Resettlement Planning Document

Resettlement Framework
Document Stage: Final
Project Number: 35242
November 2005

BAN: Gas Transmission and Development Project

Prepared by the Gas Transmission Company Limited (GTCL) for the Asian Development Bank (ADB).

The resettlement framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB’s Board of Directors, Management, or staff, and may be preliminary in nature.
RESETTLEMENT FRAMEWORK

A. Introduction

1. The proposed Project is designed to improve the gas infrastructure in Bangladesh, as well as to strengthen the sectoral institutions by supporting policy reforms. The investments will increase the supply of clean commercial energy, in particular to the West side of the country, which does not benefit from the presence of gas fields. The Project will i) construct 358 km of gas transmission pipeline for transporting 330-360 million cubic feet per day of natural gas per day to expand the gas supply network from the eastern zone to the less developed regions of the country, ii) appraise and survey an area of about 1,000 sq km encompassing five gas fields to delineate available reserves, iii) gas distribution in secondary cities and, iv) institutional strengthening of gas sector related agencies.

2. The objectives of the Project are to: i) improve the governance of the gas sector through its restructuring and increased private sector participation, ii) increase the pace of economic development in less-developed regions of the country by expanding the sustainable use and supply of cleaner fuel to replace polluting fossil and bio-fuels to also improve air quality and reduce deforestation. The project will have 4 identified Components, only three of which (A, B, and C) have Resettlement related issues.

3. Component A: Gas Transmission. The Identified Sub-projects are:

   (i) Monohordhi-Dahnua-Elenga- East Bank of Jamuna Bridge Gas Transmission Pipeline: Construction of a 30-inch diameter, 51 km gas transmission pipeline from Manohardi to Dhanua and Elenga to the east end of Jamuna bridge through the Narsingdi, Gazipur and Tangail districts (excluding the 52 km Dhanua-Elenga section) and installation of compression facilities at Ashuganj West and Elenga with a capacity of 390 MMCFD.

   (ii) Hatikumrul-Ishwardi-Bheramara Gas Transmission Pipeline: Construction of a 20-inch diameter, 87 km gas transmission pipeline from Hatikumrul to Bheramara through the Sirajganj, Natore, Pabna and Kushtia districts to transmit 135-150 MMCFD of gas.

   (iii) Bonpara-Rajshahi Gas Transmission Pipeline: Construction of a 12-inch diameter, 60 km gas transmission pipeline from Bonpara to Rajshahi with a capacity of 25-30 MMCFD.

   (iv) North-South System Expansion: Installation of compressors at Ashuganj and Muchai with throughputs ranging from 370-890 MMCFD.

4. Component A: Non-identified sub-project. This component will include Bheramara-Khulna Gas Transmission Pipeline construction of a 20-inch diameter, 165 km gas transmission pipeline from Bheramara to Khulna through the Kushtia, Jessore and Khulna districts with a capacity of 75-125 MMCFD. Routing and alignment are yet to be defined.

5. Component B: Field Appraisal. This component will reassess five producing gas fields, Titas, Bakhrabad, Sylhet, Kailastila and Rashidpur, to validate the estimated gas in place and recoverable reserves, also to determine optimum location for future drilling activities. The proposed 3-dimensional survey is expected to result in upgrading proven reserves estimates by 20-30%. The Project will not involve any new exploratory activity, and ADB’s support will be limited only to 3-D survey work.
6. Component C: Secondary City Gas Distribution. The identified component is: This component will include the construction of about 150-200 km of 1 to 8 inch diameter gas distribution pipelines in Rajshahi city.

7. Component C: Non-identified Project. The non-identified project(s) under the Component B is yet to be identified.

8. Concerning the identified subprojects, the following impacts were assessed. Part A will require 159 ha of permanent land acquisition and 282 ha of temporary acquisition. Part B will require 270 ha of temporary acquisition. Part C at present has been assessed not to involve any land acquisition from private owners. These will result in impacts to 575 households, under Part A, and 800 households under Part B.

9. This Resettlement Framework (RF) has been prepared for non-identified subprojects as required under ADB’s Involuntary Resettlement Policy (1995) for hybrid lending. The RF identifies the broad scope of the Project and outlines the policy, procedures and institutional requirements for preparing subsequent subprojects under the sector loan. The EAs for Component A will be Gas Transmission Company Ltd. (GTCL), Bangladesh Gas Fields Company Ltd. (BGFCL) and Bangladesh Petroleum Exploration Company Ltd. (BAPEX). The EA for Component B will be Sylhet Gas Fields Ltd. and IA for the Component will be BAPEX. The EA for Component C will be Paschiamanchal Gas Company Ltd. (PGCL). EAs for each component will be responsible for preparing social analysis and RPs for subprojects as outlined in this framework and submit to ADB for review and approval prior to contract award, including compensation payments prior to displacement.

B. Resettlement Policy and Framework

10. This Resettlement Framework is based on ADB’s Involuntary Resettlement Policy (1995) as well as on the Borrower’s domestic laws, particularly, Acquisition and Requisition of Immovable Property Ordinance (AIRPO) of 1982.

11. Acquisition and Requisition of Immovable Property Ordinance (AIRPO)

Compensation for land acquisition and resettlement assistance for affected persons are covered by the Acquisition and Requisition of Immovable Property Ordinance (AIRPO) of 1982 and its subsequent amendments in 1993 and 1994. The Ordinance covers all cases of acquisition and requisition (temporary acquisition) by the Government for public purposes or interest. The legal process is initiated by the application of the Executing Agency (EA) to the Deputy Commissioner (DC) of the concerned district with a detailed map of the area and a land acquisition plan. The DC is empowered to permanently acquire or temporarily requisition property and legal owners are eligible for compensation. The DC assesses the level of compensation, taking into consideration factors such as: land transactions in the locality over the past 12 months and the present market rate. The amendments to the AIRPO in 1993 increased the amount of the premium (to reflect market or replacement values) for compulsory acquisition from 25 to 50% on the assessed value of the property. The 1994 amendment provides provision for payment of crop compensation to tenants. The AIRPO does not cover compensation for loss of wage income and displacement transport; it also does not cover losses of non-titled persons (squatters, encroachers, etc.) aside from crop losses to tenants. The Ordinance states that the Deputy Commissioner (DC), in determining the amount of compensation to be awarded for any property to be acquired, shall take into account: i) the market value at time of the notice; ii) damages to and losses of crops or trees; iii) other
damages suffered by the AP at the time of the acquisition; iii) change of residence and/or business due to land acquisition; iv) losses of profits and income due to the loss of property, and v) in addition of the market value the DC will award 50% in addition in consideration of the compulsory nature of the acquisition.

2. **ADB’s Involuntary Resettlement Policy**

12. ADB’s policy requires:

   (i) Avoid involuntary resettlement wherever feasible;
   (ii) If unavoidable, minimize by providing viable livelihood options
   (iii) consulting with affected people (APs) in project planning and implementation, including disclosure of RP and project-related information
   (iv) payment of compensation for acquired assets at the market/replacement value;
   (v) APs are entitled to receive assistance to restore income and livelihood at pre-project standard, and all vulnerable APs are entitled to receive additional assistance to improve their income and livelihood;
   (vi) resettlement assistance to APs, including non-titled persons (informal dwellers/squatters and encroachers);
   (vii) APs will be integrated economically and socially into their host communities, if relocated.
   (viii) APs’ social and cultural institutions will be safeguarded and supported. Common properties and facilities will be restored;
   (ix) compensation and rehabilitation programs will be carried out with equal consideration for women and men; and
   (x) income restoration and rehabilitation program.

**Table 1: Comparison of ADB Resettlement Policy with National Policies**

<table>
<thead>
<tr>
<th>ADB Policy</th>
<th>Current National Policy and Reference to Document or Precedence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Involuntary resettlement should be avoided where feasible</td>
<td>The same</td>
</tr>
<tr>
<td>Where population displacement is unavoidable, it should be minimized by exploring all viable project options</td>
<td>Alternative placement or alignment are explored</td>
</tr>
<tr>
<td>People unavoidably displaced should be compensated and assisted, so that their economic and social future would be generally as favorable as it would have been in the absence of the project</td>
<td>That is the National Policy in Bangladesh. This has been strictly planned and being implemented in JMBP and JBRLP projects.</td>
</tr>
<tr>
<td>People affected should be informed fully and consulted on resettlement and compensation options</td>
<td>The National Policy foresees public notification of acquisition a minimum of 15 days before acquisition.</td>
</tr>
<tr>
<td>The absence of a formal legal title to land by some affected groups should not be a bar to compensate, particular should be paid to households headed by women and other vulnerable groups, such as indigenous peoples and ethnic minorities, and</td>
<td>The Ordinance does not “officially” recognize non-titled APs although it recognizes the “occupier” as owner, with no specification of titled ownership. There is no provision</td>
</tr>
<tr>
<td>ADB Policy</td>
<td>Current National Policy and Reference to Document or Precedence</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td>appropriate assistance provided to help them improve their status</td>
<td>that discriminates against vulnerable groups of APs</td>
</tr>
<tr>
<td>As far possible, involuntary resettlement should be conceived and executed as a part of the project</td>
<td>This has been the Practice, although not clearly stated in the Ordinance</td>
</tr>
<tr>
<td>The full costs or resettlement and compensation should be included in the presentation of project costs and benefits</td>
<td>This has been the Practice, although not clearly stated in the Ordinance</td>
</tr>
<tr>
<td>Costs of resettlement may be considered for inclusion in Bank loan financing for the project</td>
<td>Should be taken into consideration</td>
</tr>
</tbody>
</table>

3. **Policy applicable to the Project**

13. Consistent with ADB policy and the country’s Ordinance this resettlement framework and resettlement procedural guidelines will apply to all subprojects under the sector loan. This will ensure that all persons affected by land acquisition will be eligible for appropriate compensation and rehabilitation assistance.

14. Regarding the eligibility of compensation, all APs will be provided with compensation and rehabilitation if their land is reduced, income source adversely affected, house partially or fully demolished, and other properties such as crops, trees and other facilities or access to these properties will be reduced or damaged due to the Project. Lack of legal documents of their customary rights of occupancy/titles shall not affect their eligibility for compensation. Further, in case of land acquisitions, since land-for-land may not be a feasible option (as it is the case for the identified subprojects), the framework stipulates payment of compensation as per assessed value of the land and structure to APs.

15. In addition to compensation payments made by the competent authority, the APs will receive additional assistance to match replacement costs, which is the difference between the replacement value and the assessed value, if any, for lost assets (land and houses), transaction costs such as stamps/registration costs (in case of purchase of replacement land) and other cash grants and resettlement assistance such as shifting allowance, compensation for loss of workdays/income due to dislocation. Losses of profits and income due to the loss of property or access to used properties by non-titled APs will also be compensated. To restore lost income vocational training will be provided to APs in a productive activity, skill or trade. NGOs will also be asked to develop suitable training and credit modules and subsequently to provide training, where feasible. Special schemes will be developed for women APs. Local branches of commercial bank will be instructed by the Government of Bangladesh (GOB) to provide loans to trained persons on priority basis.

16. Alternative/additional compensation mechanisms other than cash will need to be assessed. In any case, priority of employment during civil works will be given to APs. Female-headed households, indigenous peoples households, and other vulnerable households will be eligible for further cash assistance for relocation and house reconstruction.

17. Component C is not expected to require any land acquisition (temporary or permanent) from private owners. However, given the high population density in urban areas, households
(titled or non-titled) and enterprises may be negatively affected on a limited basis. Any eligible AP, whether titled or not, shall therefore be compensated, according to the entitlement matrix, here below.

18. Compression stations, under Component A, require the acquisition of 3 acres of land each. The land acquired for the construction of those stations must be compensated following the same principles and guidelines as for the land acquired for the construction of the transmission pipelines, so that any eligible AP, whether titled or not, shall therefore be compensated, according to the entitlement matrix, here below. However, as for now, compression stations will not need land acquisition (temporary or permanent) for installation has been designed so to use land owned by Gas Transmission Company Ltd. (GTCL).

19. Construction materials and equipment will need to be deposited and stored on temporarily acquired land, other than the lone acquired for the construction of the transmission pipelines. Temporary acquisition of the land for this purpose must be compensated following the same principles and guidelines as for the land acquired for the construction of the pipelines, so that any eligible AP, whether titled or not, shall therefore be compensated, according to the entitlement matrix, here below. However, as for now, the Project is expected to use government-owned land.

20. According to a practice, which has already been applied for the pipeline sections not covered by this Project, permanent land-losers are allowed to use permanently acquired owned land for agricultural purposes, though not for cultivation of perennial crops, particularly trees, and after the end of civil works. This way, although, the land will be owned by the EAs, APs will still be able to use it as a source of income. Moreover, there is no restriction on the use of land beyond the acquired right of way width.

21. The entitlement matrix that will be applied to non-identified subprojects, based on specific project impacts, is given in Table A15.2.

<table>
<thead>
<tr>
<th>Type of Losses</th>
<th>Definition of APs</th>
<th>Entitlement</th>
<th>Implementation Issue</th>
<th>Agency Responsible</th>
</tr>
</thead>
</table>
| 1. Loss of Agricultural land| Owner(s) of a plot as recorded in title deed. | a. Cash compensation according to the law. (CCL)+50% Premium  
b. Cash grant to cover the difference between the CCL +50% Premium and the cost of equivalent replacement land.  
c. Losses of profits and income due to the loss of property or access to it.  
d. Stamp duties on purchase of land. | a. Replacement value will be determined by the Joint Impact Evaluation Team (JIVT). The maximum amount of cash grant will be the difference between the total CCL+50% Premium and the price of land so determined. | a. DC  
b. Cash grants Project  
c. Refund - Project |
| 2. Loss of Commercial land in both rural and urban areas | Owner(s) of a plot as recorded in title deed. | a. Cash compensation according to the law (CCL)+50% Premium. | a. Replacement value will be determined by the Joint Impact Evaluation Team (JIVT). The maximum amount of cash grant will be the difference between | a. DC  
b. Cash grants - Project  
c. Refund - Project |
<table>
<thead>
<tr>
<th>Type of Losses</th>
<th>Definition of APs</th>
<th>Entitlement</th>
<th>Implementation Issue</th>
<th>Agency Responsible</th>
</tr>
</thead>
</table>
| 3. Loss of homestead land in both rural and urban areas | Owner(s) of homestead plot as recorded in title deed. | a. CCL+50% Premium  
b. Cash grant to cover the difference between the CCL+50% Premium and the cost of equivalent replacement land.  
c. Stamp duty refund. | a. APs, opting for purchase should identify the homestead land.  
b. Project Management will explore the possibility of staggering the evacuation of APs to ease the resettlement process. | a. DC  
b. Cash grants - Project  
c. Refund Project |
| 4. Loss of homestead land in both rural and urban areas | Households living as squatters on public/private lands. | a. Cash grant equivalent to the market price of a 100 sq.mt land. | a. List of eligible persons will be finalized by JIVT.  
b. APs, opting for purchase should identify the homestead land.  
c. Project Management will explore the possibility of staggering the evacuation of APs to ease the resettlement process. | a. DC  
b. Cash grants - Project  
c. Refund Project |
| 5. Temporary loss of land regardless of use | Titled and untitled APs | a. CCL  
b. Cash grant to cover the difference between the CCL and the JIVT assessed rental value  
c. Cash grant to reflect expenses of vacating the land, reoccupying the land and damages, in accordance with ARIFO | a. The maximum amount of cash grant will be the difference between the total CCL and the rent of land determined by JIVT. | a. DC  
b. Cash grants - Project  
c. DC |
| 6. Loss of Ponds and fish stock | Legal owner of the pond to get the compensation for land area while usufruct right holder, legal or socially recognized, | a. CCL+50% Premium  
b. Cash grant to cover the difference between the CCL+50% Premium and the replacement cost of the pond, including cost of land and digging | a. Replacement value will be determined by JIVT.  
b. If the fish pond is on public land and not under lease form Government, the AP is entitled to compensation for 25% of the existing fish stock, and also allowed to retain the entire fish stock. | a. DC  
b. Cash grant - Project |
<table>
<thead>
<tr>
<th>Type of Losses</th>
<th>Definition of APs</th>
<th>Entitlement</th>
<th>Implementation Issue</th>
<th>Agency Responsible</th>
</tr>
</thead>
</table>
| 7. Loss of houses/Structures used for living and commercial activities in both rural and urban areas | Legal owner of the structure. | a. CCL + 50% Premium  
b. Transfer Grant Tk. 3,000.  
c. House construction grant @ 1/8th of CCL + 50% Premium subject to minimum of Tk. 2,000  
d. AP to be permitted to retain the salvageable building materials.  
e. losses of profits and income due to the loss of property | JIVT to find out realistic construction costs of the most common types of houses/structures. The costs so determined will be used in the case of disputes / grievances regarding compensation rates for structures. | a. DC  
b. Cash grants - Project  
c. Refund - Project. |
| 8. Loss of houses/Structures used for living and commercial activities in both rural and urban areas | Households living as squatters on public/private lands. | a. CCL + 50% Premium  
b. Transfer Grant Tk. 3,000.  
c. House construction grant @ 1/8th of CCL + 50% Premium subject to minimum of Tk. 2,000.  
d. AP to be permitted to retain the salvageable building materials.  
e. losses of profits and income due to the loss | JIVT to find out realistic construction costs of the most common types of houses/structures. The costs so determined will be used in the case of disputes / grievances regarding compensation rates for structures. | a. DC  
b. Cash grants - Project  
c. Refund - Project. |
| 9. Loss of timber and fruit bearing trees, bamboo and banana groves | Legal owner as determined by DC.  
Un-titled users of land | a. CCL +50% Premium  
b. Cash grant to cover the difference between the CCL+50% Premium and current market value  
c. AP to be permitted to cut and take away the trees and fruits | a. Government will issue executive orders allowing the APs to cut and take away the tree and fruits. | a. DC  
b. Cash grant-project |
<table>
<thead>
<tr>
<th>Type of Losses</th>
<th>Definition of APs</th>
<th>Entitlement</th>
<th>Implementation Issue</th>
<th>Agency Responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Loss of standing crops</td>
<td>Cultivator (person who planted the crop) whether owner, Lease-holder, tenant, encroacher and squatters. (formal or informal arrangement) as determined by JIVT.</td>
<td>a. CCL+50% premium b. Cash grant to cover the difference between CCL+50% premium and the market value c. Minimum two crops and multiple crops in case protracted implementation.</td>
<td>a. Market value at harvest will be determined by JIVT b. Verify whether or not crops are in existence at the time of handover</td>
<td>a. DC b. Cash grant-project</td>
</tr>
<tr>
<td>11. Loss of occupied homestead land or land used for commercial purposes (illegally or with permission of owners)</td>
<td>Households living as squatters on public/private lands.</td>
<td>Cash grant equivalent to the market price of a 100 sq.mt land.</td>
<td>List of eligible persons will be finalized by JIVT.</td>
<td>Cash grant – Project.</td>
</tr>
<tr>
<td>12. Loss of wage income</td>
<td>Persons living in the affected areas and engaged in wage labor in agriculture or non-agriculture sectors and whose means of livelihood has been affected.</td>
<td>a. One time cash grant of Tk 9,000 (Tk 100 X 90 days). b. Livelihood and Skills Training.</td>
<td>Basic concept of vocational training would be to train APs in a productive activity or trade or skill. NGOs will be asked to develop suitable training and credit modules and subsequently to provide training. The cost of developing necessary training facilities and the cost of training will be borne by Project. Special schemes will be developed for women APs. Local branches of commercial bank will be instructed by the Government of Bangladesh (GOB) to provide loans to trained persons on priority basis.</td>
<td>a. Cash grant – Project. b. Training – NGO/Project. c. Loan – Financial institutions.</td>
</tr>
<tr>
<td>13. Loss business income from the</td>
<td>1. Any business person</td>
<td>a. CCL (1/4 of yearly income)+50% premium</td>
<td>1. Compensation for loss of business income will be determined by the JIVT</td>
<td>a. DC b. Cash grant – Project</td>
</tr>
<tr>
<td>Type of Losses</td>
<td>Definition of APs</td>
<td>Entitlement</td>
<td>Implementation Issue</td>
<td>Agency Responsible</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------</td>
</tr>
</tbody>
</table>
| displaced commercial primacies in both rural and urban areas                | operating on the premises as tenant at the time of notification. 2. Owner of the rented out premises. | b. One time moving assistance of Tk. 3000  
 d. Cash grant to cover the difference the CCL+ 50% premium and the actual income loss for three months. e. Training | 2. The rent of premises will be determined by JIVT through verification  
 3. Potential trainees will be selected by JIVT.                                                                                     | c. Moving assistance – Project  
 d. Training NGO / Project. |
| 14. Loss of usufruct right on mortgaged in, leased in and Khai-Khalasi land. | 1. Persons with legal agreement. 2. Persons with verbal agreement.              | a. CCL (1/4 of yearly income)+50% premium  
 b. Cash grand to cover the difference between the CCL + 50% premium and the replacement value. | 1. Legal agreement: Legal owner and mortgage/ lease holder will be paid CCL by DC.  
 2. Verbal agreement: Legal owner will pay the outstanding liabilities upon receipt of CCL.  
 3. If the CCL is smaller than replacement value, legal owner will get the top up as grant: if i) all liabilities are already paid up, ii) if not, the legal owner will get residual after all liabilities are paid up. If the liabilities exceeds the amount of grant, the land owner will pay it.  
 4. In case of any dispute, JIVT will verify and decide. | |
| 15. Disruption of private or common property                                 | Titled owner, tenant, untitled user, community                                   | Restoration to original status  | 1. Prior to disruption verifying existing crops or structures to be restored after project works | Contractor |
| 16. Vulnerale APs                                                            | 1. Female headed households 2. Indigenous Peoples (IPs), if any 3. Households with less than 3,000 Tk/month income | Assistance to mitigate negative impacts on vulnerable groups | 1. Livelihood and skills training  
 2. preference for project related employment | 1. NGOs  
 2. Project |
| 17. Unforeseen loss                                                           | Person affected adversely by the Project, other than the above categories.       | Assistance to mitigate impacts. | The mitigation measures are proposed. Project Authority will closely coordinate its activities, monitor, and mitigate adverse impacts. | Mitigation Assistance-Project |

AP – affected persons, CCL – cash compensation according to the law (ARIPO), JIVT – joint impact verification team
C. Procedure for RP Preparation

22. The subprojects RP will be prepared as follows: (i) the PCU will undertake social impact assessment surveys for identified subprojects, based on preliminary technical designs; (ii) if impacts are found to be significant\(^1\), full RPs will be prepared for each subproject; (iii) if subproject are less than significant, short RPs would be sufficient for project preparation; and iv) the RP would also include measures to ensure that socio-economic conditions, needs and priorities of women are identified and that the process of land acquisition and resettlement does not disadvantage women. The PCU and project consultants for project preparation and implementation will include specialists familiar with ADB policy and procedures for preparation of non-identified subproject RPs. The RPs must comply with the agreed RF, ADB's policy on *Involuntary Resettlement* (1995) and other social safeguard guidelines. RPs for the identified subprojects will be used as models for preparation and implementation of non-identified subprojects. Approval of subproject RPs by ADB will be a condition for contract of civil work, including compensation payments prior to displacement.

23. For subproject RPs, the PCU will have overall coordination, planning, implementation, and financing responsibilities. The EA fully recognizes the complexity of the resettlement in a sector project. The EA will ensure that key institutions including the local government are involved in RP implementation. Moreover, experienced NGOs will be hired for RP implementation with clearly defined tasks, including community-based social development programs as appropriate. The PCU resettlement specialist will supervise the implementation work. The appointed NGO will open field offices and will involve affected persons, particularly vulnerable persons. Local level Resettlement Implementation Committees will be formed to coordinate and supervise RP implementation. The EAs will set the cut-off date on the day of notice.

24. The EAs will ensure to closely follow the agreed RF in RP preparation for. The EA will further ensure that resettlement budgets are delivered on time to the PCU and the implementing NGO for timely RP implementation.

D. Institutional Arrangements

25. A Project Coordinating Unit (PCU) is responsible for processing, coordinating, and supervising subprojects; while Project Management Units (PMU) will be responsible for implementing subprojects. This RF is designed for all subprojects under the sector loan as required under ADB policy. It sets out policies and procedures to be followed by the EAs in screening and selection of non-identified subprojects prior to submission to ADB for review and approval. The PCU through its resettlement unit will be responsible for preparing Resettlement Plans (RP) for all subprojects as outlined in this framework, and will submit RPs to ADB for review and approval.

26. The social, resettlement, and environment implementation units will be responsible for internal monitoring and will prepare progress reports on RP implementation. RPs must be implemented and fully completed, prior the commencements of the works. EAs will ensure that all compensation payments are made to APs prior the commencements of the civil works.

\(^1\) Resettlement is significant when 200 or more people experience major impacts. Major impacts are defined as involving affected people being physically displaced from housing and/or having 10% or more of their productive, income generating assets lost.
E. Consultation, Disclosure, and Grievances

27. Each subproject RP will be prepared and implemented in close consultation with the stakeholders and will involve focus group discussions and meetings, particularly with APs. This RP framework will be made available in local language(s) during focus group discussion meetings at the village/community level. Copies of draft RPs will be available at the local level to stakeholders for local inputs. The summary RP will be disclosed on the ADB website and the consultation will continue throughout the project implementation period.

28. For information dissemination, the EA is publishing a booklet by mentioning the project’s aim, compensation matrix etc for the affected stakeholders and is arranging meeting, group discuss etc for peoples’ awareness. Information campaigns will be held for APs to provide inputs to the RP. A resettlement information leaflet containing information on compensation and resettlement options will be made available in local language(s) and distributed to APs. The Project Management Office (PMO) through staff of its resettlement unit (RU) will conduct consultations in affected villages to explain the resettlement plan in coordination with village and religious leaders. Each AP will be provided information regarding specific entitlements. Disputes on entitlements can be forwarded to the RU for appropriate action. The summary RP will be disclosed on the ADB website, and information dissemination and consultation will continue throughout the project implementation period.

29. Female headed households are to be handled carefully. NGO shall hire female field workers for information dissemination.

30. The following mechanisms will be applied for stakeholder participation in planning, management, monitoring and evaluation:

   (i) Community participation should be started from the socio economic survey the affected person’s view, idea, resettlement choice, compensation policy is usually revealed from these survey findings.
   (ii) Land market survey for compensation package is another participation of the affected stakeholders in case of payment compensation
   (iii) Identification of EPs and issuance of ID cards is another recognition of people’s participation where public representative will certify the real affected persons.
   (iv) Participation of Grievance Redress committee is another recognition of the affected ones.
   (v) Computer based entitlement record by NGO is also another means which identifies one’s participation

31. Complaints and grievance procedures will be outlined in each RP and grievance redress committees (GRC) will be established for each subproject with representation from the EA, APs (including vulnerable groups), local government, and NGOs. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, relocation, and other assistance. Grievances will be redressed within 2-4 weeks from the date of lodging the complaints.

F. Monitoring and Evaluation

32. Implementation of the RP will be monitored regularly. The PCU will establish a quarterly monitoring system involving staff of the EAs and implementing NGO staff. The PCU will prepare progress reports on all aspects of land acquisition and resettlement activities. The report will
contain progress made in RP implementation with particular attention to compliance with the principles and matrix set out in the plan. Independent monitoring agency/experts will be hired by the EAs with ADB concurrence to carry out external monitoring of the resettlement operations. The monitoring consultant will be selected within three months of loan approval. Monitoring will be carried out every year during project implementation.

G. Resettlement Budget

33. Detailed budget estimates for involuntary resettlement will be prepared for each RP, by EAs/IAs which will be included in the overall subproject estimate. The budget will include i) detailed costs of land acquisition, relocation, and livelihood and income restoration and improvement, ii) source of funding, iii) arrangements for approval, and the flow of funds and contingency arrangements.

34. All land acquisition funds will be provided by EAs. All land acquisition, compensation, relocation and rehabilitation of income and livelihood will be considered as an integral component of project costs.