency under the regulation of government.</p> <p>3. PVAC will identify and recommend the additional infrastructure erected/extended by the government employee</p>	<p>employee and corresponding assigned structure from respective office</p>
<p>Implementation Issues:</p> <ul style="list-style-type: none"> • PVAC will identify and recommend the additional infrastructure erected/extended by the government employee • Census will be recognized as the cut-off date for structures' erection or extension <ul style="list-style-type: none"> • RO (RHD) will make necessary arrangement for shifting to government provided housing of equal or better condition with necessary shifting cost by following the Administrative Manual approved by RHD 			
<p>Loss Item 20: Unforeseen adverse impacts</p>			
<p>Persons Entitled</p>	<p>Entitlements</p>	<p>Application Guidelines</p>	<p>Additional Services</p>
<p>Households/persons affected by any unforeseen impact identified during RP implementation</p>	<p>Entitlements will be determined as per the resettlement policy framework</p>	<p>The unforeseen impacts will be identified through special survey by RHD as per request from impacted population. The entitlements will be approved by MOC and ADB.</p>	<p>As appropriate</p>
<p>Implementation Issues:</p> <ul style="list-style-type: none"> • The unforeseen impacts and displaced persons will be identified with due care as per policy framework and proposed to the MOC and ADB for approval including quantity of losses, their owners and the entitlements. 			

VIII. RELOCATION OF HOUSING AND SETTLEMENTS

A. Relocation of Displaced Families

103. **Relocation requirements and strategy.** The Project will displace households from their residence, business-structures, productive resources like land, employment and income. The displaced families (DHs) will be provided with compensation and assistance for relocation of their housing, productive assets and employment affected due to the project.

104. Out of 169 residential losers 66 household losing less than 50% and 103 households are losing more than 50%. In case of commercial structure out of 1671 households 781 losing less than 50% and 890 households are losing more than 50%.

Table 38. Relocation Requirements

Sl. No.	Ownership category	No. of DH losing				Total
		Residential structures Losers	Commercial Structure Losers	Commercial structure without business + pond	Community structure	
1	Affected up to 50%	66	733	38	27	864
2	Affected more than 50%	103	820	23	25	971
Total		169	1553	61	52	1835

Source: RDM Census Survey, May 2011.

B. Options for Relocation

1. Transfer and Establishment at alternative Site

105. In addition to payment of compensation for affected structures at full **replacement cost**, the households to relocate their main housing and business structures will be provided with relocation and reconstruction assistance in cash.

2. Integration of DHs with Host Population

106. Altogether 169 households will be losing their residential arrangement through out the entire length of 69km, of them 66 will be losing their homestead partially and can push back. Therefore, the "Project Sponsored Resettlement Site" for residential purpose will not be feasible for the remaining 103 households. Besides, people will not like to migrate to a Resettlement Site far away from their present Residence. Most people prefer to relocate to their neighborhood, on their own, in the land of their own choice, measures for integration with the host community will not be a major issue.

IX. INCOME RESTORATION AND REHABILITATION

A. General

107. The project will take over private lands those include productive agricultural land. The acquisition and project interventions will also cause diminishing of income and loss of livelihood resources temporarily or permanently. Restoration of income of those affected to pre-project level is thus one of the most important tasks in resettlement management. RP has provisions for interim support to mainstream alternative income generating schemes or enhancement of existing livelihood resources so that DPs can either continue their previous occupation or can start new venture or undertake an alternative occupation. The basic objective behind the income restoration and rehabilitation measures is to restore the economic status of the displaced persons at least at the level they were enjoying prior to the project.

B. Livelihood Impact and Risks

108. Displaced persons will experience loss of livelihood sources mainly due to loss of business and agricultural land. The displaced households compelling physical relocation due to the project will experience temporary dislocation in their income and work days. In addition, wage earners such as employees in shops, businesses and agricultural firms and the tenants of agricultural land parcels will also incur impact on their income and thus have also been included in this income and livelihood restoration plan. A total of 1,664 such households and persons will experience direct impact on their income . From among the DHs, 420 households will be losing more than 10% of their income from agriculture and income other than business and another 64 tenants will be losing their access to land temporarily. The rest will lose their income and workdays during the transitional period till permanent settlement.

Table 39. Types of Income impacts on Displaced Households

Type of loss	No. of PAHs/DPs
Loss of more than 10% of their income due to acquisition of land	420
Loss of more than 10% of their business income due to the project	931
Loss of income and workdays by dislocation of residences	163
Wage loser	106
Loss of access to productive land by Tenants	64
Total	1,664

Source: RDM Census Survey, May 2011.

C. Rehabilitation Measures

109. RP provisions for income restoration and rehabilitation focus on improvement or at least restoration of income and livelihood of all displaced persons. The measures consider diminishing income and dislocation of livelihoods during and after relocation. As a result, in addition to providing compensation at full **replacement cost**, appropriate allowances have been included for income and livelihood restoration of those affected.

110. All the persons losing their livelihood resources or places of generating income as a result of the Project will be supported with cash allowances. Cash will be provided for loss of assets and allowances will be provided to supplement the lost income and workdays. These will enable them to mainstream the transitional period of displacement with the stabilized period of sustaining with the previous sources of livelihood or taking an alternative source. As most of the

displaced persons prefer (understanding from consultation), the income restoration measures stated as follows will be appropriate for their rehabilitation:

- (i.) Compensation for land and structures at full replacement cost prior to relocation.
- (ii.) Compensation for crops and trees at current market rate before vacating land for construction.
- (iii.) Special allowances for supporting lost income and workdays during the transitional period after relocation.
Special assistance, appropriate to vulnerable groups such as women and very poor households.

111. The allowances and entitlement targeting restoration of income and rehabilitation of displaced persons are as follows:

112. **Support for lost work days.** Displaced persons requiring physical relocation will lose some work days and income during the transitional period from dismantling of housing and business premises to relocation at alternative new sites permanently. They will be provided with a grant against their loss of workdays as per the entitlement matrix.

113. **Assistance to reestablish business/enterprises.** RP provision for reestablishment of businesses by owners is a Lump sum amount @ Tk. 5000.

114. **Assistance to severely affected DHs.** Severely affected DHs losing agricultural land and businesses will be provided with additional assistance to supplement their income from agriculture and businesses.

115. **Assistance to affected employees.** Temporary loss of employment due to severe impact on business and commercial enterprises for acquisition and taking over land for construction of the project road will be supplemented with cash allowance to the affected employees.

116. **Assistance to affected tenants of agricultural land.** Temporary loss of access to agricultural land by tenants and thereby loss of income from productive land will be compensated giving back the share of the crop, lease money, if any, and a dislocation allowance of @ Tk. 300 per decimal.

117. **Special allowance for vulnerable groups.** Displaced households below the poverty line and headed by women will be provided with special allowance in addition to applicable compensation other allowance as above.

D. Gender Considerations

118. Compensation for loss of land and property by women will be directly paid to them. Women headed households will get additional support of special cash allowance. They will get preference in employment on site during construction as well as training for IGP.

X. BUDGET AND FINANCIAL PLAN

A. Introduction

119. The costs for land acquisition and resettlement for the subproject have been estimated at current market price for the year 2011 with necessary supplements for replacement cost, physical assets and businesses with assessed replacement cost for the same year, and additional assistance for loss of income and vulnerabilities as per the resettlement policy framework. This budget is indicative of outlays for different expenditure categories assessed by census (May 2011) for physical assets and estimates of land for acquisition. These costs will be updated and adjusted once the land acquisition boundaries will be finalized and the government adopts a price of land and other assets based on recommendations of PVAC for replacement cost prior to implementation. Replacement cost of land and property will be updated annually if the PVAC at the district level justifies the same at the time of dispossession for any considerable price escalation.

120. All land acquisition and resettlement funds will be provided by RHD based on the financing plan agreed by the Government of Bangladesh and ADB. Relocation of displaced persons, squatters, encroachers and lessees, their R&R will be considered as an integral component of the project costs. The rehabilitation and training to the potential affected persons will be provided under the income and livelihood restoration program based on vulnerability and needs assessed through a special census and consultation exercise.

121. RHD will ensure that the land acquisition budget is delivered on time to the DCs and the resettlement budget in the account of the RHD field offices. RHD will also ensure that the RP is submitted to ADB for concurrence, and that funds for entitlements under the RP is fully provided to DPs prior to the award of the civil work contract. Compensation and resettlement funds will be provided to the DPs in two separate ways:

- (i.) Compensation under law for acquisition of land will be disbursed through the Deputy Commissioners;
- (ii.) Additional assistance for resettlement of project-affected persons will be disbursed directly by RHD with assistance from NGO.

122. The RP budgets including replacement cost of land, structures and other assets, and special assistances have been calculated using the market rates reflecting replacement cost. It will be updated with the replacement cost of assets at the time of dispossession. The costs for relocation and special assistance will be consistent with the entitlement matrix. Other costs involving project disclosure, public consultations and focus group discussions, surveys, training and income and livelihood restoration, and monitoring and evaluation have been included in the RP. There is also a budget allocation for RP implementation (3% of the total) and a 10% contingency over that. The cost estimate in this RP is based on inventory of losses documented as of May 2011 and replacement cost of assets for the year. This estimate will be revised based on changes on any additional impacts to be considered during detail design and prior to implementation. Therefore, the budget will remain as a dynamic process for cost estimate even during implementation.

123. The total estimated cost of implementation of the RP is BDT 1,550.26 million (US\$ 20.95 million). The budget includes BDT 1232.51 million for replacement cost of land, structures, trees and crops; BDT 31.90 million for relocation of housing, BDT 61.41 million for rehabilitation of business of affected households and BDT 80.87 million for implementation, monitoring, management and evaluation (Table 40). All funds for land acquisition and resettlement will be

entirely provided by the Government of Bangladesh from the revenue budget. Details of the land acquisition and resettlement budget have been given in Annexure 1.

Table 40. Summary Land Acquisition and Resettlement Budget

No.	Expenditure Item	Total BDT	Total US\$*
A.	Replacement Cost		
1	Land	13,151,478	13,820,365
2	Structure	2,397,323	3,978,831
3	Trees/crops/perennials	94,031	89,569
	Total (A)	15,642,832	17,888,765
B.	Relocation Cost		
1	Dislocation allowance for land	13,468	
2	Transfer grant for structures	32,019	
3	Reconstruction grant for structures	91,687	
4	Reconnection of utilities and land development cost	650,957	
	Total (B)	788,130	688,608
C.	Rehabilitation assistance		
1	Specialist assistance for vulnerable households	3,784	3,784
2	Assistance for loss of income	663,527	663,527
3	Assistance for affected wage earners	27,365	27,365
4	Social development fund (SPAHS)	101,351	101,351
5	Host area incentives	101,351	101,351
	Total (C)	897,378	897,378
D.	Administration and management cost		
1	Administrative overhead for Land Acquisition for DCs	269,301	269,301
2	Stamp duty for land transaction	598445.9054	598445.9054
3	Implementation of RP	389,888	389,888
4	Implementation of ILRP	67,568	67,568
5	Independent monitor	67,568	67,568
	Total (D)	1,392,769	1,392,769
E.	Sub-total (A+B+C+D)	138,53,62,138	18,721,110
G.	Contingency (10% of RP implementation cost)	12,82,29,721	1732834.068
H.	TOTAL	151,35,91,859	20,453,944

* 1 USD equivalent to 74 BDT.

B. Unit Costs of Land and Assets

1. Replacement cost of land

124. Price of land in Bangladesh varies substantially depending on productivity, commercial utility, proximity to urban centers and access to roads. Therefore land price, also varies within a

given geographical boundary like the smallest land administrative unit called “Mouza”. The Deputy Commissioners, determines mouza-wise price by “Land Categories” which differ from mouza to mouza. They land types recognized by DCs are the following:

- (i) Homestead land (residential land);
- (ii) Nul (agricultural land);
- (iii) Chala (high land with trees or not without having any living structure);
- (iv) Doba (low land);
- (v) Ditch (pond cultivated or non cultivated and water used for draft purposes);
- (vi) River (eroded by river may it be khas or not);
- (vii) Road (private or govt. road), and;
- (vii) Water body

125. The land losers purchasing replacement land will be provided with **Replacement cost** that includes titling cost and the current market price.

126. Table 41 indicates the area of land to be acquired by district and Upazila under eight categories based on the market survey carried out by RDM in 2011 in the subproject area. **Replacement cost** of all categories of land has (annex -1)been established through market survey where land transaction took place during the last one year and applying the executive order of 1975 of the Government of Bangladesh where land transaction did not take place.

Table 41. Area of land to be acquired (in dec.)

District	Upazila	Estimated area of land (dec.) as type		Total land in dec.
		High land	Low land	
Gazipur	Gazipur Sadar	47.45	110.71	158.09
	Kaliakoir	400.56	934.63	1335.10
Tangail	Mirzapur	1,020.96	1,531.43	2552.34
	Tangail Sadar	186.75	435.74	622.47
Total		1,655.71	3,012.52	4671.00

Source: PPTA Consultant and RDM Land Market Survey, May 2011.

127. Table 42 indicates the summarized cost estimated of land based on the market survey by RDM (for the year 2011) in the subproject area by district /Upazila. **Replacement cost** of land is defined as the current Market Price (CMP) and the cost of land transfer for replacement land purchase with the equivalent amount of CMP. The detailed cost estimated by mouza and types of land is annexed (Annex-1). However, these rates will be updated during the detailed design.

Table 42. Cost estimate for Land Acquisition for the Sub-Project

District	Upazila	Decimal	Avg. Rate (Tk./decimal)		Estimated Cost (Tk.)	
			High land	Low land	High land	Low land
Gazipur	GazipurSadar	158.09	453,026	270,149	21,496,084	2,893,296
	Kaliakoir	1335.10	369,109	247,414	147,850,301	231,240,547
Tangail	Mirzapur	2552.34	205,127	126,896	209,426,462	194,332,341
	TangailSadar	622.47	248,857	146,600	46,474,045	63,879,484
Total		4671.00	273,492	172,748	452,823,439	520,406,805
TOTAL ESTIMATED MARKET PRICE OF LAND						973,230,244

Source: PPTA Consultant and RDM Land Market Survey, May 2011.

2. Replacement cost of Structures

128. Loss of structures, either commercial or residential has been assessed through RDM census survey conducted in May 2011 following the land plan provided by the feasibility design consultant. Based on market survey, PWD rates, recently adopted prices in PMBP for 2010, replacement cost of structure has been assessed. The owners of structures will be compensated at replacement cost irrespective of their title to land.

129. Table 43 provides current market prices (CMP) of structures by types. The rates will be revised during detail design and prior to implementation of the RP.

Table 43. Current Market Price of Affected Structures

Type of Main Structure	CMP (BDT/Sq. ft.)	Type of Auxiliary Structures	Unit	CMP (BDT)
Pucca	1,365	Kutchra Latrine	No.	2,766
Pucca-Upper floor (each)	1,516	Slab Latrine	No.	3,798
Semi-Pucca	771	Pucca Latrine	No.	32,963
Tin-Brick	702	Tube-well (20M)	No.	7,480
Tin-Wood	960	Tube-well (60M)	No.	11,730
Tin	412	Platform	Sq. ft.	98
Kutchra	264	Bricked boundary	Rft	1,260
Thatched	84	Tin boundary	Rft	143
Tin-Double Storied	2,437			
Tin-Semi-double storied	1,763			

Source: BBA, Draft Report on Valuation of Structure, Tree and Crop, 30 March 2010.

3. Replacement Cost of Trees

130. Number of trees of different sizes and species including Bamboo and Banana plants has been assessed during RDM census. Replacement cost of these trees, bamboo and banana groves, has been assessed based on market survey. The owners of trees will be compensated at current market cost irrespective of their title to land. Table 44 shows the number of affected trees and their estimated current market price

Table 44. Replacement Cost of Trees by Size

Size of Trees by Category	Market Rate
	In BDT
I. Timber Trees	
Large	19,524
Medium	11,240
Small	3,603
Saplings	20
II. Fruit-bearing trees	
Large	7,039
Medium	4,117
Small	1,489
Saplings	65
III. Bamboo	
Large	362
Medium	219
Small	129
Saplings	33
IV. Fuel wood tree	
Large	6,508
Medium	3,747
Small	1,201
Saplings	15
IV. Banana/Papaya	
Large	686
Medium	495
Small	101
Saplings	36

4. Replacement Cost of Crops

131. Productivity of acquired land and replacement cost of standing crops on acquired land will be assessed by DAE and AMD respectively. RDM census did not cover the standing crops. However, an estimate has been prepared based on quantity of land to be acquired for the subproject. Table 45 indicates the quantum of agricultural land and the rates for compensating standing crops for each unit of land (dec).

Table 45. Current Replacement Cost of Standing Crops per decimal

Crop land	Gazipur	Tangail	Total
	Rate (BDT)	Rate (BDT)	Rate (BDT)
Agricultural land	1284	1400	1,428

C. Provisions of Resettlement and Rehabilitation Assistance

132. **Additional assistance.** Provision for additional assistance (difference between replacement costs and cash compensation under law) will be assessed and paid from the RHD. The amount obtained from DC offices will be deducted from the replacement cost of land, structure and trees to obtain any balance for ensuring replacement cost of land and other property.

133. **Dislocation Allowance:** A dislocation allowance for loss of land will be provided to all affected persons losing land.

134. **Transfer Grant:** All the displaced households, businesses and physical cultural resources will require shifting their belongings and salvaged materials for which a Transfer Grant will be provided.

135. **Reconstruction Grant:** All the displaced households, businesses and physical cultural resources (community premises) will require reconstructing their housing, business and community premises at permanent alternative sites. A Reconstruction Grant will be provided to the affected persons.

136. **Land development grant:** Affected families losing their homestead and commercial premises on their own land will get a lump sum amount per decimal (ten thousand) for land development. The entitlement will be paid directly to the legal owners of the residential or commercial land.

137. **One-Time Special Assistance:** Affected female-headed households, disabled-headed and very poor households will be provided with One Time Special Assistance. The entitlement will be paid directly to the head of households and actual owners of the commercial premises.

138. **Grant for Temporary Loss of Income:** All temporary losses like access to agricultural land by tenant, business loss by owner of the shop and by renter of the shop, wage loser, loss of fruit trees etc. have been covered in the entitlement matrix/. These grants will be paid to the head of the household or the particular EP.

D. Approval of the Resettlement Budget

139. Resettlement and rehabilitation budget included in this RP will be revised as per findings in the detail design through inventory verification and determining replacement cost of property at the time of dispossession. The Ministry of Communications along with the revised RP will approve the revised budget.

140. The rates for cash entitlements for rehabilitation as well as allowances payable to DHs will be adjusted annually, based on the actual annual inflation rate will determine the annual inflation rates to be applied to all cash entitlements during the updating of the RP based on final inventory verification upon detailed engineering design and confirmation of the acquisition boundary.

141. The NGO implementing the RP will assist RHD preparing resettlement budgets covering all eligible loss and entitlements confirmed through joint verification and determination of replacement market price of land and property by PVAC.

E. Management of Resettlement Fund

142. RHD does not have any set codified rules for payment of cash to DPs eligible for resettlement assistance from the project. A detail implementation procedural guideline will be required to implement the RP at the field level. Both the RHD and the RP implementing NGO will follow the implementation procedure after its approval from the Chief Engineer (CE), RHD. The detail design consultant (resettlement specialists) will prepare the guideline following the Payment Modality adopted in recently completed projects in Bangladesh and the fund flow management in RHD in projects. The implementation procedure will include definition of various resettlement terms, the entitlements, detail procedure for identification of eligible persons for resettlement entitlements of the RP, and prepare loss and entitlement files of individual DPs, process payments, effecting their disbursement and documentation.

XII. INSTITUTIONAL ARRANGEMENT

A. Introduction

143. Roads and Highways Department (RHD) under the Ministry of Communications (MOC) is representing the Government of Bangladesh as the Executing Agency (EA) of the SASEC Road Connectivity Project. RHD is responsible for undertaking all studies, design, and construction of this Project. It will also be responsible for operation and maintenance (O&M) of the project after its completion. RHD is mandated to undertake steps, as per guidelines of the MOC and advice of the Government, to secure required funds both from external and internal sources for the implementation of the Project.

144. A detail design consultant (DDC) will assist RHD in detail-engineering design, preparation of procurement documents to employ construction supervision consultant, civil works contractor, NGOs and other agencies. The Deputy Commissioners (DCs) of Project affected districts will carry out land acquisition and handing over the land to RHD in time. In addition to the engineering construction contractors, RHD will engage NGOs for implementation of RP as well as monitoring the RP implementation internally.

145. RHD is experienced in implementing ADB projects and its staff has a collective experience of 18 years since its implementation of the Second Road Rehabilitation and Maintenance Project under WB financing. RHD will carry out the following activities to commence the implementation of Resettlement Plan:

- (i.) Establish field offices and depute requisite staff.
- (ii.) Select NGO having experience in implementation of R&R activities.
- (iii.) Organize orientation and awareness building workshops for RHD staff likely to be involved in resettlement and rehabilitation.
- (iv.) Appointment of external monitoring and evaluation consultant.

B. Institutional Arrangement

1. Project Management Office - RHD

146. Project Management Office (PMO), headed by a Project Director (PD), has already been set up within RHD for execution of the Project who is responsible for implementation of the RP – assistance disbursement and resettlement of the DPs including income restoration. RHD will work together with the DCs for acquisition of land for the Project. An NGO will be engaged for necessary surveys and verifications for finalization of RP.

147. For efficient and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the RP. Institutional arrangements required for implementation of Resettlement Plan includes capacity augmentation of RHD head office, RHD field offices, Deputy Commissioners offices, appointment of INGO, formation of various committees like: GRC, JVT, PVAC, RAC, etc. The Additional 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-project managers (PMs or DCROs) and Deputy Project Managers (DPM) or Resettlement Officers (RO) and other field staffs. Besides, an NGO will be appointed

for the implementation of resettlement plan. The resettlement expert of the PIC would be engaged to carry out external monitoring and evaluation of the project.

148. Project Manager will be of the rank of Executive Engineer and look after the resettlement and rehabilitation component of the project as DCRO. Project Managers will be stationed at the PDs office. One Deputy Project Manager will assist the Project Manager. The PD/CRO will monitor through APD, the progress of land acquisition and resettlement management and will also ensure co-ordination between various relevant offices, particularly the Office of Deputy Commissioners (the PM should coordinate with the DCs).

149. RHD will establish operational links with the Office of Deputy Commissioners for land acquisition. It will provide means and mechanism for coordinating the delivery of the compensation and assistance to entitled persons. It will also be responsible for disseminating the information to the public and provide opportunities for consultations.

150. Chief Resettlement Officer (CRO) will be responsible for

- i. Overall resettlement and rehabilitation works;
- ii. Co-ordinate with office of Deputy Commissioners to facilitate land acquisition, payment of compensation and possession of land;
- iii. Co-ordinate the implementation of R&R activities with Head Office and field office;
- iv. Appoint INGO for implementation of RP and M&E consultants for monitoring and evaluation;
- v. Ensure conducting resettlement training programs for EA staff for capacity building as well as field level NGOs and partner agencies capacities;
- vi. Approve the micro plans prepared by the INGO;
- vii. Monitor the progress on R&R and land acquisition;
- viii. Monitor monthly progress;
- ix. Guide staff of RHD, INGO and M&E consultant on policy related issues during implementation; and
- x. Ensure timely release of fund for R&R activities.

2. RHD-Field Offices

151. The field offices will coordinate with the Office of Deputy Commissioner for land acquisition and CCL payment, possession of land, clearance of proposed ROW, etc. The Project Manager will monitor all resettlement and rehabilitation activities and will be fully responsible for progress of civil works and project management. The DPM/ resettlement officer will assist him in discharging his duties. The RO will deal in all matters related to resettlement and rehabilitation. Roles and responsibility of the Resettlement Officer would broadly include the following:

- i. Maintain liaison and provide requisite materials, papers, etc, to the Office of Deputy Commissioner for timely acquisition of land and payment of compensation;
- ii. Synchronize various activities related to resettlement and rehabilitation with construction schedule;
- iii. Ensure that entitled persons have received their due compensation and assistance;
- iv. Assist and advice CRO and RO in matters related to R&R;

- v. Ensure distribution of pamphlets on R&R policy by the NGO in local language.
- vi. Supervise the implementation of RP carried out by the NGO and participate in activities carried out by NGO;
- vii. Interact with NGO and PIC on a regular basis;
- viii. Compile data related to R&R activities and update reporting officer and suggest suitable measures to be taken;
- ix. Review micro plan & monthly reports submitted by NGO;
- x. Participate in regular meetings;
- xi. Ensure distribution of Identity card;
- xii. Attend meetings and participate in Grievance Redress Committee meetings for redressal of grievances;
- xiii. Ensure budgetary provision for relocation, rehabilitation and reconstruction of CRP;
- xiv. Verify inclusion of affected persons who were missed out due to some reason during the census survey/joint verification;
- xv. Facilitate the opening of bank accounts of affected persons in local banks;
- xvi. Organize disbursement of checks to affected persons in public place to maintain transparency
- xvii. Liaison with concerned department for inclusion of affected persons in income generating schemes of programs;
- xviii. Maintain record of physical and financial progress on land acquisition and R&R activities;
- xix. Any other work that may be assigned from time to time by the CRO/DCRO/PM, etc.

152. The RHD field offices will be assisted by the NGO in performing their duties.

3. Deputy Commissioner's Office(s)

153. The Deputy Commissioner (DC) has the key role in the RP implementation process. He/she has the legal responsibility of acquiring land and paying compensation directly to the EPs as per the Acquisition and Requisition of Immovable Property Ordinance-1982 and subsequent amendments made there under. Furthermore, he /she has access to official record and the Legal /Administrative authority for determining updated title of land eligibility of EPs for Cash Compensation Under Law (CCL) for land as well as several other assets, covered by the law. There is definite need to enhance the capacity of the officers of the concerned DCs Offices through engaging additional senior LA staff to process the LA requests speedily and smoothly. The EA and the implementing NGO assisting the EA will work with the representatives of the DCs during Joint Verification of affected properties and the market survey of the properties for ascertaining **replacement cost** before budgeting for total compensation payable to the EPs.

154. Conduct Joint Verification and market surveys and reconciliation of the **replacement cost** will require a great deal of mutual understanding among the DCs' offices, RHD and the NGO. It is therefore, essential that the DCs accept the involvement of their representatives in Joint Verification and Market Surveys budgeting of compensation, updating of the land records of EPs and in reconciliation of CCL with the additional compensation to be paid by the RHD. The DC offices will receive funds for CCL from RHD for payment to the directly affected persons immediately to facilitate quick disbursement of differentials, if any, by RHD with assistance from NGO. Participation of the DC will be necessary in the host area meetings. Similarly DC's intervention/assistance will be required in matters such as disposal of land ownership disputes, allotment of surplus land for construction of community properties, if necessary.

4. Implementing NGO

155. The resettlement plan is limited to payment of cash compensation only to the project affected persons for individual cases, and replacement of the affected properties by RHD when it is owned by the community. In general, for paying the compensation to individuals, the process involves four parties: (i) Project Office of Roads and Highways Department; (ii) Office of the Deputy Commissioner of the respective area for paying the cash compensations; (iii) an NGO appointed by the RHD project office for processing the resettlement assistance and organizing relocation and resettlement, and above all (iv) relocation of the displaced persons. The NGO personnel are inbuilt in the resettlement organizational chart placed above has been developed keeping the following in mind. The payment of compensation to individuals must be completed at least 6 months before taking possession and following have to be done for that;

- i. the procedures of paying additional grant beyond compensation must be simple and easily understandable to the Entitled Persons (EPs);
- ii. the field organizers must always be in close contact with EPs;
- iii. the number of field offices for each road may be two, but it must have branches when the length of road exceeds 15 km; For better implementation, the maximum number of EPs to be covered by a field organizer should not exceed 300; and in between field manager and field organizer, there should be one field supervisor for 4-5 field organizers.

156. The role of NGO will be of a facilitator. The NGO will work as a link between the Project Authority and the affected persons. NGO will educate affected persons on aspects related to land acquisition and R&R measures. Main responsibilities of NGO are as under:

- Establish site office as per the contract
- Collect IOL established through Census from the Detailed Design Consultants (DDC).
- Reconciliation of Census and JV data of each affected households within the proposed Row as per the final alignment and corresponding RP prepared by the DDC.
- Develop rapport with affected persons.
- Participate with DC and RHD for carrying out Joint Verification Survey (JVS) or Joint On-Site Inventory verification of the actually affected assets of DH following final RP.
- Collect LA Plans and land schedule/plot index approved by DC.
- Prepare profile of affected persons.
- Picture all affected structures within the proposed ROW along with the owner.
- Help LAOs to publicize notifications under sections 3, 6 & 7 of Land Acquisition Ordinance.
- Educate affected persons about their rights and entitlements of R&R package and mechanism of payments mentioned in the R&R policy.
- Carry out information dissemination activities to create awareness about the project, prepare and disseminate booklet and poster in the affected areas and communities. Assist in valuation of properties/assets for finalization of replacement cost. Preparation and approval of micro plan for disbursement of R&R assistances.
- Ensure delivery of full entitlements to affected persons.
- Ensure proper utilization of compensation and resettlement assistances available under the R&R package.

- Motivate the EPs to shift their structures and other assets (houses, shops, etc.) from the proposed ROW after receipt of compensation and assistances.
- Assist affected persons in identifying and selection of alternative place/land/location for resettlement.
- Give advice to and guide affected persons on relative benefits of each option as mentioned in the R&R policy.
- Help affected persons interested in purchasing land.
- Calculation of RV/Top up and assist RHD in paying the difference values of land assets that the land /property owners are eligible.
- Monitor regularly the progress of compensation (CCL) payment to awardees.
- Assist and liaison with the AC (L), Tehshilder, LAO, Kanango and Land surveyor to expedite the LA and CCL payment.
- Issue identity card to entitled persons.
- Help affected persons in opening of their bank account.
- Collect Award list from office of the Dy. Commissioner.
- Assist providing special allowances to women headed household.
- Assist formation of GRC (Grievance Redress Committee), RAC (Resettlement Advisory committee), PVAC (Property Valuation Advisory Committee), etc.
- Help affected person in redressing their grievances through Grievance Redress Committee.
- Distribute Notice for vacating land.
- Consultation with and assessment of host community capacity in resettling displaced persons, if required
- Liaise with various officials with regard to implementing the R&R programs.
- List up vulnerable entitled persons for providing additional assistances.
- Carry out needs assessment and organize training for income generation by NGOs like ASA, Proshika, Grameen Bank, BRAC etc. Also facilitate integration of affected persons in govt. sponsored income generation program.
- Help arrange credit / grant to EPs for income generation or livelihood restoration. Also supervise and monitor utilization of credit or grant by the affected persons.
- Assist RHD in making arrangements for the smooth relocation of the displaced persons.
- Prepare resettlement implementation plan timeline as per ground situation.
- Collect data as required to assist RHD to monitor and assess progress.
- Prepare and submit various reports from time to time with regard to implementation of resettlement plan as per the ToR.
- Any other responsibility that may be assigned by RHD with regard to resettlement and rehabilitation of affected persons.
- Distribute brochure, prepare EP file and EC process payment to EP develop management information system, create databank,
- Play role as the member secretary in GRC, RAC, etc.
- Assist in internal monitoring

157. As a general principle of resettlement plan, affected households will be monitored to ensure that they are able to regain or improve their socio-economic status and quality of life. It

becomes clear that the assistance given under the project is insufficient to obtain this goal within the life of resettlement program, then consideration should be made for additional assistance. In order to carry out such tasks, updating database would be required. The NGO besides contacting the affected person on an individual basis shall also conduct group meetings and village-level meetings for updating baseline information. The NGO will encourage participation of affected persons in such meetings. Such participation will help to find a solution acceptable to all involved. Involvement of NGO in resettlement projects has proved to be positive in terms of transparency, consultation, institutional strengthening and safeguarding rights of disadvantaged people and long-term sustainability of resettlement activities.

158. All resettlement related data, including land acquisition and census will be collected and computerized by the NGO to prepare a resettlement databank and made available to RHD. The data bank will act as the key source of information for implementation, monitoring and evaluation of the RP implementation successes and failure. EP files on individual households will be prepared for processing entitlement, checking and verifying the losses. The file will contain detailed socio- economic and demographic data on individual households and lost assets. An entitlement card will be prepared containing the summarized losses but detailed entitlement. A Payment statement should also be prepared to reflect the entitlement as well as the payment made. The databank will enhance institutional capacity of both RHD and the implementing NGO in resettlement management of the project.

5. Resettlement Management Committees

159. To arrive at a fair compensation sufficient to cover **replacement cost** of the lost resources, formation of a Property Valuation Advisory Committee is considered important for each district. Again, to redress a mechanism to dispose of the complaints out of court as per RP, for setting up a Grievance Redress Committee (GRC) for each area is also felt indispensable. Resettlement advisory committee (RAC) needs to be formed to facilitate RHD for timely relocation of EPs from the required land and deliver project sponsored resettlement benefits as designed in RP. In order to ensure collective sharing of responsibilities, JVT and PVAC need to be formed with representatives, drawn from RHD, District Administration, Implementing NGO and GRC, and RAC formed with representatives of the RHD, NGO, EPs including UP chairman and women members of U/Ps under administrative order of the Ministry of Communications with appropriate legal authorities.

6. Joint Verification Team (JVT)

160. The main task of a JVT is to undertake a plot to plot survey in the affected areas, using a structured questionnaire, for determining the actual quantum of losses suffered by the AP, compare these data with the assessment made by the DC and establish the estimate of compensation for acquisition of land, loss of livelihood and resettlement using those loss data and current **replacement cost** of lost assets ascertained by the PVAC. The JVT will be composed of:

- i. One representative of RHD (PD office), minimum at level of Sub-divisional Engineer as convener, to be nominated by the PD, RHD;
- ii. One representative of the DC to be nominated by concerned DC;
- iii. Area Manager of the INGO;

7. Property Valuation Advisory Committee (PVAC)

161. The main task of PVAC is to verify the survey result in the areas where land will be acquired for the project and establish the current market price (CMP). CMP in addition to the cost of registration will be equivalent to the replacement cost for different properties at different locations. PVAC will also find out the prices of other properties in the same manner. The PVAC will be composed of:

- (i.) One representative of RHD, minimum at the level of Sub-divisional Engineer, to be nominated by the PD, RHD, as convener;
- (ii.) One representative of the DC to be nominated by concerned DC; and
- (iii.) The Area Manager of the INGO.

8. Grievance Redress Committee (GRC):

162. A mechanism to dispose of the complaints out of court a Grievance Redress Committee (GRC) for each area has been very useful in Bangladesh. The GRC for the Project will be composed of the following individuals, with an addition of a Legal Advisor appointed by the INGO to make suggestions in resolving disputes. However he/she may not be a member of the committee. This arrangement will be made to ensure justice to the complainant outside of the court system.

- i. One representative of RHD, minimum at the level of Sub-Divisional Engineer as convener, to be nominated by PD, RHD;
- ii. The Area Manager of the INGO;
- iii. The Chairman of the UP or Mayor of the municipality or his/her authorized member/councilor/commissioner where the complainant is registered as a entitled person;
- iv. One representative of the EPs;
- v. Woman member of local Union Parishad/Municipality; and

9. Resettlement Advisory Committee

163. During implementation stage, the NGO will form a Resettlement Advisory Committee (RAC) at each area with the approval of the Project Director of JCTH section in order to involve the local communities and DPs in the implementation process. The committee will ensure local participation, provide local inputs and assist in all matters related to implementation of the RP. The RAC will be comprised of:

- i. One representative of RHD, at least of the level of Executive engineer, to be nominated by PD, RHD as chairman
- ii. The Area Manager of the INGO as Member-Secretary
- iii. Representative from CBO
- iv. Representative of women EPs
- v. Elected Representatives of the area
- vi. Local Teacher
- vii. Local Imam of a mosque

10. Resettlement Consultants

164. The PIC will include Resettlement Consultants both from the national and international experts. The national experts will monitor the day- to-day progress in RP implementation and

also prepare the monthly progress report to be included in overall monthly progress report of the project. The input of international expert will be of intermittent nature. He will be assisted directly by the national experts of the project.

165. The Resettlement Consultants acting on behalf of the Project and RHD will ensure that the sound methodologies and practices are used in the implementation of RP. The consultants will advise on any changes in the modalities of the implementation work, participate in meeting with the INGO and RHD, and monitor the work of the implementing NGO (INGO) in the field. The consultants will also review, on behalf of PD, RHD, and implementation progress report submitted by the NGO on a regular basis.

XIII. IMPLEMENTATION SCHEDULE

166. A time-bound implementation schedule (Figure 2) has been developed for two years from the date of mobilization on site. This schedule will be finalized by the detailed design team and updated before implementation with the update of the RP. The overall schedule of implementation is based on the principle that (i) all displaced persons and families are paid their due compensation and assistance prior to relocation; and (ii) relocation of the families and businesses will be synchronized with the schedule. The activities listed concern vacating lands for construction – for example, payment of additional grant over CCL to reach replacement cost, income and livelihood restoration activities, and social development for vulnerable families.

Figure 2: RP Implementation Time Schedule

No.	Activities	Months (Weeks)																								Remarks
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
1.0	Mobilization																									
1.1	Establishment of Project Office(s) at HQ and on site																									
1.2	Assigning HQ and Field Staff for RAP implementation																									
1.3	Establishment of JVT, PVAC, GRC, and RAC																									
1.4	Workshop for PMO & field staff, & JVT, PVAC, GRC, RAC members																									
2.0	Development of RP implementation tools																									
2.1	Design RP implementation tools & an automated MIS																									
2.2	Approval of the tools and MIS																									
3.0	Information Dissemination and Feedback																									
3.1	Prepare Information brochure																									
3.2	Distribution of Information Brochure																									
3.3	Organise Community Meetings, FGDs and Feedback																									
4.0	Update RP and Budget																									
4.1	Joint verification and updating RP																									
4.2	Collect Land Price from DC offices																									
4.3	Design and Conduct Property Valuation																									
4.4	Establish Replacement value by PVAC																									
4.5	Finalization of RP Budget																									
5.0	Identification of Entitled Persons (EPs)																									
5.1	Collection of Award data																									
5.2	Identification of Non-titled/Indirect Eps																									
5.3	Identification of Titled/Direct Eps																									
5.4	Issuance and distribution of ID Cards																									

EA is responsible for issuance only

No.	Activities	Months (Weeks)																								Remarks
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
6.0	Grievance Redress Process																									
6.1	Nominate Members to GRCs																									
6.2	Educating APs on the provision and Process of Grievance Resolution																									
6.3	Assists Aggrieved APs in Producing Complaints																									
6.4	Organizing GRC Sessions																									
7.0	Information Management																									
7.1	Update Inventory of Losses																									
7.2	Operate Computerized MIS																									
7.3	Processing Payment of Entitlements																									
8.0	Assisting APs in Relocation and Resettlement																									
8.1	Assist APs in their relocation																									
8.2	Disburse resettlement grants																									
9.0	Monitoring and Supervision																									
9.1	Establish Baseline Information																									
9.2	Coordination Meetings with the Client																									
9.3	Data Collection on Monitoring Indicators																									
9.4	Mid-term Review																									After one year
10.0	Reporting																									
10.1	Inception Report including workplan																									
10.2	Monthly Progress Report																									
10.3	Quarterly Progress Report																									
10.4	Annual/Interim Progress Report																									
10.5	External Monitoring and Evaluation Report																									After end of the each year
10.6	Project Completion Report/Implementation Final Report																									Based on the Implementation in Final Report by INGO

XIV. MONITORING AND EVALUATION

A. Introduction

167. Monitoring and evaluation (M&E) are key components of RP implementation. Monitoring is a periodical checking of planned activities and provides midway inputs, facilitates changes, if necessary and provides feedback for project management to keep the program on schedule. Evaluation on the other hand assesses the resettlement effectiveness, impact and sustainability of R&R program. In other words, evaluation is an activity aimed at assessing whether the activities have actually achieved their intended goals and purposes. Thus monitoring and evaluation of resettlement plan implementation are critical in order to measure the project performance and fulfillment of project objectives.

168. The responsibility and obligations of carrying out M&E will lie with Additional Project Director as the Chief Resettlement Officer for the project. Monitoring will continue till the end of the RP implementation. Components of monitoring will include performance monitoring i.e., physical progress of the work and impact monitoring and external evaluation.

B. Objectives of M&E

169. The M&E system will serve as a tool for monitoring and evaluation of resettlement program ensuring timely and fair delivery of entitlements. The M&E will enable PMO to get feedback from target population and the field operatives to devise corrective measures to ensure achievement of targets within schedule. The objectives of M&E will enhance the delivery capacity of the PMO and maximize benefits of RP packages to the affected persons and the host communities.

170. The M&E will be carried out through collecting, analyzing, reporting and using information about resettlement progress as per scope of the RP and the process adopted for achieving the progress. It will ensure that inputs are provided, procedures are followed, and outputs are monitored and verified as per approved plan and schedule of actions. Identifying lapses and failures at implementation process, PMO will undertake timely management actions. A benchmark database will be developed for the purpose of ongoing monitoring and periodic and ex-post evaluations of the RP targets.

171. RHD field offices will conduct field level monitoring and assess the daily operation of land acquisition, payment of compensation, identification of entitled persons physically, and processing their entitlements, relocation and resettlement.

C. Stages of M&E

172. PMO in the monitoring and evaluation process will focus on indicators specific to process and outcomes at three consecutive stages of RP implementation: RP preparatory stage, relocation stage and rehabilitation stage. Scope of M&E at these stages will be as follows:

1. M&E at Preparatory Stage

173. During the pre-relocation phase of resettlement operation, monitoring is concerned with administrative issues such as, establishment of resettlement unit, budget management, requirement for further land acquisition, consultation with DPs in the preparation of resettlement plan and their participation in the implementation process, information dissemination on payments of entitlement due, grievance redress, and so on. The key issue for monitoring will be to:-

- i. Conduct baseline survey;
- ii. Consultations;
- iii. Identify DPs and their numbers;
- iv. Identification of different categories of DPs and entitlements of individuals;
- v. Collection of gender disaggregated data and preferences of women;
- vi. Establish Inventory of losses;
- vii. Ascertain Entitlements;
- viii. Valuation of different assets not covered by PVAC;
- ix. Budget delivery;
- x. Information dissemination;
- xi. Institutional capacity assessment;
Implementation schedule and items of expenditure.

2. M&E at Rehabilitation Stage

174. Once the DPs have been resettled at the new sites, the focus of monitoring will shift to issues of livelihood restoration. The key issue for monitoring will be:

- i. Initiation of livelihood restoration activities;
- ii. Consultations;
- iii. Assistance to enhance livelihood and quality of life.

D. M&E Indicators

175. Compliance of the RP policy and targets in the implementation process will be monitored through setting up indicators. The most crucial components/indicators to be monitored are specific contents of the activities and entitlement matrix. The RP contains indicators and benchmarks for achievement of the objectives under the resettlement program. These indicators and benchmarks are judged for implementation process, outcomes and impacts (see boxes 1, 2 and 3).

Box 1: Process Indicators	
Project input, public participation and monitoring	<ul style="list-style-type: none"> Setting up RP implementation organization Deployment of implementing agencies Training of resettlement staff Census, inventory of losses, baseline socioeconomic survey Placement of funds for land acquisition and resettlement Expenditure of implementing agencies Deployment of independent monitor Procedure of identification of eligible affected persons Procedure of determining loss and entitlements Procedure of allocation of RS plots (if any) Development of livelihood and income restoration program Preparation of disclosure instruments Disclosure and consultation events Formation of GRC, RAC, PVAC, and IVC Grievance redress procedures in-place and functioning Level of public awareness on RP policy and provisions Cost of compensation collection by DPs Monitoring reports submitted

Box 2: Output Indicators	
Delivery of entitlements, relocation and rehabilitation	<ul style="list-style-type: none"> Number of households relocated by areas Number of households compensated and assisted Number of businesses relocated by areas Number of affected persons purchased replacement agricultural land Amount of compensation disbursed Amount of resettlement benefits disbursed Number of eligible persons identified for training

	Number of vulnerable households resettled
	Number of vulnerable households brought under livelihood program

Box 3: Impact Indicators		
Longer impacts	term	Changes in housing Changes in drinking water and sanitation Changes in land holding Changes in occupation Changes in income and expenditure Pace of income against change in expenditure Changes in attending health problems Nutrition of women and children Gender balance and women empowerment Changes in vulnerable households and women headed households.

E. Methodology and Approach

176. The PMO will monitor and measure the progress of implementation of the resettlement plan. The extent of monitoring activities will be commensurate with the project's risks and impacts. In addition to recording the progress in compensation payment and other resettlement activities, the borrower/client will prepare monitoring reports to ensure that the implementation of the resettlement plan has produced the desired outcomes. The PMO will retain qualified and experienced external experts or qualified NGOs to verify the monitoring information. The M&E approach will be to identify and select a set of appropriate indicators and gathering information on them to assess the changes and variations. Participation of stakeholders especially the affected persons, women and vulnerable groups will be ensured in the M&E process. The process will also undertake various formal and informal surveys for impact analysis. Assessment of resettlement efficiency, effectiveness, impact and sustainability will be carried through the M&E process for identification of lessons from the Project for building upon future policies on involuntary resettlement in the country.

177. Monitoring tools would include both quantitative and qualitative methods as follows:
- (i.) Sample household survey: a baseline household survey of representative sample (20% of affected households requiring relocation), disaggregated by gender and vulnerability to obtain information on the key indicators of entitlement delivery, efficiency, effectiveness, impact and sustainability.
 - (ii.) Focused Group Discussions (FGD): Consult with a range of stakeholder groups (local government, resettlement field staff, NGOs, community leaders and DPs including women and vulnerable groups).
 - (iii.) Key informant interviews: Consult individuals like local leaders, persons with special knowledge or experience about resettlement activities and implementation.
 - (iv.) Community public meetings: Open public meetings at resettlement sites to elicit information about performance of various resettlement activities.
 - (v.) Structured direct observations: Field observations on status of resettlement implementation, plus individual or group interviews for crosschecking purposes.
 - (vi.) Informal surveys/interviews: Informal surveys of DPs, host village, workers, resettlement staff, and implementing agency personnel using non-sampled methods.
 - (vii.) In the case of special issues, in-depth case studies of DPs and host populations from various social classes will be undertaken to assess impact of resettlement.

F. Institutional Arrangements for M&E

178. RHD will carry out internal M&E of the RP implementation involving the RHD field offices, and implementing NGO. The PIC will act as the external monitor. ADB will conduct annual review missions for the compliance monitoring. The project affected persons, their community and local level NGOs will also participate in the M&E process.

1. Office of the Project Director

179. The Project Director (PD) will be responsible to oversee proper and timely implementation of all activities in RP. The PD will operate and manage implementation of RP with the assistance from an appointed implementing NGO. The monitoring will be carried out with support from the Field Offices and the resettlement implementation NGO. The Implementing NGO will collect appropriate data from the field and provide feedback to PMO on progress of RP implementation and the day to day problems arising out of the process.

2. Implementing NGO

180. The implementing NGO will prepare monthly/quarterly reports on the progress of RP Implementation. PMO will collect information from the project site and assimilate in the form of monthly progress of RP implementation and adjust work program where necessary, in case of delays or problems. An automated MIS will be designed and developed by INGO to monitor the output indicators at the RHD field and headquarters level.

3. External Monitor

181. An External Monitor will carry out semi-annual, mid-term, and final evaluation and recommend necessary changes to the PMO and the Social and Environment Circle (SEC) for consideration. The scope of external monitoring will cover compliance monitoring and social impact evaluation of RP implementation

182. The monitor will cover the compliance issues such as (i) compensation and entitlement policies, (ii) adequacy of organizational mechanism for implementing the RP, (iii) restoration of DPs incomes, (iv) settling complaints and grievances, and (v) provisions for adequate budgetary support by PMO for implementing the RP. The EMA will assess if the DPs: (i) have been provided with alternative sites for relocation; (ii) have reestablished their structures; (iii) have reestablished their business; and (iii) were extended assistance to restore their incomes from pre-project levels. It will also appraise the accounting documents used in recording the payments of compensation to DPs by RHD. In addition to this at least once a year an annual impact evaluation to assess the effectiveness of the work being undertaken and level of results achieved. **The external monitor will verify the monitoring information generated by the EA.**

G. Reporting Requirements

183. The PD, PMO will prepare semi-annual monitoring reports that describe the progress of the implementation of resettlement activities and any compliance issues and corrective actions. These reports will closely follow the involuntary resettlement monitoring indicators agreed at the time of resettlement plan approval. The costs of internal and external resettlement monitoring requirements will be included in the project budget. The semi-annual report will be submitted to ADB.