

Resettlement Plan

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**BAN: Participatory Small-Scale Water Resources
Sector Project – Kul Pagli Sub-Project, Upazila:
Lohagara, District: Chittagong**

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**Resettlement Plan for Kul Pagli Canal/Khal Subproject
October-2015**

**BAN: Participatory Small-Scale Water Resources Sector Project (PSSWRSP)
ADB Loan No. 2542-BAN (SF)**

**Local Government Engineering Department (LGED)
Local Government Division
Ministry of Local Government, rural Development and Cooperatives
LGED, Bhaban, Sher-e Bangla Nagar, Agargaon, Dhaka.**

EXECUTIVE SUMMARY

One of the components of the Participatory Small-Scale Water Resources Sector Project (PSSWRSP, or 'the Project') is to construct water management infrastructure. The main objective of the Project is to enhance agricultural production, poverty reduction and economic growth in subproject areas. The Project objectives will be achieved through the participation of stakeholders in identification, implementation, improvement and management of water management related infrastructures. The Project infrastructure is diversified, including: re-excavation and improvement of Khal (channels, of rivulets); construction of levees on the bank of Khal; construction and supplementary irrigation in monsoon/dry season. In addition, suitable hydraulic structures will be constructed wherever needed.

The Kulpagli Chora Subproject area is located at Barahatia and Adhunagar Unions in Lohagara Upazila of Chittagong District, covering 4 villages Amtoli, Barahatia, Rashiderghona and Meherajpara. This subproject consists of re-excavation of 3+000 km silted canal/Khal on Khas/Government land. All the project areas are surrounded by agricultural land. The embankment will protect the command area from flooding through Sangu River through Dolu Khal during the monsoon and the re-excavated canal/Khal will principally serve the drainage purpose. One sluice gate will also be constructed at the junction point of the canal/Khal with the embankment which will be used for draining out the logged water as well as protection from flooding during the monsoon.

The proposed subproject has a gross benefited area of 820 hectare with a net benefited area of 730 hectare. To a large extent, the khal is silted, leading to extensive drainage problem. Re-excavation of the khal will remove the drainage congestion and drainage improvement will also release some areas for Rabi crops and facilitate planting HYV Boro on a timely basis.

The intervention will not require any land acquisition, because all the project activities will be on khas/government land. But due to siltation of the khal, some people took the opportunity to use the bed of the canal/khal for various purposes. However, due to the re-construction of embankment, about 37 households with a population of 166 will lose their present right of using canal bed for cultivation and other purposes. The affected people will lose a part of their livelihood. All of them will be compensated for their losses in cash as have been determined by the PVAT. There are no homestead or other structures losers on khas land. The APs are affected by trees only. There will not be any negative impacts on Common Property Resources (CPRs) such as mosques, schools, or Union Parishad offices. There is no Indigenous People (IP) in the area and no negative social impacts were indicated in Group Discussions or from the household survey.

In accordance with the Resettlement Framework's (RFs) Entitlement Matrix, all the 37, AHs will receive compensation at the market value of the trees including the value of fruits as assessed by Property Valuation Assessment Team (PVAT). As most of the AHHs are landless or marginal farmers, they will also receive income-generation oriented training and employment measures under the income-generation sub-components of the subproject (para-36 & 37). The affected Households (AHs) are not title holders of land and their compensation will not follow CCL under land acquisition procedure. Moreover, if possible, the vulnerable households (very poor, poor, disabled and female headed households) will be given some training through the WMCA for helping them in their endeavors to survival depending upon the availability of fund.

The Socio Economist of LGED and Upazila Engineer in consultation with WMCA/Union parishad representatives through INGO informed the APs of the subproject regarding the impacts and their entitlement under the RP. The non-title holder APs of this subproject will be compensated under the Resettlement Framework following the Entitlement Matrix. As per RF

the payment of full cost of compensation will be the responsibility of LGED. While the subproject has a non-significant impact on property of the AHHs, the APs themselves in group discussions have indicated that they will get more benefit from the subproject than losses. They will also be benefited, having their land protected from flooding and water-logging. Moreover, they would be able to retain monsoon water within the subproject area for irrigation in the winter season. Fishing, both open water as well as cultured, will also be enhanced which will improve their socioeconomic condition. No works under any contract awarded under the subproject will be commenced until all the required compensation payment are available to those affected people. The INGO will assist LGED in the context of Information Dissemination and feedback, in Resettlement Process of APs, Grievance Redress Procedure, Information Management, Reporting and RP preparation and implementation.

Some salient information of the RAP are:

- Length of the canal/khal to be re-excavated=3+000 km;
- Area to be irrigated after re-excavation of khal/canal 730 hectare;
- Number of households within the subproject command area=1250;
- Number of households expected to be directly benefited=929;
- Number of households to be affected by re-excavation of canal/khal =37, only 4% of beneficiary households;
- Among the 37 APs, 1 is female;
- Number of disabled affected persons=Nil;
- None of the affected persons will lose more than 10% of their annual income;
- None of the APs will become vulnerable because of the loss of khas land under their cultivation;
- All the 37 APs will be affected by trees only;
- Compensation for trees values = Tk.5,75,400.00;
- Cost of Fruits=Tk. 15,990.00;
- Cost of saplings = Tk. 18,500.00;
- EP files, stationery and other miscellaneous costs=Tk.7,400.00; and
- Total compensation and miscellaneous cost of RAP implementation=Tk.6,17,290.00.

RESETTLEMENT PLAN FOR KULPAGLI CHORA SUBPROJECT

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Abbreviations

ADB	Asian Development Bank
AHH	Affected Household
AP	Affected Person
BWDB	Bangladesh Water Development Board
CAD	Command Area Development
CBE	Commercial and Business Enterprises
CCL	Cash Compensation under Law
CFG	Community Forestry Group
CO	Community Organizer
CPR	Common Property Resources
CRO	Chief Resettlement Officer
CHT	Chittagong Hill Tracts
DC	Deputy Commissioner (Chief executive officer of the District)
DD	Detailed Design
DMS	Detailed Measurement Survey
EA	Executing Agency
EMP	Environmental Management Plan
EP	Entitled Person
ESS	Environmental and Safeguards Section
FGD	Focus Group Discussion
FMD	Flood Management and Drainage
GRC	Grievance Redress Committee
HH	Household
HHH	Household Head
IA	Implementing Agency
IGA	Income Generating Activities
IGP	Income Generating Program

INGO	Implementing Non Government Organization
IP	Indigenous People
IPSAP	Indigenous People's Specific Action Plan
IR	Involuntary Resettlement
IWRM	Integrated Water Resource Management
IWRMU	Integrated Water Resource Management Unit of LGED
JVT	Joint Verification Team
LA	Land Acquisition
LAA	Land Acquisition Act
LAO	Land Administration Office
LAP	Land Acquisition Proposal
LGED	Local Government Engineering Department
LMS	Local Market Survey
MARV	Maximum Allowance Replacement Value
MDGs	Millennium Development Goals (2015)
MIS	Management Information System
MoLGRDC	Ministry of Local Government, Regional Development and Cooperatives
NGO	Non Government Organization
NPRR	Draft National Policy on Resettlement and Rehabilitation
PD	Project Director
PFA	Project Funding/Financing Agency
PIC	Project Implementation Consultants
PMO	Project Management Office
PRA	Participatory Rural Appraisal
PSSWRSP	Participatory Small-Scale Water Resources Sector Project
PVAT	Property Valuation Advisory Team
PWD	Public Works Department
O&M	Operation and Maintenance
RAC	Resettlement Advisory Committee
RC	Resettlement Coordinator

RCC	Reinforced Concrete
RCO	Resettlement Co-coordinator
RF	Resettlement Framework
RoW	Right of Way
RP	Resettlement Plan
RRP	Report and Recommendation to the President (ADB)
SES	Socioeconomic Survey
SRG	Structure Reconstruction Grant
SSW-1	SSWR Development Project Phase 1 (Alternative acronym for SSWRSDP)
SSW-2	SSWR Development Project Phase 2
SSWR	Small Scale Water Resources
SSWRSDP	Small Scale Water Resource Sector Development Project
STG	Structure Transfer Grant
UP	Union Parishad
WMCA	Water Management Cooperative Association

Definitions

- Resettlement Framework (RF)** : For loss of land property, income generation opportunity and cultural assets as were adopted at the time of the Loan Agreement, the RF lays out the policy, principles procedures and entitlements, as well as the institutional responsibilities to be followed in preparing subproject RPs under the loan. The RF is Supplementary Appendix K: Resettlement Framework for Riverbank Protection Works to the Project's RRP of October 2002².
- Resettlement Plan (RP)** : A time-bound action plan with budget setting out resettlement strategy, objectives, entitlements, actions, responsibilities, monitoring and evaluation.
- Severely Affected Person (SAP)** : A person who will (i) lose more than 10% of total agriculture/aquaculture land holding, and/or (ii) relocate and/or (iii) lose more than 10% of total income sources due to a project.
- Squatter** : One that squats: as *a*: one that settles on property without right or title or payment of rent *b*: one that settles on public land under government regulation with the purpose of acquiring title.
- Union Parishad** : The Union Parishad is one of the lowest administrative units in Bangladesh, part of a four-tier local government, namely *Gram* (Village)
- Parishad; Union Parishad Upazila (Sub district) Parishad and Zila (District) Parishad.
- Uthulies** : Long Term Squatters. Also called informal Settlers, i.e, HHs on other's land with permission.
- Vita** : High, raised land, often used for residential purposes
Vulnerable Households: For this Project, vulnerable groups are defined as APs who suffer more-economically and socially-from relocation than other affected population. Based on past experiences from similar Projects, the vulnerable groups include (i) women-headed HHs; (ii) landless HHs (those without agricultural land, and depend largely on day labor for survival); (iii) disabled HHs heads (iv) HHs having residual agricultural land less than 1 acre or losing more than 10%of their income from agriculture due to acquisition and (v) Those APs who have gone below the poverty line due to the sub project.

1. Project Background

1. The Participatory Small Scale Water Resource Sector Project (PSSWRSP) intends to increase the agricultural production and reduce poverty in subproject area through sustainable stakeholder driven Small Scale Water Resources (SSWR) management system; and to internalize participatory processes through the strengthening of the Local Government Engineering Department's (LGED's) Integrated Water Resource Management Unit (IWRMU) to plan, implement, monitor and support sustainable SSWR development. LGED is the Project's Executing Agency (PEA).

2. The Project builds from previous ADB investments in the small-scale (less than 1,000 hectare [ha]) water resources sector; specifically, the Small-Scale Water Resources Development Sector Project (SSW 1), which was implemented from 1996 to 2002 and developed 280 subprojects in the western part of the country. Also, the Second Small-Scale Water Resources Development Sector Project (SSW 2), which commenced in 2002 and was completed in 2009 after developing 300 subprojects in 61 of 64 districts of Bangladesh. SSW 3 is the Participatory Small Scale Water Resources Sector Project (PSSWRSP).

3. The project objectives will be achieved through the participation of stakeholders in identification, implementation, improvement and management of water management related infrastructures. The project infrastructure is diversified, including: re-excavation and improvement of Khals (canals, or rivulets) and construction of supplementary irrigation facility for the dry season and also to drain out logged water during the monsoon. In addition, suitable hydraulic structures will be constructed, wherever needed.

2. Description of the Subproject

4. The Feasibility Study of Kulpagli Chara Subproject was conducted in October 2014 under PSSWRSP and the subproject was planned for implementation during 2015. The detailed design (DD) was prepared in February 2013. As a part of the Detailed Measurement Survey (DMS), the Implementing Non-Government Organization (INGO) organized the Census/Socio Economic Survey (SES) to identify all affected persons (APs), their socioeconomic status, and to what extent they will be affected. The Kulpagli Chara Subproject, in brief, is the re-excavation 3+000 km silted canal/khal only. It is located at Barahatia and Adhunagar Unions of Lohagara Upazila in Chittagong District. The proposed subproject has passed through four (4) villages: Amtoli, Barahatia, Rashiderghona and Meherajpara.

5. The subproject is located at the influence area Dolu Khal, a branch of Sangu River, which is about 3 km south of the sub-project area. Kulpagli Chara subproject is within Barahatia and Adhunagar Unions of Lohagara Upazila in Chittagong District. Location of the subproject area in Upazila Map and Location Map is shown in **Figure-1 (a) & Figure-1 (b)**. A detail Index Map of the subproject showing the land topography, existing infrastructures and planned interventions is provided in **Figure-2**.

3. Area and Location

6. The Kulpagli Chara Subproject area has passed through 4 villages: Amtoli, Barahatia, Rashiderghona and Meherajpara under Barahatia and Adhunagar Unions, Lohagara Upazila under Chittagong District .It is situated in between latitudes 21°58'0" N and 22°0'0";N and Longitudes 89°02'0" E and 89°05'0" E. The sub project is about 10 km from Lohagara Upazila. All the sub-project area is surrounded by agricultural land. The re-excavation of this silted canal will protect the command area from water logging through draining out water to Dolu Khal, a branch of Sangu River during the monsoon. One sluice gate will also be constructed at the junction point of the canal/Khal and Dolu Khal which will control the water flow of Sangu River into the subproject beneficiary area and vise-versa.

7. The proposed subproject has a gross total area of 820 hectare with a net benefited area of 730 hectare and to a large extent, the khal is silted leading to extensive drainage problem of the area expected to be benefited. Re-excavation of the khal will remove the drainage problem and drainage improvement will also release some areas for Rabi crops and to facilitate planting HYV Boro on a timely basis.

8. The Kulpagli Chara Subproject has been silted up significantly. As a consequence, significant water-logging occurs and the Kulpagli Chara khal cannot drain out to its outfall to Sangu River through Dolu Khal. Most of the area in the subproject is vulnerable to drought during the dry season and flooding during the monsoon. Monsoon flooding and drainage congestion are the major reasons for crop damage. So the re-excavation of the Kulpagli Chara Subproject is of critical requirement to improve the situation. Drainage improvement will also increase the areas for Rabi or Transplanted Amon crops and facilitate plantation of HYV Boro on a timely basis. Re-excavation of the 3+000 km khal will protect the area from water logging through draining out the logged water to Sangu River. It is to be noted the re-excavation of 3+000 km Khal is the only component of the project.

4. Socioeconomic Survey Results of Beneficiaries

9. There are 3293 households with an approximate population of 16918. within this subproject area. Average family size of this area is 5.14. About 37% of the households are involved in agriculture related activities for livelihood. About 36% households in the subproject area are landless and about 16% and 10% and 5% are marginal and small farmers respectively. The landless, sharecroppers, marginal and small farmers together, operate about 48% land in the subproject area. The subproject area is consisted of 4 (four) villages: Amtoli, Barahatia, Rashiderghona and Meherajpara of Barahatia and Adhunagar unions. All the people are supportive to the subproject and there is no known opposition to it. There is no social conflict between communities in the area. It is expected that the implementation of the subproject would generate additional employment, both short-and long-term and increase agricultural production, which would have multi-dimensional effect on poverty reduction and consequently socio-economic up-liftment of the area will take place.

10. The number of households within the command area of the subproject is 1250 with a population of 5626 while, the directly beneficiary households are 929 with a population of size 4218 living in 4 villages of Barahatia and Adhunagar unions. The average number of people per household is 5.50. Out of the total 929 households, about 41% are farmers, 26% day laborers, 5% fishers and navigators, 17% are in trade -transport etc and the rest 11% are in other occupations.

11. Out of the total 929 benefited households of the subproject area, roughly 32% are landless, 37% are marginal farmers, and 18% are small farmers, 10% medium, and only 3% large farmers. The proposed subproject covers an area of 575 hectare of land of which 529 hectare are expected to be brought under irrigation after the re-excavation of the canal/khal.

Moreover, this re- excavated canal will also protect this area from water logging during the monsoon.

12. The findings of focus group discussions showed popular support for the subproject and there was no known opposition to the subproject. There is no social conflict between communities in the area. People believe that the subproject will generate additional and increase agricultural production which will have multi-dimensional effect on poverty reduction and consequently socioeconomic improvement of the area. So there appeared to be overwhelming support for the subproject. The local people will support the O&M expenditure of the Water Management Cooperative Association (WMCA).

13. Proposed interventions through this subproject will not directly cause any adverse impact, neither on the fisheries resource base or production, but they will create added fisheries habitat in the re-excavated canal. Added fisheries development measures proposed for the subproject will significantly increase the fisheries production potential. Increased fish production and increased access of the poor to the water resource will contribute to poverty alleviation/reduction.

14. Within the command area of this subproject there are 4(four) villages (Amtoli, Barahatia, Rashiderghona and Meherajpara) of Barahatia and Adhunagar unions. All the four villages are in Kulpagli Chara subproject area and are located at Barahatia and Adhunagar unions in Lohagara Upazila of Chittagong District. Of the total 929 beneficiary HHs, landless and marginal land owning HHs make up the largest segment, viz: 65.34%, 17.22% small, 12.16% medium, and only 5.28% are large land-holding HHs.

Table 1: Households within the Command (Beneficiaries) Area of Kulpagli Chara Subproject by Land Ownership Category

Category	Number of Households*	Percent
Landless 0.0 to <0.3 hectare	495	53.28%
Marginal 0.2 to 0.5 hectare	112	12.06%
Subtotal	607	65.34%
Small 0.5 to 1.0 hectare	160	17.22%
Medium 1.0 to 2.0 hectare	113	12.16%
Large >2.0 + hectare	49	5.28%
Total	929	100%

Source: Data collected through this discussion during the FGDs.

*** Total population in these 929 households=5,626.**

15. There are no indigenous people (IP) within the subproject area and no negative social impacts were indicated in group discussions or from the household survey. Group discussions indicated the willingness to support the Water Management Cooperative Associations (WMCAs) establishment and contribute to Operation and Maintenance (O&M) costs.

B. SCOPE OF LAND ACQUISITION AND DISPLACEMENT

1. Subproject Objectives

16. Local people have requested for re-excavation of 3+000 km khal only under the Subproject for improving the drainage congestion during monsoon /flood period and increasing the storage capacity of the khal to facilitate irrigation in the dry season. The

subproject objective is to improve the pre and post monsoon farming conditions with supplementary surface water irrigation as a result of water conservation in the khal.

2. Construction Activities

17. To achieve the objective of improved flood/water management, the following physical works have been proposed for the Kulpagli Chara subproject:

- Re-excavation of Kulpagli Chara canal/Khal of 3+000 km;
- Construction of one sluice gate at the junction point of re-excavated Khal and another branch Khal of Sangu river ;
- Construction of WMCA office.

3. Scope of Land Acquisition and Resettlement

18. The subproject will not acquire any private land; because, all the land within the khal are khas (owned by the Government) land. The proposed intervention will affect 37 persons, only 4% of the total 929 beneficiaries. Total area of khas land being used and cultivated by them is 94 decimal and the entire area is under trees, implying that none will be affected in more than one ways. Total population in these 37 households is 166 i.e. The average family size is 4.49. All of them will get the current replacement values of trees. In addition, they will be allowed of cut-down the trees, and take away all the salvageable woods free of cost. There will not be any negative impact on Common Property Resources (CPRs) such as mosques, schools, or Union Parishad offices.

19. The affected subproject area covers 4 villages: Amtoli, Barahatia, Rashiderghona and Meherajpara) of Barahatia and Adhunagar unions. The extent of impact varies by location. The villages are located along the sides of khal to be re-excavated. 37 households of the affected villages will lose access to 94 decimal khas land under trees only. In other words, the total number of APs is 37, on and average, they will lose 2.54 decimal khas land.

20. The proposed subproject area comprises of the re-excavation of a silted khal and is surrounded by agricultural land only. The subproject area is characterized by the siltation of khal which is actually a low land area affected by early flooding during the monsoon, and sometimes by water logging. Moreover, the area is also affected by flood water carried by Sangu River during the monsoon and the proposed sluice gate will protect the area from monsoon flooding.

4. Land Use and Settlement Pattern

21. At present the entire subproject land area is being used for agriculture. It is a rural area with the primary economy based on agriculture. The agriculture land along the khal side is of two crops in a year. The field survey could not identify any negative impacts on any CPRs, such as mosques, schools, or Union Parishad office, etc.

22. The current land use pattern is mixed. Major agricultural production is transplanted Aman and Boro paddy and Rabi crops (especially pulses) are grown in the areas around the khal. However, these crops are at risk from monsoon flooding. Crops are also damaged due to drainage congestion and winter drought. There are many people involved in fisheries activities, mainly open water seasonal fishing. None would be negatively affected by the subproject; rather most of them will be benefited.

5. Methodology of Data Collection

23. The Implementing NGO (INGO) with the help of Project Management Office (PMO) staff, WMCA and the Union Parishad (UP) representatives, carried out the Detailed Measurement Survey (DMS) and stakeholder meetings with the affected persons and expected beneficiaries, whenever necessary. The compensation systems and amounts in Table-13

have been prepared with due recognition of their opinions. The DMS showed very limited negative impact on the affected people due to the complete absence of private land acquisition in this subproject area. All the 37 APs were included in the Socio-economic Survey (SES). The household heads were interviewed through using a structured questionnaire. The survey data reflect that all of them will receive compensation for tree only as the entire area (94 decimal) is under trees.

Table -2: Who will Receive Compensation for Two Types of Losses: This Table is Not Applicable

SI No	Name	Father Name	Village	Union	Heads of compensation	Amount of Compensation	Total Taka	Remarks
1	Nill				Tree			
					Structure			
					Crops			
Total Tk.								

Source: Field Survey conducted by the INGO in June 2015.

Table-3: Number of Affected Households and Area of Affected Land (Dec) by Villages

SI No.	Name of Village	Union	Affected Households	Percentage	Area of Affected Land (dec)	Average per Household
1	Rashiderghona		5	9.57	9	1.80
2	Amtoli		18	57.45	54	3.00
3	Barahatia		13	31.92	30	2.31
4	Meherajpara		1	1.06	1	1.00
Total	4		37	100	94	2.54

Source: Field Survey conducted by the INGO in June 2015.

- Number of Affected villages is four, and number of beneficiary villages is also four. Total beneficiary households is 929; while, the affected households = 37 (only 4% of the beneficiary households).
- None of the 37 APs is disabled. During the discussion meetings the affected persons expressed that none of them will lose more than 10% of their annual income. It may be noted that these rural people, in most cases, do not maintain any proceedings on issues not related to financial matters.
- As per the SES (ques-2, col.12), none of the 37 APs is disabled or will lose more than 10% of their annual income.
- Total population in these 37 households is 166 implying the average family size equal to 4.49.

24. Table-3 shows the distribution of APs (Affected Persons) by village. All the 37 APs come from four villages: Amtoli, Barahatia, Rashiderghona and Meherajpara. In terms of Union, all the APs belong to two Unions, Barahatia and Adhunagar. FGDs were conducted in four locations which were attended mostly by the APs. These were also attended by the WMCA members, some local elites and LGED representative of Upazila office.

25. The total khas land under cultivation and other use by the APs is estimated at 94 decimal or 0.94 acre (2.471 acre = one hectare) which are being used by 37 households and their losses will be compensated through giving them some money for the losses they have incurred. The amount of money to be given to them as compensation is estimated at Tk. 5,91,390 including fruit values as determined by the PVAT. It is to be noted that, of the total affected land is under trees only. The average amount of compensation per APs =15,983 within the range of Tk.4,300 to Tk.34,450. The income to be lost by one AP due to loss of khas land was less than 10% of his total annual income as told by them, (reference is at the foot notes of Table -3). For the loss of trees as well as fruits, the amounts of compensation were also determined by the PVAT following the ADB Guideline (2009) Safeguard Policy Statement.

Table-4: Distribution of 37 Affected Households in Relation to Area of Khas Land to be Lost by Them

SI No	Name of Village	Number of Affected Households in Relation to Area of Land to be Lost		
		Up to 10 Dec	Above 10 Dec	Total
1	Rashiderghona	5	-	5
2	Amtoli	18	-	18
3	Barahatia	13	-	13
4	Meherajpara	1	-	1
Total	4	37	-	37
Percentage		100	-	100

Source: Field Survey conducted by the INGO in June 2015.

26. Table-4 clearly reflects that all the 37 affected households will lose their right of cultivating or using khas land to the extent of up to 10 decimal. Average area of khas land to be lost by all of them is 4.54 decimal and none of them will be income vulnerable for losing the right of cultivating/using this area of land. Moreover, none of them will come down below the poverty line because of these losses, as told by the in FGDs, Instead, their income will be increased after the re-excavation of canal and construction of the sluice gate. All these opinions were expressed by the local people during the discussions within the beneficiary areas.

6. Socioeconomic Profile of APs

27. The socioeconomic profile of all APs is based on a SES covering all the 37 AHHs with a population of 166. The SES was commissioned in June 2015 through trained enumerators where a questionnaire was used as the tool of data collection. In addition, four FGDs were also conducted for knowing some of the qualitative information in depth. The 37 APs are from 4 villages and the number of beneficiary households will be 929 from the same four villages, after the re-excavation of canal/khal, and construction of one sluice gate.

Table-5: Affected Population by Sex and by Village**

SI No	Name of Village	Sex-wise Population						Number of Households
		Male	%	Female	%	Total	%	
1	Rashiderghona	12	13.95	12	15.00	24	14.46	5
2	Amtoli	41	47.67	34	42.50	75	45.18	18
3	Barahatia	31	36.05	33	41.25	64	38.55	13
4	Meherajpara	2	2.33	1	1.25	3	1.81	1
Total	4	86	100	80	100	166	100	37

Source: Field Survey conducted by the INGO in June 2015.

**** All of them will lose their right of using khas land only. On an average they use 2.54 decimal khas land now under various types of trees only.**

28. Total 166 people from 37 HHs will be affected by the subproject. None of them is title holder. They are using the silted khas land of the canal/khal of which 3+000 km in length will be re-excavated. The sex ratio in percentage is male 51.81% and female 48.19%. The average HH size is 4.49. Only one of the 37 affected households is headed by female.

Table-6: Identity of Head of Female Headed Households

SI No	SI No. in AP's List	Name of Female Heads	Name of Husbands	Name of Villages
1	1545178#0025	Mrs. Aysha Begum	L/ Abdul Mabud	Barahatia
*One of the 37 affected household is headed by female				

Source: Field Survey conducted by the INGO in June 2015.

29. According to the definition of vulnerable households for this project, none of them will go below the poverty line due to the impact of the project. They will lose a very small area of khas land only with some trees on it. They will lose only a very small portion of their income due to the loss of right to cultivating/using the Khas land (opinions of APs in group meetings). In contrast to it, they will be able to enhance their income through irrigating their own land and this facility will be created after the re-excavation of the canal. Again, the canal will protect their land from water logging which also will increase the productivity of land. The landless will derive benefits of increased employment opportunities rooted to intensive and progressive agriculture.

Table-7: Occupations of the Affected Household Heads by Village

SI No	Name of Village	Number of Households by Occupations of Heads of Households					
		Agriculture	Business	Service	Housewife	Others	Total
1	Rashiderghona	2	1	1	-	1	5
2	Amtoli	9	8	1	-	-	18
3	Barahatia	4	1	4	1	3	13
4	Meherajpara	0	1	-		-	1
Total	4	15	11	6	1	4	37
Percentage		40.55	29.73	16.22	2.70	10.81	100

Source: Field Survey conducted by the INGO in June 2015.

30. The primary occupation is again agriculture, the traditional livelihood activity of the national rural population. About 41% of the total 37 (HHS) were involved in agriculture. On the other hand, the woman was involved in domestic works. It is evident from the above table that the available livelihood options are limited in rural areas. The occupations business and service, shared around 46% in the total occupational pattern of the affected 37 households.

Table-8: Distribution of the Affected Households in Relation to Annual Income (Tk.)

SI No	Name of Villages	Number of Households in Relation to Annual Income			
		Up to 60,000 (Very Poor)	60,001-72,000 (Poor)	Above 72,000 (Crossed Level)	Total
1	Rashiderghona	2	1	2	5
2	Amtoli	11	2	4	17
3	Barahatia	5	1	8	14
4	Meherajpara	1	-	-	1
Total	4	19	4	14	37
Percentage		51.35	10.81	37.84	100

Source: Field Survey conducted by the INGO in June 2015.

31. As per opinions in group discussion, none of the 37 APs will lose more than 10% of their annual income due to the loss of trees in the khas land, on an average 2.54 decimal per AP. So, none of them will go down in income as the impact of the project. Moreover, through the utilization of irrigation facility to be created after the re-excavation of canal, almost all of them will be able to increase their agricultural production which will result into increase of their income. Again, protection of flood water from entering into their crop land by the proposed new sluice get will also increase their crop production.

Table-9: Membership of the Affected Households' Family Members in NGOs

SI No	Name of Villages	* Number of Members in Relation to NGOs						
		ASA	BRAC	GB	Other NGOs	WMCA	Non Member	Total
1	Rashiderghona	-	-	-	-	1	4	5
2	Amtoli	-	-	-		4	14	18
3	Barahatia	-	-	-	2	2	9	13
4	Meherajpara		-				1	1
Total	4	-	-	-	2	7	28	37
Percentage		-	-	-	5.41	18.92	75.67	100

Source: Field Survey conducted by the INGO in June 2015.

32. Table-9 clearly reflects that for the reasons unknown, NGO coverage among the affected 37 households is very low (around 5.41%), although most of the households are either very poor or close to poor (Table-8). It is to be noted that about 19% of the 37 APs are members of WMCA, while for the NGOs this percentage was 5.41%.

Table-10: Number of Affected Households in Relation to Latrine in Home

SI No	Name of Villages	Number of Households in Relation to Latrine			
		Pacca	Semi Pacca	No Latrine	Total
1	Rashiderghona	2	3	-	5
2	Amtoli	4	12	2	18
3	Barahatia	3	8	2	13
4	Meherajpara	-	-	1	1
Total	4	9	23	5	37
Percentage		24.32	62.16	13.52	100

Source : Field Survey conducted by the INGO in June 2015.

33. Over 13% of the affected 37 households do not have any kind of latrine, which is the clear reflection of poverty among the affected households. Again, from here it may be said also that some social development activities should also be undertaken in the affected area as the concomitant of poverty reduction activities.

34. It has been mentioned in Table-3 that 37 affected households will lose their right to cultivating or using 0.94 acre silted khas land when the canal/khal will be re-excavated. The entire area (0.94 acre) is under trees, both of fruits and non-fruits types. The amounts of compensation to be given to each of them have been estimated by the PVAT on individual case basis.

Table-11: Number of Affected Households in Relation to the Amount of Tree Loss Including Both Wood & Fruits Value Due to Losing Access to Khas Land

SI No	Name of Villages	Number of Households in Relation to Amount of income Loss					
		Up to 2000	2001-3000	3001-4000	4001-5000	Above 5000	Total
1	Rashiderghona	-	-	-	-	5	5
2	Amtoli	-	-	-	-	18	18
3	Barahatia	-	-	-	1	12	13
4	Meherajpara	-	-	-	-	1	1
Total	4	-	-	-	1	36	37
Percentage		-	-	-	2.70	97.30	100

Source: Field Survey conducted by the INGO in June 2015.

35. From Table-11 it can be computed that the average amount of tree asset loss per affected household is around Tk.15,984 within the ranges of Tk.4,300 and 34,450. As per group discussions, none of the 37 APs will lose more than 10% of their total assets due to the loss of cultivation right to khas land. Instead, their income will be increased due to re-excavation of the canal/khal which will create irrigation facility during the Boro season and the sluice gate and embankment will protect the crop damage from flood.

36. The subproject has a very significant impact on the livelihood of the AHs. According to the local people they will get more benefit from the subproject compared to their losses. Almost all of the 37 AHs cultivating khas land within the khal are landless or marginal farmers. Irrigation will make agriculture both progressive and intensive with create more employment for the landless laborers. Special attention needs to be given to all the AHs who will become vulnerable due to implementation of the subproject. Livelihood enhancement will be provided through employment and income generating activities for vulnerable AHHs. The related sub-components shown below, and the activities of employment and income generation, will be undertaken by the WMCA. It should be kept in mind that the skill development training of the poor WMCA members is one of the functions of WMCA and the organization should take care of it.

° Sub-component: (a) Community-based routine maintenance of the canal and other water management facilities. The activities under this are: (i) organizing canal maintenance groups; (ii) skills training and capacity building; (iii) delivery of basic tools and equipment; and (iv) engaging APs as workers in the subproject.

° Sub-component: (b) Social forestry, site plantation, and nursery development. The activities are: (i) organizing Community Forestry Groups (CFGs); (ii) skills training of CFGs; (iii) tree plantation for canals; and (iv) seeds and saplings for establishing nurseries.

° Sub-component: (c) Income generation using existing water resources by implementing activities, such as, (i) strengthening self-help groups (SHGs); (ii) skills training and capacity building of groups; and (iii) initial supplies of inputs needed for materializing the training into actions.

37. The number of indirectly AHHs is nil. Agricultural lands are mainly cultivated by the farmers with the help of some hired laborers only when required and these laborers also work in other fields in the locality. So there is little chance for them to remain jobless. Despite this, the WMCA can organize training programs for the APs on various Income Generating Activities (IGAs) with the help of local NGOs at the local level for restoring/improving their present economic condition. Based on the project, the probable areas of training are :

- fish cultivation in the re-excavated canal ;
- tree plantation on the banks of canal;
- tree plantation on the sides of embankment and;
- duck rearing in the re-excavated canal.

Besides the above, the WMCA can also organize training in the areas like:

- income generation through small business;
- rearing of livestock and poultry;
- vegetables cultivation within the homestead; and
- any other IGA chosen by the APs.

The period and time of training should be fixed up by the WMCA management in consultation with the willing participants. The PSSWRAP/LGED should be willing to support the cost of training separately.

38. The majority of the APs who participated in the group discussions and stakeholders meetings have expressed their high expectation for social and economic benefits from the subproject. Local administration and people's representatives such as Chairman and members of the UPs have assured the Project authority that they will extend cooperation. They also expected that fishing (open water and cultured) opportunities will be enhanced, which will help in improving their socioeconomic conditions.

39. In general, the community responded positively to the subproject. However, some concerns were raised and most of these are related to proper and timely compensation payments for their lost assets and income. Their concerns were over delays in compensation payment and apprehension of harassment in receiving compensation payment from the Government.

- During meetings the participants indicated that the implementation of the subproject will be beneficial to all the people of the locality. However, according to the subproject feasibility study and present survey, there is no land to be acquired in which case Government payment must not be a big issue (there is no compensation for khas land. Other compensations or project support are channelized by the GoB to LGED for distributing to APs through the INGO). During group discussions participants desired help and assistance from the Project to simplify the compensation payments procedure.

- For security reasons and for ease of payments to APs, temporary camps may be set up in the vicinity of the affected areas.

- People losing livelihood from the cultivated khas land in khal are very much concerned and skeptical about their compensation as they do not have right to the land but have been using it for generation.

C. LAND ACQUISITION AND RESETTLEMENT POLICY FRAMEWORK AND ENTITLEMENTS

1. Land Acquisition and Resettlement Principles

40. Land acquisition and resettlement of the APs, and providing special assistance to vulnerable and indirectly affected APs in re-establishing their livelihood and income have been conducted in accordance with the GoB's Acquisition and Requisition of Immovable Properties Act of 1982 and amendment in 1993. The Draft National Policy on Resettlement and Rehabilitation (NPRR); and the Asian Development Bank's (ADB's) Policy on Involuntary Resettlement (2009) as well as by following 'best practices' followed in Bangladesh (i) avoiding involuntary resettlement where feasible, (ii) minimizing displacement

by considering all alternatives where population displacement is unavoidable, and (iii) ensuring that displaced people receive assistance so that they would be at least as well off as they would have been in the absence of the project. The following are major elements of the policies/practices are expected to be adopted by the Project:

- (i) Involuntary resettlement and loss of livelihood will be avoided where feasible;
- (ii) Where population displacement is unavoidable, it will be minimized by exploring all viable project options;
- (iii) People unavoidably displaced will be compensated and assisted, so that their economic and social future will be generally as favorable as it would have been without the Project;
- (iv) Vulnerable APs will be provided with resettlement facilities or support to resettle in proximity to their social groups and good communication network with employment opportunities;
- (v) People affected will be informed fully and consulted on resettlement and compensation options;
- (vi) Gender equity will be maintained in resettlement planning and implementation;
- (vii) Existing social and cultural institutions of resettles and their hosts will be supported and used to the greatest extent possible, and resettles will be integrated economically and socially into host communities;
- (viii) The absence of a formal title to land by some effected groups will not be a bar for compensation, particular attention should be paid to households headed by women and other vulnerable groups, such as indigenous people and ethnic minorities, elderly and disable persons and appropriate assistance provided to help them improve their status;
- (ix) As far as possible involuntary resettlement will be conceived and executed as part of the Project;
- (x) People who will be affected indirectly will be facilitated to regain their livelihood and socio-economic status;
- (xi) Participation of the local community will be ensured through incorporating them in different committees involved in planning through implementation process of RP; and
- (xii) The full cost of resettlement will be included in the presentation of Project costs and benefits

41. The subproject resettlement activities will be carried out in consultation with the APs, and all efforts will be made to minimize disruption during the Project implementation. A Detailed Measurement Survey (DMS), including a full census will be conducted once the detailed design has been approved. The date of census will be the cut-off date for resettlement benefits; and any encroachers/informal settlers after that date will not be entitled to resettlement benefits. For land title-holders, notification under Section 3 by the DC under the LAA will constitute the cut-off date.

The Entitlement Matrix

42. An entitlement matrix has been prepared on the basis of currently known impacts (Table-10). It identifies the categories of impact based on surveys carried out in the subproject area and shows the entitlements for each type of loss. The entitlement matrix will also incorporate potential impacts which will be confirmed by the DMS (census and SES) after finalization and approval of the DD. If new impacts are identified later during preparation of final RP, based on the DMS, then losses will be included in the entitlement matrix and the final RP will be revised accordingly. It may be mentioned that the compensation money must be paid through Account payee check when the amount is above Tk. 1,000. For up to Tk. 1,000 the compensation money should be paid through the bearer check. It is to be noted that most of

the poor people do not have any bank account; but as of the prevalent system the Government money must be paid through cross check when it exceeds Tk.1000. If the amount is less than 1000.00 taka the compensation is paid through bearer check.

Table 11: Entitlement Matrix and Responsible Implementation Agencies

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
1	Loss of Land (Agricultural, Commercial, Homestead, Pond, Gher (Shrimp Ponds) Boroj (Betel Leaf Production Land)	Legal owner of the land at the time of serving notice under Section 3 of LA Laws	Replacement land or CCL (Market value assessed by DC plus premium as per Law) Additional grant to cover Maximum Allowable Replacement Value (MARV) of land. Stump duty to facilitate land purchase; Compensation for standing crops assessed by DC/PVAT; Land development cost for homestead and commercial land losers (if applicable) assessed by PVAT	The Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982) & amendment by Ordinance VII of 1993	<ul style="list-style-type: none"> a. Assessment of quantity and quality of land b. Assessment of Market Value c. Assessment of MARV by Land Market Survey (LMS) d. Title updating e. Payment of CCL f. APs will be fully informed of the entitlements and procedures regarding payment g. Additional cash grant to cover the replacement value of land h. Stamp duty will be due to an EP in case of land purchase within one year of receiving CCL from DCs i. Compensation for standing crops 	<ul style="list-style-type: none"> a. DC, LGED b. DC, LGED c. EA/WMCA/UP d. DC e. DC f. EA/WMCA/UP, LGED g. EA, CRO h. LGED-CRO/EA i. DC/LGED

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
2	Loss of Under Water Land (Char land)	Legal owners(s) of land (DCs in case of khas land after legally established AD ⁸ line), the previous private owners of Khas land identified at the time of eroding the land into river/Khal below the AD line as per land rent record	<ul style="list-style-type: none"> i. As 1 if DC cannot declare the land khas, ii. Case of Khas – cash compensation under CCL to respective DCs without 50% Premium iii. Value of eroded Khas land assessed by PVAT- to the previous owners whose land was recorded 	The Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance Bo. II of 1982) & amendment by Ordinance VIII of 1993	<ul style="list-style-type: none"> a. Assessment of quantity and quality of land b. Assessment of Market Value c. Assessment of MARV by LMS d. Title Updating e. Payment of CCL f. APs will be fully informed of the entitlements and procedures regarding payment g. Additional cash grant to cover the Replacement Value of land. h. Stamp duty will be due to an EP in case of land purchase within one year of receiving CCL from DCs 	<ul style="list-style-type: none"> a. DC, LGED b. DC, LGED c. EA/WMCA/UP d. DC e. DC f. EA/WMCA/UP, LGED-CRO g. LGED-CRO/EA h. LGED-CRO/EA

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
3	Loss of Homestead/Commercial and Other structure by Owners	Legal owner of the land at the time of serving LA notice Section 3 as recorded in the LA award Book	<ul style="list-style-type: none"> i. CCL (Market value plus 50% premium as per Law) ii. Additional grant to cover market value of the structure iii. Transfer grant(TG) @ 12.5% of the value of non-masonry (kutcha) and semi-pucca and 5% for masonry (pucca) structure assessed by PVAT iv. Owner will be allowed to take all salvageable materials (free of cost) without delaying the project work v. Re-construction grant(CG) @ 12.5% of the value of all structures assessed by the PVAT for titled owners vi. Special assistance for Female Headed/Vulnerable Households @ TK 2000, TK 3000 and TK 5000 for kutcha, semi pucca and pucca structure vii. Land/Homestead Development Grant assessed by PVAT viii. Special Assistance of TK 5000/= for Vulnerable Households having disabled member in the family 	The Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance Bo. II of 1982) & amendment by Ordinance VIII of 1993	<ul style="list-style-type: none"> a. Assessment of no. and quality of structure b. Assessment of market value c. Assessment of MARV by LMS d. Title updating e. Payment of CCL, plus 50% premium f. APs will be fully informed of the entitlements and procedures for getting those g. Additional grant to cover the MARV of the structure land h. Allowed to take away the salvageable i. Transfer grant @ 12.5% of the assessed value of the structure j. Construction Grants @ 12.5% of the assessed value of the structure k. Special Assistance to Female Headed Households by category of the structure l. Homestead loser will be eligible to get Homestead Development and Reconstruction Grant m. Special assistance to Vulnerable Households with disabled family member 	<ul style="list-style-type: none"> a. DC, LGED b. DC, LGED c. IA/WMCA/UP d. DC e. EA/WMCA/UP, LGED CRO f. LGED CRO/EA g. LGED CRO/EA h. LGED CRO/EA i. LGED CRO/EA j. LGED CRO/EA k. LGED CRO/EA l. LGED CRO/EA m. LGED CRO/EA n. LGED CRO/EA o. LGED CRO/EA

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
4	Loss of Access to Cultivate Land By Farmers, Tenant/Sharecroppers including cultivators of Khas land	Farmers, tenants and sharecroppers of the land under contract as identified by the SES to be conducted during implementation of RP	i. Transition Allowance equivalent to one year's net income from the cultivable land to farmer, tenant/sharecropper, based on Market Value of the crops/fish	The Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982) & amendment in 1993	<p>a. Individuals identified by the census/SES as Farmer, tenant or sharecropper of land</p> <p>b. Cash grant as determined by assessment will be paid after taking possession of the land</p> <p>c. The legal owner certifies the tenancy</p> <p>d. SES will identify the farmer(cultivator of khas land), tenant/share</p>	<p>a. EA/WMCA/UP, LGED</p> <p>b. LGED CRO/EA</p> <p>c. LGED</p> <p>d. LGED</p>

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
5	Loss of Trees/Perennials	Persons with legal ownership of the land where the trees are located and crops are grown at the time of serving final notice or as recorded in the LA award book	<ul style="list-style-type: none"> i. Compensation at the market value, based on productivity and age of trees and value of the fruit assessed by Property Valuation Assessment Team (PVAT) ii. Additional 30% of assessed value as compensation for fruit bearing trees with timber iii. One time crop of each grown up tree (like banana tree) iv. Tree losers will be encouraged to plant more trees by providing 5 saplings free of cost to each affected households. 	The Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982) & amendment by Ordinance VIII of 1993	<ul style="list-style-type: none"> a. Assessment of loss and market value of the loss b. Payment of Cash Compensation for the losses c. Additional cash grant to cover the replacement value of the lost tree/perennials (if necessary) d. Owner will be allowed to fell and take the tree and fruits, after payment of compensation 	<ul style="list-style-type: none"> a. DC, LGED b. DC c. LGED

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
6	Loss of Residence/Commercial Structures by Owner or Squatters	Owner of the structure identified by SES	<ul style="list-style-type: none"> i. Cash compensation for the structure at market value ii. Transfer grant (TG) @ 12.5% of the value of kutcha and semi-pucca and 5% for pucca structure assessed by PVAT iii. Owner will be allowed to take all salvageable materials (free of cost without delaying the project work iv. Re-construction grant (CG) @ 12.5% of the value of all structures assessed by the PVAT for titled owners 	Measures in RP as per ADB guidelines	<ul style="list-style-type: none"> a. Payment of structure cost b. Verification of SES and other records c. APs will be fully informed about their entitlement and assisted in obtaining it d. A Transfer Grant to each household will be paid before/during vacating the project sites e. Removal cost for commercial structure at the same rate to the owners of structures f. Reconstruction Grant for each structure (household/commercial) will be paid before/during vacating the Project site g. Special assistance to Female Headed/vulnerable Household 	<ul style="list-style-type: none"> a. LGED-CRO/IADC b. LGED c. LGED d. LGED-CRO/EA e. LGED-CRO/EA f. LGED-CRO/EA g. LGED-CRO/EA

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
7	Loss of access to house/commercial structure (rented or lease)	Tenants renting/leasing the property as identified by the socio-economic survey	i. One-time cash grant for facilitating alternative housing/structure assessed by PVAT	Measures in RP as per ADB guidelines	a. Verification of SES Records and other Records b. A shifting Allowance per unit will be paid before relocation from project sites	a. LGED b. LGED-CRO
8	Losses of residence by informal settlers/encroachers or unauthorized occupants	Heads of Households occupying homestead land illegally or squatting on RoW as identified by SES	i. Cash compensation for the structure at market value ii. Transfer grant (TG) @ 12.5% of the value of kutchra and semi-pucca and 5% for pucca structure assessed by PVAT iii. Owner will be allowed to take all salvageable materials (free of cost without delaying the project work) iv Re-construction grant (CG) @ 12.5% of the value of all structures assessed by the PVAT for titled owners	Measures in RP as per ADB guidelines	a. CCL for structures if recognized by DCs b. Verification of SES data and the Award Book c. Compensation for loss of structure (as mentioned in SI No. 6) d. Transfer or shifting cost per household (as mentioned in SI NO.6)	a. DC b. LGED c. LGED-CRO d. LGED-CRO/EA

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
9	Loss of Business by shops/business owners due to dislocation	Owner/Operator of the business as recorded by the Socio-economic Survey	<ul style="list-style-type: none"> i. Business Restoration Grant to owners, renters and leaseholders assessed by PVAT (not less than 6 months net income) ii. Non titled shop owners above the poverty line will not be eligible for business restoration grant 	Measures in RP as per ADB guidelines	<ul style="list-style-type: none"> a. All persons recorded by the SES b. Cash grant to be paid before leaving the project land 	<ul style="list-style-type: none"> a. LGED b. LGED-CRO/EA
10	Loss of income, Employment/Work Opportunity of Full time/part time Workers	Workers of affected business as recorded in the SES	<ul style="list-style-type: none"> i. One time cash grant for 90 days at the rate of local wage rate 	Measures in RP as per ADB guidelines	<ul style="list-style-type: none"> a. All persons recorded by the SES b. Cash grant to be paid before taking possession of land c. Involvement of the EP in Project civil works 	<ul style="list-style-type: none"> a. EA/LGED-CRO b. LGED-CRO/EA c. EA/LGED-CRO

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
11	Loss of access to utility services such as piped Water supply, Gas, Electricity, Sewerage line or Telephone	Legal owner of the structure with utility services at the time of serving LA notice section 3 as recorded in the LA Award Book. Or only the legal owner of the utility service as identified by SES	<ul style="list-style-type: none"> i. Cash compensation for the utility facilities at Market value ii. One time cash grant to transfer/re-installment the utility service to new location 	The Acquisition and Requisition of Immovable property Ordinance, 1982 (Ordinance Bo. II of 1982) & amendment by Ordinance VIII of 1993	<ul style="list-style-type: none"> a. Payment of CCL for the losses b. Verification of SES and other records c. APs will be fully informed about their entitlement and assisted in obtaining it d. A transfer/re-installment grant for identified utilities to each household/structure owner (renter) will be paid during or after vacating the project sites 	<ul style="list-style-type: none"> a. DC b. EA/LGED c. EA/LGED d. LGED-CRO

SI #	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Relevant Policy Legal Section	Implementation Issues	Implementation Responsibility
12	Loss of community facilities/ common property resources by APs	Community as a whole where the APs will relocate	i. CCL for structure ii. Transfer Grant iii. Reconstruction/Improvement of the community, facilities/common property resources	The Acquisition and Requisition of Immovable property Ordinance, 1982 (Ordinance Bo. II of 1982) & amendment by Ordinance VIII of 1993	a. CCL b. Cash grant for transfer/reconstruction of structure	a. DC b. LGED-CRO/IA
13	Adverse impact on the host communities due to relocation of APs during and after project implementation	Affected or host area/village where the APs will relocate	i. Provision for additional civic amenities (roads, tube-well for drinking water, community slab latrines, to community facilities)	N/A	a. Assessment of community needs b. Consult the host population and provision for common property resources c. Implement the mitigation programs	a. LGED b. LGED c. LGED-CRO/EA

D. CONSULTATION AND DISCLOSURE

1. Consultation and Stakeholders' Participation

43. Consultation and communication with APs and other stakeholders during the preparation stage of the subprojects were an integral part of gathering relevant data for impact assessment. Moreover, sharing of knowledge and experiences helped in development of appropriate options for resettlement of APs. The RP was disclosed to the affected community in Bangla in FGDs to obtain the views of APs and other stakeholders on the compensation and resettlement provisions as per Government laws and ADB guidelines. As appropriate, the contribution of APs and beneficiary groups have been included in the subproject's RP.

2. Grievance Redress Mechanism

44. The Ministry of Local Government, Rural Development and Cooperatives (MoLGRDC) through a gazette notification formed two committees namely Property Valuation Advisory Team (PVAT) and Grievance Redress Committee (GRC) vide No 40.068.004.00.00.002.2011-161 dated 10-03-2011 for implementation of the Project's subproject RP. The GRC was formed for resolving any grievances involving resettlement benefits, relocation and other assistance. The scope and responsibility of the Grievance Redress Committee has been clearly defined in the gazette.

45. The GRC consists of one local Representative from LGED who will chair the GRC. Members will include AP representatives, including one male and one female; representatives of the UP; and one member from the INGO, who will act as member secretary. The GRC will be formed immediately after LAP/RP is approved; and the PIC, Social Safeguard Specialist or INGO Area Manager will facilitate and coordinate the GRC activities.

46. The GRC will have the power to resolve resettlement and compensation issues preemptive to their being addressed through the legal system. The functions of the GRC will be to:

1. Receive application of APs grievance within one month of the receipt of ID card or from when APs are informed of their entitlements.
2. Hold open hearings in the office of the Chairperson and resolve the grievance within 15 days of receiving complaints from APs.
3. Inform aggrieved persons about GRC meetings and give them an opportunity to place their grievance before the GRC.
4. Keep meeting minutes and records of grievances.
5. Refer the APs grievances to the DC or the concerned legal authority, if the grievance relates to land acquisition or conventional law.
6. Make decisions to resolve APs grievances following RP policy, if outside conventional law and the grievance does not lend itself to arbitration.
7. Amicably resolve issues quickly without resorting to expensive, time consuming legal actions.
8. Ensure participation of concerned local people and be an advocate for the interests of vulnerable APs.

47. Prior to using the GRC, all efforts will be made at the Subproject level to reach informal resolution of APs grievances. Only then will the GRC be approached by APs having grievances. Grievance cases from the APs will be received in the office of the GRC Chairperson. Upon receipt of complaints, the GRC will organize hearings and pass verdicts, which will be formally

conveyed to the concerned APs. The GRC will settle the disputes within 15 days of receiving the complaint from APs. If the complaint is not resolved at GRC level, the matter may be referred to the court.

E. COMPENSATION AND RESETTLEMENT BUDGET AND FINANCING

48. Compensations: This subproject does not need any budget for land acquisition as all the land is khas land (owned by the Government) and in this project this is being cultivated and used by 37 persons. The total land being cultivated and used by them is .94 acre or 94 decimal and the entire area is/under trees of both types: fruit trees and non-fruit. In other words, the type of properties to be affected is only trees which will compensate each as per recommendation of PVAT.

49. Compensations for Structures: Not applicable.

50. Compensations for Crops: Not applicable.

51. Compensation for Trees, Fruits and Saplings: Of the 37 APs, all will be affected by trees only and the total number of affected trees 1,119. Its total value, as has been assessed by the PVAT is Tk.5,91,390. It is to be noted that some of the affected trees are of fruit bearing. The total fruit value of the fruit bearing trees, as has been assessed by the PVAT, was Tk. 15,990. Moreover, all the 37 APs affected by trees will be given 5 saplings free of cost. Amount of money needed for purchasing the 185 saplings (AP=37, each will get 5 saplings, total saplings=37X5=185) =185 saplings X Tk. 100 per sapling= Tk. 18,500.00. So the total amount of compensation for trees= value of trees + value of fruits + value of saplings=**Tk. 5,75,400+15,990+ 18,500) =Tk 6,09,890**. Moreover, the tree owners will be allowed to cut and take away all the salvageable materials of trees free of costs within the period to be fixed up by the Project Executing Agency (PEA), here it is LGED. The list of APs is in Annex-3.

52. Compensation for Business Loss: Not applicable.

53. Miscellaneous Expenses: Preparation of ID Card (Tk. 150 per AP), and cost of meetings, stationery, food & other miscellaneous cost for LGED officials during disbursement of compensation (Tk.50 per AP): total Tk.200 per AP, and the total costs under the Miscellaneous is Tk.200 x 37 APs = Tk.7,400.

Table 13: Budget for Compensation and Special Assistance to APs

No.	Description	Number of APs	Rate (TK) *	Amount (TK)
A	Compensation for trees: wood value	37	As determined by the PVAT.	5,75,400
B	Compensation for fruit	37	As determined by the PVAT.	15,990
C	Value of 185 Saplings	37	Tk.100 per sapling	18,500
D	Total amount of Compensation			6,09,890
E	Preparation of ID Card Preparation (Tk. 150 per AP), and cost of meetings, stationery, food & other miscellaneous cost for LGED officials during disbursement of compensation (Tk. 50 per AP): total Tk. 200 per AP.(Para-53)	37	Tk.200 Per AP	7,400.
	Grand Total: (D+E)			6,17,290

* **The Subproject is located at Government land; so there will be no compensation for land.**

54. The cost of cash compensation will be provided by the Project. The benefits will be paid directly to the eligible persons (EPs) by the LGED through INGO. The rehabilitation and training for APs will be provided through WMCA for skill and livelihood support including agriculture, fisheries and livestock related activities. The training program will be based on the vulnerability and need assessment carried out through the census, SES and consultation exercises. It is to be kept in mind that the compensation money must be paid through Account Payee check when the amounts are above Tk. 1,000. When the amounts are up to Tk. 1,000, it would be paid through the bearer check.

F. RESETTLEMENT ACTION PLAN IMPLEMENTATION SCHEDULE

1. Implementation Schedule

55. The Project's institutional strengthening and capacity building activities will commence in the first year of the Project; these activities will be gradually tapered off towards Project completion. Subproject Implementation will be conducted following a rolling program over the 7 year life of the Project. RPs will be implemented before the award of civil award contracts. However, the Implementation schedule for subprojects will be prepared considering the possible changes from the Detailed Design and DMS. Time schedule for RP Implementation for this subproject is presented in Table-13.

Table-13: RAP Implementation Schedule of Kulpagli Chara Subproject

Activities	Months											
	1	2	3	4	5	6	7	8	9	10	11	12
Request for Formation of Committees	x											
Formation of PVAT/GRC		X										
Draft DD Completed			x	x	x							
PMO Consulting WMCA/APs/Beneficiaries on DD				x	x	x						
Finalizing DD						x	x					
DMS Census/SES (DMS) Conducted by PMO/WMCA						x	x					
PMO/WMCA Census/SES (DMS) Analysis by PIC							x	x				
PMO/WMCA Video Filming of ROW							x					
Overlay DD & Mauza Maps							xx					
Hiring INGO						x						
INGO Reviews/Certifies PMO Census/SES/Video						x	x	X	x			
Prepare RP							x	X				
ADB Clearance of Revised RP								X				
Disclosure of Revised RP with WMCA/APs/Beneficiaries								X				
Compensation payment									x	x	x	x
									And on ward			

2. Monitoring and Evaluation

56. LGED, through the ESS, will establish a monitoring system involving the Chief Resettlement Officer (CRO), District and Upazila officers of LGED and the PIC for collecting, analyzing and preparing Quarterly Progress Reports on the progress of RP implementation. LGED will also provide an Annual Report to ADB, the Project Funding Agency (PFA).

57. The RP monitoring will be conducted to provide feedback to LGED and to assess implementation effectiveness. A Mid-term Review of the monitoring and evaluation reports and other relevant data will identify the actions needed to improve the resettlement performance. Evaluation of RP implementation will assess whether the resettlement objectives were appropriate and whether they were met, specifically, whether livelihoods and living standards were restored or enhanced. The evaluation will also assess resettlement

efficiency, effectiveness, impact and sustainability, drawing upon lessons learned as a guide to future resettlement planning. In absence of baseline data, opinions of the potential beneficiaries on related issues will be used as the achievements of the subproject.

a. Internal Monitoring:

58. Internal monitoring will be carried out by the ESS with support from the CRO, field staff at LGED District and Upazila offices; and the PIC Resettlement Specialist will establish a monthly monitoring system and prepare a monthly Progress Report on all aspects of RP implementation. The initial census and SES of this RP will provide the benchmark data; and periodic surveys will be carried out to measure changes against this baseline data. Assisted by District and Upazila Engineers, and PIC Resettlement Specialist, the Project Director (PD) will monitor land acquisition and resettlement. The existing LGED Management Information system (MIS) can be updated accordingly to incorporate the necessary data and Environment and Safeguard Section (ESS) of IWRMU will tabulate quantitative information obtained through monitoring.

59. The Social Safeguard Specialist with the PIC team will be supervising and monitoring the RP implementation for LGED. The PIC will sub-contract an external independent monitoring and evaluation agency to an experienced person/firm or institution (External Monitor) that has sufficient experience and understanding of resettlement. The tasks of the external monitor will be to: (i) verify results of internal monitoring (ii) assess whether resettlement objectives have been met, especially whether livelihoods and living standards have been restored or enhanced; (iii) assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement policy making and planning; and (iv) ascertain whether the objectives were suited to AP conditions. The External Monitor will design and adopt methods and tools for data collection facilitating a comparable database of “before” and “after” resettlement conditions.

60. In addition to regular review missions, the PFA (here it is ADB) will undertake a comprehensive Mid-Term Review of the RP implementation. A post-evaluation of RP implementation will be carried out by the ADB to assess the resettlement impact in terms of adequacy and deficiency in planning and implementation of resettlement activities.

G. IMPLEMENTATION ARRANGEMENT:

1. Ministry of Local Government, Rural Development and Cooperatives (MoLGRDC)

61. The MoLGRDC, through LGED, has the overall responsibility of coordinating, planning, implementing and financing the Project. LGED fully recognizes the importance of the Project's resettlement programs. Therefore, the PIC will include an International Safeguards Specialist and a Resettlement Specialist with clearly defined tasks, including establishing an income restoration program. The Senior Sociologist of IWRMU has been appointed as Chief Resettlement Officer (CRO) to supervise and District Socio Economist will act as Resettlement Co-coordinator (RCO) with the help of existing LGED Community Organizers (COs) and engineers at the Upazila level.

2. Water Management Cooperative Association (WMCA):

62. The WMCA is central to the subproject development process including subsequent system operation and maintenance activities. As a registered cooperative, this inclusive, community based organization is completely member-based, member-owned and member-managed institution. Project based links between WMCA and UP were formed early in the subproject development process, with UP involved in identification and approval process for commencing interventions, conflict resolution and potential sharing of office facilities. Resettlement plan implementation will be undertaken by the WMCA with representation from UP (Chairman or Member), as a locally based civil society group fully capable of responding to its required role. Ongoing support and institutional strengthening of WMCA through overall project activities will better position the organization as a suitable entity for RP implementation.

63. Targeted training for the WMCA Management Committee (and relevant subcommittee members) in the main principles of involuntary resettlement (IR) and their subproject specific role and responsibilities, and procedures for implementation will be provided by the project under its capacity building plan. Close facilitation and monitoring will also be provided by the PIC Resettlement Specialist. Implementation will be in coordination with the DC, LGED and the PIC (Resettlement Specialist).

2. Resettlement Processing Committees/Teams:

64. The LGED will form various Committees/Teams for implementation of the RP at the field level. The PMO representative will work as Member Secretary for all the Committees/Teams involving representatives of the DC, LGED, UP and APs, as the case may be. These Committees/Teams will ensure stakeholder, participation and uphold the interest of the vulnerable APs. The power and jurisdictions of the committees are clearly defined in the relevant Government notifications. The committees have been formed at the subproject level.

a. Property Valuation Advisory Team (PVAT)

65. A PVAT has been formed by MoLGRDC through a gazette notification vide No 40.068.00.00.002.2011-161 dated 10-03-2011 for implementation of the RP. The local level PVAT at Chittagong has been formed vide memo No. LGED/NP/CTG/PSSWRSP/2015/4051, date 30/08/2015 to determine the current market price and replacement cost of acquired land, physical structure, trees and other properties. The PVAT is comprised of the 'not below the rank' of Sr. Assistant Engineer from LGED; a representative of the concerned DC; and the area manager of INGO. The LGED representative chairs the PVAT, and the INGO representative will act as Member Secretary (copy attached).

b. Resettlement Advisory Committee (RAC)

66. As per RF the INGO will form RAC to involve the local communities and APs in the implementation process. The RAC will consist of a representative from APs; women and vulnerable groups; and the UP Chairman or Member. The LGED personnel will chair the RAC, and one representative of the INGO will act as the Member Secretary. RAC will get inputs from the APs and community, ensuring local participation; and the RAC will assist the INGO in RP implementation.

c. Implementation Guidelines

67. The LGED does not have any set of codified rules for payment of grants to the Entitled Persons (EPs). Under these circumstances, a detailed RP implementation guideline (Payment Modality) has been prepared and duly approved by the IWRMU to implement the RP at the field level. The LGED and the INGO will follow the Payment Modality for payment of compensation to the EPs/APs.