Resettlement Plan

Project No. 42248-013
Resettlement Plan
August 2015

2763-BAN (SF): Second Chittagong Hill Tracts Rural Development Project
Subproject: Raicha-Goalikhola Road
District: Bandarban

Prepared by Chittagong Hill Tracts Regional Council for the People’s Republic of Bangladesh and the Asian Development Bank

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পরিষেবাক্ষেত্র
বাংলাদেশ সর্বোচ্চ, ঢাকাঃ

নঃ ২৯০০.০০০০.২২৬.১৪.৩৫৪.১৫-৮/৮

তথ্যঃ ৮৮/২০১৭ সাল;

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সূত্রঃ পিএমওএর স্থায়ি সংস্কার নঃ-২৩৫/৫/পাচারকাল-২/২০১৩/৩৩ তারিখঃ ৩৫/২০১৭

পার্বত্য চট্টগ্রাম পর্যায় উন্মুক্ত প্রকল্প ২য় পর্যায় (পিএমও অংশ) অর্থায়নে (১) নাইকাঙ্গি-টুম্বু রোড (পার্ট-১) (২) রাইখালী জিরি ফেরীঘাট-রাজশাহী হেড কোয়ার্টার ভায়া বিভিন্ন পাইজ রোড (পার্ট-২) (৩) রেইড - গোয়ালিয়ারা রোড (৪) লামা-রুপসীপাড়া রাজ্য নির্মাণ লক্ষ্যে জমি অধিগ্রহণ ও পুনর্ব্যবহারের নিমিত্তে গৃহীত LARP সমূহ নির্দেশিতকে অনুমোদন দেয়া হলো।

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উত্তর কালিমপুর,
রাজগাভী।

মূল লিপিঃ
১। সচিব মহাসচিব কর্তৃক সচিব, পার্বত্য চট্টগ্রাম বিষয়ক মন্ত্রণালয়, বাংলাদেশ সর্বোচ্চ, ঢাকাঃ।
SECOND CHITTAGONG HILL TRACTS RURAL DEVELOPMENT PROJECT  
(LOAN NO 2763 BAN) (SF) 

LAND ACQUISITION AND RESETTLEMENT PLAN (LARP) 

FOR 

‘Raicha-Goalikhola Road’  
(Subproject ID: 403143001)  
Upazila: Bandarban Sadar, District: Bandarban 

Prepared By  
Taungya  
Date: 23 August, 2015
ABBREVIATIONS

ADB : Asian Development Bank
ADR : Alternative Dispute Resolution
ADRF : Alternative Dispute Resolution Forum
AP : Affected Person
BRG : Business Restoration Grant
CBO : Community Based Organization
CC : Circle Chief
CCL : Cash Compensation under Law
CHT : Chittagong Hill Tracts
CHTDF : Chittagong Hill Tracts Development Facility
CHTRC : Chittagong Hill Tracts Regional Council
CHTRDP : Chittagong Hill Tracts Rural Development Project
CRO : Chief Resettlement Officer
DC : Deputy Commissioner
DPMO : District Project Management Office
DRO : District Resettlement Officer
EA : Executing Agency
EP : Entitled Person
FGD : Focus Group Discussion
FPIC : Free, Prior and Informed Consent
GoB : Government of Bangladesh
GRC : Grievance Redress Committee
HDC : Hill District Council
HH : Household
IA : Implementing Agency
IGA : Income Generation Activities
IP : Indigenous People
LAO : Land Acquisition Officer
LAR : Land Acquisition and Resettlement
LARAEC : Land Acquisition and Resettlement Assessment/Estimation Committee
LARF : Land Acquisition and Resettlement Framework
LARP : Land Acquisition and Resettlement Plan
LCS : Labor Contracting Society
LDG : Land Development Grant
LGED : Local Government Engineering Department
LMS : Land Market Survey
LO : Land Officer
MAD : Micro-Agribusiness Development
MARV : Maximum Allowable Replacement Value
MIS : Management Information System
MOCHTA : Ministry of Chittagong Hill Tract Affairs
MV : Market Value
NGO : Non-Government Organization
OPD : Office of the Project Director
PCJSS : Parbattya Chattagram Jana Sanghanti Samity
PD : Project Director
PDC : Para Development Committee
PIC : Project Implementation Consultants
PMO : Project Management Office
<table>
<thead>
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<th>Description</th>
</tr>
</thead>
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<tr>
<td>PVAT</td>
<td>Property Valuation Assessment Team</td>
</tr>
<tr>
<td>PVM</td>
<td>Participatory Village Mapping</td>
</tr>
<tr>
<td>PVS</td>
<td>Property Valuation Survey</td>
</tr>
<tr>
<td>RAC</td>
<td>Resettlement Advisory Committee</td>
</tr>
<tr>
<td>RCG</td>
<td>Re-Construction Grant</td>
</tr>
<tr>
<td>RF</td>
<td>Reserved Forest</td>
</tr>
<tr>
<td>R-NGO</td>
<td>Resettlement NGO</td>
</tr>
<tr>
<td>RoW</td>
<td>Right-Of-Way</td>
</tr>
<tr>
<td>SAP</td>
<td>Severely Affected Person</td>
</tr>
<tr>
<td>SDG</td>
<td>Social Development Grant</td>
</tr>
<tr>
<td>SES</td>
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</tr>
<tr>
<td>SPS</td>
<td>Safeguards Policy Statement (ADB 2009)</td>
</tr>
<tr>
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<td>Safeguards and Quality Monitoring Cell</td>
</tr>
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<td>Tree Valuation Survey</td>
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I. CHITTAGONG HILL TRACTS RURAL DEVELOPMENT PROJECT –II (CHTRDP II) 
PROJECT DESCRIPTION AND INTRODUCTION

1. The Chittagong Hill Tracts Rural Development Project (CHTRDP) was undertaken with financial assistance of Asian Development Bank (ADB) in the backdrop of the region’s poverty, to promote socio-economic development in the region. The Phase I started in 2001-2002 and upon its completion in December, 2009, the Phase II was initiated from 2011-2012. The Government of the People’s Republic of Bangladesh (GOB) and Asian Development Bank (ADB) signed the loan agreement for Second Chittagong Hill Tracts Rural Development Project-II (CHTRDP-II) on 2nd October 2011 (Loan No. 2763-BAN, Project No. 42248-013). The agreement came into effect on 13 December 2011 following which the Project Management Office (PMO) was established in Rangamati. The Project will contribute to the reduction of social and economic poverty among rural people, including indigenous people and poor women in the three CHT districts, namely Khagrachari, Rangamati and Bandarban.

2. The objectives of the project are:
   - Improve rural infrastructure and sustainable natural resources management and monitoring;
   - Increase rural income, including those of remote rural women and disadvantaged groups, through increasing economic opportunities and activities;
   - Support strengthening of the key CHT institutional stakeholders to plan, implement and monitor sustainable rural development in the three hill districts.

3. There are 5 (five) components under this project which are as follows;
   - INSTITUTIONAL DEVELOPMENT AND CAPACITY BUILDING
   - RURAL ROADS
   - COMMUNITY INFRASTRUCTURE
   - MICRO-AGRIBUSINESS DEVELOPMENT
   - PROJECT MANAGEMENT

4. MoCHTA is the project’s Executing Agency (EA) while the CHTRC is the Lead Implementing Agency (LIA). LGED is responsible for Output B – Rural Roads (RR) - and the Hill District Councils of Rangamati, Khagrachari and Bandarban Districts are the Implementing agencies (IA) for Community Infrastructure (CI) in their respective districts.

5. Component B (Rural Roads) involves substantial land acquisition and resettlement (LAR) as part of the plan to construct as many as 29 roads across the three Hill Districts. This entails compliance with ADB’s safeguards policy statement (SPS, 2009) on Indigenous Peoples and Resettlement and as well as with the pertinent legal dispositions of the Government of Bangladesh. These are to be detailed in a Land Acquisition and Resettlement Plan (LARP), to be prepared for each road. The present LARP is prepared for the ‘Raicha-Goalikhola Road of Bandarban district, which was
approved during the 4th RCC meeting of 24 September 2013 and which LGED has put on their priority list.

6. Taungya, a local NGO based in Rangamati was contracted by MoCHTA on 20 August 2013 to facilitate the Land Acquisition and Resettlement (LAR) process of Rural Road (RR) component. As per the stipulations of this contract, Taungya is responsible for assisting the Project Management Office (PMO) to prepare the Land Acquisition and Settlement Plan (LARP) for each of the 29 roads, detailing the overall LAR process and implementation of the LARPs.

7. On 18 May 2014 Taungya took over the project’s road alignment. Before handing over a date was fixed between Taungya and LGED, Bandarban. Bandarban District’s LGED pursue the fixed date to Bandarban Sadar Upazila Engineer. On that dated at 4 pm, both (Taungya & LGED) parties were reached at the starting point. Bandarban Sadar Upazila Engineer showed the sketch map and explained in detail. Walking all the way of the alignment, Taungya checked the position pillars on the Right of Way (RoW). Everything was found in order and Taungya took over the alignment.

8. As a part of this assignment, Taungya prepared this report. The present Land Acquisition and Resettlement Plan (LARP) for the “Raicha-Goalikhola Road” has been prepared taking into account the following findings:

   (i) Sample survey data
   (ii) Field visits, consultation meetings
   (iii) Determination of the extent of losses and identification of entitlement of Affected Person (AP)
   (iv) The policies and legal frame work applicable, consultation mechanisms with the AP and other stakeholders
   (v) The principles/modalities for information disclosure, provisions made for compensation payment and income restoration programs and
   (vi) Implementation arrangement and monitoring of the implementation measures.
II. SUBPROJECT DESCRIPTION

9. The planned subproject, “Raicha- Goalikhola Road’ will be constructed in Bandarban Sadar upazilla of Bandarban Hill District. The total length of the road is 125 meter. The project is in No-3 Bandarba Sadar Union unde No-313 Bandarban Mouza. There are seven Upazilas in Bandarban Hill District. Bandarban Sadar Upazila, located with District Head Quarter. It is bounded on the north by Rajasthali Upazila of Rangamati District, on the east by Rowangchari Upazila, on the south by Lama Upazila, on the west by Chandanaish and Rangunia Upazila of Chittagong District.

10. The project’s road will connect with 1 (one) bridge. The bridge will be constructed on the Shanka River. The total length of the bridge is 231 meters. The bridge will be 5.50 meter wide in its carriage way.

11. The Location of the project is close to adjacent district to Chittagong’s border, 15 kilometer away from the District Head Quarter. The road directs to the South-west from the District Head Quarters. The existing earthen road will be upgraded to Bituminous Carpeting (BC) Road. The road directly traverses to only 1 village, namely: Goalikhola

12. Land structure of the only benefiting village is plain and gentle hilly. The construction of the proposed road will follow the existing alignment. In figure 1 the Blue colored line shows the existing and proposed road alignment.

13. The road will connect more sub-roads/ paths of the benefiting village. The formation of village of the proposed road is mostly same in size and structure. The people constructed their household beside the road for easy movement.

14. Blue in color in the figure 1 shows the alignment of the proposed road. It also shows that the bridge will connect with the road. The figure is on the next page-9.
FIGURE-1: GOOGLE IMAGE MAP SHOWING THE ALIGNMENT OF EXISTING AND PROPOSED (RAICHA-GOALIKHOLA ROAD’).
15. In total 12 villages will either directly or indirectly be benefiting by the project. Detailed information including total population and location of these 12 villages in the catchment area is given in the table -1 below:
### TABLE: 1- FOLLOWING PARAS POTENTIALLY SERVED BY ‘RAICHA-GOALIKHOLA ROAD’

<table>
<thead>
<tr>
<th>SL</th>
<th>Name of village</th>
<th>Union/ Mouza</th>
<th>Ethnicity</th>
<th>Household No.</th>
<th>Population</th>
<th>Distance from proposed road (KM)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MH</td>
<td>FH</td>
<td>Total</td>
</tr>
<tr>
<td>1</td>
<td>Raicha Thali Para</td>
<td>No. 313 Bandarban</td>
<td>Marma</td>
<td>155</td>
<td>6</td>
<td>161</td>
</tr>
<tr>
<td>2</td>
<td>Sat Kamal Para</td>
<td>No. 314 Bandarban</td>
<td>Tanchangya</td>
<td>107</td>
<td>3</td>
<td>110</td>
</tr>
<tr>
<td>3</td>
<td>Lamba Ghona Para</td>
<td>No. 315 Bandarban</td>
<td>Marma</td>
<td>49</td>
<td>4</td>
<td>53</td>
</tr>
<tr>
<td>4</td>
<td>Jiniang Para</td>
<td>No. 316 Bandarban</td>
<td>Marma</td>
<td>28</td>
<td>2</td>
<td>30</td>
</tr>
<tr>
<td>5</td>
<td>Dumkee Para</td>
<td>No. 317 Bandarban</td>
<td>Marma</td>
<td>34</td>
<td>3</td>
<td>37</td>
</tr>
<tr>
<td>6</td>
<td>Dalujire Para</td>
<td>No. 318 Bandarban</td>
<td>Marma</td>
<td>17</td>
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<td>7</td>
<td>Rowaja Para</td>
<td>No. 319 Bandarban</td>
<td>Marma</td>
<td>37</td>
<td>2</td>
<td>39</td>
</tr>
<tr>
<td>8</td>
<td>Goaliakhola Para</td>
<td>No. 320 Bandarban</td>
<td>Bangali</td>
<td>115</td>
<td>3</td>
<td>118</td>
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<td>9</td>
<td>Uttar Goaliakhola</td>
<td>No. 321 Bandarban</td>
<td>Bangali</td>
<td>56</td>
<td>2</td>
<td>58</td>
</tr>
<tr>
<td>10</td>
<td>Madan Karbari Para</td>
<td>No. 322 Bandarban</td>
<td>Tanchangya</td>
<td>29</td>
<td>1</td>
<td>30</td>
</tr>
<tr>
<td>11</td>
<td>Mintu Member Para</td>
<td>No. 323 Bandarban</td>
<td>Tanchangya</td>
<td>37</td>
<td>3</td>
<td>40</td>
</tr>
<tr>
<td>12</td>
<td>Brick field Para</td>
<td>No. 324 Bandarban</td>
<td>Bangali</td>
<td>20</td>
<td>0</td>
<td>20</td>
</tr>
</tbody>
</table>

*Source: Raicha, SES, 2014 by Taungya*

16. Topography of the only directly affected villages is composed plain. The houses are made using mud, bamboo, and CI (iron) sheet. The main livelihood of the inhabitants depends on paddy cultivation and vegetable cultivation.

17. The road will directly affect only 1 (one) Household. The total population of the directly affected village is 656 comprising of 118 households, of which only 3 female-headed household. The village was established more than hundred years ago. The villagers depend on agriculture, (paddy, vegetable cultivation etc.). Fruits gardening (mango, banana, litchi etc.) is increasing day by day than the near past. Additionally, livestock rearing (cow, goat, buffalo etc.) also remains a very important livelihood option. Almost all households raise poultry for domestic consumption and sell the surplus to the market to earn extra incomes.
18. Education in primary level is not as vulnerable as in other areas in CHT. There is a government primary school, a pre-primary school and a junior school in the directly affected village. But the dropout is quite high at primary school and it is even higher at high school. Furthermore, 1 (one) Madrasa is also there. There are very few students are found at college level as there is no high school and college nearby.

19. Health situation in these villages is more vulnerable than in other places in the project area. There is neither government nor NGO support health-care centre in the village.

20. The proposed subproject is expected to alleviate much of this hardship condition of the communities. It will give the producers easy access to the outside market thus potentially improving their incomes significantly. The new access road also will surely impact on the education and health conditions of the households and as well as access to the other basic facilities and linkages with the other places.

21. However, people opined that they are losing some property like land, trees etc. which may consider as negative impact. But the loss will be minimized through adequate compensation to the APs. There may also be some environmental impacts due to the project which can be mitigated properly.
III: SCOPE OF LAND ACQUISITION AND RESETTLEMENT (LAR)

A. DATA COLLECTION METHODOLOGY

22. Primary data had mainly been collected from head of the project-affected household (HH) through a socioeconomic survey (SES) using a structured questionnaire, shown in Annex 1, that also provides an inventory of losses (IOL). Taungya’s field staffs are recruited from the indigenous community and they could understand the local language easily. They were extensively trained on Land Acquisition and Resettlement (LAR) inventory Processes. On 25 of May, a reconnaissance visit was done to the subproject site before starting the SES/IOL and then on 26 of May SES/IOL was carried out along the project’s alignment.

23. An experienced survey team was engaged to undertake a detailed SES/IOL as well as a market survey of the affected properties to determine replacement value. The team is skilled enough to data generation, data analysis, and report preparation and so forth.

24. The field enumerators reviewed documents and maps provided by the local LGED office and collected data by consulting members of the HH along the indicative ROW. Along the 125 meter long alignment, only 1 Affected Person (AP) was identified who would potentially be affecting. The SES/IOL was done for 100% to the Affected Person (AP). The survey team took GPS coordination along the alignment and PIC consultant prepared a Google Map (G.Map) of the alignment showing with length of the affected land of the owner.

B. ESTIMATED SCOPE OF LAR IMPACTS

25. The total affected land amount of the affected persons is 44.26 decimal. The affected land is recorded land. This amount of land will be acquired for construction of this proposed road. However, the specific ownership will not be clarified until the notice under Section 3, CHT Land Acquisition Ordinance,1958, is being served by the DC office and the area verified by the Joint Verification Team (JVT).
FIGURE 3: A GEOGRAPHICAL SKETCH MAP (G.MAP) WITH DETAIL INFORMATION OF AP/SAP AND LAND
26. Only 1 Affected Person (AP) will directly being affected by the sub-project. The Affected Person (AP) will lose land, structure and trees. ADB’s Safeguard policy and best practices in Bangladesh, regarding assistance to the development induced affected persons have been disclosed to the AP and stakeholders, during the survey of the subproject. The AP opted preferences for resettlement/rehabilitation assistance have also been listed during the survey period through discussion (FGD) as well as questionnaire survey. The detail of the Affected Person (AP) is explained in table-2.

TABLE 2: TOTAL AFFECTED AND RESIDUAL LAND (DECIMAL) WITH PERCENTAGE OF LOSS

<table>
<thead>
<tr>
<th>SL No.</th>
<th>Name of Affected Person and Father's/Husband's Name</th>
<th>Sex</th>
<th>Village</th>
<th>Mouza</th>
<th>Union</th>
<th>Amount of total owned land (decimal)</th>
<th>Proposed land to be acquired</th>
<th>Ownership type of land (Acquired)</th>
<th>Khatian No/Dag No/Holding No/Docket No</th>
<th>No of SAP Percentage of land acquired</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nurul Islam, Late Rashid Ahmad</td>
<td>Male</td>
<td>Goaliakhola</td>
<td>313 no. Bandarban</td>
<td>No-3 Bandarban Sadar</td>
<td>720</td>
<td>35.91</td>
<td>8.35</td>
<td>44.26</td>
<td>44.26</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya.
TABLE 3: DESCRIPTION OF AFFECTED STRUCTURE

<table>
<thead>
<tr>
<th>SL No.</th>
<th>Name of owner</th>
<th>Father's/Husband's name</th>
<th>Village</th>
<th>Type of structure</th>
<th>Ownership</th>
<th>Length and wide</th>
<th>Description of structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nurul Islam</td>
<td>Late- Rashid ahmad</td>
<td>Goaliakhola</td>
<td>Store house</td>
<td>Self</td>
<td>Length: 25 and wide: 15</td>
<td>Floor: Mud Wall: Wood &amp; bamboo Roof: Tin</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya

27. The project needs to acquire only 1 structure of the Affected Person (AP). The structure is a store house of the affected families as shown in table-3 above

TABLE 4: TYPE OF LAND (DECIMAL), BY PERCENTAGE

<table>
<thead>
<tr>
<th>Type of land</th>
<th>Quantity of land (Decimal)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paddy (Decimal)</td>
<td>0.3591</td>
<td>81.13</td>
</tr>
<tr>
<td>Homestead (Decimal)</td>
<td>0.0835</td>
<td>18.87</td>
</tr>
<tr>
<td>Tila (Decimal)</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>0.4426</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya

28. Table 4 explains the amount of the acquiring land. About 0.4426 decimal of land will be acquired by the project. The land is categorized in three groups. They are Paddy land, Homestead land and Tilla (gentle high hill) land. The detail about the acquiring land is explained in the table-4. It narrated, Paddy land is 81.13 percent, Homestead land is 18.87

TABLE 5: NUMBER OF AFFECTED TREES BY TYPE (TIMBER/FRUIT) AND SIZE

<table>
<thead>
<tr>
<th>Name of Tree</th>
<th>Big</th>
<th>Medium</th>
<th>Small</th>
<th>Sapling</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teak</td>
<td>0</td>
<td>0</td>
<td>20</td>
<td>30</td>
<td>50</td>
</tr>
<tr>
<td>Bamboo</td>
<td>0</td>
<td>60</td>
<td>0</td>
<td>0</td>
<td>60</td>
</tr>
<tr>
<td>Jeckfruit</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Medicine</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Grand Total Tree</td>
<td>2</td>
<td>60</td>
<td>20</td>
<td>30</td>
<td>112</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya
29. Table-5 shows the types and sizes of affected trees. In total 112 trees are being considered for acquisition. Among them 2 are big, 60 are medium, 20 are small and 30 are sapling.

<table>
<thead>
<tr>
<th>Name of tree</th>
<th>Big</th>
<th>Medium</th>
<th>Small</th>
<th>Sapling</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teak</td>
<td>0</td>
<td>0</td>
<td>20</td>
<td>30</td>
<td>50</td>
</tr>
<tr>
<td>Bamboo</td>
<td>0</td>
<td>60</td>
<td>0</td>
<td>0</td>
<td>60</td>
</tr>
<tr>
<td>Jeckfruit</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Medicine</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya

30. Table-6 elaborates the species of the affected trees. The table finds only 4 (four) species of trees will be acquire.
IV: SOCIO-ECONOMIC SURVEY (PROFILES OF THE AFFECTED PERSON)

31. On 18 May 2014 Local LGED (Bandarban Upazila Engineer) handed over the existing road alignment with a sketch map to the respective staff of Taungya. An extensive socio-economic survey (SES) was carried out by Taungya for this purpose based on a structured questionnaire (attached as Annex - 1). The survey respondents included the affected person/family along the indicative ‘right of way’ (RoW) as per the maps and other documents provided by LGED and whose land and/or other properties are under acquisition for the road. The survey was carried out on 26 May 2014. The collected survey data were extensively cross-checked to eliminate any eventual errors throughout the month September 2014.

32. The survey was carried out with extensive consultations and participation of the communities, Affected Person (AP) and the local level leaders, such as Headmen, Karbari, religious persons, Upazilla & Union Parishad Chairmen and members.

33. The SES questionnaire format provides detailed information about the AP such as total number of family members, sex, age, and occupation, level of education and level of family income. This also includes detailed information on their total land holdings, type of land and tenure, and as well as the overall amount of land under acquisition along with standing structures, trees on these lands. The survey findings are presented in table 7 to 11 below with analysis.

TABLE 7: TOTAL AFFECTED POPULATION BY GENDER AND PERCENTAGE

<table>
<thead>
<tr>
<th>Population</th>
<th>Number of population</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>5</td>
<td>62.50</td>
</tr>
<tr>
<td>Female</td>
<td>3</td>
<td>37.50</td>
</tr>
<tr>
<td>Total</td>
<td>8</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya

34. Table-7 shows the population of the Affected Person’s (AP) total family members by gender and percentage. Female with 37.50 percent will affect less percentage than the male with 62.50 percent.
TABLE 8: AGE GROUP OF POPULATION BY GENDER

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Male</th>
<th>Percentage (%)</th>
<th>Female</th>
<th>Percentage (%)</th>
<th>Total</th>
<th>Both of percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1--10</td>
<td>0</td>
<td>0.00</td>
<td>1</td>
<td>33.33</td>
<td>1</td>
<td>12.50</td>
</tr>
<tr>
<td>11--20</td>
<td>1</td>
<td>20.00</td>
<td>0</td>
<td>0.00</td>
<td>1</td>
<td>12.50</td>
</tr>
<tr>
<td>21-30</td>
<td>3</td>
<td>60.00</td>
<td>1</td>
<td>33.33</td>
<td>4</td>
<td>50.00</td>
</tr>
<tr>
<td>31-40</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>41-50</td>
<td>0</td>
<td>0.00</td>
<td>1</td>
<td>33.33</td>
<td>1</td>
<td>12.50</td>
</tr>
<tr>
<td>51-60</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Above 60</td>
<td>1</td>
<td>20.00</td>
<td>0</td>
<td>0.00</td>
<td>1</td>
<td>12.50</td>
</tr>
<tr>
<td>Total</td>
<td>5</td>
<td>100</td>
<td>3</td>
<td>100</td>
<td>8</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya

35. Table-8 shows the types and sizes of affected trees. In total 112 trees are being considered for acquisition. Among them 2 are big, 60 are medium, 20 are small and 30 are sapling.

TABLE 9: OCCUPATION BY GENDER AND PERCENTAGE

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Male</th>
<th>Percentage (%)</th>
<th>Female</th>
<th>Percentage (%)</th>
<th>Total</th>
<th>Both of percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>4</td>
<td>80.00</td>
<td>0</td>
<td>0.00</td>
<td>4</td>
<td>50.00</td>
</tr>
<tr>
<td>Business</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Student</td>
<td>0</td>
<td>0.00</td>
<td>1</td>
<td>33.33</td>
<td>1</td>
<td>12.50</td>
</tr>
<tr>
<td>Housewife</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>66.67</td>
<td>2</td>
<td>25.00</td>
</tr>
<tr>
<td>Service</td>
<td>1</td>
<td>20</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>12.50</td>
</tr>
<tr>
<td>Total</td>
<td>5</td>
<td>100</td>
<td>3</td>
<td>100</td>
<td>8</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya

36. Table-9 explains the occupation of the Affected Person’s (AP) family members. In total 50.00 percent people are involve in agriculture as main profession.
### TABLE 10: LEVEL OF EDUCATION BY GENDER

<table>
<thead>
<tr>
<th>Qualification</th>
<th>Male</th>
<th>Percentage (%)</th>
<th>Female</th>
<th>Percentage (%)</th>
<th>Total</th>
<th>Both of percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiterate</td>
<td>1</td>
<td>20.00</td>
<td>2</td>
<td>66.67</td>
<td>3</td>
<td>37.50</td>
</tr>
<tr>
<td>Play</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Primary</td>
<td>1</td>
<td>20.00</td>
<td>1</td>
<td>33.33</td>
<td>2</td>
<td>25.00</td>
</tr>
<tr>
<td>Secondary</td>
<td>2</td>
<td>40.00</td>
<td>0</td>
<td>0.00</td>
<td>2</td>
<td>25.00</td>
</tr>
<tr>
<td>SSC</td>
<td>1</td>
<td>20.00</td>
<td>0</td>
<td>0.00</td>
<td>1</td>
<td>12.50</td>
</tr>
<tr>
<td>HSC</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Madrasha</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>BA/ BSS/BSC</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>MA/ MSS/MSC</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>5</td>
<td><strong>100</strong></td>
<td>3</td>
<td><strong>100</strong></td>
<td>8</td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya

37. Table-10 narrates the level of education of the affected people. It shows that 37.50 percent of people is illiterate. Female will be affected more than 66.67 percent.

### TABLE 11: LEVEL OF HOUSEHOLD INCOME (YEARLY)

<table>
<thead>
<tr>
<th>Level of income</th>
<th>Number of household</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above 1,80,000</td>
<td>1</td>
<td>100</td>
</tr>
<tr>
<td>1,20,001- 1,80,000</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>60,001- 1,20,000</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Below 60,000</td>
<td>1</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Raicha SES, MAY 2014 by Taungya

38. Table-11 shows the annual income of the Affected Person (AP). The family earns more than 1, 80,000 Taka per year. It shows that a better economical condition of the affected family.
V. RESSETLEMENT POLICY FRAMEWORK

A. CHT LAND ADMINISTRATION FRAMEWORK

39. Many of the laws that apply to the rest of the country, including the code of civil procedure, 1908, and the East Bengal State Acquisition and Tenancy Act, 1950, and the Land Acquisition Ordinance, 1982, do not apply to the region. The CHT Regulation of 1900 is the single most important law for the CHT. The Regulation functions as of constitutional legal instrument and vet the application of other laws that apply to the region, among others, by Specifying the nature and extent of application of those laws. Other special laws that apply to the CHT include the CHT Land Acquisition Regulation, 1958, the Hill District Councils Acts of 1989, the CHT Regional Council Act of 1998 and the CHT Land Disputes Resolution Commission Act of 2001.

40. The Acquisition and Requisition of immovable property Ordinance (ordinance II of 1982) and its Subsequent amendments in 1993 and 1994 provide the current legal framework in Bangladesh outside the CHT Governing land acquisition for public purposes. The 1982 Ordinance covers all cases of acquisition and requisition of immovable property (i.e. Land, crops, and built structures) for any public purpose or in the public interest. The Ordinance does not cover project APS without title or ownership records, such as uthulies (informal settlers/squatters/encroachers), or Khas land cultivators. Further, in most of the cases the compensation paid does not constitute market or replacement value of the property acquired.

41. Land acquisition in the CHT is under a different legal Framework from the rest of Bangladesh. The CHT has had the status as a special region since the British period. Most of the land in the CHT belongs to the Government either as Reserve Forest (RF) or as Unclassified state Forest (USF). The Chittagong Hill Tract Regulation 1 of 1900 was the sole legal instrument for the governance and administration of the CHT. Under the regulation the DC could reoccupy land even though settlement of the same might have been given earlier. The regulation prescribed payment of compensation for various interests in the case of land acquisition.

42. With the impending Kaptai hydro project dam construction, the Government found it expedient to clarify the government’s authority for acquisition of a huge tract of land that would be inundated, the Government replaced parts of the CHT Regulation 1 of 1900 with the CHT (Land Acquisition) Regulation, 1958, which remains as the most important legal instrument for the government with regard to land acquisition in the CHT for an unofficial translation the regulation). After the Peace Agreement (PA) of December 2, 1997 between the Government and the PCJSS, several provisions of the local Government Acts of 1989 were amended, so that the Government cannot acquire land owned by an individual as per CHT Regulation 1 of 1900 or under any rules of the
Regulation without consultation with the HDC (Section 64). It is also equally important to note that no prescribed rules were developed to describe how the Land Acquisition Ordinance, 1958, would be applied in day-to-day land acquisition cases in the CHT. So in the absence of such rules under CHT Land Acquisition Ordinance 1958, the Land Acquisition Ordinance 1982 are applied to the CHT as well as to the rest of Bangladesh.

B. ADB’S INVOLUNTARY RESETTLEMENT POLICY

43. ADB’s 2009 Safeguard Policy Statement (SPS) summarizes involuntary Resettlement safeguards, as follows:

1. SPS INVOLUNTARY RESETTLEMENT SAFEGUARDS

   Objectives: To avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

   Scope and Triggers: The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (Loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of:

   - Involuntary acquisition of land, or
   - Involuntary restrictions on land use or on access to legally designated parks and protected areas
   - It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

   SPS principles:

   - Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including the gender analysis, specifically related to resettlement impacts and risks.
   - Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations.
   - Inform all displaced persons of their entitlements and resettlement options
   - Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs.
   - Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous People, and those without legal title to land, and ensure their participation in consultations.
   - Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons’ concerns.
   - Support the social and cultural institutions of displaced persons and their host population.
Where involuntary impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- Improve, or at least restore, the livelihoods of all displaced persons through land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods.
- Prompt replacement of assets with access to assets of equal or higher value.
- Prompt compensation at full replacement cost for assets that can’t be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- Provide physically and economically displaced persons with needed assistance, including the following:
  - If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities
  - Transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and extension of project benefits to host communities
  - Civic infrastructure and community services, as required.
- Improve the standards of living of the displaced poor and other vulnerable groups; including women, to at least national minimum standards, in rural areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlements will maintain the same or better income and livelihood status.
- Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- Prepare a resettlement plane elaborating on displaced persons’ entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time bound implementation schedule.
- Disclose a draft resettlement plane, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- Pay compensation and provide other settlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.
C. CHTRDP-II’s LAR Policy

44. In 2007 draft National Policy on Resettlement and Rehabilitation (NPRR) was prepared under the Ministry of Land with the help of an ADB Technical Assistance (TA). The NPRR is designed to address and mitigate both Project and Non-Project, i.e. river erosion and slum eviction, induced impacts and displacement with provision for appropriate assistance and rehabilitation. The NPRR is based on the premise that for achieving overall socioeconomic development it is imperative to safeguard the interest of those affected who cannot absorb the risks and costs of national development. This policy is still in the process of evaluation and approval by the Government. As a result the 1982 Ordinance is still being followed for all the cases of land acquisition and requisition throughout Bangladesh, with the exception of the CHT, where the CHT (Land Acquisition) Regulation, 1958 applies.

45. In the absence of an approved Government policy consistent with the ADB’s recent 2009 SPS, a Project-specific land acquisition and resettlement framework (LARF) has been prepared for this Project. This will ensure that APs impacted by land acquisition – whether it is owned land or occupied through formal or informal agreement or without any title or agreement – will be eligible for appropriate compensation covering replacement value of their to-be lost assets.

46. The LARF, which was officially agreed upon between the Government of Bangladesh and ADB to be implemented in this Project, reflects the Government land acquisition laws/regulation as well as ADB’s SPS, which covers environmental, involuntary resettlement and IP polices. The LARF stipulates eligibility and provisions for all types of losses, including land (titled, untitled and IP Common Land), crops, trees, fisheries and fish ponds, structures, business, employment covering (workdays and wages) and social infrastructure.

47. The LARF also endorses an income restoration plans for SAPs. In addition to income restoration and cash assistance, the LARFs will include opportunities for Income Generation Activities (IGAs). SAP preferences for IGAs will be assessed prior to designing these income restoration measures provided for eligible SAPs involuntarily displaced from their homes, losing more than 10 percent of their assets or income sources, and including non-titled persons affected by the Project, will receive priority access to the IGAs. The Project’s Micro Agribusiness Development (MAD) will provide opportunities for SAPs to choose IGAs appropriate to their situation. MAS’s objective will be to increase the income of poor households, with SAPs receiving priority through LARP budgetary provisions in addition to the existing MAD budget, by promoting the development of market-driven micro agribusiness in four selected products, namely: (i) fruits (orange, mango, litchi); (ii) vegetables (brinjal and cucurbits); (iii) pond fisheries; and (iv) medicinal plants. The component will also support market facility development (to be financed under the rural roads component of CHTRDP-II) and action research on
potential high-value crops such as leaf. Other options may be offered through NGOs, such as in nurseries and livestock.

48. The Project's resettlement planning and implementation will be carried out in full consultation with the APs, and all efforts will be made to minimize disruption during Project implementation. AP's preferences will be taken into account in the selection of alternative relocated sites (if any). A census will be conducted once the details of subproject works have been identified. The date of the census will become the Cut-Off Date for resettlement benefits and any encroachers or informal settlers after the date will not be CHT 1958 LA Regulation, notification by the DC under Section 3 of the 1958 Ordinance, will constitute the Cut-Off Date.

49. In summary, the LARF will establish a dual process of acquiring land for the roads. One process will be through CCL by DC Office following the CHT LA 1958 Regulation with the Hill District Council Act of 1998 amended so that the Government cannot acquire land owned by an individual, as per CHT Regulation 1of 1900, without consultation with the HDCs.

50. The other process, established through precedence over several decades addresses the gap between the legal framework for land acquisition in Bangladesh (and in this case in the CHT) and ADB’s SPS. This provides for grants, such as “top-up” for land and structure payments under CCL to market price/replacement levels, payment for shifting costs, grants for vulnerable APs (women, headmen, households, IPs, among others), and Income Restoration Plans for SAPs losing more than 10 percent of their land and/or shifting residents/businesses.

51. In line with this latter process, the LARF will provide a grant for IP common land. This is in line with ADB’s SPS respecting IP customary and ancestral lands, as well as international IP conventions that Bangladesh is a signatory to. The LAR Framework outlines a process for verifying registered and unregistered IP common land through the customary land management based on the CHT Regulation I of 1900 that set up a land administration through Circle Chiefs, Headmen, and Karbaris. Grants for IP Common land will be awarded to IPs and non-IPs alike who have been certified by Headmen, Circle Chiefs and finally by the HDCs.

D. OBJECTIVES OF THE LAND ACQUISITION AND RESETTLEMENT PLAN (LARP)

52. The land Acquisition and Resettlement plan (LARP) has been prepared taking into account the findings of the sample survey data, field visit and meetings with different level of stakeholders and FGD. The LARP identifies:
- The extent of losses
- The policies and legal framework applicable
- Provisions made for compensation payment and income restoration programs
• provision made for facilitating/helping the SAP, indirectly affected persons in reestablishing their incomes
• Responsibilities of Chief Resettlement Officer (CRO), District Resettlement Officer (DRO) and others in delivering and monitoring the implementation measures.

E. LAR Entitlements

53. An Entitlement Matrix has been prepared on the basis of currently known impacts (Table 12). It identifies the categories of impact based on surveys carried out in the four subproject areas and shows the entitlements for each type of loss. This entitlement matrix will be applicable for this subproject where ever it is applicable or relevant. If new impacts are identified during implementation of LARPs for this subproject in future then such losses will be included in the entitlement matrix and the LARP will be the appropriately revised.

54. By following the Project’s LARF policy all the affected people irrespective of their legal status will be compensated for any kind of loss caused due to project implementation. The customary right to the property of the IPs will be ensured. The losses will cover loss of property (land, structure, trees, crops, common property resources and others), livelihood and other unanticipated losses. They will receive compensation at replacement rate as assessed by the census and Socio Economic Survey (SES), Land Market Survey (LMS), Structure Replacement Value Survey (SRVS) and Tree Valuation Survey (TVS). Based on these survey data and through own assessment, the Property Valuation Assessment Team (PVAT) will determine the Maximum Allowable Replacement Value (MARV) of the lost property.

55. In the project area two groups of people have been identified, IPs and Bengali people (plain-landers who migrated before and after the 1980s to the CHT). The IPs have three kinds of land ownership: (1) Registered Land (from the DC) with proper documents; (2) Those who applied for registration long ago (here, in line with the ADB’s SPS, termed as ‘legalizable’); and (3) Common/Community Land used/Owned through Customary/Traditional bondobosti (lease) from the Circle Chief (CC) through appointed Headmen. The Bengalis who came before the 1980s have assimilated themselves with the IPs and to a great extent have more or less a similar kind of land ownership system as the IPs. On the other hand the Bengalis who came during and after the 1980s (locally called as ‘Settlers’) got legal papers of land ownership from the government. Some of them are enjoying their legally registered land, but many are unable to enjoy their land, which was in fact IP common land, categorized by the government as ‘Khas’ Land. Through security concerns, many of them are squatting on other more accessible and unprotected Khas land or have engaged in ‘land grabbing’, taking IP land without either Government or any other permission. In many of the above cases the Bengali ‘Owned’ land through Government documents, given through the 1980s ‘transmigration’ program.
supporting lowland Settlers who moved to the CHT, is simultaneously claimed by IPs through tradition/customary rights outlined in the above LARF sections.

56. In the Entitlement Matrix (table-13), all the issues have been addressed by identifying nature and categories of losses, identifying the Entitled persons (EPs) through proper definition, their entitlements for the losses. The matrix describes the units of the entitlements for compensating the lost assets, and various resettlement and rehabilitation benefits. The matrix also addressed the implementation issues step with corresponding responsible organizations to implement that.

57. The DC will compensate CCL according to the GOB’s regulations for loss of property on registered land with approval of HDC; and an additional grant (top-up) will be paid by PMO/HDC through the NGO to cover the MARV. The PMO/HDC will also provide grants through the NGO to APs who do not own registered land but have customary/traditional leased land registered by the Headman/Circle Chief. The PMO/HDC will also provide grants to squatters/informal/settlers/encroachers or APs/SAPs without any legal status according to GOB ordinances if they are confirmed by project census as users of the acquired land.

58. The Entitlement Matrix also addresses the loss of access to income, livelihood and common property resources or any utility services by the APs/SAPs. The HDC will take appropriate measures to restore lost livelihood through providing training or other appropriate support for the APs/SAPs. Special attention has been given in the Entitlement Matrix for the vulnerable APs/SAPs, including female-headed households, marginalized IPs, families with disabled members, and others. Vulnerable HHs will qualify for additional assistance/grant, as specified in the entitlement Matrix.

59. All APs will be entitled for compensation and resettlement assistance based on severity (significance) of impacts. Nevertheless, eligibility to receive compensation and other assistance will be limited by the cut-off date for compensation under law (Ordinance II of 1982 and its 1994 amendments) is considered for those identified on the project ROW acquisition at the time of serving of notice under Section 3 or joint verification by DC and the Requiring Body (RB), in this case the HDCs, whichever is earlier. The cut-off Date eligibility for resettlement assistance/grant under this LARF is the commencement date of the census for a given subproject. The absence of legal title will not bar APs from compensation or grants, as specified in the entitlement Matrix below.

60. The Entitlement Matrix of the LARF endorses 17 kinds of Entitlements in terms of related losses. Out of these entitlements, serial number 1, 7, 8 and 9 will be mostly applicable for this project and accordingly an entitlement matrix has been prepared with applicable entitlements. The matrix is in the table -12.
**Table 12: Entitlement Matrix and Responsible Implementation Agencies**

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<tr>
<td>1</td>
<td>Loss of Registered Land with proper document (Agriculture, Commercial, Homestead, Hill, Jhum land, Pond, Orchard)</td>
<td>Legal owner of the land at the time of serving notice under Section 3 of LA Laws Indigenous People (IP) /Bengali migrants came after 1980s</td>
<td>i. Replacement land or Cash Compensation under Law (CCL), Market Value assessed by Deputy Commissioner (DC) plus premium as per Law, and&lt;br&gt;ii. Additional grant to cover Maximum Allowable Replacement Value (MARV) of land&lt;br&gt;iii. Stamp duty to facilitate land purchase&lt;br&gt;iv. Compensation for standing crops assessed by DC/Property Valuation Assessment Team (PVAT)&lt;br&gt;v. Land development cost for homestead loser (if applicable) assessed by PVAT</td>
<td>a. Assessment of quantity and quality of land&lt;br&gt;b. Assessment of Market Value&lt;br&gt;c. Assessment of MARV by Land Market Survey (LMS)&lt;br&gt;d. Title updating&lt;br&gt;e. Payment of CCL&lt;br&gt;f. APs will be fully informed of the entitlements and procedures regarding payment&lt;br&gt;g. Additional cash grant to cover the Replacement Value (RV) of land will be paid before or /during vacating the project site (even before receiving CCL, if necessary)&lt;br&gt;h. Stamp duty will be due to an EP @7% of the MARV to facilitate in purchasing alternate /replacement land&lt;br&gt;i. Compensation for standing crops from DC</td>
<td>a. DC, Hill District Council (HDC)&lt;br&gt;b. DC, HDC&lt;br&gt;c. HDC, Resettlement-NGO (R-NGO)&lt;br&gt;d. DC, HDC&lt;br&gt;e. DC, HDC&lt;br&gt;f. HDC, R-NGO&lt;br&gt;g. HDC, R-NGO&lt;br&gt;h. Chief Resettlement Officer (CRO), R-NGO&lt;br&gt;i. DC, HDC</td>
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<td>2</td>
<td>Loss of Homestead/Commercial and Other Infrastructure by Owner (Registered land)</td>
<td>Legal owner of the land at the time of serving LA notice Section 3 as recorded in the LA award Book</td>
<td>i. CCL&lt;br&gt;ii. Additional grant to cover RV of the structure&lt;br&gt;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&lt;br&gt;iv. Owner will be allowed to take all salvageable materials (free of cost)</td>
<td>a. Assessment of no. and quality of structure&lt;br&gt;b. Assessment of market value&lt;br&gt;c. Assessment of MARV by LMS&lt;br&gt;d. Title updating&lt;br&gt;e. Payment of CCL&lt;br&gt;f. APs will be fully informed of the entitlements and procedures for getting those&lt;br&gt;g. Additional grant to cover the MARV of the structure&lt;br&gt;h. Allowed to take away the salvageable</td>
<td>a. DC, HDC&lt;br&gt;b. DC, HDC&lt;br&gt;c. R-NGO/HDC-CRO&lt;br&gt;d. DC&lt;br&gt;e. DC&lt;br&gt;f. R-NGO, HDC-CRO</td>
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<td>3</td>
<td>Loss of Access to any Cultivable Land /pond by Farmers, Tenant/Sharecroppers including cultivators of communal land</td>
<td>Farmers, tenants and sharecroppers of the land under contract as identified by the SES to be compensated</td>
<td>i. Grants for Transition Allowance equivalent to one year’s net income from the cultivable land to farmer, tenant/sharecropper, based on Current Market Value (MV) assessed by PVAT of the land</td>
<td>i. TG @ 12.5% or 5% of the assessed value of the structure</td>
<td>g. HDC-CRO/R-NGO, h. HDC-CRO/R-NGO</td>
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<td>v. Re-Construction Grant (RCG) @ 12.5% of the value of all structures assessed by the PVAT for titled owners</td>
<td>j. RCGs @ 12.5% of the assessed value of the structure</td>
<td>i. HDC-CRO/R-NGO</td>
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<td>vi. Special assistance for Female Headed/Vulnerable Households/smaller IP groups @ Tk 2,000, Tk 3,000 and Tk 5,000 for <em>kutcha</em>, <em>semi-pucca</em> and <em>pucca</em> structure</td>
<td>k. Special Assistance to Female Headed Households/Smaller IP Groups by category of the structure</td>
<td>j. HDC-CRO/R-NGO</td>
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<td>vii. Land/Homestead Development Grant (LDG/HDC) assessed by PVAT (if applicable)</td>
<td>l. Homestead loser will be eligible to get Homestead Development Grant</td>
<td>k. HDC-CRO/R-NGO</td>
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<td>viii. Special Assistance of Tk 5,000/ for Vulnerable Households having disabled member in the family</td>
<td>m. Special assistance to Vulnerable Households with disabled family member</td>
<td>l. HDC-CRO/R-NGO</td>
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<td>m. HDC-CRO/R-NGO</td>
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<td>4</td>
<td>Loss of Trees/Perennials on registered land</td>
<td>Persons with ownership of the land (registered) where the trees are located and crops are grown at the time of taking possession for the project</td>
<td>crops/fish</td>
<td>d. SES will identify the farmer (cultivator of common land), tenant /share cropper and endorsed</td>
<td>d. R-NGO/ HDC</td>
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<td>i. Assessment of loss and market value of the loss</td>
<td>a. HDC/R-NGO-CRO</td>
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<td>ii. Payment of Cash Compensation for the losses.</td>
<td>b. HDC /RNGO-CRO</td>
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<td>iii. Additional cash grant to cover the RV of the lost tree/perennials (if necessary for registered land owner)</td>
<td>c. R-NGO/HDC</td>
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<td>iv. Owner will be allowed to fell and take the tree and fruits, after payment of compensation</td>
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VI. COMMUNITY CONSULTATION AND PARTICIPATION

A. COMMUNITY CONSULTATION AND STAKEHOLDERS’ PARTICIPATION

61. The entire LAR process, from gathering relevant data for impact assessment, and facilities and development of appropriate options for resettlement of the affected people, has been carried out with extensive consultation and participation of the APs, SAPs and others relevant institutional stakeholders. For the purpose of elaborating of the present LARP, a number of such consultation meetings were held, as detailed in Annex - 2 which shows the schedules and contents of discussion with the stakeholders.

62. The consultation followed the principles of ‘free, prior and informed consent’ (FPIC) by which the only Affected Person (AP) provided the relevant information beforehand and subsequently invited to give the opinion and finally, consent.

63. These principles will be followed during the implementation of the LARP and throughout implementation of CHTRDP II’s LAR related activities. This will include planning and implementation of LAR related activities, monitoring, grievance redress and as well as information disclosure.

B. INFORMATION DISCLOSURE

64. A summarized version of the LARP will be printed as a booklet in Bengali and disclosed to the AP once the cut-off date is established. Given that a significant number of the APs and the neighboring communities are not able to read in Bengali, special discussion will be held with the AP and the communities in presence of the community elders/leaders. Finally, the LARP will be hosted on the ADB/CHTRDP website for public access and scrutiny.

What is Free, Prior and Informed Consent (FPIC)?

- **FPIC** is a decision-making process:
  - **Free**: does not involve intimidation, coercion and/or manipulation;
  - **Prior**: decision is made before initiatives/activities are undertaken;
  - **Informed**: All relevant issues and potential impacts – positive of negative – are clearly understood by the affected peoples/persons;
  - **Consent**: Based on the above, to say ‘Yes’ or ‘No’ to any activity, programme or policy
- FPIC is an emerging international standard but surely, it is not a new concept.
VII. GRIEVANCE REDRESS MECHANISM

65. A GRC will be formed at the district level as outlines in the above-mentioned MoCHTA's Executive Order and the project’s LARF Implementation Guidelines. The GRC will receive grievance cases from the APs and SAPs through the NGO and give deliberations to resolve resettlement and compensation issues. However, the grievance cases will be heard at first at a local – Union – level at an Alternative Dispute Resolution Forum (ADRF) formed for the purpose of CHTRDP II. In all hearings – ADRF or GRC – the R-NGO will arrange the presence of a legal adviser as an observer and also to facilitate and support the APs in finding a solution to the cases of grievances.

66. If a case of grievance is not resolved at the ADRF and GRC level, this will be referred to the project’s Resettlement Advisory Committee (RAC), although all through the process the APs/SAPs will have the right to seek appropriate recourse before a competent court of law of Bangladesh.

67. The representative of the NGO, as the member secretary of the GRC, upon receipt of complaints, wills organize a GRC hearing. All grievance cases submitted before the GRC will be settled within fifteen (15) days of receiving the complaints from the AP.

68. The composition, role and functions of the GRC, RAC and ADRF is provided in the subsequent sections of this document on pages 50-52 which is validated through the MoCHTA Executive Order (Ref. No 29.226.014.00.00.203-2013-462). The overall GRC mechanism is provided in the flow chart next page-33.
FIGURE 4: GRIEVANCE REDRESS MECHANISM

Three Tiers of Redress Mechanism

Aggrieved Person

Application Submitted to ADRF through R-NGO

Not Mitigated

Mitigated

Forwarded to GRC with a copy of verdict of ADRF

Not Mitigated

Mitigated

Forwarded to RAC with a copy of verdict of GRC

Not Mitigated

Mitigated

Aggrieved Person may take shelter to the formal court of law

ADRF Composition
1. Headman/UP Chairman, Chairperson
2. Karbari
3. Female Ward Member
4. One Female elite
5. One male elite

GRC Composition
1. Chairman or Representative, HDC, Chairperson
2. Representative, DC Office
3. Land Officer, HDC, Member
4. NGO representative, Member Secretary
5. Representative, UP, Member
6. 2 Representative of the APs, Members (at least 1 being a woman

RAC Composition
1. Honorable Chairman or Representative CHTRC, Chairperson
2. Representative, MoCHTA, Member
3. Honorable HDC Chairmen of the 3 Hill Districts or their nominated councilor as representatives, Member
4. Deputy Commissioner of the 3 Hill Districts or their nominated representatives, Member
5. 3 Circle Chief, Member

Aggrieved Person may take shelter to the formal court of law
VI. LARP (SAFEGUARD ISSUES) IMPLEMENTATION ARRANGEMENTS

69. MoCHTA is the Executive Agency for the project with CHTRC having the responsibility of implementing Agency. The office of the Project Director is established within CHTRC with responsibility for the overall management and coordination of the project. A Safeguard and Quality Monitoring Cell (SQMC) has been already established in the office of the Project Director with the following two-fold reporting responsibilities: (1) to the Project Director; and (2) independently to ADB. The role of the SQMC will be to ensure that the project is implemented with due concern for safeguards and quality and, specifically to ensure that these issues are adequately addressed to the requirements of ADB.

70. The failure to adequately address any safeguard or quality aspect will cause the Project Director to withhold the disbursement of funds to the defaulting agency until such time the process to rectify the fault is put in progress.

71. The Project Director will disburse funds in separate directions: (i) to LGED for the implementation of the Roads and Market Component; and (ii) to each project sub-office, established in each of the three HDC offices. Implementation arrangement is shown in the Figure next page.

72. In implementing this component, LGED will require to:

- Satisfied the financial audit requirements of ADB;
- Satisfy all safeguard requirements of the Government and ADB in terms of: LAR, Gender, IPs, and the environment;
- Meet quality standards for design and construction as required by the Government and ADB;
- CHTRC will subcontract Upazila and Union Road design to well qualified private engineering firms having capacity to meet international design standards;
- Seek CHTRC approval, through the Project Director, for the alignment of proposed union and Upazila roads at the preliminary planning stage;
- Allow access to the personnel of the SQMC to scrutinize and aspects of proposed, ongoing, or completed work, at the time; and
- Provide information on progress to the Project Director on a monthly and quarterly basis in a format and on a schedule to be determined.
FIGURE 5: PROJECT IMPLEMENTATION ARRANGEMENT

73. The overall implementation of the LAR activities involves a range of committees and stakeholders, as outlined in detail in the CHTRDP II’s LARF Implementation Guidelines which is approved by the above-mentioned MoCHTA Executive Order. This is also applicable to the implementation of the present LARP for the Raicha-Goalikhola Road. The Committees and Institutions involved are;
Key Institutional Stakeholders in the LAR Guidelines Implementation

**Oversight and Policy Guidance & Backstopping**

- Local Government Engineering Department (LGED)
- District Project Management Office (DPMO)
- Hill District Council (HDC)
- Project Management Office (PMO)
- CHT Regional Council (CHTRC)
- Ministry of CHT Affairs (MoCHTA)
- Safeguard Quality & Monitoring Cell (SQMC)
- Project Implementation Consultant (PIC)

**Specific to Implementation of LAR Activities**

- Resettlement Advisory Committee (RAC)
- LAR Assessment/Estimation Committee (LARAEC)
- Property Valuation Assessment Team (PVAT)
- Alternative Dispute Resolution Forum (ADRF)
- Grievance Redress Committee (GRC)
- Non-Government Organizations (NGOs)
- Office of the Deputy Commissioner
- Office of the Circle Chief and Headmen

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A. LARP IMPLEMENTING ORGANIZATIONS

74. MoCHTA, through the CHTRC and the HDCs, has overall coordination, planning, implementation and financing responsibilities. The Project Director or a person nominated by him will serve as Chief Resettlement Officer (CRO) for the purpose of execution of the present LARP. The CRO is responsible for the supervision of the implementation work, with the help of HDC and the R- NGO. The District Resettlement Officer in each Hill District will assist the CRO.

A.1. OVERSIGHT AND POLICY GUIDANCE & BACKSTOPPING

**Local Government Engineering Department (LGED)**

75. LGED is the implementing agency of the Rural Road component of CHTRDP-II. Although, it has an autonomous setup for the implementation of the component, it reports to the CHTRC and PMO and its representatives also sits in the various project implementation committees; NPSC, RCC and DCC.

76. As regards to the implementation of the present LARP, the involvement of LGED has the most pivotal role which will necessitate close coordination with LGED between the other stakeholders in the implementation, the most important being with the PIC, NGO, DPMO and PMO.
District Project Management Office (DPMO)

77. The office of the Deputy Project Director (DPD), located in each of the hill districts is responsible to supervise, guide and monitor all CHTRDP-2 activities at the district level. The DPD reports to the PMO and Hill District Council (HDC) on all aspects of the project. Besides, it also is responsible for liaison and coordination, inter alia, for the project NGOs and other support committees, within their respective district and supervises the activities of the NGO subcontracted for the LAR activities.

Hill District Council (HDC)

78. HDCs are the main institutional stakeholders for the implementation of CHTRDP II at district level, including for the LAR activities. It hosts the District Coordination Committee (DCC), chaired by the HDC chairman and the CHTRDP-2 District Project Management Office (DPMO). The HDC is a member of the Resettlement Advisory Committee (RAC) and plays a crucial role acquisition of land and most importantly, in the payment of compensation and rehabilitation of the APs. Finally, the HDCs are key focal institutions at the respective district level for property valuation assessment, grievance redress and in that role, steers the PVATs, ADRFs and the GRCs.
Project Management Office (PMO)

79. The Project Management Office (PMO), headed by the Project Director (PD), is the ‘nerve centre’ for the implementation, management and technical backstopping of the project under the overall supervision and tactical guidance of the CHT Regional Council/ RCC and the Ministry of CHT Affairs/NPSC, within the overall framework of the RRP, DPP and PAM. The PMO, though the DPMO, initiates all LAR activities as required by the project and is responsible for managing the appropriate compensation, rehabilitation and grievance redress of the APs as per the project’s LAR guidelines and in overall reference to ADB’s SPS and the relevant laws of Bangladesh.

CHT Regional Council (CHTRC)

80. CHT Regional Council is the lead implementing agency of CHTRDP II and the honorable Chairman is the ex-officio Chairman of the Regional Coordination Committee (RCC). Similar to NPSC, the RCC is composed of members from relevant government agencies and department and CHT representatives is responsible for the overall coordination and management of day to day implementation of the project, carried out by i) The Hill District
Councils (HDCs), ii) Local Government Engineering Department (LGED), iii) the Project Management Office and (iv) Participating NGOs.

81. As regards the execution of LAR activities, the CHTRC leads the RAC and also plays a major role in the redressing of grievance from the APs. It also plays an important role in policy guidance to the PMO and the other stakeholders.

Ministry of CHT Affairs (MoCHTA)

82. The Ministry of CHT Affairs is the Executing Agency and chairs the National Project Steering Committee (NPSC) with the honorable Minister or his designated officer serving as ex-officio Chairperson of the committee. The NPSC include as members, representatives from various relevant government ministries and agencies and as well as CHT Regional Council and Circle Chiefs with the Project Director, PMO, CHTRDPII as the Member-Secretary. The key responsibility of the NPSC includes:

- Overall co-ordination and management of the project at the national level including co-ordination with donors and Government agencies;
- Ensuring timely budgetary allocation to the Project Management Office (PMO) for the purposes of the project; and
- Ensuring that necessary national level approval is timely obtained for the carrying out the project.

83. As regards LAR, MoCHTA’s role is crucial. It issues the requisite policy and legal orders in the form of government circular and ordinance to legally sanction the LAR activities, and where such orders/ordinance requires the involvement of other agencies of the government, it ensures the necessary facilitation and mobilization. Most importantly, MoCHTA issued the EO (already mentioned above) to give administrative sanction to the CHTRDP II’s LAR activities.

Safeguard Quality & Monitoring Cell (SQMC)

84. The SQMC is an Independent entity comprising two national consultants who will ensure that the Project is implemented with due concern for safeguards and quality and specifically to ensure that the following issues are adequately addressed in accordance to the respective ADB policies and guidelines related to

1) compensation for land asset acquisition;
2) compensation for loss of income;
3) continuing tenure of land by the original users;
4) gender;
5) indigenous people;
6) environment, and
7) quality of work necessary to ensure sustainable outputs.

Project Implementation Consultant (PIC)

85. The scope of PIC’s consulting services is to provide technical advice and supervision for overall project implementation. In the context of the LAR activities, the principal support of the PIC with the RS as lead includes, among others:

- Provide overall technical and management support to the PMO, DPMOs, HDCs, R-NGOs with field visit for all land acquisition and resettlement issues.
- Support the R-NGO and DPMO in preparing the LARP and in the case of CI component, DDRs
- Assist the DPMO, PMO and HDCs in the grievance redress to the APs and for this, formulating the requisite tools and mechanisms, including on ADRs.
- Prepare the requisite guidelines, formats and templates on LAR to be used by the R-NGO, DPMO and PMO.
- Assist PMO, DPMOs, R-NGOs and LGED in procurement procedures;
- Provide technical backstopping as requested by the PD, DPDs, HDCs, R-NGOs and LGED at all stages and levels of implementation, from conceptualization, assessments of proposals, design, review of procurement procedures of goods, works and services, contracts, construction phase to completion, and post-completion O & M;

A. 2. SPECIFIC TO IMPLEMENTATION OF LAR ACTIVITIES

Resettlement Advisory Committee (RAC)

86. The role of the Resettlement Advisory Committee (RAC) principally comprises of providing policy guidance and support in the LAR related activities of CHRDP II. Occasionally, it may meet with cases of grievances from the complainants when the verdict of the GRC would require further scrutiny.

87. The RAC will meet as and when required and will be composed of the following:

- Honorable Chairman or Representative CHTRC, Chairperson
- Representative, MoCHTA, Member
- Honorable HDC Chairmen of the 3 Hill Districts or their nominated councilor as representatives, Member
- Deputy Commissioner of the 3 Hill Districts or their nominated representatives, Member
- 3 Circle Chief, Member
- LGED, Member
- Project Director, Member Secretary
LAR Assessment/Estimation Committee (LARAEC)

88. The primary task of the LARAEC will be to carry out exhaustive survey of the overall LAR requirements based on the design of the sub-projects or the Rural Roads by LGED. The presence of the two-thirds of the members will be necessary for making any decision with the presence of the Chairperson and the Member Secretary as mandatory. The LARAEC is composed of the following:

- HDC Chairman or representative, Chairperson
- LO, HDCs for their respective District, Member
- Land Acquisition Officer, Concerned DC office, Member
- Representative, Headmen Association for the respective district, Member
- Representative, UP Chairmen Association, Member
- Representative, DPMO, Member
- Representative, LGED (for RR only)
- Representative, LAR NGO, Member Secretary

The committee is set up in each of the Hill District.

Property Valuation Assessment Team (PVAT)

89. The PVAT determines the Maximum Allowable Replacement Value (MARV) on the basis of the Entitlement Matrix (page-36) for immovable and movable assets such as land and structures by type, and tree, saplings on the lands to be acquired under the project. The project’s Property Valuation Assessment Team (PVAT) is formed with the following;

Representative, HDCs, Chairperson
Representative, Headmen Association/Concern Headman, Member
Land Acquisition Officer, DC Office
Representative, PMO/DPMO, Member
Representative, LGED, Member
Upazila Chairman/Representative, Member
UP Chairmen, Members
Representative of R-NGO, Member Secretary

90. In addition, the PVAT may include further members from appropriate relevant government agencies or representative institutions of the indigenous peoples’ communities. The committee members, all together, take such decisions if deemed necessary.
FIGURE 7: PROPERTY VALUATION ADVISORY TEAM (PVAT) PROCEDURE OF DETERMINING VALUATION

PVAT Members
- CRO, (PMO, HDC)
- NGO Representative
- DC/ Headman Representative

Identification of Alignment and Affected Property by HDC

PVAT to collect information

Key Information's
- Potential Buyer
- Potential Seller
- Deed Writer
- Religious Leader
- Local Elites

Conduct Property Valuation Survey (PVS) for land, Structure, Trees and other assets

Sub-Register office for the recorded value of land/Headman for customary land

CRO for approval of Unit Rate

Prepare Mouza wise existing RV/ Unite Rate

Implementing Agency (PMO, HDC) for preparing Budget with the help of PIC
Alternative Dispute Resolution Forum (ADRF)

91. During LAR implementation, in case of contested claims and grievances, issues will be tried to be addressed locally through informal methods, broadly known as Alternative Dispute Resolution (ADR).

92. The ADRFs will be composed of 3-5 members generally with the Headman as Chairperson of the committee. However, in cases where pertinent, the UP Chairman or other appropriate local level leaders may substitute the Headman in that role. The LAR NGO, together with the NGOs sub-contracted for community mobilization will pay the relevant facilitation role under the overall guidance of the Resettlement Specialist of the PIC and the PMO/DPMO. The other members to the ADR forums will be drawn from the community level under the overall facilitation of the LAR NGO. However, in all such cases the composition of the ADRFs will be limited to 3-5 members which include the Chairperson.

Grievance Redress Committee (GRC)

93. The composition of the GRC is as follows;
   - Chairman or Representative, HDC, Chairperson
   - Representative, DC Office
   - Land Officer, HDC, Member
   - NGO representative, Member Secretary
   - Representative, Headmen Association, Member
   - Representative, Union Parishad, Member
   - 2 representatives of the APs, Members (at least 1 being a woman)

94. The GRC has the power to resolve resettlement and compensation issues preemptive to their being addressed through the legal system. In this regard, it will also be assisted by the ADRFs and will receive grievance cases from the APs through the R-NGO which the ADRFs earlier could not resolve effectively.

Non-Government Organizations (NGOs)

95. The R-NGO is responsible for facilitation and mobilization of the communities and the affected persons and serves in the various committees in the LAR implementation process. Its key responsibilities include;

- Facilitate and assist in the different steps of the LAR implementation process; from socio-economic survey to compensation, relocation and income generation
- Facilitate in the redress of the grievances cases from the communities and the APS.
- Formulate/prepare the LARPs under the overall guidance of the Resettlement Specialist and PMO/DPMO.
- Facilitate the PMO/DPMO and other relevant institutional agents in the effective implementation of the LAR activities.
• Prepare an 'information disclosure plan' for each sub-project under the RR and take initiative for their proper dissemination and disclosure among all the relevant stakeholders and general public.
• Set up pertinent monitoring formats, supervision and reporting mechanism and for the LAR activities with the full participation of the communities
• Finally and most importantly, ensure the full participation and consultation of the communities and affected persons in the LAR activities by following the principles and modalities of the FPIC.

Office of the Deputy Commissioner

96. The DCs have the power to acquire titled land and to assess compensation of properties thus acquired. CHT law provides the power to the DC, who conducts the acquisition through the Land Acquisition Officer (LAO). The LAO or his/her appointed officers, along with HDC, PMO and R-NGO staff, will conduct a joint physical verification of property on the land in accordance with the LARP which will be prepared by R-NGO and submitted to PMO for their necessary review and onward transmission to CHTRC and ADB for further necessary action. The DCs are responsible for the entire acquisition process and compensation. HDC/R-NGO will liaise with the concerned DC office to complete the land acquisition process in a timely fashion.

Office of the Circle Chief and Headmen

97. The Traditional Institutions around of the office of the Circle Chiefs and Headmen still play a very important role in the areas of land and revenue administration, customary land rights and delivery of traditional justice to the communities in the CHT and which is recognized by law. Commensurate to this authority of the Circle Chiefs and the Headmen, community land/Individual grants for loss of lands will be verified by Headmen and Karbaris, with assistance from the R-NGO and Resettlement Specialist. Under this process, users of Community Land/Individual Land, whether registered or not, will be eligible for the grants, and the price of the land will be verified through the PVAT, as with the CCL process.
IX. COMPENSATION AND RESETTLEMENT BUDGET

A. COMPENSATION, RELOCATION AND INCOME RESTORATION

98. The compensation for the APs and SAPs is calculated as follows;

- Registered land: as per recorded price of the lands in the DC/UNO office duly certified the competent officials of these offices. In the cases where such land prices are not available, price of similar land in the vicinity is takes as the benchmark.
- Unregistered land – both customary ownership and land which are considered legalizable: On the basis of estimation by the concerned local headmen and which are further cross-checked by the local stakeholders including records, where available, of recent land sales and purchase.
- Standing structures: standard rates of the Public Works Department (PWD)
- Crops: Standard rates of the District Agriculture Office
- Trees: Standard rates of the Department of Forest
- Business: Those losing their business will not be covered under this provision, as they are likely to be relocated within the same vicinity without dislocation of their client base. They will however receive a business restoration grant which will be decided by the PVAT.

99. In addition to the above standard estimate, a premium according to government rates will be given to the APs and SAPs as part of Cash Compensation under Law (CCL). Further, the PVAT will decide on Maximum Allowable Replacement Value (MARV) to compensate for the market price of the lost assets of the APs and SAPs.

100. The CCL will be paid for the registered land, structures, crops and trees through the DC office following standard government rules. For the unregistered lands which are considered under customary ownership, a comparable process to the CCL will be adopted through the traditional institutions - Circle Chief, Headmen, and Karbaris, as ratified in the 1900 CHT Regulations – and the amount will be paid from the PMO by the HDC. The MARV, once decided by the PVAT, will also be paid by similar method by the HDC.

101. The SAPs will be provided with opportunities for Income Generation Activities (IGAs) with due consideration of their preferences CHTRDP II’s Micro Agro business Development (MAD) component will provide opportunities for SAPs to choose IGAs appropriate to their situation. One time grants will be made in favor of the female headed households with disabled family member.
102. In all cases, the R-NGO will play the necessary role of facilitation and coordination with the PMO, DPMO, DC, HDC and other stakeholders; so that APs, SAPs and female headed households receive their compensation without hassles.

B. RESETTLEMENT BUDGET AND FINANCING

103. The budget below is tentative with a margin of error of +-20%. As the LARP is currently being elaborated, The DC office still has to provide the necessary estimate for CCL. Similarly, the estimate for the customary ownership lands waits for completion by the competent authority i.e. the concerned mouza headmen and the office of the Circle Chief. Consequently, the meeting of the PVAT also is still to be held; so the MARVs and as well as the income restoration and relocation grants for the SAPs and female headed HHs remains undetermined.

104. The budget, thus, is prepared through an extensive survey exercised by taking into account the current market value of the land and as well as the approximate value of the standing structures and crops and trees. The estimate is based upon discussion and consultation with the local market actors, community members, mouza headmen and UP Chairmen. All such discussions were held separately with every respondent by the R-NGO.

105. The total budget amount for the LARP is estimated at TK. **2,502,120.25** (US$ @ TK.77.10). The detailed breakdown is provided in table-13 below:
### Table 13: Indicative Budget for Land Acquisition and Resettlement for Raicha–Goalikhola Road

<table>
<thead>
<tr>
<th>SL</th>
<th>Description</th>
<th>Unit</th>
<th>Quantity</th>
<th>Rate (TK)</th>
<th>Amount (TK.)</th>
<th>US$</th>
<th>Rate (US$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Land with types (land to be acquired)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Settlements (homestead/vita)</td>
<td>Decimal</td>
<td>8.35</td>
<td>35,000</td>
<td>292,250.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Agriculture</td>
<td></td>
<td>35.91</td>
<td>37,000</td>
<td>1,328,670.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Arable land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Forest (hilly land)</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Contingency @ 15% of the sub total A</td>
<td></td>
<td>1,524,050.00</td>
<td>15%</td>
<td>228,607.50</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total land acquisition</strong></td>
<td></td>
<td></td>
<td></td>
<td>1,849,527.50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Trees (calculated based on average rate per annum)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Large size</td>
<td>No</td>
<td>2</td>
<td>3000</td>
<td>6,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Medium size (Bamboo)</td>
<td>No</td>
<td>60</td>
<td>300</td>
<td>18,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Small size</td>
<td>No</td>
<td>20</td>
<td>600</td>
<td>12,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Seedling</td>
<td>No</td>
<td>30</td>
<td>100</td>
<td>3,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total of trees:</strong></td>
<td></td>
<td>112</td>
<td></td>
<td>39,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>Structures</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>House made of mud with CI sheet</td>
<td>SFT</td>
<td>375</td>
<td>700</td>
<td>262,500.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total of Structures (CCL+MARV)</strong></td>
<td></td>
<td></td>
<td></td>
<td>262,500.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>Stamp duties and registration fees for replacement land purchase by all registered land owners @ 7% of the MARV</td>
<td>No</td>
<td></td>
<td>7%</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>Fruit Compensation for big and medium categories of fruit bearing trees (Big-1)</td>
<td>No</td>
<td>3,000.00</td>
<td>30%</td>
<td>900.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Project Disclosure, public consultation and FGDs, surveys, training and income restoration</td>
<td>No</td>
<td></td>
<td></td>
<td>50,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total (D-F)</strong></td>
<td></td>
<td></td>
<td></td>
<td>50,900.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total (A-F)</strong></td>
<td></td>
<td></td>
<td></td>
<td>2,201,927.50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>Contingency @ 10% of the sub total (A-F)</td>
<td></td>
<td></td>
<td>10%</td>
<td>220,192.75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>Social Development activities for SAPs</td>
<td></td>
<td></td>
<td></td>
<td>0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Implementing Agency Operation Cost</td>
<td></td>
<td></td>
<td></td>
<td>80,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Grand Total Cost (TK/US$):</strong></td>
<td></td>
<td></td>
<td></td>
<td>2,502,120.25</td>
<td></td>
<td>32,453 US$ @ TK. 77.10</td>
</tr>
</tbody>
</table>

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X. LARP IMPLEMENTATION

A. LARP IMPLEMENTATION SCHEDULE

106. The LARP will be implemented over a period of three month. It may take 15 September-15 December 2015. This includes from socio-economic survey to payment of compensation. The overall process also includes the meetings of the various committees (LARAEC, PVAT, GRC, ADRFs, etc.) for taking relevant operational decisions and resolution of grievances and disputes.

Following Chart provides the detailed schedule of LARP implementation.

TABLE 14: LARP IMPLEMENTATION SCHEDULE (3 Months)

<table>
<thead>
<tr>
<th>Month</th>
<th>M1</th>
<th>M2</th>
<th>M3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LARP Planning</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Census/Socio-economic Survey</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Draft LARP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agricultural Land Survey</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revised LARP/Final LARP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hiring of LARP implementing Agency/NGO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Office of NGO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Relocation Activities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Consultation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final list of APs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Notice to APs/CBEs/Others</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Formation of RAC&amp;GRC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Completion of Land acquisition</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of CCL by DC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of transfer costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relocation of APs/CBEs/other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project Land hand over to Contractor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Resettlement Activities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Income Restoration grant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business restoration grant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of MARV by HDC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VGs Social Forestry program/Road side plantation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Monitoring and Evaluation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Internal Monitoring</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>External Monitoring</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evaluation of the Project</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
B. MONITORING AND EVALUATION

107. PMO/HDC, through the PD at the PMO, will establish a monitoring system involving CRO, the CHTRC, the PIC and RNGO for collecting, analyzing and preparing quality progress reports on the progress of LARP implementation. PMO/HDC will also provide an Annual Report to ADB. In order to a smooth monitoring and reporting system for LAR, PMO, assistance with PIC, will be fully responsible for monitoring and reporting.

108. Monitoring of the LARP will be done both internally and externally. The purpose is to provide feedback to HDC and to assess implementation effectiveness. A mid-term Review also be done upon monitoring and evaluation reports. The review will meet and identify other relevant data, any action needed to improve resettlement performance. Evaluation the LARP 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.

B.1. INTERNAL MONITORING

109. Internal monitoring will be carried out by the PMO. The district resettlement Officer (DRO), assisted by the field staff at HDC District office and the RNGO, will establish a monthly monitoring system and prepare a monthly progress report on all aspects of LARP implementation. The initial Census and SES will provide the benchmark data and periodic surveys will be carried out to measure changes against this baseline data using monitoring data. In assistance with District and Upazila engineers, the RNGO, the PIC Resettlement Specialist (RS), the PD at the PMO will monitor land acquisition and resettlement. A Management Information System (MIS), to be designed and maintained by the Benefit Monitoring & Evaluation Specialist of the PIC, will meticulously maintain all the related records and information including on the affected persons and communities, amount of compensation and the measures for the redressing of the grievances. Further, all the roads and village access will include Geographic Information System (GIS) coordinates in the MIS. As regards latter, the GIS Specialist will be responsible for the maintenance and update of the system. Table 15 indicates the potential monitoring indicators.
### TABLE 15: POTENTIAL MONITORING INDICATORS

<table>
<thead>
<tr>
<th>Monitoring Issues</th>
<th>Monitoring Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Budget and time frame</strong></td>
<td>· Have all land acquired and resettlement staff been appointed and mobilized for field and office work on schedule  &lt;br&gt;· Have capacity building and training activities been completed  &lt;br&gt;· Are resettlement implementation staff being achieved against agreed implementation plan?  &lt;br&gt;· Are funds for resettlement being allocated to resettlement agencies on time?  &lt;br&gt;· Have resettlement offices received the schedule fund? Have funds been absorbed according to LARP?  &lt;br&gt;· Has all land been acquired and occupied in time for project implementation?</td>
</tr>
<tr>
<td><strong>Delivery of AP Entitlements</strong></td>
<td>· Have all APs receive entitlements according to numbers and categories of loss set out in the entitlement matrix?  &lt;br&gt;· Have APs received payment on time?  &lt;br&gt;· Have all APs received agreed resettlement benefits as per schedule of payment?  &lt;br&gt;· How many affected house-holds have received compensation for titled land?  &lt;br&gt;· How many affected house-holds relocated and built their new structure at new location?  &lt;br&gt;· How many APs are being able to purchase replacement land?  &lt;br&gt;· Are APs able to access to school, health service, cultural sites and activities?  &lt;br&gt;· Are income and livelihood restoration activities being implemented as planned?  &lt;br&gt;How have affected farmers received entitlements?  &lt;br&gt;· Have affected business received entitlements?  &lt;br&gt;· Have the APs losing their livelihood received their entitlements?  &lt;br&gt;· Have APs losing their eroded land received proper compensation?  &lt;br&gt;· Have properly identified users of IP Common Land been compensated?  &lt;br&gt;· Have the squatters, encroachers of Khas land or LGED/ or other government of Bangladesh (GoB) land displaced due to the project been compensated?  &lt;br&gt;· Have the community structures are compensated and rebuilt at new site?  &lt;br&gt;· Are host communities sufficiently assisted for civic amenities where necessary?</td>
</tr>
</tbody>
</table>
| **Consultation, Grievances and Special issues** | · Have resettlement information brochures/leaflets been prepared in Bangla and distributed?  <br>· Have consultation taken as scheduled including meetings, groups, community activities?  <br>· How many APs known their entitlements? How many know if
they have been received?
· How many APs used the grievance redress procedures? What were the outcomes?
· Have conflicts been resolved?

Benefit Monitoring
· What changes have occurred in income and expenditure patterns compared to pre-project situation?
· Have APs income kept pace with these changes?
· What changes have occurred for vulnerable groups?

B.2. EXTERNAL MONITORING

110. The RS with the PIC team will supervise and monitor LARP implementation for HDC. The PIC will sub-contract monitoring and evaluation of the resettlement activities to an IMA, which will be an experienced person or firm. The tasks of the IMA 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, 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 IMA will design and adopt methods and tools for data collection facilitating a comparable database of “before” and “after” resettlement conditions. Furthermore, comprising of two national consultants “Safeguards Quality Monitoring Cell” (SMQC) will ensure that the project is implemented with due concern for safeguards and quality specifically the following things are adequately addressed (i) compensation for land asset acquisition, (ii) compensation for loss on income, (iii) continuing tenure of land by the original users, (iv) gender (v) indigenous peoples, (vi) environment and (vii) quality of work necessary to ensure sustainable outputs. Table 16 presented indicators for external monitoring.

TABLE 16: INDICATORS FOR EXTERNAL MONITORING AND EVALUATION

<table>
<thead>
<tr>
<th>Monitoring Indicators</th>
<th>Basis of Indicators</th>
</tr>
</thead>
</table>
| Basic information on AP House-holds | · Location
· Composition and structure, ages, education and skill levels
· Gender of House-holds heads
· Ethnic identity of the house-holds
· Access to health, education, utilities and other social services
· Housing type
· Land and other resources and using pattern
· Occupation and employment pattern
· Income sources and levels
· Agricultural production data
· Value of assets forming composition and resettlement benefits |
| Reconstruction of living standards | · Were house compensation made free of depreciation, fees of transfer costs to the APs?
· Have APs achieved replacement of key social and cultural element? |
| Reconstruction of Livelihoods | · Were compensation payments free of deduction of depreciation, fees or transfer cost to the APs?  
|                            | · Were compensation payments sufficient to replace lost assets?  
|                            | · Was sufficient replacement land available of suitable standard?  
|                            | · If costs were involved, did the transfer and relocation payment cover these costs?  
|                            | · Was the income substitute payment sufficient for the period of transfer?  
|                            | · Have the commercial enterprises affected received sufficient compensation and re-established them?  
|                            | · Have vulnerable groups been provided affective income earning opportunities?  
|                            | · Have the vulnerable APs provided with jobs in project civil works?  
| Levels of satisfaction     | · How much do APs know about resettlement procedures and entitlements? Do APs know their entitlements?  
|                            | · Do the APs know if these have been met?  
|                            | · How APs assess the extent to which their own living standards and livelihoods have been restored?  
|                            | · How much do APs know about grievance procedures and conflict resolution?  
| Effectiveness of Resettlement Planning | · Were the APs and their assets correctly enumerated?  
|                                     | · Was only land speculators assisted?  
|                                     | · Was the time frame and budget sufficient to meet objectives?  
|                                     | · Were entitlements too generous?  
|                                     | · Were vulnerable groups identified and assisted?  
|                                     | · How did resettlements implementers deal with unforeseen problems?  
| Other Impacts                  | · Were there unintended environmental impacts?  
|                                     | · Were there unintended impacts on employment or income?  

111. At the implementation stage PIC will conducts periodic review and supervision missions. In addition to regular review missions, ADB will undertake a comprehensive Mid Term Review of the LARP implementation. A post Evaluation of LARP 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.
ANNEX 1: SOCIOECONOMIC SURVEY QUESTIONNAIRE

Second Chittagong Hill Tracts Rural Development Project (CHTRDPII)

Socioeconomic Survey of Affected Family and Persons due to acquisition of land

01. Particulars of household:

Census Form No.  t

01 Name of head of household/Institution  t

02 Father’s Name  t

03 Mother’s Name  t

04 Name of respondent and relation with head of the household (wife/son, daughter/husband/others)  t

05 Village/ Road No./ Avenue No.  t

06 Union /Ward  t

07 Police Station  t
08 District

09 Main Profession/Occupation

10 Indigenous people (mention tribe)

11 Religion

12 Membership of Organization (if any)

13 Yearly income of the family

14 Name of Chairperson/Secretary/ (In case of Social Institution)

N.B: Items # 2,3,4,5,10,11 and 12 are not applicable for item # 14

Name of Interviewer ___________________________ date ______

Signature of Supervisor ___________________________ date ______

02. Particulars of household:

<table>
<thead>
<tr>
<th>S</th>
<th>Name of household memb</th>
<th>Relationship</th>
<th>Age</th>
<th>S</th>
<th>Marital status</th>
<th>Main Profession/Livelihood</th>
<th>Secondary Profession/Livelihood (if any)</th>
<th>Yearly income (Taka)</th>
<th>Educational qualification</th>
<th>Physical status/Disability</th>
<th>Owner of Affected Property (Yes/No)</th>
</tr>
</thead>
<tbody>
<tr>
<td>L</td>
<td>No</td>
<td>Status</td>
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</tbody>
</table>
03. Particulars of land:

Do you have your own land within the Project Right of Way? Yes/ No. [ ]

If yes, would you please mention about the type of ownership?

[ ]

If answer is 'yes', furnish detail information about your own land.

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Types of land</th>
<th>Code No of Land</th>
<th>Area of own land (decimal)</th>
<th>Land affected by project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Mouza</td>
</tr>
</tbody>
</table>

* HOH= Head of Household
<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Types of land</th>
<th>Code No of Land</th>
<th>Area of own land (decimal)</th>
<th>Land affected by project</th>
<th>Area of residual Land (decimal)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
<td>Mouza</td>
<td>Para/Plot No.</td>
</tr>
<tr>
<td>1.</td>
<td>Homestead</td>
<td></td>
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<tr>
<td>2.</td>
<td>Agriculture land (1\textsuperscript{st} grade land)</td>
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<tr>
<td></td>
<td>Single Cropped</td>
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<tr>
<td></td>
<td>Double Cropped</td>
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<td></td>
<td>Multi Cropped</td>
<td></td>
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<tr>
<td>3.</td>
<td>Medium Hill (2\textsuperscript{nd} grade land)</td>
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<td>Vita</td>
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<td></td>
<td>Orchard</td>
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<tr>
<td></td>
<td>Other crops</td>
<td></td>
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<tr>
<td></td>
<td>Fallow land</td>
<td></td>
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<tr>
<td>4.</td>
<td>Hill (3\textsuperscript{rd} grade land)</td>
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<tr>
<td></td>
<td>Timber/Fruit tree</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Forest</td>
<td></td>
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<tr>
<td></td>
<td>Others</td>
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<tr>
<td>5.</td>
<td>Jhum</td>
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<tr>
<td>6.</td>
<td>Pond (Cultivated)</td>
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<td>7.</td>
<td>Pond (Non-Cultivated)</td>
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<tr>
<td>8.</td>
<td>Fallow land (plain land)</td>
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<td>9.</td>
<td>Road/community property</td>
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<tr>
<td>Serial No.</td>
<td>Types of land</td>
<td>Code No of Land</td>
<td>Area of own land (decimal)</td>
<td>Land affected by project</td>
<td>Land affected by project</td>
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<td>Mouza</td>
<td>Para/Plot No.</td>
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<tr>
<td>10</td>
<td>Water body/ditch</td>
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<tr>
<td>11</td>
<td>Others (Please mention)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td>Total own land</td>
<td></td>
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</tr>
</tbody>
</table>

If answer is 'No'

04. Affected land under community/other’s ownership (Khas/Relatives (Uthuli)/Other’s)

<table>
<thead>
<tr>
<th>Type of land</th>
<th>Code No.</th>
<th>Mouza</th>
<th>Plot No. (if any)</th>
<th>Area of land (Decimal)</th>
<th>Area of acquired land (decimal)</th>
<th>Status of present use</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

For how long using the land, _____________, Is there any agreement ? Yes/No.

If answer is yes, Name of person/Organization contracted with ____________________________

05. Use of Community/Government land (Partial/full) adjacent to own land

<table>
<thead>
<tr>
<th>Type of land</th>
<th>Mouza</th>
<th>Para</th>
<th>Area of land in use (Decimal)</th>
<th>Area in affected land (decimal)</th>
<th>Status of present use</th>
<th>Comments</th>
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<tbody>
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</table>

06. Cultivation related:

Do you cultivate affected land by yourself ? Yes/No. [ ]

If answer is ‘No’
In case of sharecropping, furnish details of sharecroppers

<table>
<thead>
<tr>
<th>SL No.</th>
<th>Name of Sharecroppers and address</th>
<th>Mauza</th>
<th>Para/Plot No. (if any)</th>
<th>Area of land (Decimal)</th>
<th>Size of affected portion of land (decimal)</th>
<th>Share of produce received (Percentage)</th>
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<tbody>
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</tbody>
</table>

07. Mortgage/Kat (Locally practiced mortgage) Lease/Contract-particulars:

Have you taken affected land by way of mortgage/Kat/Lease/Other Contract? Yes/No

If answer is yes, please furnish the particulars.

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</table>

08. Particulars of trees (Individual ownership/Community/Government or owned by any other agency):

A. Detail description of trees on Own land

<table>
<thead>
<tr>
<th>SL No.</th>
<th>Name of tree</th>
<th>Fruit bearing</th>
<th>Description of trees</th>
<th>Amount of yearly paid up taka</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Large</td>
<td>Medium</td>
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</tbody>
</table>
### B. Detail description of trees on Community/GoB land

<table>
<thead>
<tr>
<th>SL NO</th>
<th>Name of tree</th>
<th>Fruit bearing (yes/No)</th>
<th>Description of trees</th>
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<td>Large</td>
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12.

09. Detail of structures (Homestead/CBEs/CPRs etc.) if affected:

<table>
<thead>
<tr>
<th>SLN No.</th>
<th>Use of structure</th>
<th>Description of Structure *</th>
<th>Code No.</th>
<th>Size Unit</th>
<th>Quantity/No.</th>
<th>Approximate Value of structure</th>
<th>To be affected due to acquisition, Yes/No.</th>
<th>Type of land</th>
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</table>

* Within or out of the ROW.

Type of land code: 1- Individual ownership, 2-Owned by others, 3-Communityowned, 4-Government land (if used partially or fully) adjacent to the land owned by respondent.

Unit Code: 1=S.F.T, 2= R.F.T, 3= Number, 4= C.F.T.

10. Commercial Enterprises (Only affected):

Own Commercial Structure and Own business:
### 11. Labor/Employees employed in affected business/industry (own & rented)

<table>
<thead>
<tr>
<th>SL. No</th>
<th>By-SL. No. Q-10</th>
<th>Name of Enterprises/Industry</th>
<th>Name of labor/employee &amp; address</th>
<th>Sex</th>
<th>Age</th>
<th>Designation</th>
<th>Monthly wage/salary</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

### 12. Is there any Social Institution (such as school/college/health complex/historical place), Religious Institution (Pagoda/ Temple/ Church/ Mosque/ Eidgah/ Graveyard/ Cremation ground) or Development Project (Road, Hat & Bazaar) etc. on acquired land?

Yes/No - Yes  

If answer is yes, please give details.

<table>
<thead>
<tr>
<th>If answer is yes</th>
<th>Please give details.</th>
<th>If answer is yes</th>
<th>Please give details.</th>
<th>If answer is yes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

### 13. Do you have electricity in your house? Yes/No.

Yes/No
If answer is yes, Number of electric light, __, No. of fan _______ & others _____

14. What kind of toilet you use? (Katcha/Slab/Pucca)? ____

15. What is source of water of your family?
   - For drinking- Stream, Tube well, well, river, pond, other) (Put tick)
   - For other household use- Stream, Tube-well, well, river, pond, other) (Put tick)
   Is the source arsenic contaminated? Yes/No/Not Known.
   Will acquisition of land affect sources of water? Yes/No.

16. For how many years you are staying at your present residence? ___________
   If you have shifted to present residence, where did you live before that? ___________

17. Was your house ever devastated by land slide/ erosion of river? If answer is yes, how many times?.
   The last time of devastation of your house ______

18. Where you and your family members use to go for medical treatment
   (Village/Market/Town)? (Put tick)
   - Whom do you consult? (Ayurvedic, Physician/Allopathic / Homeopath /Healer/ Exorcist)
   (Put tick)
   - What kind of treatment you take (Exorcism/ Allopathic / Homeopathy/ Ayurvedic)
   (Put tick)

19. How many members of your family are in service and business?
   Total number of service holder____, Male __, Female_____.
   Total number of businessmen______, Male ______ Female__________
   - Working place of male member (own Upazila/other than own Upazila), name of district if
     other than own Upazila ________
   - Working place of female member (own Upazila/other than own Upazila), name of district
     if other than own Upazila__________
   - If working place of Male /Female in abroad, name of the country
     ____________________________

20. Have taken loan from any institution? Yes/No
   If answer is yes:
<table>
<thead>
<tr>
<th>Sl. #</th>
<th>Name of Institution</th>
<th>Amount of loan received</th>
<th>Year of loan</th>
<th>Duration of loan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

21. House rent (only affected)

<table>
<thead>
<tr>
<th>SL No.</th>
<th>By-SL No. from Q-9</th>
<th>Name of Renter</th>
<th>Father’s Name</th>
<th>Address</th>
<th>Monthly rent</th>
<th>No. of Family members</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

22. Nature of loss of respondent (mentionable)

(a) Land
(b) Homestead
(c) Other Structure
(d) Tree
(e) Business
(f) Crops

Resettlement related: (If homestead/business/common resources properties-CLARP is affected, Q32-Q36 are applicable)

23. (Only in case of affected homestead/CLARP)

Owner of land (self/relatives/Government/Others)________

Kind of loss of homestead: Partially/Fully

Quantity of residual land except affected land, useable as homestead (decimal)________

fallow (decimal)________cultivable (decimal)________

24. Would you like to donate your land/property for the betterment of the community without receiving any compensation for the affected property? Yes/No
25. Do you like to (a) be resettled on your residual land or (b) be resettled by purchasing of new land or (c) by the project: ________________

   If you be resettle by yourself, where?

   Nearby place
   In other village
   In Town
   Others (Please mention)

26. In case of affected business/industrial establishment: ________________

   Name of owner of business / industrial enterprises ________________

   Kind of loss of infrastructure: Partially/Fully.

27. Do you like to (a) be resettled in your own land or (b) be resettled by purchasing land or (c) be resettled by the project?

   If you be resettled by yourself, where?

   Nearby place
   In other village
   In town
   Others (Please mention)

28. Do you want assistance from Government for resettlement? Yes/No.

   If answer is yes, how?

   a.
   b.
   c.
   d.

29. If Yes, How do you like to get compensation of affected property: in cash or in kind

   How would you like to spend the compensation money?

   1. To buy land 2.
To shift house 3. To build house 4. To get training for taking new occupation 5. To get job 6. To do business 7. To market wise the produces 8. To invest for self-employment 9. To adjustment of loan 10. Other (Please mention)

<table>
<thead>
<tr>
<th>1st</th>
<th>2nd</th>
<th>3rd</th>
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</thead>
</table>

* Planning according to preference

30. What are the available source/opportunities for employment in your locality?
   a.
   b.
   c.

31. Is there any requirement of training for skill development for taking up new occupation for you or members of your family? Yes/No.
   If answer is yes, name of training essential for you/ family members:
   1.
   2.
   3.

__________________________

Name and signature/thumb impression of the Interviewee with date

Comments of the enumerator's ________________________________
ANNEX 2: CONSULTATION MEETING MINUTES

<table>
<thead>
<tr>
<th>Location, date and time</th>
<th>Male + Female Participants</th>
<th>Participants and issues discussed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Md. Nurul Islam’s store house, Goalikhola Para, Bandarban Sadar Upazila</td>
<td>10 Male + Female 06</td>
<td>Before calling the meeting, a prior notice was served through Headman and personal contact. The meeting included Affected Person (AP) and local community people.</td>
</tr>
<tr>
<td>Date: 26/05/2014 Time: 4.30 PM</td>
<td>Total-16</td>
<td>A total of 16 persons were present in the consultation meeting. Md. Kabir member, Councilor, Bandarban Sadar Union presided over the meeting. Mr. Rupayan Chakma, Project Officer of Bandarban Hill district, Taungya described the goals, objectives and activities of the CHTRDP-II among the participants. He also elaborated the ADB safeguard policy-2009 by which customary land owners of the affected land will be compensated under project activities as well as titled land owners. Before holding the meeting, a prior notice has been given to them through the Headman.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Compensation on customarily owned land under ADB SPS-2009, special grant for SAPs, Women APs, Disabled persons, Income Restoration plan, ADRF (alternative dispute resolution forum) formation etc. were the topics of discussion.</td>
</tr>
</tbody>
</table>