

Resettlement Plan

August 2022

Bangladesh: Climate Resilient Livelihood
Improvement and Watershed Management in
Chattogram Hill Tracts Sector Project

Kawkhali GC - Kalampati Union Road via Bat Tali

Prepared by the Ministry of Chittagong Hill Tracts Affairs for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 6 June 2022)

Currency unit	–	Bangladeshi taka, BDT
BDT 1.00	=	USD 0.01093
\$1.00	=	BDT 91.50

ABBREVIATIONS

ADB	:	Asian Development Bank
ADC	:	Additional Deputy Commissioner
ADR	:	Alternate Dispute Resolution
ADRF	:	Alternative Dispute Resolution Forum
CCL	:	Cash Compensation Under Law
CHT	:	Chattogram Hill Tracts
CHTRC	:	Chittagong Hill Tracts Regional Council
CHTRDP	:	Chittagong Hill Tracts Rural Development Project
CPR	:	Common Property Resources
CRLIWM	:	Climate Resilient Livelihood Improvement and Watershed Management
CRO	:	Chief Resettlement Officer
CSS	:	Census and Socioeconomic Survey
DCC	:	District Coordination Committee
DPMO	:	District Project Management Office
DRO	:	District Resettlement Officer
GOB	:	Government of Bangladesh
GRC	:	Grievance Redress Committee
GRF	:	Grievance Recording Form
GRM	:	Grievance Redress Mechanism
HDC	:	Hill District Council
HIES	:	Household Income Expenditure Survey of Bangladesh, 2016
IOL	:	Inventory of Loss
INGO	:	Implementing Nongovernment Organization
LAO	:	Land Acquisition Officer
LAP	:	Land Acquisition Plan
LAR	:	Land Acquisition and Resettlement
LGED	:	Local Government Engineering Department
LMS	:	Land Market Survey
LRO	:	Land Record Officer
MARV	:	Maximum Allowable Replacement Value
MoCHTA	:	Ministry of Chittagong Hill Tract Affairs
NPSC	:	National Project Steering Committee
PAM	:	Project Administration Manual
PISC	:	Project Implementation Support Consultants
PMO	:	Project Management Office
PPTA	:	Project Preparatory Technical Assistance
PVAT	:	Property Valuation Assessment Team
PVM	:	Participatory Village Mapping
RAC	:	Resettlement Advisory Committee

RCC	:	Regional Coordination Committee
RCG	:	Reconstruction Grant
ROW	:	Right-of-Way
SAP	:	Seriously Affected Person
SEC	:	Small Ethnic Communities
SECPF	:	Small Ethnic Communities Planning Framework
SECP	:	Small Ethnic Communities Plan
SES	:	Socioeconomic Survey
SPS	:	Safeguards Policy Statement
USF	:	Unclassified State Forest

NOTE

In this report, "\$" refers to United States dollars.

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CONTENTS

Abbreviations	Page iv
Glossary	vi
Executive Summary	ix
I. INTRODUCTION	1
Project Background and Description	1
Subproject Description	4
Measures to Minimize Land Acquisition and Resettlement Impacts	5
D. Context, Objectives and Methodology of the RP	6
E. Resettlement Plan Related Conditionality	6
II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT	6
A. Land Acquisition Strategy	6
B. Overview of LAR Impact	7
C. Detailed Description of Impact	7
C.1 Affected, Entities, Households and Population	7
C.2 Impact on Land	8
C.3 Impact on Trees	9
C.4 Impact on Structure	10
C.5 Impact on Business and Income	10
C.6 Impact on Vulnerable Population	10
III. SOCIOECONOMIC PROFILE OF THE AFFECTED POPULATION	11
A. Methodology	11
B. Description of Subproject Area	11
C. Demographic Profile of the Affected Population	12
D. Economic Profile of the Affected Persons	14
IV. CONSULTATION, PARTICIPATION AND INFORMATION DISCLOSURE	18
A. Meaningful Consultation	18
B. Broad Community Support	19
C. Consultations During Resettlement Plan Preparation	19
D. Participation	20
E. Information Disclosure	21
V. LEGAL AND POLICY FRAMEWORK	21
A. Administrative Set-up in the CHT	21
B. Legal System in the CHT	22
C. Land Administration in the CHT	23
C.1 Customary and Government Land Administration	23
D. Applicable Law of the Government of Bangladesh	25
E. ADB Safeguard Policy Statement (SPS), 2009	27
F. Social Safeguards Policy for CRLIWM-CHT Sector Project	28
VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS	31
A. Eligibility of Entitlements	31
B. Entitlements in the Resettlement Plan	31
C. Income Restoration and Rehabilitation	32
D. Mitigation of Unforeseen Impacts	32

E.	Provision for Unclaimed Compensation	32
VII.	GRIEVANCE REDRESS MECHANISM	44
A.	Principles of GRM	44
B.	Functions of GRM	44
C.	Levels of GRM	46
D.	Relevant GRM Activities	50
VIII.	RESETTLEMENT BUDGET AND FINANCING PLAN	51
IX.	INSTITUTIONAL AND IMPLEMENTATION	52
A.	RP Implementation Arrangements	52
B.	Project Management Office	52
C.	Deputy Project Management Office	53
D.	Chief Resettlement Officer	53
E.	Acquiring Body	53
F.	Project Implementation Consultant	54
G.	RP Implementing NGO (INGO)	57
H.	Property Valuation Advisory Team (PVAT)	58
I.	Resettlement Advisory Committee (RAC)	59
J.	Joint Verification Committee	59
K.	Resettlement Processing Committees/Teams	60
L.	Capacity Development	60
X.	RESETTLEMENT PLAN IMPLEMENTATION SCHEDULE	60
XI.	MONITORING AND REPORTING	61
A.	General	61
B.	Internal Monitoring	62
C.	Reporting Arrangements	64
D.	External Monitoring	64

Figures

Figure 1.	Location of the Proposed Road Subproject	8
Figure 2.	Present Condition of the Road	9
Figure 3.	Project Grievance Redress Mechanism	61
Figure 4.	Property Valuation Advisory Team	69

Tables

Table 1.	Summary of Subproject Impacts	11
Table 2.	Type of Affected Land	13
Table 3.	Distribution of Affected Land by Category	13
Table 4.	Type of Ownership by Affected Plots	13
Table 5.	Details of Affected Trees	14
Table 6.	Impact on Structures	
Table 7.	Age Group of Affected Persons	17
Table 8.	Ethnicity and Religion of Affected Persons	17
Table 9.	Marital Status of Affected Persons	17
Table 10.	Education of Affected Persons	18
Table 11.	Occupation of the Affected Persons	19
Table 12.	Average Landholding per Land Category	19
Table 13.	Valuation of Assets of Affected Persons	19
Table 14.	Average Household Income and Sources	20
Table 15.	Annual Income Pattern of Affected Households	20

Table 16. Annual Expenditure Pattern of Affected Households	21
Table 17. Savings Pattern of Affected Households	21
Table 18. Economic Situation of Affected Households (self-reported)	21
Table 19. Details of Consultations with Key Project Stakeholders	
Table 20. Harmonized Social Safeguards Policy for CRLIWM-CHT Sector Project	
Table 21. Entitlement Matrix and Responsible Entities	
Table 22. Summary of Resettlement Budget	62
Table 23. Tentative Schedule for Resettlement Plan Implementation	71
Table 24. Internal Monitoring Indicators	72
Table 25. Indicators for External Monitoring	74

Annexes

Annex 1. List of affected persons with customary land to be acquired	67
Annex 2. List of affected persons with titled land to be acquired	67
Annex 3. List of affected trees to be cut	71
Annex 4. Census and Socioeconomic Survey Questionnaire	99
Annex 5. Photos taken during the Census and Socioeconomic Survey	112
Annex 6. Cut-off date for Kawkhali GC - Kalampati Union Road via Bat Tali	114
Annex 7. Consultation Meeting for Kalampati Union Road	117
Annex 8. Sample Information Booklet	125
Annex 9. Grievance Recording Form	111

GLOSSARY

Affected Household/Family: All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the Project or any of its components. It may consist of a single nuclear family or an extended family group.

Affected Person, or Project Affected Persons: All the people, households, firms, or public or private institutions affected by the Project through land acquisition, relocation, or loss of income. Affected persons include (i) persons who lose residence due to land acquisition for project sites and/or right-of-way; (ii) persons whose agricultural land or other productive assets such as trees or crops are affected; (iii) persons whose businesses are affected and who might experience loss of income due to the Project impact; (iv) persons who lose work/employment as a result of Project impact; and (v) people who lose access to community resources/property as a result of the Project.

Bengali: People living mainly in the plain-land districts whose mother tongue is Bengali.

Cash Compensation under Law (CCL): CCL comprises all land acquisition compensation under the Acquisition and Requisition of Immovable Property Act of 2017.

Circle: The British divided the whole region of CHT into three demarcated areas named as circle.

Circle Chief: The leader of a circle, previously known as “Raja”.

Decimal: 100 Decimal = 1 Acre. Bangladeshi unit of measurement, a traditional measuring unit.

Compensation: Payment in cash or kind at replacement cost at current market value for an asset to be acquired or affected by a project.

Cut-off Date: The date after which persons coming into the project corridor are NOT eligible for compensation or other assistance, i.e. they are not included in the list of affected persons as defined by the census. It normally coincides with the date of the census of affected persons, or the date of public notification regarding the specific civil works that would cause displacement.

Detailed Measurement Survey (DMS): With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of affected persons earlier done during resettlement plan preparation. The final cost of resettlement can be determined following completion of the DMS.

Displaced Persons: According to SPS, Displaced Persons could be of three types: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.

Economic Displacement: Loss of land, assets, income sources or means of livelihood as a result of involuntary acquisition of land or involuntary restrictions on land use.

Entitlement: The range of measures due to displaced persons to restore their social and economic base, depending on the type and degree /nature of their losses. It comprises cash

or in-kind compensation, income/business restoration assistance, and relocation and transfer assistance.

Entitled Person: An entitled person is one who has lost his/her assets or income directly/indirectly due to the Project intervention and is eligible to receive compensation from the Deputy Commissioner office and/or cash grant from Local Government Engineering Department.

Headman: Person appointed in charge of mouza with the power of revenue collection and local trial.

Household: A household includes all persons living and eating together (sharing the same kitchen and cooking food together as a single-family unit).

Income Restoration: Refers to re-establishment of sources of income and livelihood of the affected households.

Inventory of Losses: List of all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood lost to the project with location, severity of impact, names of owners, and their replacement costs.

Jhum: Shifting (swidden, slash and burn) cultivation is the dominant farming system in the lower and upper hills of Chattogram Hill Tracts.

Khas Land: In Bangladesh, claimed as Government Land but in Chattogram Hill Tracts it is small ethnic communities Common Land.

Land Acquisition: Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.

Mouza: A Mouza Revenue Village is the lowest unit of land administration in Bangladesh. Mouza consists of more than two villages headed by Headman. Alternative spelling is Mauja.

PCJSS: The Parbatya Chattagram Jana Samhati Samiti (PCJSS) [Bengali: পার্বত্য চট্টগ্রাম জনসংহতি সমিতি, English: United People's Party of the Chattogram Hill Tracts] is a political party formed to represent the people and indigenous tribes of the Chattogram Hill Tracts in Bangladesh.¹

Rehabilitation: The process to restore income earning capacity, production levels, and living standards in a longer term. Rehabilitation measures are provided in the Entitlement Matrix as an integral part of the entitlements.

¹ <https://www.pcjss.org>

Replacement Cost: Compensation for acquired land, structures and other assets, including (i) fair market value, (ii) transaction costs, (iii) interest accrued, (iv) transitional and restoration costs, and (v) other applicable payments, if any, without deduction for any material salvaged.

Resettlement Effects: All negative situations directly caused by a project, including loss of land, property, income generation opportunity, and cultural assets.

Resettlement Framework: The resettlement framework for the Project lays out the policy, principles, procedures and entitlements, as well as the institutional responsibilities to be followed in preparing subproject resettlement plans.

Resettlement Plan: This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and reporting.

Small Ethnic Communities: Collective reference for tribes, minor races, ethnic sects and communities according to 15 amendment of the constitution of Bangladesh. Small ethnic communities are identified as Indigenous Peoples within the context of ADB's Safeguard Policy Statement.

Severely Affected Households: This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.

Union Parishad (UP): Union Parishad is one of the lowest administrative units in Bangladesh, part of a four- tier local government, namely Gram (Village) Parishad, Union Parishad, Upazila (Subdistrict) Parishad and Zila (District) Parishad.

Usufruct: The right to enjoy the use and advantages of another's property short of the destruction or waste of its substance.

Uthulies: Long-term squatters. Also called Informal Settlers, i.e., households living on others' land with permission.

Vulnerable Persons: Individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. According to ADB SPS, vulnerable groups are those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, physically challenged, and those without legal title to land.

EXECUTIVE SUMMARY

A. Project Background and Description

1. The Ministry of Chittagong Hill Tracts Affairs (MoCHTA) of the Government of Bangladesh (the Government) has undertaken the implementation of the Climate Resilient Livelihood Improvement and Watershed Management in the Chattogram Hill Tracts Project (“CRLIWM-CHT Sector Project” or “the Project”), with financial assistance from the Asian Development Bank (ADB). The CRLIWM-CHT Sector Project is the third major ADB financed project in Chattogram Hill Tracts (CHT) covering its all three districts - Rangamati, Khagrachari and Bandarban. The primary objective of the Project is to enhance sustainable livelihood opportunities and access to basic services for the CHT rural population. The project will serve communities drawing on the experience of the first two ADB loan projects in CHT - CHTRDP-I and CHTRDP-II, with emphasis on the areas not covered by the first two projects. The main outputs of the proposed project are expected to have: i) community infrastructure developed; ii) watershed management strengthened; iii) agriculture production, processing and marketing improved; iv) rural non-farm skills related to project objectives improved, and (v) rural roads rehabilitated.

B. Subproject Description

2. The CRLIWM-CHT Sector Project will rehabilitate and improve 15 existing LGED rural (upazila/union/village) roads with a total length of about 94.33 km, ranging from about 3km to about 14km in length under sub-project batch 1 (SPB-1) and a further 45 km under 10 LGED rural roads in SPB-2. This Kawkhali GC - Kalampati Union Road via Bat Tali (ID of 484524012) is one of the SPB-1 subprojects. This rural road is a link from Kalampati Union to Kawkhali GC via Bat Tali. It has a total length of 5.10 km and is located in Kalampati Union of the Kawkhali Upazila under Rangamati District, of which 1.704 km will be upgraded under the project. The road will be widened from existing 10 feet to 18 feet. At the same time, there will be bitumen pavement on the existing brick-laid condition to improve the accessibility of the road into a “round-the-year” usable condition. The total length of road section for improvement is 1.704 km (including bridge and culvert) or 1.664 km (excluding bridge and culvert) and with an expanded width of 5.5 meter (18 feet).

C. LAR Impact and Resettlement Plan

3. Implementation of improvement works with 8 feet widening along both sides of the existing Kawkhali GC - Kalampati Union Road will require acquisition of strips of land. It is estimated that it will be necessary to acquire a total of about 76.91 decimals of land and other assets. To ascertain the magnitude of this land acquisition and resettlement (LAR) impact, a census combined with socioeconomic survey (CSS) was carried out between 10 October 2021 and 03 February 2022 to prepare an inventory of losses (IOL), and to develop a baseline of the socioeconomic status of the households being affected by the subproject intervention. Data derived from the survey suggest that improvement with widening of the Kawkhali GC - Kalampati Union Road will trigger permanent loss of land and trees from a total of 04 institutions (1 school and 3 temples) and 28 households among whom 02 female-headed

households are vulnerable. Of the affected 28 household, 23 are Marma SEC, 2 Chakma SEC, and 3 are Bengali non-SEC.

Table 1. Summary of Subproject Impacts

Type of Impact	Magnitude/ Value	Nature of Impact	No. of Entities/Affected Persons			
			No. of CPR	No. of HHs	Male-headed HH	Female-headed HH
Loss of land	76.91 Decimal; 32 plots (90% Titled; 10% Customary)	Permanent	4	28	26	2
Loss of trees	631	Permanent	2	15 ²	14	1
TOTAL			4	28	26	2

Source: CSS conducted between 10 October 2021 and 03 February 2022.

4. To address this LAR impact, MoCHTA has formulated this Resettlement Plan for the Kawkhali GC - Kalampati Union Road, complying with the existing law for land acquisition in Bangladesh, and in conformity with ADB's safeguard requirements on involuntary resettlement under the Safeguard Policy Statement (2009). Impacts on the affected persons are insignificant since the subproject will not cause physical or economic displacement and land acquisition will only involve less than 5% of their total landholdings.
5. The cut-off date for the non-titleholders under the subproject is 10 February 2022 i.e. the date of census survey, after which any informal settlers will not be considered eligible for compensation or resettlement benefits. The cut-off date for titled landowners will be the date of notification under section 4 of ARIPA-2017 to be declared by the Deputy Commissioner office.

D. Consultation and Disclosure

6. This resettlement plan has been prepared in consultation with key local stakeholders, including local government representatives, affected households, community leaders and project representatives, to secure their support to the subproject intervention. A consultation meeting was held on 30 November 2021 at Boro Dolu village, Kalampati Union, Kawkhali Upazila, Rangamati District, involving a total of 34 participants - 29 male and 5 females. Key features of this resettlement plan were disclosed to the affected persons through community level meetings.
7. After its approval by the Asian Development Bank (ADB), this resettlement plan as an official public document will be made available in the Executing Agency offices at national and district levels. The resettlement plan will also be made available at the village offices of the local leaders, and to affected persons upon request. The final version of the resettlement plan will be posted on the websites of MoCHTA and ADB. A summary of this resettlement plan will be translated into local language as a Public Information Booklet and disclosed to affected persons once approved. A sample of project information booklet is included in this resettlement plan.

E. Entitlements in the Resettlement Plan

² Total of 17 APs, including one school/temple, but only 16 HHs which is also part of the 28 total HHs.

8. The Census and Socioeconomic Survey identified two distinct ethnic groups among the affected households – 25 households from Small Ethnic Communities (SEC) and 3 from Bengali community. There are also four community property resources (CPR), three of which have customary lands, one (a school) which has title land, while one of the temples and the school also have trees to be affected. Of the 28 affected households all experience loss of titled land. Of the four owners of customary land, three are Buddhist temples and one is an individual household. There were no sharecroppers, tenants or squatters identified in the Inventory of Loss. Hence, all the identified affected households and CPRs are entitled to cash compensation at replacement cost, and other project assistance depending on magnitude of impact. The two female-headed households to be affected by the subproject are entitled to vulnerability grant.

F. Grievance Redress Mechanism

9. The Grievance Redress Mechanism (GRM) is a mechanism whereby queries, comments, and suggestion about the Project are responded to and issues and complaints are addressed and resolved at the lowest possible level (i.e., community level). Issues and complaints relating to environmental and social safeguards will be dealt with the three levels of the Grievance Redress Committees (GRCs) established for the project GRM. The GRM explains how the procedures are accessible to the SEC and is culturally appropriate and gender sensitive.
10. The GRM has three tiers: community level, grievance redress committee (GRC), and Regional Advisory Council (RAC). There are two types of tier one-community level. Tier 1, type A refers to the Alternative Dispute Resolution Forum (ADRF) which will be located at subproject level and will address land disputes for output 5 (rural roads component). Tier 1, type B refers to the Para Development Committee (PDC) which will serve as tier one for all other social and environmental safeguards concerns raised across project outputs 1-5 (i.e., Community Infrastructure, Watershed Management, Agriculture Production and Rural Roads). Tier two is represented by a GRC which is established at Hill District Council (HDC). At the apex of this structure is the RAC at CHTRC level. In case complainants are not satisfied with the grievance resolution, they can opt to direct their grievances to the appropriate court of law at any stage. The affected person can also file a complaint through the ADB Accountability Mechanism.

G. Institutional and Implementation Arrangements

11. Project Management Offices (PMO) will be established at the CHTRC, HDCs and Local Government Engineering Department to supervise the implementation of this resettlement plan. Various committees/teams will be formed across levels to undertake resettlement work. CHTRC will engage Project Implementation Support Consultants (PISC) to provide technical support to PMO primarily through its national land acquisition expert. . An Implementing NGO will also be contracted to prepare and support the implementation of resettlement plan. Relevant capacity building interventions

will be provided under the project to support project and resettlement plan implementation.

H. Resettlement Budget

12. The total resettlement cost for the road subproject is estimated at BDT 5,859,366, equivalent to USD 64,043 at an exchange rate of BDT 91.5 to USD 1,00.

I. INTRODUCTION

A. Project Background and Description

1. The Ministry of Chittagong Hill Tracts Affairs (MoCHTA) of the Government of Bangladesh (the Government) has undertaken the implementation of the Climate Resilient Livelihood Improvement and Watershed Management in the Chattogram Hill Tracts Project (“CRLIWM-CHT Sector Project” or “the Project”), with financial assistance from the Asian Development Bank (ADB). The CRLIWM-CHT Sector Project is the third major ADB-financed project in Chattogram Hill Tracts (CHT) covering its three districts – Rangamati, Khagrachari and Bandarban. The primary objective of the Project is to enhance sustainable livelihood opportunities and access to basic services for the CHT rural population, including the small ethnic communities (SEC) and the rural poor women.

2. The CHT, within the Chattogram Division, consisting of the three hill districts of Rangamati, Khagrachari and Bandarban, is the only extensive hilly region in Bangladesh, spreading over the southeastern part of the country. Geographically and ethno-culturally, CHT is a distinct region of Bangladesh. At time of the Census in 2011, the population of the CHT region was estimated at 15,98,231, equating to a population density roughly 120 persons per square kilometer (sq. km.). It is a land of at least 11 multilingual indigenous peoples consisting of Chakma, Marma, Tripura, Mro, Bawm, Pangkhu, Khyang, Khumi, Chak, Lushai, Tanchangya including Assamese, Gurkha and Santals, collectively known as Jumma. According to 2011 census, about 52% of the CHT population consist of small ethnic communities (SEC). The largest SEC groups in the CHT are the Chakma, Marma, Tripura, Mru and Tanchangya, and together they make up about 90% of the region’s SEC population. The indigenous Jumma peoples mainly practice Buddhism, Hinduism and Christianity as their religion. Each group has distinct language, culture, religion, tradition, customs, practices, and lifestyle, although many share a culture of livelihood centered around shifting cultivation, *jhum*, which is now increasingly replaced by perennials like mango or agroforestry.

3. The project will take a holistic approach to improve livelihoods and sustainable use of natural resources in the CHT by improving roads and bridges, water supply and sanitation and irrigation schemes, market facilities, and providing agricultural equipment. It will build human and natural capital by improving vocational skills in the rural non-farm sector, developing capacity of CHT institutions and stakeholders, and addressing climate change risks. The project will serve communities drawing on the experience of the Chittagong Hill Tracts Rural Development Project I and II (CHTRDP-I and CHTRDP-II), with emphasis on the areas not covered by these projects. It also adds substantial watershed and skills development components, and will integrate lessons learned in the first two projects such as integrating a climate risk assessment and mitigating erosion risks in the rural road component through bio-engineering measures. The proposed project is expected to have the following five main outputs:

- i. **Output 1: Community infrastructure developed.** This output will support infrastructure interventions aimed at improving village access, water supply and sanitation, household renewable energy supply, and agriculture productivity. Intervention have been grouped in three categories: (i) village

access roads (VAR) including footpaths and steps – for better access to health services, schools, and markets, and to provide increased economic opportunity; (ii) small-scale water supply, sanitation and hygiene infrastructure (WASH) and renewable energy – small-scale water supply schemes using ring wells, shallow/deep tube wells or gravity flow systems, sanitary latrines at household and community level, and (iii) agriculture infrastructure (Agri-infra) – including small weirs, lined channels, power tillers, and lift pumps. For women involved in weaving, weaving sheds are an additional option.

4. A total of 1,000 paras are expected to benefit from community infrastructure support: 180 paras under the village access road subcomponent, 640 paras under the WASH and Agri-infra subcomponents, and 180 paras in watersheds under WASH and Agri-infra. The first 421 Paras to be supported by the Project were selected by the Chittagong Hill Tracts Regional Council (CHTRC) in consultation with the respective Hill District Councils (HDCs). The remaining 579 Paras will be selected in a similar manner within the first year of project implementation, ensuring that all ethnic communities in the CHT are represented. The infrastructure interventions are identified through a participatory needs assessment and planning process involving the communities of selected Paras. Three Union-scale subprojects under Sub-project Batch 1 (SPB-1) were prepared up to feasibility study level during the transactional technical assistance (TRTA) by combining the requirements of clusters of around 7–8 Paras, consisting of VAR, WASH and Agri-Infra interventions. These contribute towards the Project's readiness requirement. It is expected that about 85 additional such Union-scale subprojects will be implemented under the project. In addition to the above subprojects, 27 VAR consisting of 58 kilometer (km) of roads were included as part of SPB-1. An additional 70 km of village roads will be designed during the first two years of the project.

- i. **Output 2: Watershed management improved.** This output will involve participatory watershed management interventions to improve the CHT's resilience to climate change, mitigate risks from natural disasters and to support sustainable land use and regenerative agricultural practices. These measures will address food security and water security concerns of beneficiary communities. Watersheds are selected based on criteria including the level of degradation. Interventions are selected using resource mapping and participatory planning methods involving Para Development Committees (PDC) and Village Common Forest (VCF) Groups. Interventions will focus on: (i) agriculture land conservation; (ii) forest/shrub land conservation; (iii) degraded land improvement; (iv) stream bank protection; (v) water resources development; and, (vi) demonstration of good agricultural practices. Monitoring arrangements combining Geographic Information System (GIS) and field-based approaches will also be included under this Output. Activities will be implemented by beneficiary communities, facilitated by a non-government organization (NGO). Local contractors will implement more complex civil works. The capacity of community-based organizations in planning, implementation and maintenance of watershed management interventions will also be strengthened.

5. The component will support a total of 9 sub-watersheds, with an average size of 1,350 hectare (ha.) per watershed, benefiting a total population of around 75,000 people in 180 Paras. Feasibility studies of three sub-watersheds were completed during the TRTA as part of the project readiness requirements.

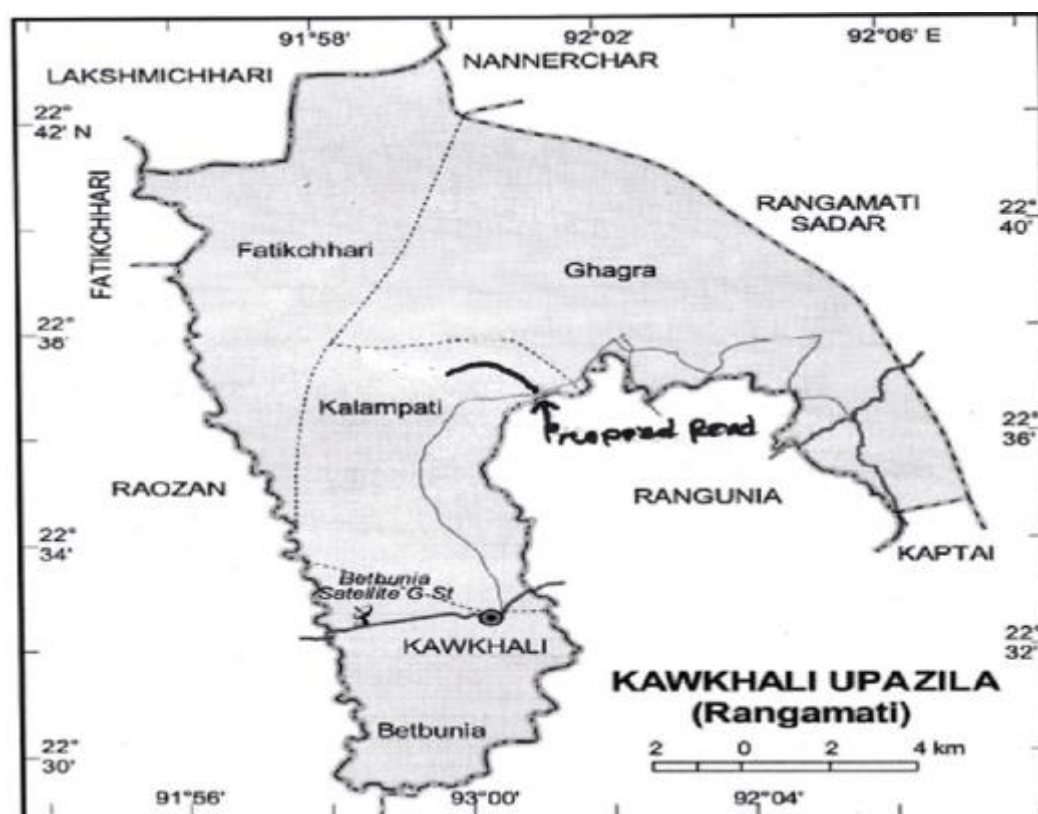
- i. **Output 3: Agriculture production, storage, processing, and marketing improved.** This output will support farmers' (including women farmers) participation in agriculture value chains. The output will: (i) improve farmers skills and knowledge to participate in value chains of locally produced fruits, vegetables, spices, condiments, and livestock; (ii) provide farmers with better skills and knowledge to improve their cultivation practices, add new produce to their mix, and access backward linkages to procure improved inputs and applies these in a judicious manner; (iii) coordinate with institutions to identify and address bottlenecks in value chain development; and (iv) link farmers with market through engagement with private sector value chain operators. Implementing NGO will support farmers in 9 subdistricts (upazilas) to improve cultivation practices and market linkages together with private sector and business service providers. The project will build on work done during CHTRDP-II and focus on high value vegetables, fruits, pond fisheries, spices and medical plants, and poultry as main product groups. Farmers will be organized in common interest groups around one of these categories.
- ii. **Output 4: Rural non-farm skills improved and capacities of CHT institutions strengthened.** This component will target rural youth (both men and women), especially from SEC, to participate in skills training in sectors allied to the project's main objectives. The skills component will specifically target employment opportunities that will arise from implementing this project itself – including the demand that will become realized once this project is implemented. Training will be delivered by specialized Technical and Vocational Education and Training (TVET) institutes and NGOs. Skills development will increase the resilience of rural communities by providing new non-farm employment and preparing them to cope with climate change impacts. The training will focus on developing rural non-farm skills that are relevant and in demand, enabling skilled youth to remain in the CHT. The component will also strengthen capacities of local government and project implementation entities for climate adaptation and disaster preparedness, especially in relation to the watershed and agriculture value chain components.
- iii. **Output 5: Rural Roads Improved.** The project will undertake upgrading and improving of around 140 km of rural roads to improve connectivity and resilience to climate change. Road surfaces will be upgraded to herringbone brick surfaces or bituminous coated surfaces. New or improved bridges will be included together with drainage infrastructure which takes into consideration the climate scenarios for the CHT. The first batch of subprojects (SPB-1) – comprising of 15 union and upazila roads with a total length of 94.33 km – will constitute part of the project readiness requirement. For these roads, feasibility studies including all due diligence as well as detailed designs were prepared during the TRTA. The feasibility studies and detailed designs for about 37.5 km of additional roads and bridges will be carried out during the first two years of the project. A vertical extension of 3 functional buildings of Bandarban, Khagrachari, and Rangamati executive engineers' offices of Local Government Engineering Department (LGED) will also be included under this output.

6. Nature-based, bioengineering techniques will be integrated in road design to protect hill slopes and riverbanks adjacent to roads from erosion and landslides. These interventions will benefit from the outcomes of a separate ADB Technical Assistance that is providing support to institutionalize bioengineering solutions at a policy/corporate level within LGED.³ These will reduce emergency maintenance and losses incurred by road users due to such events. Measures to improve road safety in the hilly CHT region are also being integrated in designs, based on a manual prepared during the TRTA. Since the Project follows a sector-project modality, a resettlement framework will be prepared during the TRTA, and resettlement plans will be prepared for the 15 SPB-1 subprojects. The LGED will allocate sufficient budget to maintain completed roads in accordance with their standard procedures. NGOs will be engaged to plant trees to compensate for those that will be removed for road widening.

B. Subproject Description

7. The CRLIWM-CHT Sector Project will rehabilitate and improve 15 existing LGED rural (upazila/union/village) roads with a total length of about 94.33 km, ranging from about 3 km to about 14 km in length as part of Sub-Project Batch 1 (SPB-1). A further 45 km of road will be surveyed and designed after project commencement as part of SPB-2. The Kawkhali GC – Kalampati Union Road via Bat Tali (ID of 484524012) is one of the 15 SPB-1 subprojects. It has a total length of 5.10 km and is located in Kalampati Union of Kawkhali Upazila under Rangamati District. The road links Kalampati Union to Kawkhali GC via Bat Tali. The total length of road section proposed for improvement is 1.704 km (including bridge and culvert) or 1.664 km (pavements only) and width of 5.5 meter. Location of the road is shown in Figure 1.

Figure 1. Location of the Proposed Road Subproject



³ This support is provided through TA 9461-REG: Protecting and Investing in Natural Capital in Asia and Pacific.

8. At present, the road is brick-surfaced with a width of 3 meters (10 feet). It was developed quite some time ago, and currently is difficult to traverse, particularly during the rainy season. The road is the main access for population in Kalampati Union to the nearest education institutes, health facilities, markets, and other social, cultural, and economic facilities. Hence, rehabilitation of this road is very important for improvement of the socio-economic conditions of the local people, to ensure their convenience and to enhance their standard of living.

Figure 2. Present Condition of the Road



9. This rural road will be upgraded to meet LGED's current design standards and allow year-round accessibility. Scope of work includes: (i) widening of existing road pavement width from 3 meter (m) to 3.25 meter, including widening of brick edging from 75 millimeter (mm) to 125 mm, and (ii) widening of the crest width including shoulders from 10 ft to 18 ft or from 3.05 m to 5.50 m (1.25 meter on either side of the road).

10. The improvement of the Kawkhali GC – Kalampati Union Road will require acquisition of average one meter of land on both sides of the road in almost all road sections to be improved. This will result to permanent loss of both titled and customary lands, cutting of 631 timber and fruit bearing trees owned by 15 SEC households and 2 CPRs (one temple and one school). The impact is deemed insignificant since no affected household will be physically or economically displaced. Land acquisition will involve only about 1.11% of total area owned and no business or livelihood will be affected. Section II discusses in detail the anticipated subproject impacts.

C. Measures to Minimize Land Acquisition and Resettlement Impacts

11. Efforts were exerted by the project to avoid or minimize land acquisition and resettlement impacts, wherever possible. The following measures were undertaken by the project to minimize project impacts:

- i. Involuntary resettlement and impacts on land, structures and other fixed assets were minimized by exploring alternative options and identifying the option with the least impact on the population.
- ii. Meaningful consultations were carried out with affected households, communities and concerned groups in line with exploring alternative options. Comments and suggestions of affected households and communities were taken into account in finalizing the subproject design.
- iii. All eligible affected persons are entitled to compensation for affected assets, incomes and businesses at replacement cost as specified in the entitlement matrix, and, depending on the severity of impact on their livelihood and income capacity, will be provided with rehabilitation measures to improve or restore their pre-project living standards, income-earning capacity and production levels.
- iv. The project ensured the participation of affected persons in the development of the resettlement plan, including formulation of entitlements. The project will continue to meaningfully involve affected persons resettlement plan implementation and operation of the subproject.

D. Objectives and Methodology of the Resettlement Plan

12. This Resettlement Plan defines the practical procedures by which the Implementing Agency will address potential resettlement impacts associated with the Project and provides an assessment of entitlements for the affected households, in line with Bangladesh's Acquisition and Requisition of Immovable Property Act of 2017 and involuntary resettlement principles outlined in the CRLIWM-CHT Sector Project Resettlement Framework to comply with ADB SPS 2009. The Resettlement Plan includes inventory of all the affected persons covering the actual magnitude of impact on their assets, together with compensation for their losses. The primary objectives of the resettlement plan are to:

- i) identify the project impact on livelihood and income of the community;
- ii) outline measures to mitigate the adverse impact;
- iii) provide an estimate for budgetary allocation for compensation of loss of assets and resettlement benefits; and
- iv) provide procedures for internal and external monitoring of resettlement implementation.

E. Resettlement Plan Related Conditionality

13. The rehabilitation of the Kawkhali GC - Kalampati Union Road via Bat Tali will be contingent on the compliance to the following conditions:

- i) Approval of this Resettlement Plan by the Government and ADB
- ii) Full disclosure of this Resettlement Plan to the public
- iii) Full implementation of the compensation program described in this Resettlement Plan, i.e., full delivery of compensation to the affected persons
- iv) Monitoring agency/consultant is in place, and
- v) 'No objection' by ADB for commencement of physical works

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Land Acquisition Strategy

14. The Project will avoid land acquisition and involuntary resettlement impact except in absolute necessity. The project will not expect negotiated settlement or voluntary land donation for Rural Road sub-projects. In case the project encounters such aspects during implementation, ADB SPS 2009 guidelines will be followed. However, implementation of improvement works with widening of the Kawkhali GC - Kalampati Union Road via Bat Tali will require acquisition of average one meter of land on both sides of the road in almost all road sections to be improved. Land required includes both private and customary owned lands. Affected lands will be acquired following the eminent domain process under ARIPA being followed for land acquisition for LGED rural road subprojects. The project is Category A for Involuntary Resettlement.

B. Overview of LAR Impact

15. Widening and improvement of the rural road will have unavoidable impact on land and trees of the local inhabitants. However, the impact on affected persons is insignificant since there will be no impact on business or permanent impacts on means of livelihood in the form of loss of productive assets. Although some structures will be affected, it does not involve residential or commercial structures. Thus, the subproject will not require relocation of any households from their residential or commercial building/structure. Land acquisition and resettlement (LAR) impacts of the Kawkhali GC - Kalampati Union Road via Bat Tali subproject are summarized in Table 1 and includes:

- i. Acquisition of customary and titled lands estimated at 76.91 decimal, which will be transferred to LGED for the road and road shoulder, thus will no longer be available for cultivation, tree plantation or grazing.
- ii. Land acquisition will result to permanent loss of land (agriculture, homestead and hilly areas) for 28 affected households, of which two are female-headed households and considered vulnerable. Total affected households comprise 152 individuals consisting of 86 males and 66 females;
- iii. Cutting of 631 trees, composed of near-marketable age timber, and fruit-bearing trees.

Table 2. Summary of Subproject Impacts

Type of Impact	Magnitude/ Value	Nature of Impact	No. of Entities/Affected Persons			
			No. of CPR	No. of HHs	Male-headed HH	Female-headed HH
Loss of land	76.91 Decimal; 32 plots (90% Titled; 10% Customary)	Permanent	4	28	26	2
Loss of trees	631	Permanent	1	16	15 ⁴	1
TOTAL			4⁵	28	26	2

Source: CSS conducted between 10 October 2021 and 03 February 2022.

⁴ The 16HHs and 15HHs mentioned in the table comprises the total 28 HHs.

⁵ All tree owners also own land, hence the total number of households and CPRs affected equals the number of landowning entities

C. Detailed Description of Impact

C.1 Affected Entities, Households and Population

16. Table 2 shows two types of LAR impact on private assets and community property resources – land and trees. The census identified a total of 32 entities to be affected (32 entities for loss of land out of which 17 will also be affected by loss of trees). No structures will be affected. Of the total affected entities, 28 are households and 4 are community property resources (i.e., schools and temples). Of the 28 households, majority (25) are members of the SEC while only 3 households are from the Bengali community. A total of 17 entities will lose trees, out of which, 15 are households and 2 are community property resources owned by schools and temples. 16 out of the 28 affected households will experience both loss of land and trees, while two of the CPRs will also lose land and trees. Two of the affected households were found to be female-headed households. The four CPRs consist of three Buddhist temples and one primary school.

C.2 Scope of Impact

17. A total of 76.91 decimal worth of land will be permanently lost due to widening of the road. This means that the inhabitants will not be able to reuse the land upon completion of the civil works of the subproject road. Table 2 shows that 41.98% (32.29 Decimal) of affected lands are agricultural lands, predominantly used for paddy cultivation once a year. The paddy harvest from these land is around BDT 13,000 per year. Partial Homestead lands comprise 30.4% of affected lands without impacting structures or involving physical displacements. Trees are planted around the vicinity of the homestead area, some of them are fruit bearing. Homesteads are also used to raise valuable livestock, which are sold for additional income. Small hilly areas, locally known as *Tilla*, planted with trees, jhum cultivation, various kinds of cash crops like ginger, turmeric, banana, edible root, chili, spice, national tree and shrub comprise more than 27% of affected lands.

Table 3. Type of Affected Land

Type of Land	Quantity of land (Decimal)	Percentage
Paddy	32.29	41.98
Homestead	23.38	30.40
Tilla (Hilly areas)	21.24	27.62
Total	76.91	100

Source: CSS conducted between 10 October 2021 and 03 February 2022

18. CHT is unique in the sense that, unlike other areas of the country, there are customary lands. Common/community land used/owned through customary/traditional *bondobosti* (lease) from the Circle Chief through appointed headmen is one of the three prevailing land ownership systems in CHT (with other two being title ownership and “legalizable”, i.e., land for which application for registration was done a long time ago). Among the affected lands, only 9.99% are customary lands, whereas 90.01% of the lands are titled-lands, as shown in Table 3. The Inventory of Loss showed that all 76 affected households/entities are eligible for compensation. There were no sharecroppers, tenants, or squatters among them. The list of affected titled and customary landowners and impacts are shown in **Annexes 1 and 2**, respectively.

Table 4. Distribution of Affected Land by Category

Type of land	Quantity of land (Decimal)	Percentage
Titled	69.23	90.01
Customary	7.68	9.99
Total	76.91	100

Source: CSS conducted between 10 October 2021 and 03 February 2022

19. Table 4 shows that the road widening, and rehabilitation will impact a total of 32 plots with a total area of 76.91 Decimal. Of these, 28 plots are owned by households, while the remaining 4 are community property resources (3 are owned by Buddhist temples, locally known as *Bihar or Bihara*, and 1 owned by a school). Buddhist temples are on customary land while the school is situated on titled land. Among the owners of plots, only 2 are female-headed households. The total number of entities owning land is 32.

Table 5. Type of Ownership by Affected Plots

Particulars of Land Ownership	Magnitude
Total Affected Plots ⁶	32
Total Affected HHs	28
Male Headed	26

6

Female Headed	2
Community Property Resources	4

Source: CSS conducted between 10 October 2021 and 03 February 2022

C.3 Impact on Trees

20. Table 5 shows that a total of 631 trees will be affected due to the road rehabilitation subproject. Among these, the highest proportion (51.82%) of the trees are large trees, whereas 28.53% are medium trees. Majority of the trees (67.04%) are quality timber trees (e.g., Teak, Akasia, Mahogany, etc.) which command good prices in the market. Around 90.65% of the trees to be affected are owned by 46 households, while the remaining are community property resources owned by one temple and one government primary school. Inventory of trees to be cut per affected person are attached as **Annex 3**.

Table 6. Details of Affected Trees

Particulars	Number	Percentage
Size of Trees to be Affected		
Large	327	51.82%
Medium	180	28.53%
Small	124	19.65%
Sapling	0	0%
Total Affected Tree	631	100%
Type of Trees to be Affected		
Timber tree	423	67.04%
Fruit bearing tree	208	32.96%
Total affected tree	631	100%
Ownership of the Trees to be Affected		
Community Property (2)	59	9.35%
Households (46)	572	90.65%
Total Affected Tree	631	100%

Source: CSS conducted between 10 October 2021 and 03 February 2022

C.4 Impact on Structure

21. The subproject activities will not cause any impact on any residential or commercial structure.

C.5 Impact on Business and Income

22. The subproject will have no impact on any running business or commercial activities. There are no shops or commercial spaces on the right-of-way (ROW) of the subproject road. Hence, there will be no disruption of income due to the subproject rehabilitation.

C.6 Impact on Vulnerable Population

23. For CRLIWM-CHT Sector Project, vulnerable groups are defined as affected who suffer more - economically and socially - from relocation than other affected population. Based on past experiences from similar projects, the vulnerable groups include (i) women-headed

households; (ii) landless households(those without agricultural land, and depend largely on day labor for survival); (iii) disabled households heads; (iv) households having residual agricultural land less than 1 acre or losing more than 10% of their income from agriculture due to acquisition; and those affected persons who have gone below the poverty line due to the subproject.

24. Based on this, the two female-headed households to be impacted by the subproject are considered vulnerable. These households are entitled to one-time cash grant as per entitlement matrix. The amount has not yet been included in the budget of this RP as the amounts have not yet been determined. However, as based on CHTRDP-II experience the amounts are relatively low, it should not be a problem to accommodate in a revision. They are also entitled to additional special assistance for livelihood improvements under the project's Skills Output. Institutional and budgetary arrangements for payment of compensation are described in Section VIII.

25. The census identified that affected lands represent an average of 1.11% of the owners' total land holdings. It is deemed that impact is insignificant and the project will not cause economic vulnerability to any of the affected households.

III. SOCIOECONOMIC PROFILE OF THE AFFECTED POPULATION

A. Methodology

26. The TRTA team conducted a combined census with socioeconomic survey (CSS) of all affected households between 10 October 2021 and 03 February 2022 to: (i) ascertain the magnitude of the LAR impacts, (ii) identify measures for mitigation of impacts, (iii) prepare an inventory of losses (IOL), and (iv) generate requisite baseline of socioeconomic details on affected households. A structured questionnaire (see **Annex 4**) was used to carry out the census and socioeconomic survey. Interviews were also held with the heads of affected households and family members at their residences to collect their socioeconomic information. Photos taken during the census survey are attached in **Annex 5**.

27. The **cut-off date** for non-title land for the subproject was established as 10 February 2022, coinciding with the survey date, after which any encroachers or informal settlers will not be considered eligible for compensation or resettlement benefits. Cut-off date for titled landowners is to be declared from Deputy Commissioner office during circulation of section 4. Copy of the cut-off date is in **Annex 6**.

B. Description of Subproject Area

28. Rangamati District, situated South-East of Bangladesh, is the largest District in Bangladesh. It was established in 1860. The district's total population was 620,214 according to the 2011 Census, the most recently available data. The total land area of Rangamati district

is 6116.13 square kilometer. Density of population is 100 persons per square kilometer. Rangamati has ten Upazilas and is a tourist destination.

29. Kawkhali is one of the Upazila in Rangamati situated at around 30 km from Rangamati town. The road subproject to be improved (Kawkhali Kalampati road) is in this district. The total length of road section for improvement is 1.704 km (including bridge and culvert) or 1.664 km (excluding bridge and culvert) and its width is 5.5 meter. The subproject is expected to provide year-round access to people living in the subproject area. Specific benefits include: (i) easier access to basic facilities (secondary school for children; health care for pregnant women and sick people), (ii) reduced transportation cost and time savings for farming, and (iii) generation of additional employment.

30. About 4788 SECs in 11 villages are expected to benefit from the subproject. These villages mainly consist of valley bottom arable (plough) land and gentle hill slopes. Most of the houses of villages are built on top of the low hill. Most of the houses are made of bamboo and wood. Many houses are constructed semi-*pucca* and *pucca*, with earthen, bamboo or wooden floors, bamboo sites and roof of leaves or corrugated iron. Most of the villagers depend on paddy cultivation and vegetable gardening for their livelihood. Nearby hills are used for banana, turmeric and ginger cultivation, horticulture and for collecting forest products like timber, bamboo and firewood, partly for sale. Livestock rearing (cow, goat, pig, buffalo etc.) is also a very main livelihood option. Almost all households keep a few chicken for domestic consumption, and sell the surplus in the nearest market to earn something extra.

31. In customary CHT system the headman is head of Mouza and the *karbari* the head of the village or *para*. If any dispute arises, Headman and karbari are the first to get involved to solve such disputes. In some cases, the Union Parishad chairman and members also get involved in dispute resolution.

32. The social structure of the Indigenous communities in the CHT remains deeply patriarchal. This is no different in this case. However, in terms of mobility, SEC women have a greater degree of freedom compared to women in other parts of Bangladesh. The educational condition of the project area is lacking, with only one government primary school, and three pre-primary development schools. For secondary education, students must go the upazila town, which is 10 km away. The provision of public health services is weak like other areas in the CHT. The Upazila health care center is not easily accessible for pregnant women or sick people given the distance and road conditions. There is one community health care center in this area. NGO-driven primary health-care centers are absent in the sub-project area.

C. Demographic Profile of the Affected Population

33. A socio-economic profile of the 28 Affected Households was conducted in stages during October 2021 to February 2022. During the survey, it was noted that around 57% of the members of the households of the affected persons were found to be male and the rest (43%) are female. In terms of age distribution of members of these 28 households, Table 7 shows that the highest proportion belong to the 11 to 20 years age group (24.33%).

Table 7. Age Group of Affected Persons

Age Group	Number of Affected Persons			Percentage (APs)	
	Total	Male	Female	Male	Female
0-10	29	20	9	13.16	5.92
11-20	37	22	15	14.47	9.87
21-30	26	9	17	5.92	11.18
31-40	22	11	11	7.24	7.24
41-50	16	11	5	7.24	3.29
51-60	14	8	6	5.26	3.95
Above 61	8	5	3	3.29	1.97
Total	152	86	66	56.58	43.42

Source: CSS, October 2021 to February 2022

34. Table 8 presents that majority of the affected persons are members of SEC. Only 3 out of the 28 affected households are from the Muslim Bengali community but they are not residents in the subproject area. Majority (23) of affected SEC households were found to be from Marma tribe, while the remaining 2 were from Chakma tribe. Religion is very closely related to the inhabitants of CHT. Both Marma and Chakma communities are predominantly followers of Buddhism, wherein 89.28% of affected households were found to be Buddhist.

Table 8. Ethnicity and Religion of Affected Persons

Type	Number of AH	Percentage
Ethnicity of the APs		
Muslim	3	10.72%
Marma	23	82.14%
Chakma	2	7.14%
Total	28	100%
Religion of the APs		
Muslim	3	10.72%
Buddhist	25	89.28%
Total	28	100%

Source: CSS, October 2021 to February 2022

35. Table 9 shows that a little over 50% of the affected persons were found to be unmarried. Only a few (2.63%) of the affected persons were widow/widower.

Table 9. Marital Status of Affected Persons

Marital Status	No of APs	Percentage
Married	71	46.71%
Unmarried	77	50.66%
Widow/Widower	4	2.63%

Total	152	100%
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Source: CSS, October 2021 to February 2022

36. Table 10 shows that quite a significant proportion of the affected persons, mostly males, finished high school education (23.68%) and middle school (11.18%). Notably, a significant proportion (9.87%) were found to be illiterate, with a little higher incidence in males over females.

Table 10. Education of Affected Persons

Educational Attainment	Number of Affected Persons			Percentage (APs)	
	Total	Male	Female	Male	Female
Middle School	27	17	10	11.18	6.58
High school	61	36	25	23.68	16.45
SSC	16	10	6	6.58	3.95
Illiterate	28	15	13	9.87	8.55
HSC	5	2	3	1.32	1.97
Elementary School	10	4	6	2.63	3.95
Bachelor/Equivalent	3	1	2	0.66	1.32
Above Bachelor	2	1	1	0.66	0.66

Source: CSS, October 2021 to February 2022

D. Economic Profile of the Affected Persons

37. Almost 37% (Table 11) of the household members of the 28 affected persons were found to be students. Agriculture was found to be the predominant occupation in which around 24 of the affected persons were found to be involved. Male and female ratio among those involved in agriculture was very close (54% male and 46% female). More than 7% of the affected persons were found to be agricultural day laborers.

Table 11. Occupation of the Affected Persons

Occupation	Number of Affected Persons			Percentage (APs)	
	Total	Male	Female	Male	Female
Agriculture	24	13	11	8.55	7.24
Student/Study	55	34	21	22.37	13.82
Housewife	25	0	25	0.00	16.45
Service	8	6	2	3.95	1.32
Tailor (Dress maker)	0	0	0	0.00	0.00
Unemployed	9	6	3	3.95	1.97
Business	6	6	0	3.95	0.00
Aged	0	0	0	0.00	0.00
Driver	3	3	0	1.97	0.00
Disable	0	0	0	0.00	0.00
Headman	0	0	0	0.00	0.00
Day Labor	22	18	4	11.84	2.63

Source: CSS, October 2021 to February 2022

38. Table 12 shows that average land holding affected by the project is 76.91 decimals owned by 32 affected entities (28 persons and 4 institutions), or an average of 2.4 decimals per entity. Bulk of the land is titled and owned by 28 affected entities (27 persons and one school)..

Table 12. Average Landholding per Land Category

Land Type	Total Average Land Area Affected (Decimal)	Average Land Area (Decimal per HH)	No. of Landowners			
			Total	AH	CPR	Gov't.
Customary	7.68	1.92	4	1	3	-
Title Land	69.23	2.47	28	27	-	1
Total Land	76.91		32	28	3	1

Source: CSS, October 2021 to February 2022

39. As per the estimation of affected persons, the present market value of their total landholding was found to be an average of BDT 3,806,785/HH (Table 13). They also were found to have household durable consumer items and other assets of worth BDT 81,660/HH.

Table 13. Valuation of Assets of Affected Persons

Asset	Average Value (BDT/HH)
Landholding	3,806,785
HH Durable Consumer Items and other assets	85,546

Source: CSS, October 2021 to February 2022

40. As shown in Table 14, average income was found to be BDT 305,587/HH/Year, equivalent to BDT 25,466/HH/Month. Service and business seemed to be the major contributors of the household income of the affected households.

Table 14. Average Household Income and Sources

Source of Income	Average HH Income (BDT/Year)
Agriculture	73,046
Service	5,592
Business	46,642
Labour	50,750
Profession	7,142
Others	5,285
Average HH Income	188,457 (15,704/month)

Source: CSS, October 2021 to February 2022

41. More than 21.43% of the affected households were found to have more than BDT 300,000 income per year. However, the largest proportion was found to have income of BDT 180,001 to 240,000/Year (35.71%), as shown in Table 15.

Table 15. Annual Income Pattern of Affected Households

Level of income	Number of Household	Percentage
Above 300001	6	21.43
2,40,001-300000	5	17.86
1,80,001- 2,40,000	10	35.71
1,20,001-1,80,000	3	10.71
60,001-120,000	4	14.29
Below 60,000	0	0
Total	28	100

Source: CSS, October 2021 to February 2022

42. Table 16 presents the annual expenditure pattern of the affected households. It shows that average household expenditure was found to be BDT 250611/Year. Around 41.70% of the expenditure was found to be food-related expenditure, while the remaining 58.30% for non-food related expenses like clothing, housing, education, etc.

Table 16. Annual Expenditure Pattern of Affected Households

Expenditure Head	Average Annual HH Expenditure (BDT/HH/Year)
Total Expenditure	250611
Food-related Expenditure	104496 (41.70%)
Non-Food Expenditure	146115 (58.30 %)

Source: CSS, October 2021 to February 2022

43. Almost half of the affected households were found to have some sort of savings as shown in Table 17. Average savings was found to be BDT 103173/household.

Table 17. Savings Pattern of Affected Households

Savings Pattern	Magnitude
Percentage of AHs with Savings	15.73 %
Savings Amount (in BDT)	103,173

Source: CSS, October 2021 to February 2022

44. When affected households were asked about their economic status, none of them reported their status as “Always Deficit” situation. Table 18 shows that around 41% reported their situation to be in “surplus” condition, which echoes the percentage of affected households having savings. 37% mentioned their situation to be in “Break-even” condition, while 22% reported being occasionally deficit situation.

Table 18. Economic Situation of Affected Households (self-reported)

Self-reported Economic Status	Percent of AH
Surplus	40.74%
Break-even	37.04%
Occasionally deficit	22.22%
Always deficit	0
Total	100%

Source: CSS, October 2021 to February 2022

IV. CONSULTATION, PARTICIPATION AND INFORMATION DISCLOSURE

A. Meaningful Consultation

45. Project stakeholders, including SEC and affected persons/communities, must be closely consulted in all stages of subproject design and implementation. Consultation and communication with SEC/affected persons and other stakeholders start during the identification stage of the subprojects through participatory approaches such as participatory village mapping (PVM), and social and economic survey using focus group discussions (FGDs). During identification and shortlisting of subprojects, the relevant CHT Specific Institutions were strongly involved. CHTRC/LGED provided final approval of the shortlisted

subprojects for each component before these advanced to preparation of feasibility studies. All consultations will be documented and attached to the Resettlement Plan. A Stakeholder Participation and Communication Strategy has been described in Project Administration Manual (PAM), which will provide guidance for continued consultation and inclusion of preferences and views from the key project stakeholders.

46. Records of discussions with affected persons themselves will be properly kept, and will be informed of the exact process of asset acquisition, entitlements, and timeframe.

Summary of consultations, meetings and focus group discussions

SN.	Date	No. of Participants	Topics	Issues/ Concern and Mitigation Measures
1	22 May 2021	23	General Information about project site A road improvement project being planned Community perception about Kalampati road improvement project	During the meeting, the TRTA team explained that a road project has been proposed and the team will conduct feasibility and other assessments if the community support them, The union members, karbaries and general community inhabitants welcomed the project, 47.
2	30 November 2021	34	Kalampati Road improvement project has been proposed with road widening Land acquisition impacts Compensation according to Government and ADB SPS 2009 Rates 48.	During RP preparation survey, the TRTA team focused on Land acquisition impacts, It was explained that due to road widening, around 8 ft widening-land acquisition will be required, The affected land owners asked questions about compensation-it was assured from TRTA team that compensation will be provided, The affected land owners and representative from the communities asked questions about land and other compensation rates and it was explained that according to ADB requirements, compensation at market rate will be assured for the affected persons, Resettlement Plan will be prepared and titled/non-titled affected persons will receive compensation according to eligibility, Once the impacts are finalized, rates will be calculated by property

				valuation advisory team and each affected persons will be informed of their loss and entitlements.
3	07 June 2022	24	<p>A road improvement project being planned</p> <p>Consultation Grievance mechanism Community perception</p>	<p>During ADB Fact Finding Mission, a consultation meeting has been conducted. The communities greeted the mission. The mission asked whether they have been consulted before, do they know about the impacts and community perception about the project.</p> <p>The communities confirmed that they have been consulted, they know about land acquisition and they welcome the project.</p> <p>ADB mission asked if there were any affected land owners, whether they know the impacts. The land owners assured about their positive expectation despite personal loss, they are looking forward to the project due to the economic enhancement offered by the project.</p> <p>The mission also asked questions about active Para Development Committees, Karbari involvement in local dispute resolution. In case of dispute related to land ownership and project related issues, what kind of committee may support the best.</p> <p>The Union members, Karbaries, PDC members assured that dispute resolution committee formed by the project will have all support from community.</p> <p>Alternative livelihood preferences of the communities were also discussed. And it was disclosed that the project will support the community through income and livelihood restoration</p>

				trainings to vulnerable and eligible households.
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49. Public Consultation and Communication Programs. In parallel with the socioeconomic survey, the consultant/project will conduct public consultation and communication programs (in a manner and dialects acceptable to the affected persons and the SEC) to ensure the full awareness and participation of the likely affected persons/communities; to inform about the project interventions and their benefits and possible negative impacts; inform about the Government policy as well as the ADB's safeguard policy on involuntary resettlement, and the policy adopted by the Project for mitigating the adverse impacts; identify their views on the project alternatives and options for mitigation of adverse social impacts, and raise awareness on the project grievance redress mechanism. Consultations will be carried out throughout the project implementation period, ensuring that women and other members of vulnerable groups participate during consultations and project activities.

50. During RP preparation, the documents will be available at LGED district and upazila offices, and at HDC and Union offices, and on the Project (English, Bangla and other major indigenous dialects in CHT) and ADB (in English) websites. As appropriate, the contribution of APs and beneficiary groups will be included in the subproject RPs.

51. All consultations will comply with government health protocols related to COVID-19. Social distancing, conducting meetings in open spaces and use of personal protective equipment shall be observed by the project.

B. Broad Community Support

52. In the stakeholder participation and communication strategy, a broad community support guidelines to obtain the free, prior and informed consent of affected SEC has been defined in the Small Ethnic Communities Planning Framework (SECPF) and the Small Ethnic Communities Plan (SECP) where the project necessitates the acquisition of ancestral lands of SEC. Each scheme for the project is to be identified through consultation and participatory village mapping, where communities themselves will select their priority schemes, and their consent for the schemes are to be recorded in written form. Record of consultation including pictures, attendant sheets, will be documented and shared through monitoring reports to ADB on a regular basis.

C. Consultations During Resettlement Plan Preparation

53. This resettlement plan has been prepared in consultation with the key local stakeholders, including local government representatives, affected households, community leaders and project representatives. Consultations with affected persons and other stakeholders were undertaken to: (i) disclose information about the project, (ii) gather relevant data for impact assessment, (iii) develop appropriate options for resettlement of affected persons, and (iv) secure their support to the subproject intervention. Emphasis was given to the directly affected persons and their community to understand their perception towards the project design and benefits, their expectations, and to create awareness among the affected population regarding their entitlements, compensation payment procedures and grievances redress mechanism.

54. A consultation meeting was held on 30 November 2021 at Boro Dolu village, Kalampati Union, Kawkhali Upazila, Rangamati District. A total of 34 persons were present in the

meeting, out of which, 29 were male and 5 were female. Such consultation meetings are conducted in the prevailing local language, in this case Chakma, while experienced TRTA project staff with a SEC background and aware of and sensitive to local customs conducted the meeting. Minutes of meeting, signed attendance sheet and photos of consultation meeting are presented in **Annex 7**.

55. Following issues were discussed in the consultation meeting:

- i) Purpose and major agenda of the meeting
- ii) Purpose of the rehabilitation of the road and the potential benefits
- iii) LAR impacts, compensation rate and payment process
- iv) Grievances Redress Mechanism
- v) Important documentation and relevant processes to claim the compensation payment
- vi) Other relevant issues

56. The consultation meeting concluded with the following decisions:

- i) The landowners/AHs had no objection in rehabilitation/widening of the Kawkhali GC Kalampati Road via Bat Tali
- ii) Local inhabitants urged the project representatives to ensure proper operation and maintenance of the road for longer service life
- iii) Project representatives indicated the full cooperation regarding compensation payment
- iv) Full cooperation regarding any grievances or conflict

57. Consultations with implementation agencies and villages potentially affected by the subprojects were undertaken in the preparation of the Resettlement Plan.

Further consultation and stakeholder meetings will be regularly conducted before and during physical implementation of improvement works and compensation payment process. The records of those consultation meetings will be preserved for future perusal.

D. Participation

58. The project will ensure participation of key stakeholders across the project development cycle through the facilitation of the INGO.

59. Assessment of loss, valuation, grievance redress, and other decision-making groups will include representatives of the affected persons and third parties, not just local elites. All approved resettlement committees will be formed and activated during implementation and the monitoring and evaluation of Resettlement Plan. A grievance redress committee (GRC) will assess compensation and resettlement grievances; and a resettlement advisory committee (RAC) will assist in ensuring the smooth Resettlement Plan implementation and will include affected persons and local government representatives, teachers, religious leaders such as imams, lamas and priests, knowledgeable persons, women's group representatives, and headmen. The GRC as well as the Joint Verification Team (JVT) and the Property

Valuation Assessment Team (PVAT) will be formed through gazette notification by MoCHTA and activated during the land acquisition process to allow affected persons sufficient time to lodge complaints and safeguard their interests. Since physical displacement or relocation will not be triggered and impacts are limited to partial land acquisition. There are no relocation site arrangements for this project.

60. Cooperation from all concerned local institutions and organizations such as NGOs, women's groups, and community-based organizations (CBOs) will be sought for functioning of the Resettlement Plan implementation. An experienced NGO will be hired as the INGO for Resettlement Plan implementation. The INGO should have experience in working with tribes, minor races, ethnic sects and communities, resettlement planning and implementation, and have staff speaking CHT languages of relevance for Resettlement Plan preparation and implementation.

61. The resettlement plan has been prepared based on the social impact assessment and through meaningful consultation with the affected persons and all stakeholders, including local representatives, NGOs, CSOs, and affected persons representatives. Appropriate entitlements and mitigation measures will be identified with inputs from SEC/affected persons, government and CHT institutions.

62. During project preparation phase in 2021/22, the TRTA consultant's team at the start of preparation of each subproject, conducted meetings with the communities to be benefited and/or potentially affected by the subproject. For rural road subprojects, initial community consultations were conducted by LGED district and upazila staff together with the TRTA consultant, informing the communities, including community traditional and informal leaders, on the project's overall objectives, the concerned output, ADB safeguards, the proposed road subproject, and possible land acquisition impacts. The community's views were then solicited on the benefits of the proposed road improvement and their consent. Alternative options for land acquisition and compensation were also presented and discussed. After LGED had completed designs and confirmed the road alignment, a full social and economic survey was then implemented during which community leaders and potentially affected persons were then again consulted and their views on potential adverse impacts solicited. The same methodology will be followed during project implementation when SPB-2 and further batches will be prepared.

E. Information Disclosure

63. Key features of this Resettlement Plan have already been disclosed to the affected persons through the community level meetings. After its approval by ADB, following disclosure plan will be followed:

- i. This Resettlement Plan as an official public document will be made available in the relevant offices of the Executing and Implementing Agencies at national and district levels. Resettlement Plan will also be made available at the village RCs, and to affected persons upon request. The final version of the Resettlement Plan will be posted on the websites of MoCHTA and ADB.
- ii. A summary of this Resettlement Plan will be translated into local language as a Public Information Booklet and disclosed to affected persons after it is approved/endorsed. A sample Booklet is included in **Annex 8**. The LGED, supported by the Implementing NGO (INGO), will be responsible for distribution of the Booklet to the local leaders and to the affected households/persons for awareness of the Project's benefit/compensation available to the affected persons.

V. LEGAL AND POLICY FRAMEWORK

A. Applicable Laws of the Government of Bangladesh

64. The policy framework and entitlements for the proposed for the Project are based on applicable legal and policy frameworks of the Government of Bangladesh, namely: The Acquisition and Requisition of Immovable Property Act (ARIPA), 2017, and ADB's Safeguards Policy Statement (SPS), 2009. The GoB does not have any specific policy for addressing involuntary resettlement.

65. The Acquisition and Requisition of Immovable Property Act, 2017, and its Salient Features. The legislative framework for land acquisition in Bangladesh is the "Acquisition and Requisition of Immovable Property Act of 2017" (ARIPA).⁷ This is the newly enacted land acquisition law gazetted on 21 September 2017, replacing the 1982 Ordinance II. Before enacting this law, the principal legal instrument governing land acquisition and compensation in Bangladesh was "Acquisition and Requisition of Immovable Property Ordinance 1982" and its subsequent amendments in 1993 and 1994. The Government, under the ARIPA 2017, increased the compensation rate from 1.5 times to 3 times the value of the land. The philosophy underlying the newly enacted legislation is that the persons whose lands are compulsorily acquired should be compensated at "replacement value" for their loss of lands including other assets such as houses, trees, standing crops, and any other loss and damages caused by such acquisition. Here the value of land is calculated as the average of transfer deed values over the last 12 months for similar land types in that area. This definition is the same as in the earlier legislation under the Acquisition of Immovable Property Act of 1982.

66. There have been certain significant changes in the new land acquisition Act of 2017 (ARIPA), the most important of which are:

- (i) The affected persons will get an additional 200% compensation, over and above the market value of the land when acquiring it for any public purpose or in the public interest.
- (ii) The affected persons will get an additional 300% compensation in the event of acquiring land for any private organization.
- (iii) The lands of religious worship places such as mosque, temple, pagoda, and graveyards and crematories are located, can be acquired if necessary.
- (iv) The period for the compensation of acquisition has been extended to 120 days instead of 60 days.

⁷ [Refworld | Bangladesh: Act No. 25 of 2017, The Acquisition and Requisition of Immovable Property Act](#). The Bangladesh Ministry of Law has not yet published the authorized English translation on its website.

67. In accordance with the present (and earlier) law, the legal process of land acquisition is initiated by an application by the requiring agency or department to the Deputy Commissioner (DC) of the concerned Districts with a detailed map of the proposed area. The DC determines the amount of Cash Compensation under Law (CCL) of affected assets based on the approved government procedure.

68. One important activity in the acquisition process under ARIPA 2017 is that “prior to publication of preliminary notice of acquisition, the DC shall take the measure to carry out video filming and still photographing of all the areas of the project Right of Way (ROW) to display the existing structures, crops, trees and other physical features likely to be affected under the proposed acquisition”.

69. As indicated before, the ARIPA, 2017, albeit being the latest legal instrument for GOB in involuntary land acquisition and resettlement, is only partially applicable to CHT context, due to district’s distinct socio-cultural dynamics of the tribes, minor races, ethnic sects and communities and the existence of a dual legal system acknowledging customary laws and rights of local inhabitants along with government legislations. Relevant clauses of The Chattogram Hill Tracts Regulations, 1900, along with CHT (Land Acquisition) Regulation, 1958, and its subsequent amendment, known as Chattogram Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2018, thus, are applicable here. The following clauses of the regulations are particularly applicable in this case:

- (i) **Acquisition: 3. (1).** When any land held on valid title, which is not resumable under the Chattogram Hill Tracts Regulation, 1900 (Regu. I of 1900) or the rules made thereunder, is required for any public purpose, the Deputy Commissioner may acquire such land by an order in writing. (2) When an order is made under sub-section (1), the Deputy Commissioner shall serve a copy of such order on the person or persons interested: Provided that if the Deputy Commissioner is of the opinion that the service of the copy of such order on each such person will cause delay in taking possession of the land, he may dispense with such service and cause a public notice of such order to be given at convenient places in the locality. (3) On and from the date of service of a copy of the order or publication of a notice under sub-section (2), the land so acquired shall vest absolutely in the Provincial Government free from all incumbrances and the Deputy Commissioner may take possession of such land by using such force as may be necessary.
- (ii) **Appeal: 5. (1).** An appeal against an order made by the Deputy Commissioner determining the compensation under sec. 4 shall, if presented within thirty days of the date of service of the notice of such determination, lie to the Commissioner of Chattogram Division. (2) The Board of Revenue may, either on its own motion or on application, revise any order passed by the Commissioner under sub-section (1).
- (iii) **Compensation: 4. (1).** When any land is acquired under sec. 3, the Provincial Government shall pay compensation therefore as may be determined by the Deputy Commissioner and in determining the amount of such compensation, the Deputy Commissioner shall take into consideration, - Firstly, the market value of the land on the date of the order of acquisition, but he shall not take into consideration the changes in the value of the land resulting from the project to which the acquisition relates; Secondly, the damage sustained by the person interested by reason of the taking of any structures, bamboos, trees or standing crops which may be on the land at the time of the Deputy Commissioner’s

taking possession therefore; Thirdly, the damage, if any, sustained by the person interested at the time of the Deputy Commissioner's taking possession of the land by reason of serving such land from his other land; Fourthly, the damage, if any, sustained by the person interested at the time of the Deputy Commissioner's taking possession of land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings; Fifthly, if in consequence of the acquisition of the land by the Deputy Commissioner the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change; and Sixthly, the damage, if any, bona fide resulting from diminution of the profits of the land between the time of the service of a copy of the order or publication of the notice under sub-section (2) of section 3 and the time of the Deputy Commissioner's taking possession of the land.

- (iv) **(Amendment 2018): (2).** In addition to the market value of the land, as provided above, the Deputy Commissioner shall, in every case, award a sum of 200 (two hundred) per centum for public purpose and 300 (three hundred) per centum for private purpose on such market value, in consideration of the compulsory nature of the acquisition.

70. The ARIPA 2017 ordinance should prevail for acquisition of customary land, while ARIPA 2017 should apply for acquisition of registered land. With updated ordinance of 2018, the challenges face earlier due to dual legal systems are expected to be resolved. This implies that the determination of compensation for the affected assets will be governed by the policy of land acquisition law of 2017 and 2018 Amendment⁸, that is, the compensation rate will be three times the value of the land and other assets, but subject to endorsement of the CHT Regional Council and other stakeholders in the case of customary land.

71. In the case of non-titled land users, all affected assets excluding land will be compensated according to the eligibility in entitlement matrix. For non-titled APs, resettlement compensation can be directly paid to affected persons from the project.

B. CHT Regulations

72. 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 Chattogram Hill Tract Regulation I 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.

⁸https://minland.portal.gov.bd/sites/default/files/files/minland.portal.gov.bd/law/c8790b1d_6aac_4f6b_a5a2_bf22033aa5fd/Land%20Acquisition%20Regulation%201958%20Amendment%2028_Feb_2018.pdf

73. With the impending Kaptai hydro project dam construction⁹, 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 Chattogram Hill Tracts Regulation I of 1900 with the Chattogram Hill Tracts (Land Acquisition) Regulation, 1958, which remains as the most important legal instrument for the government about land acquisition in the CHT. After the 2 December 1997 Peace Accord 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).

74. The Hill District Councils (Bandarban, Rangamati and Khagrachari) Act, 1998 (along with the Schedule – 1) is a major piece of legislation for the decentralized governance of the CHT. This is a very broad authority which in practice the HDCs have seldom exercised till date. Their weak institutional capacity and subservience to the ruling party may be the main explanation. Nevertheless, Section 64 of the HDCs Act states:

- i. *“Notwithstanding anything contained in any law for the time being in force, no land within the boundaries of Rangamati (and Khagrachari and Bandarban) Hill District shall be given in settlement without the prior approval of the Council and such land cannot be transferred to a person who is not a domicile of the said district without such approval; and Provided that, this provision shall not be applicable in case of areas within the Protected and Reserve Forests, Kaptai Hydroelectricity Project, Betunia Earth Satellite Station, land transferred or settled in Government and Public interest, land and forest required for state purposes.”*

75. To align the Chattogram Hill Tracts (Land Acquisition) Regulation, 1958 with the new ARIPA, 2017, GOB amended some of the articles of the 1958 regulation. The most significant amendment was the replacement of Section 4, subsection-2 with the following:

- i. *“(2) In addition to the market value of the land, as provided above, the Deputy Commissioner shall, in every case, award a sum of 200 (two hundred) per centum for public purpose and 300 (three hundred) per centum for private purpose on such market value, in consideration of the compulsory nature of the acquisition.”*

76. Due to insertion of this subsection into the 1958 regulation, the landowners would receive a total of 300% to 400% of their land price in case of land acquisition, which was only 115% as per the previous regulation.

C. ADB Safeguards Policy Statement (SPS), 2009

77. The ADB's Safeguard Policy Statement (SPS), 2009 requires ADB-assisted projects to (i) avoid resettlement impacts wherever possible; (ii) minimize impacts by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all Displaced

⁹ <https://www.internationalrivers.org/news/the-kaptai-dam-a-story-of-disenfranchisement-displacement-and-destruction/>; https://theasiadialogue.com/wp-content/uploads/2018/03/People-versus-Power_-The-Geopolitics-of-Kaptai-Dam-in-Bangladesh.pdf

Persons¹⁰ (DP) in real terms relative to pre-project levels; and (iv) improve the standards of living of the affected poor and other vulnerable. It covers both physical displacement and economic displacement.

78. Specifically, ADB SPS requires (i) Impacts to be identified and assessed early in the project cycle; (ii) plans to avoid, minimize, mitigate or compensate potential adverse impacts to be developed and implemented; and (iii) affected people are informed and consulted during project preparation and implementation. The policies apply to all ADB finance projects and all components.

79. ADB SPS also requires affected persons to be compensated prior to relocation. To ensure this, all the construction contracts should only be awarded once DC's final notice - section 8 for the respective LA cases are declared and land is handed over to the project.

80. The key involuntary resettlement policy principles of SPS 2009 are as follows:
- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
 - (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment 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 Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
 - (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full

¹⁰ According to SPS, Displaced Persons could be of three types: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.

- replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) Transfer, reconstruction allowances, business restoration grants according to eligibility in addition to Replacement Cost for land, structure, trees, crops and other assets; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
 - (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
 - (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
 - (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets.
 - (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
 - (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
 - (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
 - (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

D. Comparison of ADB SPS with Applicable GOB Laws in the CHT

81. There are some gaps between the land acquisition law of Bangladesh and the ADB SPS, 2009. Table 3 presents the comparison between ARIPA's laws related to land acquisition, compensation, and involuntary resettlement and ADB's requirements as prescribed in the SPS 2009. Where differences exist between local law and ADB practices, the resettlement policy of the project will be resolved in favour of the latter.

82. The major differences between ARIPA 2017 and ADB SPS are:

- (i) The ARIPA 2017 calls for 3 times compensation on official land price, while ADB advocates to pay at “Replacement Cost” (RC). It is possible that government payment may now be more than RC, but there is no way to confirm this in ARIPA 2017.
- (ii) The ARIPA 2017 does not recognize the entitlement of persons without land ownership title, which is not endorsed by ADB policy.
- (iii) Land can be handed over to requiring body once payment of awards has initiated as per the Government of Bangladesh law, however, ADB policy says that no physical or economical displacement can occur prior to full compensation payment.
- (iv) In the ARIPA 2017, there is no direct provision for relocation assistance, assistance to vulnerable groups or income loss, livelihood restoration, however, it is indirectly mentioned that such provision can be arranged without any elaboration. ADB policy kept provision for such entitlement.
- (v) Stakeholders' consultation is still not a requirement in new Bangladesh law, while it is an indispensable part of the ADB SPS

83. The key differences between ADB SPS 2009 requirements and national legal system for land acquisition and resettlement with gap filling measures are presented in Table 3.

Table 3: Key differences of GOB Laws in CHT with ADB SPS 2009 and GAP filing measures

Issue	ARIPA 2017/ 2018 amendment for CHT	ADB	Gap-filling Measures in this RP
Timing of compensation.	Land is handed over to requiring body once payment of awards has initiated.	Prior to land acquisition and displacement.	No physical or economic displacement will occur until compensation at full replacement cost or resettlement benefits have been paid.
Valuation of land	ARIPA, 2017 determines the land price as average value during the twelve months preceding the rate of publication of the notice under section no.4. During payment, Tax is deducted from the total land value. Then 200% premium is added.	ADB SPS policy calls for replacement cost of land.	Provisions have been adopted for additional top up payments to ensure replacement costs. Evaluation of affected assets are to be conducted through PAVC to assess and confirm that replacement cost at market rates are ensured.
Valuation of structures	The ARIPA, 2017 determine the Structure price by deducting construction profit, overhead charge, Value Added Tax and Depreciation. Then 100% premium is added.	ADB SPS policy calls for replacement cost of assets. Depreciation should not be taken into account	Provisions have been adopted for additional top up payments to ensure replacement costs without depreciation value. Most recent approved structure rates are to be collected

Issue	ARIPA 2017/ 2018 amendment for CHT	ADB	Gap-filling Measures in this RP
		during calculation.	from PWD ¹¹ to ensure replacement cost. Affected structure owners will be allowed to take salvage materials within a timeline agreed by PMO.
Eligibility criteria.	Non-titled holders are not eligible for compensation. No provision to support relocation.	Non-title holders are eligible for compensation for loss of assets and income. Households must be assisted in the relocation process.	All affected persons irrespective of titles have been identified for compensation and assistance. Affected households and businesses will receive relocation assistance in the form of additional lump sum as well as support from the project in identifying and negotiating an alternative place to stay.
Economic displacement.	No compensation for loss of income.	Livelihood must be restored or improved for the vulnerable affected households.	Households must be compensated for loss of income. Vulnerable households are eligible to participate in livelihood improvement trainings under output 3 and 4, which includes market linkage and employment opportunities.
Consultations/disclosure.	No consultation/disclosure requirement.	For engagement with SEC communities, broad community support is required. Affected persons must be consulted during project design and RP preparation. All documents must be disclosed locally and on ADB's website.	Project design included participatory village mapping to include community demand and preferences. Extensive consultations were carried out during design and RP preparation and similar efforts will continue during implementation. During implementation, community consent will be documented prior project implementation. The RP documents and entitlement matrix will be disclosed locally and on ADB/EA's websites
Special assistance to vulnerable groups.	No special assistance to vulnerable groups required.	RP must have provisions for vulnerable groups.	The RP has special assistance measures to vulnerable groups and women headed

¹¹ Public works department

Issue	ARIPA 2017/ 2018 amendment for CHT	ADB	Gap-filling Measures in this RP
			households. Eligible affected vulnerable households will also have access to skills development trainings from the project.

84. The harmonization has also benefited from the other ADB projects' "best practices" in resettlement. The harmonized policy forms the basis for preparation of social safeguard plans for various components of the project. Concrete harmonization and gap-filling measures listed in Table 3 will be ensured through the Project entitlement matrix presented in this RF and will be followed in subproject RPs.

E. Social Safeguards Policy for Harmonization among GOB Laws and ADB SPS for CRLIWM-CHT

85. Since the relevant laws of GOB and ADB SPS have equivalency issues, harmonization is required to minimize gaps among these policy documents. Thus, the project will apply the following policy guidelines and procedures to comply with co-financiers' safeguard compliance requirements:

I. SOCIO-ECONOMIC INFORMATION

86. In line with the ADB SPS (2009) the development of resettlement plan requires the: (i) generation of list of displaced/affected persons and host populations, (ii) assessment of potential negative and positive project impacts on affected persons, and (iii) development of their socioeconomic profile. The assessment shall be done before (sub)project implementation. This section describes the scope of social assessment and methodologies to be used for socioeconomic surveys, censuses, inventories of losses, and assessments of land losses.

A. Screening

87. Initial subproject screening must be undertaken as early as possible to determine potential LAR impacts of subprojects, using the checklist in Annex 1. Screening must be done during the identification and scoping process, and then further refined as the subproject is better defined and engineering designs become available. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Filled-up LAR screening checklists will be attached to the RP.

B. Conduct of Social Assessment

88. A social impact assessment, including a gender analysis and indicators related to vulnerabilities, overseen by Project Management Office (PMO), is required. The census survey guidelines for conducting socioeconomic surveys and database management, which will be used for resettlement plan preparation, is attached as Annex 2. A sample survey form which will be used to record data on the nature and extent of resettlement impacts, and socioeconomic conditions of the community and among likely affected persons will be presented in the resettlement plan is attached in Annex 2. The assessment shall generate the necessary baseline information on demographic, social, cultural, and political characteristics of the affected APs/communities, including IP/SEC. Potential adverse and positive effects of the project shall be identified, and recommended measures necessary to avoid adverse effects, or agreed mitigation measures in case unavoidable, mutually developed with affected persons/communities through meaningful consultation.

C. Tools for Carrying Out Social Assessment

89. The methodologies discussed below will be used in generating a list of affected persons and their socioeconomic information as well as potential positive and negative impacts in accordance with ADB SPS.

- (i) **Census of Affected Persons.** A census of all households (HH) affected by the Project aims to identify the three categories of HH mentioned in Section IV-E. The census will cover the following information: demographic and socioeconomic data, such as household size, age, gender (especially of the head of household), ethnicity, occupation, household income, and vulnerability. Gender-disaggregated data will be collected, where relevant, to address gender issues. Households affected by IR impacts and by VLD are to be covered, and assessed for affected structures, affected trees, any other social and economic impacts (both permanent and temporary) including their nature and size of their impact, among others. The Project will also identify individuals and households who may be differently or disproportionately affected by the project because of their disadvantaged or vulnerable status. Where such individuals and households are identified, the Project will propose and implement targeted measures so that they will not be adversely affected by the project and share the benefits and opportunities from the subproject. A census questionnaire is attached as Annex 2.
- (ii) **Inventory of loss/detailed measurement survey.** The inventory of losses (iol) survey will be conducted following the detailed engineering design of a subproject to determine all affected assets located within the designated alignment of the project facilities. The iol will survey 100% of aps to prepare an inventory of all affected assets located within the designated alignment of the project facilities, including land of various types (residential, commercial, and agricultural) and other immovable property (buildings, fences, sheds, irrigation canals, wells, and other structures) where quantities and relevant measurements are clearly determined, ownership status and basic household information.
- (iii) **Socioeconomic survey.** The detailed socioeconomic survey will cover information on income-earning activities, other socioeconomic indicators and gender roles in the production system (both farm and in non-agricultural activities). The socio-economic survey will provide baseline information on the affected persons and serve as basis for the impact evaluation.

90. Preliminary information can be gathered from secondary data sources and the consultations under the project. However, socioeconomic information needs to be supplemented with information on household income, livelihood patterns, standards of living and productive capacity to enable the project to design appropriate rehabilitation measures and to enlist the participation of the potential affected persons. A socioeconomic survey questionnaire is attached as Annex 2.

D. Stakeholders Consultation

91. Meaningful consultations with various stakeholders including women in affected communities will be carried out during the social assessment with affected persons, host communities, and concerned nongovernment organizations. Inform all APs of their entitlements and resettlement options – where relevant. 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 SECs and smaller SECs, and those without legal title to land, and ensure their participation in consultations. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase. Participatory processes mapping village boundaries, focus group discussions including separate meetings with women, and walk throughs may be used in generating socioeconomic information, and carried out on a sample basis. The most important of this is the preparation of village maps indicating the villages in the catchment of the roads concerned and village boundaries.

Table 5: Main steps of Land Acquisition and Resettlement Process

Steps	Main Activities
Preliminary Tasks	
1	Alignment handover by LGED (sketch map, installed demarcation pillars) at sub project site
2	Conduct Socio-economic base line survey by RNGO: - inventory of losses (land, trees and structures) - time bound action plan is 2 months including RP in prescribed format provided by PMO
3	Mouza map collection and develop map: from concerned DC office (hard copy) then project team develops the map in tracing papers
4	Super imposing of the sketch maps, GPS tracking, alignment video recording
5	Data analysis and prepare RP
6	Prepare mouza map on tracing paper
7	Conduct LAREC meeting at concerned HDC
Main Part	
8	LA Proposal submission to concerned DC as per law of 1958, 1982, 2018 of land acquisition, Bangladesh
9	Arrange Feasibility Study for Land acquisition: (possibility of land acquisition) visit conducted by concerned ADC Revenue
10	Arrange Land Allocation Meeting at concerned DC Office

Steps	Main Activities
11	Facilitate land ownership verification visit by LA Section of LA Branch of concerned DC Office
12	Issue Notice Under section-3 by concerned DC
13	Joint Verification Visit by LA Section facilitated by RNGO
14	Tree Valuation visit by Forest Department
15	Structure valuation visit by Public Works Department
16	Crop valuation visit by concerned agriculture office
17	Prepare Award Book by LA Section DC office
18	Issue Notice Under Section-7 by DC
19	Compensation distribution by DC
Final Completion	
20	Organize PVAT meeting
21	Additional Grants and Resettlement Benefit Distribution by CHT-HDC, organized by RNGO
22	Prepare Income Livelihood Restoration Plan by RNGO
23	Arrange Income Livelihood Restoration Training for the most vulnerable affected persons
24	Prepare RP Completion Report by RNGO
25	Follow up Activities by RNGO

Source: Adapted from Taungya, *Project Completion Report*, June 2019

II. LAND ACQUISITION, RESETTLEMENT AND COMPENSATION POLICY

A. Land Acquisition Strategy and RF Principle

92. The strategy for the Project will be to minimize the acquisition of land for infrastructure improvements. To meet this approach, the RF is formulated to ensure the following safeguard measures:

- (i) Assess possible socio-economic, VLD and IR impacts at an early stage (see checklists in Annex 1.
- (ii) Ensure adequate budget for involuntary resettlement.
- (iii) Meaningful consultation and information dissemination.
- (iv) Adverse social and physical impacts of subprojects are avoided, minimized, and or mitigated.
- (v) All AHs are provided with appropriate compensation and assistance for lost assets which will contribute to an improvement of, or at least maintain, their pre-project quality of life.
- (vi) Nobody will be disadvantaged because of the project.
- (vii) Improve, or at least restore the livelihoods of severely affected persons.¹²
- (viii) Assistance to vulnerable groups.

B. Project's Resettlement and Social Safeguards Policies and Principles

93. To ensure the above safeguard measures, the project will adhere to the following resettlement policies and principles:

¹² Income Rehabilitation will be designed for relocated AHs and Severely AHs only. But additional assistance will be provided to Vulnerable Groups.

- (i) Involuntary resettlement and impacts on land, structures and other fixed assets will be minimized where possible by exploring all alternative options and identifying the option with the least impact on the population.
- (ii) No land acquisition or site clearing will be done inside the corridor of impact (COI) in anticipation of or ahead of it being considered for implementation under the project. Similarly, no land acquisition or site clearing will be done inside the COI until and after the RP has been agreed upon by the government and ADB, and until and after all compensation and/or assistance in cash due to the AHs as provided for in this resettlement policy have been delivered.
- (iii) Compensation will be based on the principle of replacement cost as states in Entitlement Matrix;
- (iv) All the AHs without any discrimination confirmed to be residing in, doing business, or cultivating land or having rights over resources within the sub-project affected area or land to be acquired or used for subproject during the conduct of Inventory of Loss (IOL) and census of AHs (prior to the cut-off date¹³) are entitled to compensation for affected assets, incomes and businesses at replacement cost as specified in the entitlement matrix, and, depending on the severity of impact on their livelihood and income capacity, will be provided with rehabilitation measures to improve or restore their pre-project living standards, income-earning capacity and production levels.
- (v) There will be no deductions in compensation payments for land, structures or other affected assets for salvage value, depreciation, taxes, stamp duties, fees or other transaction costs.
- (vi) If ownership over any affected asset is under dispute, compensation for the same will be held in a court designated bank until its lawful owner is decided by competent legal authorities.
- (vii) AHs that lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living as determined by AHs together with project engineers during detailed design. If it is not adequate to sustain the current standard of living, the entire asset will be considered as totally affected and will be acquired by the project.
- (viii) Affected shop or business owners, if any, will be assisted in gradually dismantling and setting up their shops in a new location in the residual area of the ROW and in a way that will allow them to gradually phase out their operation in their present location place and gradually begin their operation in their new place within the ROW to be confirmed during detailed design. Under this arrangement, disruption in the operation of shop/business owners will be minimized, thereby averting severe impact on the Ahs' livelihood.
- (ix) Affected households presently cultivating plots inside the ROW will be allowed to continue cultivating the residual area of their cultivated plots in the ROW but outside the impact area/COI. If a detailed measurement survey (detailed monitoring system) indicates that the loss of these farmers is equivalent to 10% or more of their total livelihood or income from various sources, an income rehabilitation program will be designed for them.
- (x) Temporarily affected land and communal infrastructure will be restored to pre-project conditions.

¹³ For this project, the date of announcement of the subproject and the IOL will serve as the cut-off date.

- (xi) Meaningful consultation will be carried out with AHs, indigenous households, affected communities and concerned groups to ensure participation throughout the resettlement process, from planning, implementation, and operation of the project. Plans for the acquisition of land and other assets will be carried out in consultation with AHs who will receive prior information of the compensation, relocation assistance and other assistance available to them. The comments and suggestions of AHs and communities will be considered.
- (xii) Any acquisition of, or restriction on access to, resources owned or managed by the AHs as a common property, e.g., communal forest, communal farm, will be mitigated by arrangements that will ensure access of those AHs to equivalent resources on a continuing basis.
- (xiii) There shall be an effective mechanism for hearing and resolving project-related grievances during the planning, updating and implementation of the RP.
- (xiv) The approved RF and RP will be disclosed to AHs and indigenous households in a form and language(s) understandable to them prior to submission to ADB.
- (xv) Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- (xvi) Special measures will be incorporated in the RP to protect socially and economically vulnerable groups; Appropriate assistance will be provided to help AHs belonging to any of these vulnerable groups improve their socio-economic status.
- (xvii) Existing cultural and religious practices will be respected and, to the maximum extent possible, preserved.
- (xviii) Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out at various stages of the project.
- (xix) Adequate resources will be identified and provided during the preparation of the subproject RPs, including sufficient budgetary support in a timely manner to cover resettlement costs within the agreed implementation period; and adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement, and rehabilitation activities.
- (xx) Civil works will not take place for any segment of the subproject, until (a) compensation has been fully paid to AHs; (b) agreed rehabilitation measures are in place; and (c) the acquired land is free from all encumbrances. Civil works contractors will not be issued notice of site possession for any section or segment until these conditions are fulfilled. The schedule of the start of civil works in any section or segment of the Project will be coordinated and planned with LGED.

C. Negotiated Land Acquisition

94. Negotiated settlement of land refers to the process of acquiring land from private landowners willing to sell their property, paying them adequate and fair price and other incentives for the affected land and other assets. This implies that the landowners agree to sell lands on a “willing buyer-seller” basis, and not forced directly or indirectly to sell their lands, or at prices lower than the current market rates. This negotiation process involves meaningful consultation among the willing seller and buyer and full documentation of the consultation process. Based on ADB SPS¹⁴, the negotiation and settlement processes will be documented and verified by an independent external party to be engaged by the project. The ADB SPS 2009 on involuntary resettlement does not apply to negotiated settlements unless expropriation would result in the failure of negotiations.

¹⁴ ADB Policy Paper, June 2009, Safeguard Policy Statement, Negotiated Land Acquisition, Appendix 2, page 48.

95. During project preparation, it was identified that negotiated settlement will be difficult to establish for the Project since there is no prior experience with this process in Bangladesh, and the CHTRC intent to use the eminent domain process under ARIPA being followed for land acquisition for LGED rural road subprojects. In addition, changing land titles under negotiated settlement from private individuals to a government agency might be another challenging process. Thus, negotiated settlement will not be applied in the project.

D. Voluntary Land Donation

96. Voluntary donation of land usually involves the contribution by individual owners of land for a project that has community benefits, such as rural roads, school or health care facility that are part of the community driven development. The basic idea is that the project benefits will realistically offset the size of the donated land. In the case of voluntary land donation, eminent domain or other powers of the state should not be involved in the acquisition. Therefore, voluntary land donation is not within the scope of IR policy of the SPS.

97. The SPS objective is that project affected peoples do not get worst off from the pre-project level, the voluntary donation process should also align with this objective and any household or individual donating land should not become worst-off. In such cases, agreement should be reached with the community, users, or owners, who will be direct beneficiaries of the schemes in the presence of a third party (in this case it can be the *Karbari* or headman), through meaningful consultation. Samples of format used during project preparation in 2021/22 are included in Annex 5. These will be standardized during the Inception Phase.

98. Due diligence will be conducted by the project to avoid adverse impacts on affected persons due to land donation. For project components or subprojects that have resettlement or voluntary land donation impacts, one resettlement plan will be prepared per subproject. The project should (i) verify that the donation is in fact voluntary and did not result from coercion, using written records and confirmation through an independent third party (TOR in Annex 6) such as a designated nongovernmental organization or legal authority; and (ii) ensure that voluntary donations do not severely affect the living standards of affected persons and benefit them directly. Verification of voluntary donation is required through an independent third party before award of contracts.

99. Voluntary donation of land by beneficiary households is acceptable where:
- (i) the impacts are marginal (more than 5% of total landholding donated will trigger livelihood restitution measures to be specified in a resettlement plan);
 - (ii) impacts do not result in physical displacement of households or cause loss of household's incomes and livelihood;
 - (iii) the households making voluntary donations are direct beneficiaries of the project;

- (iv) land donated is free from any dispute on ownership or any other encumbrances;
- (v) consultations with the affected households are conducted in a free and transparent manner;
- (vi) land transactions are supported by transfer of titles; and
- (vii) proper documentation of consultation meetings, grievances and actions taken to address such grievances is maintained;
- (viii) It is to be ensured that no expropriation would result in the event of failure of voluntary land donation.

E. Eligibility of Entitlement

100. All the APs who will be identified in the project-impacted areas as at the cut-off date - as validated and confirmed during the Census and Socio-economic Survey or (SES) will be entitled to compensation as non-titled affected persons; for titled land owners, DC's section four notice and joint verification will confirm ownership and entitlements and/or assistance for their affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. Those who encroach into the project area and build any new structure after the cut-off date will not be entitled to compensation or any other assistance.

101. Eligible persons include:

- (i) persons who lost land, assets, income in their entirety or in part, who have formal legal rights to the land;
- (ii) In case of Indigenous Peoples as they could have claims to the land or territories but may not be legally recognized. IP are, therefore, entitled to payment for loss of land, while tenants and leaseholder are not entitled to the land compensation.
- (iii) persons who will lose the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws, e.g. tenants and leaseholders;
- (iv) persons occupying land over which they neither have legal title, nor have claims recognized or recognizable under national law e.g. sharecroppers, squatters, encroachers, wage labor without formal contracts;
- (v) vulnerable groups including the tribes, minor races, ethnic sects and communities, people living below poverty line, non-titleholders, and the elderly, women and children headed household; and
- (vi) common property resources (CPR) within direct zone of impact.

F. Entitlement Matrix

102. An entitlement matrix has been prepared based on currently known impacts. The entitlement matrix in Table 5 below summarizes the type of losses and corresponding entitlements in accordance with the ADB policies, based on the principles of replacement cost. The Matrix also provides the unforeseen damages to structures that may take place during construction and any temporary losses that may occur. It identifies the categories of impact based on the previously implemented Second Chittagong Hill Tracts Rural Development Project. The types of impact under the present CRLIWM-CHT Sector Project are likely to be similar. However, if new impacts are identified later during preparation of RPs for the subprojects, then such losses will be included in the entitlement matrix and the RP will be appropriately revised, and if needed, this RF may also be required to be updated.

103. By following the Project's LAR 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 Socioeconomic Survey (SES), Land Market Survey (LMS), Structure Replacement Value (including transfer, reconstruction grants and other eligibility according to entitlement matrix) 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.

104. Two groups of people are living in the Project area – the SEC and the Bengali people who migrated to the CHT from the plains of Bangladesh before and after the 1980s. The SEC have three kinds of land ownership:

- (i) registered land (from the DC) with proper documents;
- (ii) those who applied for registration long ago (here, in line with the ADB's SPS, termed as '*legalizable*'); and
- (iii) common/community land used/owned through customary/traditional *bondobosti* (lease) from the Circle Chief through appointed headmen.

105. The Bengalis who came before the 1980s have assimilated themselves with the IPs to a great extent and have 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') have 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 SEC 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 document, given through the 1980s 'transmigration' program¹⁵ supporting lowland Settlers who moved to the CHT, is simultaneously claimed by SEC through traditional/customary rights outlined in the RF.

¹⁵ This Government supported transmigration program began in the late 1970s and was by and large completed by mid-1980s.

Table 6: Entitlement Matrix and Responsible Entities

SI No	Nature of Loss	Definition of Entitled Person (EP)	Entitlements	Implementation Issues	Implementation Responsibility
1	Loss of Registered Land with proper document (Agriculture, Commercial, Homestead, Hill, <i>Jhum</i> land, Pond, Orchard)	Legal owner of the land at the time of serving notice under Section 4 of Land Acquisition (LA) Laws ARIPA 2017	Replacement of land or Cash Compensation under Law (CCL), Market Value assessed by District Collector (DC) plus premium as per Law, and Additional grant to cover Maximum Allowable Replacement Value (MARV) of land Stamp duty to facilitate land purchase Compensation for standing crops assessed by DC/ Property Valuation Assessment Team (PVAT) Land development cost for homestead loser (if applicable) assessed by PVAT	Assessment of quantity and quality of land Assessment of Market Value Assessment of MARV by Land Market Survey (LMS) Title updating Payment of CCL Affected Persons (APs) will be fully informed of the entitlements and procedures regarding payment 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) Stamp duty will be due to an EP @ 15% of the MARV to facilitate in purchasing alternate/replacement land Compensation for standing crops from DC	DC, Hill District Council (HDC) DC, HDC HDC, Implementing NGO (INGO) DC, HDC DC, HDC HDC, INGO
2	Loss of Land applied for registration long ago (legalizable) with proper document (Agriculture, Commercial, Homestead, Hill, <i>Jhum</i> land, Pond, Orchard)	Legal owner(s) of land (DCs in case of identifying legalizable after verification) tribes, minor races, ethnic sects and communities. /Bengali migrants came before 1980s	Once DC declares the land legalizable: i. Replacement of land or ii. Cash Compensation under Law (CCL), Market Value assessed by District Collector (DC) plus premium as per Law, and iii. Additional grant to cover Maximum Allowable Replacement Value (MARV) of land iv. Stamp duty to facilitate land purchase	Assessment of quantity and quality of land Assessment of Market Value Assessment of MARV by LMS Title updating Payment of CCL APs will be fully informed of the entitlements and procedures regarding payment Additional cash grant to	DC, HDC DC, HDC . HDC/ INGO . DC, HDC .

			<p>v. Compensation for standing crops assessed by DC/ Property Valuation Assessment Team (PVAT)</p> <p>vi. Land development cost for homestead loser (if applicable) assessed by PVAT</p>	<p>cover the RV of land. Stamp duty will be due to an EP @ 15% of the MARV to facilitate in purchasing alternate/replacement land</p> <p>Compensation for standing crops from DC</p>	<p>DC, HDC HDC/ INGO</p> <p>HDC/ INGO</p> <p>HDC-CRO/INGO</p> <p>.</p> <p>DC,HDC</p>
3	Common land used/owned through traditional <i>bondobosti</i> (lease) (Agriculture, Commercial, Homestead, Hill, <i>Jhum</i> land, Pond, Orchard)	Owner/user of Common property leased in from headman through traditional <i>bondobosti</i> system	<p>i. Cash Grant as Replacement Value of the land assessed by PVAT</p> <p>ii. Grants for Compensation for standing crops assessed by PVAT</p> <p>iii. Land development cost for homestead loser (if applicable) assessed by PVAT</p>	<p>Assessment of quantity and quality of land</p> <p>Assessment of RV by LMS</p> <p>Payment of RV</p> <p>APs will be fully informed of the entitlements and procedures regarding payment</p> <p>Compensation for standing crops from HDC</p>	<p>HDC</p> <p>HDC, PVAT</p> <p>.</p> <p>HDC/INGO</p> <p>.</p> <p>HDC/INGO</p>
4	Common land used/owned through traditional <i>bondobosti</i> (lease) by tribes, minor races, ethnic sects and communities. But claimed by Bengali came after 80s through legal paper from the government (Agriculture, Commercial,	Small ethnic communities, owner/user of common property leased in from headman through traditional <i>bondobosti</i> system but Bengali settler has legal government lease	<p>Cash Grants as Replacement Value of the land assessed by PVAT</p> <p>Grants for Compensation for standing crops assessed by PVAT</p> <p>Land development cost for homestead loser (if applicable) assessed by PVAT</p>	<p>Assessment of quantity and quality of land</p> <p>Assessment of RV by LMS</p> <p>Payment of RV</p> <p>APs will be fully informed of the entitlements and procedures regarding payment</p> <p>Compensation for</p>	<p>HDC</p> <p>HDC, PVAT</p> <p>.</p> <p>HDC/INGO</p>

	Homestead, Hill, <i>Jhum</i> land, Pond, Orchard)	document of ownership of land but not in possession. Ownership or share of compensation will be resolved through Alternate Dispute Resolution (ADR)		standing crops fromHDC	. HDC/INGO . HDC/INGO-CRO
5	Bengali came after 80s used/owned land through legal paper from the government but tribes, minor races, ethnic sects and communities. Claimed as owner of common land owned through traditional <i>bondobosti</i> (lease) (Agriculture, Commercial, Homestead, Hill, <i>Jhum</i> land, Pond, Orchard) Customary land owned by small ethnic communities.	Bengali settler owner/user of land through legal government lease document and Tribes, minor races, ethnic sects and communities. Owner of customary property by leased in from headman through traditional <i>bondobosti</i> system Ownership or share of compensation will be resolved through Alternate Dispute Resolution Forum (ADRF)	Cash Grants as Replacement Value of the registered/customary land assessed by PVAT Grants for Compensation for standing crops assessed by PVAT Land development cost for homestead loser (if applicable) assessed by PVAT	Assessment of quantity and quality of land Assessment of RV by LMS Payment of RV APs will be fully informed of the entitlements and procedures regarding payment Compensation for standing crops fromHDC	HDC HDC, PVAT . HDC/INGO . HDC/INGO HDC/INGO-CRO
6	Loss of Reserve Forest Land (Agriculture, Commercial, Homestead, Hill, <i>Jhum</i> land, Pond, Orchard)	a. Forest Department is the legal owner of the land at the time of serving notice under Section 4 of LA Laws. b. SEC forest dweller living on	a. CCL (Market value assessed by DC plus premium as per Law). b&c: Additional grant to cover MARV of land Compensation for standing crops /trees assessed by DC/PVAT	Assessment of quantity and quality of land Assessment of Market Value Assessment of MARV by LMS Payment of CCL APs will be fully informed of the entitlements and procedures regarding payment	DC, HDC DC, HDC . HDC/ INGO .

		reserve forest land. c. Kaptai Dam refugees since the early 1970s.	Land development cost for homestead loser (if applicable) assessed by PVAT	Additional cash grant to cover the RV of land will be paid before or during vacating the project site (even before receiving CCL, if necessary) Compensation for standing crops / trees from DC	DC, HDC HDC/INGO HDC/INGO
7	Permanent loss of Homestead/ Commercial and Other Infrastructure by Owner (Registered land)	Legal owner of the land at the time of serving LA notice Section 3 as recorded in the LA award Book	CCL Additional grant to cover RV of the structure Transfer Grant (TG) @ 17.5 % of the value of non-masonry (kutcha) and semi-pucca and 17.5 % for masonry (pucca) structure assessed by PVAT Owner will be allowed to take all salvageable materials (free of cost) without delaying the project work Re-Construction Grant (RCG) @ 17.5% of the value of all structures assessed by the PVAT for titled owners without depreciation cost.	Assessment of no. and quality of structure Assessment of market value Assessment of MARV by LMS Title updating Payment of CCL APs will be fully informed of the entitlements and procedures for getting those Additional grant to cover the MARV of the structure Allowed to take away the salvageable TG @ 17.5% (<i>kutcha</i> and semi- <i>pucca</i>) or 17.5% (<i>pucca</i>) of the assessed value of the structure RCGs @ 17.5% of the assessed value of the structure Special Assistance to Female Headed Households/Smaller IP Groups by category of the structure	DC, HDC DC, HDC INGO/HDC-CRO DC DC INGO, HDC-CRO HDC-CRO/INGO HDC-CRO/INGO HDC-CRO/INGO HDC-CRO/INGO

				Homestead loser will be eligible to get Homestead Development Grant Special assistance to Vulnerable Households with disabled family member	HDC-CRO/INGO
					HDC-CRO/INGO
					HDC-CRO/INGO
8	Temporary loss of Homestead/ Commercial and other Infrastructure by owner(Registered land)	Legal owner of the land at the time of serving LA notice Section 3 as recorded in the LA awardBook	DC's CCL-rental allowance for impact on temporary structures. Transfer Grant (TG) @ 17.5 % of the value of non-masonry (kutcha) and semi-pucca and 17.5 % for masonry (pucca) structure assessed by PVAT Re-Construction Grant (RCG) @ 17,5% of the value of all structures assessed by the PVAT for titled owners	Assessment of no. and quality of structure Assessment of market value Assessment of MARV by LMS Title updating Payment of CCL APs will be fully informed of the entitlements and procedures for getting those TG @ 17.5% (<i>kutcha</i> and semi- <i>pucca</i>) RCGs @ 17.5% of the assessed value of the structure Special assistance to Vulnerable Households with disabled family member	DC, HDC DC, HDC INGO/HDC-CRO DC DC INGO, HDC-CRO HDC-CRO/INGO HDC-CRO/INGO HDC-CRO/INGO HDC-CRO/INGO

					HDC-CRO/INGO
					HDC-CRO/INGO
					HDC-CRO/INGO
9	Permanent or temporary loss of access to any cultivable land /pond by Farmers, Tenant/ Sharecroppers including cultivators of common land	Farmers, tenants, and sharecroppers of the land under contract as identified by the SES to be compensated during implementation of RP	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 crops/fish for permanent impacts One time business loss/ crop compensation for temporary impacts or total business loss/	Individuals identified by the census/SES as farmer, tenant or sharecropper of the land Cash grant at replacement cost as determined by assessment will be paid after taking possession of the land The land owner (registered/leased in from headman) certifies the tenancy SES will identify the farmer (cultivator of common land), tenant/share cropper and endorsed	INGO, HDC HDC- CRO/INGO INGO HDC INGO/ HDC

			harvest cost during impact period- whichever is higher		
10	Loss of Trees/Perennials on registered land	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	Market price of the tree as CCL determined by DC with assistance from other relevant agencies Additional Grants to cover MARV of the tree, based on productivity and age of trees and value of the fruit assessed by PVAT Additional 35% of assessed value as compensation for fruit bearing trees One time crop of each grown up tree (like banana tree) Tree losers will be encouraged to plant more trees by providing 10 saplings free of cost to each affected household.	Assessment of loss and market value of the loss Payment of Cash Compensation for the losses Additional cash grant to cover the RV of the lost tree/perennials (if necessary for registered land owner) Owners will be allowed to fell and take the tree and fruit, after payment of compensation	HDC/INGO- CRO HDC/INGO-CRO INGO/HDC
11	Loss of Trees/Perennials on common property	Persons with ownership of the land (common property) where the trees are located and crops are grown at the time of taking possession for the project	Grants for Compensation at the MV, based on productivity and age of trees and value of the fruit assessed by PVAT Additional 35% of assessed value as compensation for fruit bearing trees with timber One time crop of each grown up tree (like banana tree) Tree losers will be encouraged to plant more trees by providing 5 saplings free of cost to each affected households.	Assessment of loss and market value of the loss Payment of Cash Compensation for the losses Additional cash grant to cover the replacement value of the lost tree/perennials (if necessary for registered land owner) owner will be allowed to fell and take the tree and fruits, after payment of compensation	HDC/INGO-CRO HDC/INGO-CRO INGO/HDC
12	Loss of Trees/Perennials on non-titled land	Persons without entitlements to the land, who planted the trees and perennials and owners, where the trees are located and crops are grown at the time	Grants for Compensation at the MV, based on productivity and age of trees and value of the fruit assessed by PVAT Additional 35% of assessed value as compensation for fruit bearing trees with timber One time crop of each grown up tree (like banana tree)	Assessment of loss and market value of the loss Payment of Cash Compensation for the losses Additional cash grant to cover the replacement value of the lost tree/perennials (if necessary for registered land owner)	HDC/INGO-CRO HDC/INGO-CRO INGO/HDC

		of taking possession for the project	Tree losers will be encouraged to plant more trees by providing 5 saplings free of cost to each affected households.	owner will be allowed to fell and take the tree and fruits, after payment of compensation	
13	Temporary or permanent loss of Residence/ Commercial Structures by Owner on Common land	Owner of the structure identified by SES	Cash Grant as compensation for the structure at market value assessed by PVAT TG @ 17.5% of the value of <i>kutchha</i> and semi- <i>pucca</i> and 17.5% for <i>pucca</i> structure assessed by PVAT Owner will be allowed to take all salvageable materials (free of cost) without delaying the project work RCG @ 17.5% of the value of all structures assessed by the PVAT for titled owners Special assistance for female headed, vulnerable households, smaller IP groups @ Tk 10,000 Tk 12,000 and Tk 15,000 for <i>kutchha</i> , semi- <i>pucca</i> and <i>pucca</i> structure	Payment of structure cost Verification of SES and other records APs will be fully informed about their entitlement and assisted in obtaining it A TG to each household will be paid before/during vacating the project sites Reconstruction Grant for each structure (household/commercial) will be paid before/during vacating the Project site Special assistance to Female Headed/Vulnerable Household/Smaller IP Groups	HDC-CRO/INGO INGO/HDC . INGO/HDC . HDC-CRO/INGO HDC-CRO/INGO HDC-CRO/INGO
14	Temporary or permanent loss of access to house/commercial structure (rented or leased)	Tenants renting/leasing the property as identified by the Socio-Economic Survey (SES)	One-time cash grant for facilitating alternative housing /structure assessed by PVAT for permanent impacts For temporary impacts- One-time cash grant for facilitating alternative housing /structure assessed by PVAT or compensation for impact	Verification of SES Records and other Records A Shifting Allowance per unit will be paid before relocation from project sites	INGO/HDC-CRO HDC-CRO

			duration-whichever is smaller In addition, vulnerable households will be assessed for eligibility to be enrolled in project supported skills development programs and INGO/HDC to assist in relocation		
15	Temporary or permanent loss of residence by informal settlers/encroachers or unauthorized occupants on some registered land (may be some government/private institution/organization)	Heads of Household occupying homesteadland illegally or squatting on RoW as identified by SES	Cash grant as Compensation for the lost structure (if owner) as per assessed values/price by DC provided certified by the land owner the owner's income is under the poverty line ¹⁶ will get grant /training from the Social Development Grant (SDG) Cash grant for shifting of the house from RoW	CCL for structure if recognized by DCs Verification of SES data and the Award Book Compensation for loss of structure (as mentioned in SI No. 11) Transfer or shifting cost per household (as mentioned in SI NO. 11)	DC INGO/HDC INGO/HDC-CRO HDC-CRO/INGO
16	Temporary or permanent loss of Business by shops/business owners due to dislocation	Owner/ Operator of the business as recorded by the SES	Business Restoration Grant (BRG) to owners, renters and leaseholders assessed by PVAT	All affected eligible persons recorded by the SES Cash grant to be paid before leaving the project land	INGO/HDC HDC-CRO/INGO
17	Loss Of Income, Employment/ Work Opportunity Of Full-Time /Part-Time Workers	Workers of affected business as recorded in the SES	One time cash grant for 30/90 day at the rate of local wage rate ¹⁷ (30 days in commercial area and 90 days in agriculture area) For temporary disruption in income, one time compensation for cumulative income days lost due to project activities	All persons recorded by the SES Cash grant to be paid before taking possession of land Involvement of the EP in Project civil works	INGO/HDC-CRO HDC-CRO/INGO INGO/HDC-CRO

¹⁶ Population with less than BDT 4500 purchasing power parity/month are below poverty line
(<https://www.adb.org/countries/bangladesh/poverty#:~:text=In%20Bangladesh%2C%2020.5%25%20of%20the,day%20in%202021%20was%204.0%25.>)

¹⁷ As identified during implementation by PAVC/JVT

			Provided with Livelihood restoration trainings under the skills development schemes from the project according to capacity and interest.		
18	Loss of Access To Utility Services Such As Piped Water Supply, Gas, Electricity, Sewerage Line, or Telephone.	Owner of the structures (titled or non-titled) with utility services identified by SES.	Cash grant as compensation for the utility facilities at Current Market Value assessed by PVAT One time Cash grant to transfer/re-installment the utility service to new location ¹⁸	Payment of compensation for the losses assessed by PVAT Verification of SES and other records APs will be fully informed about their entitlement and assisted in obtaining it A transfer/ re-installment grant for identified utilities to each household/ structure owner (renter) will be paid during or after vacating the project sites	HDC INGO/HDC INGO/HDC-CRO HDC-CRO
19	Temporary or permanent loss of community facilities/common property including common forest resources by APs	Community as a whole where the APs will relocate	Cash grant as Compensation for structure Transfer Grant Reconstruction/Improvement of The Community Facilities/Common Property Resources Afforestation for the community to replace lost forest resources	Compensation based on PVAT and Prior Informed Consent of the affected Cash grant for transfer/reconstruction of structure	HDC HDC-CRO/INGO

¹⁸ As per assessment of PAVC during implementation

20	<u>Unanticipated adverse impacts not generating directly from Involuntary resettlement</u> , such as impact of cross dams up and downstream; Landslide or uprooting trees due to hill cutting, water logging due to interrupted drainage etc.	Affected APs/ Community	Provision for Replacement Cost (RC) for loss at Current Market Price ; Additional community facilities, i.e. schools, temple, mosque, graveyard, etc. (asneeded)	Assessment of losses Compensation based on PVAT Consult the community for identifying additional facilities to mitigate the impact Implement the mitigation programs	INGO/HDC INGO/HDC HDC-CRO/INGO HDC-INGO
21	Unanticipated impacts	As identified during project implementation and verified through JVC/GRC	Eligibility to be determined according to impact and Entitlement Matrix.	Assessment on eligibility and impact on livelihood	INGO/HDC

135. There are also some Reserve Forest areas in the CHT where SEC have been living for generations or have been sheltered as Kaptai Dam refugees since the early 1970s. As these lands are owned by the Forest Department (FD), compensation for any acquired land at replacement cost (RC) will be paid to FD, not to SEC. However, APs on such Reserve Forest lands will receive grants according to eligibility in the entitlement matrix for their asset losses except for loss of land from the HDC, as assessed by the PVAT.

136. In the Entitlement Matrix, all these issues have been addressed by identifying nature and categories of loss by ownership, identifying the entitled persons (Eps) through proper definition, their entitlements for the losses because of the project. The matrix describes the units of entitlements for compensating the lost assets, and various resettlement and rehabilitation benefits. The matrix also addressed the implementation issues step by step with corresponding responsible organizations to implement that.

137. 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 will be paid by HDC through the INGO to cover the Maximum Allowable Replacement Value (MARV). The HDC will also provide grants through the INGO to APs who do not own any registered land but have customary/traditional leased land registered by the CC. The HDC will also provide grants to squatters/informal settlers/encroachers or APs without any legal status according to GOB ordinances if they are confirmed by Project census as users of the acquired land.

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

139. All APs will be entitled to 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 which is to be disclosed among APs. The cut-off date eligibility for resettlement assistance/grant under this RF 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.

140. As per the Entitlement Matrix (SL No. 1), legal owners of documented registered land (agriculture, commercial, homestead, hill, jhum land, pond, or orchard), at the time of serving notice under Section 4 of Land Acquisition Laws, who are SEC or Bengali migrants who came to the CHT before the 1980s, will receive replacement land or CCL. In the case of CCL, the market value will be assessed by the DC plus a premium of 200%, as per law; and an additional grant will also be given to cover the MARV of land, assessed by the DC and a PVAT. Compensation for standing crops will also be assessed and paid by the DC and HDC, who will also update land titling confirming land transfer to the Project. Land development costs for homestead losers (if applicable) will also be assessed by the PVAT. The DC and HDC will

assess the quantity and quality of the land as well as its market value and assessment of the MARV by an LMS conducted by the HDC and the INGO. APs will be fully informed of the entitlements and procedures regarding payment. An additional cash grant covering the replacement value of land will be paid before or during vacating the project site, even before receiving CCL, if necessary. Stamp duty will be due to entitled persons to facilitate in purchasing alternate, replacement land. For all grants beyond CCL, the funding and administration will be through Project resources, under the GoB counterpart finance.

141. As per the Entitlement Matrix (SL No. 2), legalizable owners of land, who had applied for registration long ago and have proper documentation, at the time of serving notice under Section 4 of Land Acquisition Laws, who are SEC or Bengali migrants who came to CHT before the 1980s, will also receive replacement land or CCL. The procedures will be the same as in SL No. 1.

142. Owners and users of common property leased in from headmen through the traditional *bondobosti* (lease) system who are SEC or Bengali migrants, who came to CHT before the 1980s, will receive a cash grant as replacement value of the land, as assessed by the PVAT (SL No. 3). Grants for compensation of standing crops will be assessed by the PVAT as well as land development cost for homestead losers, if applicable, and the overall process will be the same as described in SL Nos. 1 and 2.

143. In cases where owners and users of common property leased in from headmen through the traditional *bondobosti* (lease) system but a Bengali settler has the legal government lease document of ownership but not in possession of the land, ownership or share of compensation will be resolved through an alternate dispute resolution (ADR) process described in the grievance redress mechanism.

144. Similarly, the ADR process will resolve disputes where Bengali settlers have use of land through a legal government lease document, but an SEC claims the same land as common property leased from a headman through traditional *bondobosti* system and is not in possession (SL No. 5).

145. Where the Forest Department is the legal owner of the land at the time of serving notice under Section 4 of Land Acquisition Laws (SL No. 6), CCL will be provided, under the same procedures as the above provisions in the entitlement matrix.

146. For loss of homestead/commercial and other infrastructure by owner (registered land), legal owner of the land at the time of serving Land Acquisition notice Section 4 as recorded in the Land Acquisition Award Book (SL No. 8) will receive CCL plus an additional grant to cover the replacement value of the structure as assessed through an LMS carried out by the INGO/HDC-CRO. Further, a transfer grant at 17.5% of the value of kutchha and semi-pucca and 17.5% for pucca structures, as assessed by the PVAT will be provided through the

INGO/HDCCRO. The owner will be allowed to take all salvageable materials (free of cost) without delaying the Project work and a re-construction grant (RCG) at 17.5% of the value of all structures assessed by the PVAT will be provided to titled owners. A transfer grant will similarly be given, at 17.5% of the value of all pucca and semi-pucca structures and 5% for *katcha* structures, assessed by the PVAT. Special assistance for female-headed and vulnerable households, including smaller SEC groups will be provided at Tk 10,000, Tk 12,000 and Tk 15,000 for *kutch*a, *semipucca* and *pucca* structures. A land/homestead development grant (LDG/HDG) as assessed by PVAT (if applicable) will be provided, as well as special assistance of Tk 10,000 for vulnerable households having a disabled member in the family. As with other provisions in the entitlement matrix, for all grants beyond CCL, the funding and administration will be through Project resources, under the Loan.

147. Farmers, tenants and sharecroppers under contract, including cultivators of common land as identified by the SES (SL No. 8), will be compensated by a cash grant as determined by assessment and will be paid after taking possession of the land during the implementation of the RP for loss of access to any cultivable land or pond. Individuals will be identified by the census and SES as a farmer, tenant or sharecroppers. The land owner (registered or leased in from the headman) will certify tenancies.

148. 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 (SL No. 10) will receive the market price of the trees as CCL, determined by DC with assistance from other relevant agencies. They will also receive additional grants to cover the MARV of the tree, based on productivity and age of trees and value of the fruit, as assessed by the PVAT. An additional 35% of assessed value will be provided as compensation for fruit bearing trees, with a onetime crop compensation for each grown up tree, e.g., banana trees. Owners will be allowed to fell and take the trees and their fruit, after payment of compensation. Tree losers will be encouraged to plant more trees by providing 5 saplings free of cost to each affected household.

149. Owners of the structures identified by the CSS will receive a cash grant as compensation for the loss of residence or commercial structures on common land (SL No. 11) at market value, as assessed by PVAT. A transfer grant will also be given, at 17.5% of the value of *kutch*a and semi-pucca and 17.5% for pucca structures, as assessed by the PVAT. The owner will be allowed to take all salvageable materials (free of cost) without delaying the project work. A RCG at 17.5% of the value of all structures assessed by the PVAT will be provided to titled owners. Special assistance will be given to female-headed, vulnerable households, and households of smaller SEC groups at Tk 10,000, Tk 12,000 and Tk 15,000 for *kutch*a, semi-pucca and pucca structures.

150. Tenants renting or leasing the property, as identified by the SES, who lost access to their house or commercial structure (SL No. 12) will receive a one-time cash grant for facilitating alternative housing or structure, as assessed by the PVAT. A shifting allowance will also be paid before relocation from project sites.

151. Heads of non-titled household occupying homestead land or squatting on a ROW, as identified by the SES, will receive a cash grant as compensation for the lost structure (if owner)

as per assessed values/price by the DC, provided the informal settlers/encroachers or unauthorized occupants on registered land are certified by the landowner, which may be a government, private institution, or organization (SL No. 13).

152. Owner/operator of the business, as recorded by the SES (SL No. 14) will be compensated for loss of business due to dislocation through a business restoration grant (BRG) to owners, renters, and leaseholders, as assessed by the PVAT. The cash grant will be paid before leaving the project land. Non-titled shop owners above the poverty line will not be eligible for the BRG.

153. As per the entitlement matrix (SL No. 15), full-time and part-time workers of affected business, as recorded in the SES, will be compensated for loss of income, employment, or work opportunity. They will receive a one-time cash grant for 30 or 90 days at the rate of local wage rate, 30 days in a commercial area and 90 days in an agriculture area. The cash grant will be paid before taking possession of land, and as feasible entitled persons will be offered employment in the Project's civil works.

154. For loss of access to utility services such as piped water supply, gas, electricity, sewerage line, or telephone, owners of structures with the utility service, as identified by the SES (SL No. 16), will receive a cash grant as compensation for the utility facilities at current market value assessed by the PVAT. A one-time cash grant to transfer or re-installment of the utility service to a new location will also be provided. The transfer/re-installment grant for identified utilities to each household or structure owner or renter will be paid during or after vacating the Project site.

155. For loss of community facilities and/or common property, including common forest resources (SL No. 17), the community where the APs will relocate will receive a cash grant for structures, a transfer grant, reconstruction and improvement of the community facilities and common property resources, as well as afforestation to replace lost forest resources. Compensation will be based on the PVAT assessment and the prior informed consent of affected SEC.

156. For adverse impacts on APs and communities during and after Project implementation, such as the impact of cross dams up and downstream, landslide or uprooting trees due to hill cutting, water logging due to interrupted drainage (SL No. 18) there will be provision for compensation for loss at current market value and additional community facilities as needed.

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157. All compensations will be paid prior to project implementation and prior to any physical or economic displacement.

2. Criteria for Screening and Selecting Project Components/Subprojects

158. In line with the participatory approach adopted by the project, identification of eligible paras and subprojects will be done in consultation with target communities/beneficiaries, including SEC, and other stakeholders guided by the selection criteria per project component.

159. **Selection of Paras to be included in the project.** CHTRC, in consultation with the HDCs have identified 544 Paras to be included in the ensuing Project. SPB1 covers 127 Paras with five community infrastructure subprojects, which already have feasibility studies and detailed designs prepared under the TRTA. The remaining Paras to be covered by the project will be identified based on the following considerations as verified by the Implementing NGO:

- (i) Not included in CHTRDP-I or II
- (ii) Not receiving any rations from Government
- (iii) Minimum of 20 HHs live in the para
- (iv) The road is connected to a Union or Upazila Road
- (v) Significant SEC population will be benefitted

160. **Selection of village access roads.** A total of 140 km of village access roads will be developed under the project. Feasibility study and detailed designs for 60 km of access roads (SPB1) have been prepared under the TRTA. The remaining 80-km roads to be improved by the project will be identified based on the following criteria:

- (i) The road was not improved earlier under CHTRDP-I or II
- (ii) Not receiving any rations from Government
- (iii) Minimum of 20 HHs live in the main para served by the road
- (iv) Significant SEC population will be benefitted as verified by Implementing NGO

161. **Selection of LGED Roads.** The project will develop approximately 25 rural roads with a total length of 140 kms. Feasibility study and detailed designs for four rural roads (SPB-1) covering 94 km have been prepared under the TRTA. The remaining 40 km roads to be improved by the project will be identified based on the following criteria:

- (i) Technical feasibility
- (ii) Expected social and economic benefits
- (iii) Minimum environmental and social risks
- (iv) Limited expected land acquisition and resettlement (LAR) impacts
- (v) Significant SEC population will be benefitted as verified by the PISC

162. **Selection of community infrastructure component and watershed management interventions.** The project's community infrastructure and watershed management components aim to enhance farm incomes and reduce poverty through the development or improvement of village access, water and sanitation, small scale irrigation systems, and rehabilitation of watersheds and as such will be for the common good. These will be small, community-led projects with high percentage of SEC beneficiaries (at least 95%), with no resettlement and where all land acquisition is voluntary. Additional selection criteria for watershed interventions are:

- (i) Extent of degradation of watersheds, with special attention to the degradation of areas with a strong presence of jhum lands as these have been disproportionately affected by population pressures and changes in farming systems.
- (ii) Ease of access of watersheds.

163. For the agriculture value chain and skills development components, only proposed interventions with a significant percentage of SEC beneficiaries will be supported by the project.

3. Measures to avoid and minimize LAR and Gender Impacts

H.1 LAR Impacts and Mitigation Measures

164. All interventions under the community infrastructure, watershed management and agriculture production outputs will either be on community members individual lands benefiting their households directly, or in case of infrastructure such as tubewells which benefit several households be on community land or on very small plots of an individual household's land where the households has agreed access to other household to use the community infrastructure.

165. For the community infrastructure component and watershed management interventions, due diligence report (DDR), prepared by the INGO¹⁹ will be the primary document to assess the social safeguards status of a proposed subproject. A DDR will be required for each subproject that requires new land, and the DDR of the subproject will outline whether project selection criteria have been met. At the minimum, the due diligence shall involve the following:

- (i) Verification and documentation that land required for the project is given voluntarily
- (ii) In case the infrastructure is on common property the concerned, *karbari*, and mouza headman will provide a no objection certificate (ref. Annex <#> for examples of these.
- (iii) Verification that nobody will be impoverished by the land donation (more than 5% of total land holding donated will trigger livelihood restitution measures to be specified in a resettlement plan)
- (iv) Verification that land donation will not displace tenants or bonded labor, if any, from the land
- (v) Meaningful consultation has been conducted in good faith with all affected persons. Documented verification of the agreement of affected persons to the sub-project. Separate discussions to be held with women and minority groups as required to facilitate meaningful participation
- (vi) Assurance that a community mechanism for sub-project implementation is operational and has a fair system of grievance redressal, as well as a system for project monitoring and reporting
- (vii) Gender disaggregated socioeconomic data for the sub-project area has been collected including at a minimum household size, ethnicity, location within the area, land holding size, land type, crop yield per ha other important sources of income.

166. Please provide LAR measures for rural roads and other project components with potential LAR impacts

167. For rural roads land acquisition impacts will be minimized by:

- (i) Selecting existing earthen or brick roads for road improvement, which will limit

¹⁹ Or the TA Consultant for the SPB-1 subprojects prepared during the Preparation TA.

land acquisition to land required for (a) road widening in view of changes in LGED design standards and for (b) improving bottlenecks and dangerous situations, (c) taking structural and bioengineering measures to control erosion and landslide risks.

- (ii) Avoiding roads requiring major hill cutting as this may affect landowners on the hill slopes. It will also be difficult to get clearances from the Department of Environment for this.
- (iii) Consulting communities along a prioritized road on possible impacts before finalizing the shortlisting with LGED and the CHTRC.

H.2 Gender Impact and Mitigation Measures

168. Access to basic infrastructure and social services such as toilets and other community infrastructure will greatly bring benefits to women and girls. Direct benefits include improved environmental and public health at community and households-level in selected paras. Any identified involuntary resettlement impacts among women and female-headed households will be given priority. The RP will formulate measures to ensure that socioeconomic conditions, needs, and priorities of women are identified, and that the process of land acquisition and resettlement does not disadvantage women. It will ensure that gender impacts are adequately addressed and mitigated. Any direct negative impacts of the project on women and female headed households will be taken up on a case-to-case basis and restoration of these households will be treated as a priority. During disbursement of assistance and compensation, priority will be given to female headed households. Joint ownership in the name of husband and wife will be offered in case of non-female headed households.

169. Since legal ownership of land does not reflect gender compliance in the case of spouses, sufficient measures will be included in the RPs to ensure women's rights and social safety. The measures will include the following:

- (i) Identify the socioeconomic condition, needs and priorities of women, and monitor and evaluate the impact of land acquisition and resettlement on women separately;
- (ii) Identify the affected female-headed households and set entitlement criteria to recognize female headed households;
- (iii) Provide such entitlements that women are not disadvantaged by the process of land acquisition and resettlement;
- (iv) Provide resources, through the Project, in kind (land, structure, etc) in the name of both spouses of the affected households;
- (v) Employ female staff with the resettlement agency and assist women in all kinds of resettlement activities, including planning and implementation of income restoration programs; and
- (vi) Involve women's groups in resettlement planning, management, and operation and in job creation and income generation.

170. Potential negative impacts, if any, will be addressed through community awareness in collaboration with the Social Safeguards/Resettlement Specialist. Opportunities for women's active involvement in the design of community infrastructures and in trainings, and benefits in all project activities will be maximized. The details of the gender aspects of the overall project, including the proposed project funded under the grant, are described in the revised gender equality and social inclusion action plan (GESI/AP) as attached in Project Administration Manual (PAM).

4. Valuation of Assets

171. Cash compensation or grants will be provided to affected assets of eligible APs/DPs. The valuation of these assets will be done at replacement cost according to local market prices and standards of valuation, without deductions for age-related depreciation, recovery of salvageable materials, or registration fees and other transaction costs.

172. The valuation will be done through a Property Valuation Advisory Team (PVAT), formed by members of the resettlement NGO, the DC office, and the LGED.

Replacement Costs of Acquired Assets

173. Through the DC Office, the CHTRC will provide the cash compensation under law (CCL) + 200% additional cost as premium and Resettlement Benefits respectively in accordance with the Land Acquisition Act 2017 and the Resettlement Entitlement Matrix of the RP, as legally agreed between the GoB and the ADB, based on guidelines discussed below.

174. HDC, upon approval of the subproject from ADB and the Government, finalization of the detailed design (DD), and finalization of the RPs, will prepare a land acquisition plan (LAP) for legal titled land through DPMO with the help of the PISC and submit it to the respective DCs for initiating land acquisition proceedings. During LAP preparation, the current market price will be determined through a LMS conducted by the INGO. The INGO will assist LGED in assessing land current market prices through obtaining formal land transaction data from the sub-region's Government offices and informal data from a community consultation in collaboration with the karbari/headman/elected of Union Parishad representative and DPMO level executive engineers (EXNs). The recorded price from Sub-Registrar's Office will be collected in a pre-designed format certified by the concerned Sub- Registrar. The DPMO will produce the LAP along with the certified land transaction data with the period of transactions and a request to review while fixing the price of land. A DPMO representative will accompany representatives from the INGO in the Joint Verification and Price fixation process led by the DC or his/her representative.

175. The legally constituted PVAT, having representatives from HDC, DC and the INGO will determine the replacement market price of land, structures (value of houses, buildings, and other immovable properties), trees, and other assets. The INGO will carry out any necessary assessment as per the methodology set by the PVAT; and the PVAT will recommend replacement prices, the MARV, for the approval of CHTRC. Such a recommendation will ensure the replacement price of land and property at the current market value. Income compensation will be determined through the SES and consultation during the subproject's preparation stage when its RP is being formulated. All compensation must be paid before APs move out from the acquired/required land, dismantle and remove structures, cut the trees and take away all the salvageable materials and before civil contract awards are given.

176. By following the Project's LAR 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 SEC 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 Socioeconomic Survey (SES), Land Market Survey (LMS), Structure Replacement Value Survey (SRVS), including transfer and reconstruction grants, 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.

177. **Land Market Survey.** A LMS will be carried out mainly by the resettlement implementation NGO to determine the Maximum Allowable Replacement Value (MARV) for immovable assets such as land and structures by type. The LMS will assess current land market prices through obtaining formal land transaction data from the sub-region's Government offices (given that some of the land is titled, and formal land transactions have taken place) and informal data from a community consultation in collaboration with the karbari/headman²⁰ / elected official of Union Parishad representative and District Project Management Office (DPMO) level Executive Engineers (EXNs). A Property Valuation Advisory Team (PVAT) will be formed by gazette notification by the Ministry of Chittagong Hill Tract Affairs (MoCHTA) to review the implementing NGO's assessment of market prices for land and other property affected by the project to determine their replacement cost. The MARV will be paid by PMU through an INGO directly to the APs/communities. The MARV is over and above the CCL paid by the DC.

178. **Verification of Common Land Ownership.** Verification of SEC common land ownership, whether registered or unregistered with the headmen and karbaris, will be carried out with assistance from the INGO. Verification will be provided jointly by the headmen/karbaris, in conjunction with HDCs/PMO/PISC, as the HDCs will be the acquiring body. Verification will be certified by the Circle Chief. Grants provided for Common Land usufruct will be provided through this verification process, at market value determined by the PVAT.

179. For common land, a process of verification and market price assessment will be carried out in parallel to the CCL process described above, through the traditional institutions, Circle Chief, headmen, and karbaris, as ratified in the 1900 CHT Regulations.

180. **Establishment of Cut-off Date.** Cut-off dates will be established for the rural roads to make sure that the existing ROWs of the roads are secured from future encroachers. MoCHTA/PMO will establish a cut-off date at time of conducting the Census and Socioeconomic Survey (CSS) for non-titled affected entities and DC's section 4 notice for the titled entities. People who move into the area after this date will NOT be entitled to any compensation. Therefore, after establishment of the cut-off date, people should NOT encroach the ROW of the village access roads to build any kind of structure such as house, shop, fences and/or to plant any kind of trees, crops. The cut-off date per the the Land Acquisition Act of 2017 will apply both to SEC and non-SEC lands.

181. To ensure replacement cost to the affected asset according to ADB safeguards policy 2009, top-up/additional compensation and assistance, including transfer/reconstruction

²⁰ Karbari and headman are representatives of the customary (circle chief-led) form of governance in CHT.

assistance, business loss, livelihood restoration measures will be directly implemented by the Implementing Agency according to eligibility of entitlement matrix of this resettlement framework.

5. Compensation, Income Restoration, and Relocation

K.1 Compensation

182. Cash compensation/grants will be provided to affected assets of eligible APs/DPs based on valuation process indicated in Section III-I. The rate of compensation for acquired land, structures, and other assets will be calculated at full replacement cost based on (i) fair market rate, (ii) transaction costs, (iii) interest accrued, (iv) transitional and reiteration costs, and (v) other payments (according to eligibility in entitlement matrix).

183. Compensation for private trees will be based on their full replacement cost. Loss of timber bearing trees will be compensated at their replacement cost and compensation for the loss of crops, fruit bearing trees will be decided by the PVAT committee which is formed by MoCHTA by Executive order to determine current market value of assets (land, tree, structure, standing crops etc.). Prior to taking possession of the land or properties, the compensation will be fully paid and displaced persons will have the opportunity to harvest trees and crops.

184. Compensation for properties belonging to the community or common places of worship will be provided to enable construction of the same at new places in accordance with the modalities determined by the PVAT committee which is formed by MoCHTA by Executive order to determine current market value of assets (land, tree, structure, standing crops etc.) to ensure correct use of the amount of compensation.

185. Even after payment of compensation, displaced persons would be allowed to take away the materials salvaged from their dismantled houses and shops at owner's own cost, and no charges will be levied upon them for the same. On expiry of notice period after payment of compensation and assistance if displaced persons do not remove their structures, a notice to that effect will be issued intimating that displaced persons can take away the materials so salvaged within 48 hours of their demolition; otherwise, the same will be disposed by the project authority without giving any further notice.

186. For temporary impact on land and common resources, any land required by the project on a temporary basis will be compensated in consultation with landowners and will be restored to previous or better quality. Implementation issues can be found in the Entitlement Matrix.

K.2 Income Restoration

187. The basic objective of income restoration activities is to ensure that each affected person will at least have the same or improved income and livelihood after the Project. For the displaced poor and vulnerable groups, the aim is to improve standards of living to at least national minimum standards.

188. The project will allocate budget under the rural non-farm skills component of the Project to support income restoration strategies for eligible APs under the RF. The eligible households are to be identified by Resettlement NGO and a list of persons including suitable skills training based on demand will be generated to be shared with PMO to be trained through skills development schemes under output 4 and 5 in the project. PMO will include the persons from each HH in capacity development schemes through PISC and NGO. In addition to income restoration and cash assistance, the RPs will include opportunities for income generating activities (IGAs) based on assessment of SAP preferences. IGAs will include, but not limited to: please specify here Eligible SAPs will include APs involuntarily displaced from their homes, more than 10 percent of their assets or income sources are affected, and non-titled persons affected by the Project.

189. Income restoration schemes will be designed in consultation with affected persons. The strategy for income restoration needs to be prepared prior to land acquisition. Based on the information collected on income restoration activities from the census and the socioeconomic surveys, income restoration strategies will be framed, and activities planned. The PMO in consultation with the Resettlement NGO and the PISC's skill development expert will consider the available skills, existing professions, resource base of affected persons and their socio-economic characteristics and preferences to tailor individual income restoration schemes.

K.3 Relocation

190. The sub-projects so far do not anticipate any displacement or relocation of affected persons in accordance with the RF and ADB SPS, 2009. Should there be any physical displacement or resettlement, the existing social and cultural institutions of affected persons will be supported to the maximum extent possible. As a part of preparatory assessments, 08 proposed rural road sites have been surveyed. Identified impacts are so far limited to partial strips of land acquisition, trees, crops, partial secondary structures, etc. No relocation or physical displacement has been identified. In case of relocation requirements, concerns of affected persons will be understood through consultations and systematically recorded and addressed in the RP.

191. If physical relocation is required, the project will ensure shifting assistance, resettlement assistance and subsistence allowance, as required, will be provided to all relocated/physically displaced families according to their eligibility in entitlement matrix. The project currently only have options for cash assistances. No physical relocation requirements have been encountered so far and therefore, no relocation site provisions have been planned for the project.

VII. GRIEVANCE REDRESS MECHANISM

192. A dedicated multi-tier grievance redress mechanism (GRM) will be established to receive, evaluate, and facilitate the concerns and complaints of the affected people, if any, about the social and environmental performance at the project level. The GRM aims to ensure:

- The basic rights and interests of every person affected by poor environmental or social performance of the project are protected; and
- Concerns arising from the poor environmental or social performance of the project during the conduct of pre-construction, construction and operation activities are addressed.

Principles of GRM

193. The GRM is anchored on the following principles that guide the Project:

- i. **Transparency.** The Project will keep the affected person informed about the progress made in resolving the grievances and provide sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake. The SEC especially the *karbaris* must be (i) made aware of the complaints and issues reported, (ii) involved in their redress, and (iii) informed on progress made in resolving grievances. Confidentiality of the dialogue between parties and of individuals' identities should be provided where necessary.
- ii. **Empowering and participatory.** SEC, *karbaris*, affected persons, beneficiaries, INGOs and other stakeholders are encouraged to participate and bring complaints, issues and comments to the attention of Project management. More importantly, communities should be involved in problem solving.
- iii. **Socially inclusive.** The whole community is given the opportunity to raise concerns and the right to be accorded a response. The grievance system will allow anyone, especially the SEC, poor, the disadvantaged groups, the women, to raise grievance or complaints, be heard and involved on redressal process.
- iv. **Culturally appropriate.** ADRFs will be constituted for land dispute resolution where the *karbaris* and PDC in SEC will be members in grievance redress council.
- v. **Simple and accessible.** Procedures to file complaints and seek redress are kept simple and easy to understand by the SEC and affected people. Complaints and queries may be sent through different accessible means such, as but not limited to, installation of grievance box in subproject areas, walk-in to district offices, PDC representatives, *karbari*, message or call to grievance hotline, or an email to the Project website.
- vi. **Confidentiality.** The identities of affected people and other stakeholders are kept confidential upon request. This encourages people to voluntarily participate in the GRM process, and file complaints and/or comments.
- vii. **Functions of GRM**
 - a. Response to grievance and comments is ensured within an acceptable timeline. The corresponding action is responsive and commensurate to complaint or issue. The GRM entails objective and independent practice to promote fair procedures and encourages people to use. Thus, GRM will enhance the Project's contribution to participatory development. In all instances, conflict of interest or perceptions of it will be investigated and avoided.
 - b. The GRM will establish multiple channels by which grievances can be received by the PMO. The procedures will be easy for all the diverse groups of affected persons to understand and be made known to them and consider the many facets involved in making the mechanism accessible including AP access to transportation and roads and their literacy and education levels, as well as their

access to such communications facilities as telephones, mail, and the internet. The project will ensure consultation is organized in a congenial environment without intimidation and should be culturally appropriate and acceptable to SEC and gender sensitive.

- c. To ensure the GRM is in line with the ADB SPS, the GRM will be a time-bound, simple, transparent, gender- and culturally- responsive in addressing feedback, concerns and suggestions of, and facilitation of solutions for, all the relevant stakeholders of the project (i.e., local community, contractors, and other members in the value chain, including from small ethnic communities (SECs), women, and other vulnerable groups). The GRM will include service standards and an implementation modality by assigning a Grievance Redressal Officer (GRO) at each IA to handle specific matters related to public grievances / complaints flagged to their respective offices.
- d. Accessibility will be facilitated through provision of the following services: (i) grievance boxes in subproject areas, (ii) walk-in to district offices, (iii) speak to PDC representatives or *karbari*, (iv) message or call the grievance hotline, or (iv) email the Project website. The PMO is to establish a GRM hotline and project website for APs to contact. A phone number and web address will be defined during project readiness. Complaints received through the hotline and website will be documented and fed to the correct level of GRM for facilitation. Awareness of grievance redress procedures will be created through public awareness, outreach campaigns and clear signage with grievance focal person's contact details and procedure on how to file a complaint, including in Bangla or major SEC dialects on project sites. Redress through the GRM does not impede access to the country's judicial or administrative remedies.
- e. Gender- and cultural- responsiveness will be supported through: (i) use of local issue resolution methods, (ii) membership of the SECs or their representative at the first tier GRM at field/village level; (iii) availability of the GRM form in local/SEC dialects or languages to the extent these have a written form and on information signage.
- f. For any grievance filed by a marginalized or vulnerable person, such as a SEC member or poor person, extra attention will be paid to ensuring the following: (i) complainant will be aided in recording their grievance (field staff to write up verbal complaint verbatim), (ii) complainant can be represented and supported by a local leader (such as an SEC leader), (iii) the outcome of the grievance will be delivered in writing and in person by the GRO responsible, to ensure comprehension of the outcome and any follow up actions. All grievances shall be recorded in grievance register (including in Bengali or local language), and entire process shall be tracked and reported through quarterly and annual progress reports and semi-annual social and environmental safeguards monitoring reports. The GRM process shall include the following stages.

Levels of GRM

- i. Before any grievances are brought to the GRM, efforts will be made to solve queries and complaints at village (*para*) level by involvement of the Headman or *karbari* through traditional conflict resolution methods.
- ii. The GRM has three tiers. There are two types of tier one. Tier 1, type A refers to the Alternative Dispute Resolution Forum (ADRF) which will be located at subproject level and will address land disputes for output 5 (rural roads

component). Tier 1, type B refers to the Para Development Committee (PDC) which will serve as tier one for all other social and environmental safeguards concerns raised across project outputs 1-5 (i.e., Community Infrastructure, Watershed Management, Agriculture Production and Rural Roads). Tier two is represented by a Grievance Redress Committee (GRC) which is established at Hill District Council (HDC). At the apex of this structure is the Regional Advisory Council (RAC) at CHTRC level.

- iii. If the ADRF under Tier 1, type A, or the *karbari* under Tier 1, type B is unable to resolve the issue at para level to the satisfaction of the affected person, the issues can be forwarded to the GRC level in tier 2. If dissatisfaction remains at GRC level, the affected person can elevate the issue to tier 3 to the RAC level. The PMU will ensure the redressal of complaints, including anonymous complaints, and issues of non-compliance, in accordance with national regulations and the ADB Accountability Mechanism Policy 2012. However, the affected person has every right to bring their issue to a court of law. The overall model of GRM for this project is summarized in Figure 3.

Tier 1: Community level

Type A: Alternative Dispute Resolution Forum

194. ADRFs will be constituted for land dispute resolution. In Bangladesh, *Shalish* and *Mimangsha* are when the community takes the leading role in resolving disputes. These are usually undertaken through mediation, negotiation, and reconciliation. In the *Shalish* and *Mimangsha*, the community leaders delve deep into the root cause/s in the presence of both parties, hear viewpoints of disputants, and try to find a solution agreeable to the parties concerned.

195. Resolving disputes through community initiatives with the above tools are commonly known as alternative dispute resolution (ADR). As proposed, INGOs will be involved in the GRM process, and constitute ADRFs at subproject level for the Rural Road component. In Bangladesh, traditional *Shalish* agreements were enforced through village peer pressure. Agreements were announced and publicly proclaimed. Families would lose face if they do not comply with agreements. The reformed village mediation system, with support of INGOs, relies on traditional compliance mechanism and succeeds despite the lack of formal court enforcement. Not only does this conform with the traditions of the region, but use of a panel of mediators helps limit systematic corruption or bias. Measures for ADR in Bangladesh have been provided in the Code of Civil Procedure 1908 which allows for the settlement of disputes outside the courts: the court may formulate the terms of a possible settlement and refer the same for arbitration, conciliation, mediation, or judicial settlement.

196. An Executive Order will be issued by MoCHTA for setting up ADRFs for the Rural Road Output covering membership, authority and responsibilities, and rules of business of the ADRF. ADRF membership will reflect the composition of the affected peoples of subprojects by incorporating members of SEC proportionately. Membership will be drawn from traditional and informal local leaders from the main subproject paras, thus guaranteeing that customary methods of conflict resolution will be applied where feasible. Before land issues are submitted to the ADRF an effort will be made to resolve them with the para through the *karbari*.

197. ADRFs will be composed of 3-5 members with the mouza Headman as its Chair, with a minimum of four members for each mediation. In cases where appropriate, the headmen may be replaced by the UP Chairman. The remaining members of the ADRFs will be drawn from the community elders, traditional leaders (e.g. the village *karbari*) or representatives of local government institutions (eg. UP Ward Members). At least one of the ADRF members shall be a woman. The INGO responsible for the RP will facilitate the identification of the ADRF members in consultation with the mouza Headman and DPMO. The NGO will further be responsible for facilitating the conduct of the ADRF's meetings and act as its Member Secretary. The grievance redressal and resolution at this stage is within seven days.

198. At any time, any affected person can submit a grievance/complaint in writing (and other means mentioned above) to the concerned UP Chairman, Headman or *Karbari* or the PDC, using the grievance recording form (GRF) with support from NGOs or Social Development Organizers. At the time of registering the complaint, a copy will be given to the affected person making the complaint for their record. The PMO will make sure that sufficient GRF is available in the site office and in the office of the concerned UP Chairman/Mouza Headman, Headmen or *karbari* and other local community leaders. Some cases may just require provision of required information or clarification and may thereafter not be required to be referred to Step 2. The GRF is in **Annex 9**.

199. The ADRF is composed of:

- i. Mouza Headman as Chairperson
- ii. Union Parishad Chairman as Alternate Chairperson
- iii. Karbari as Member
- iv. One female local leader as Member
- v. Resettlement INGO as Member Secretary
- vi. Contractor's site engineer or representative (will take part when there is grievance on construction)

Type B: Para Development Committee

200. The PDC will be the first tier of the GRM for all social and environmental concerns, excepting land dispute resolution, caused by project components: community infrastructure, watershed, skills training, agriculture production outputs and the rural roads. The complaints resolution should be within seven days and will follow the same steps in filing the complaint as mentioned above. Any affected person can approach the *karbari* or any member of the PDC. The Social Development Organizers and NGOs will ensure to provide support throughout the grievance problem-solving process. The PDC will convene weekly to address all complaints lodged at the PDC level. If PDC is unable to resolve the issue at para level to the satisfaction of the affected person, the issues can be forwarded to the GRC level in tier 2 within seven days.

201. The PDC is composed of:

- i. Karbari as Chairperson
- ii. Two representatives from PDC as Members
- iii. One female local leader as Member
- iv. Representative from contracted NGO as Member
- v. Social Development Organizer as Member Secretary

- vi. Contractor's site engineer or representative (will take part when there is grievance on construction)

Tier 2: Grievance Redress Committee - Hill District Council Level

202. For environmental or social safeguards related complaints that cannot be settled at the community level through the ADRF or PDC, the GRC at District level will provide a simple process for the affected person to raise their objection and get them resolved within seven days. The affected persons will be informed of their right to file complaints to the GRC.

203. The GRC will receive unresolved grievances of the affected persons through the ADRF and/or Resettlement INGO for the rural road output or through the concerned NGO or Social Development Organizer for community infrastructure, watershed, and agriculture production outputs. The ADRF and Resettlement INGO will assist the affected person in lodging their resettlement claims in a format acceptable to the GRC at Hill District Council. All complaints will be received at the office of the INGO, or by the GRC, with a copy to the Union Parishad representative. The INGO will operate through village consultation meetings and explain the process of grievance resolution, including the distribution of information booklet. The concerned INGO will explain the GRF in indigenous dialect and ensure that the affected person understands.

204. The GRC at Hill District Council level will settle the issues within seven days after receiving complaints. The Resettlement INGO, as member secretary of the GRC, upon receipt of complaints, will organize a GRC meeting. The GRC at Hill District Council level will pass a resolution which will be formally conveyed to the concerned affected persons through the Resettlement INGO. The key functions of a GRC will be as follows:

- i. Record, categorize and prioritize any grievances;
- ii. Settle grievances in consultation with affected persons/representatives, project staff and other stakeholders;
- iii. Inform the aggrieved parties about the resolutions; and
- iv. Forward any unresolved complaints to the Regional Advisory Committee.

205. The authorities and responsibilities of the GRC and its rules of business will be part of the MoCHTA Executive Order.

206. The GRC is composed of:

- i. Chairman of Hill District Council as Chairperson
- ii. Deputy Project Director of PMO as Member
- iii. Deputy Project Director of LGED PMU as Member
- iv. Representative from the District Commissioner's Office as Member
- v. Land Officer of Hill District Council as Member
- vi. Representative, Headmen Association
- vii. Representative, Union Parishad as Member
- viii. NGO representing women in the Hill Districts
- ix. Resettlement INGO or the contracted NGO will provide as Member Secretary

207. If not resolved at the GRC level within seven days, the matter will be referred immediately to the Regional Advisory Committee.

Tier 3: Regional Advisory Committee – Regional Council Level

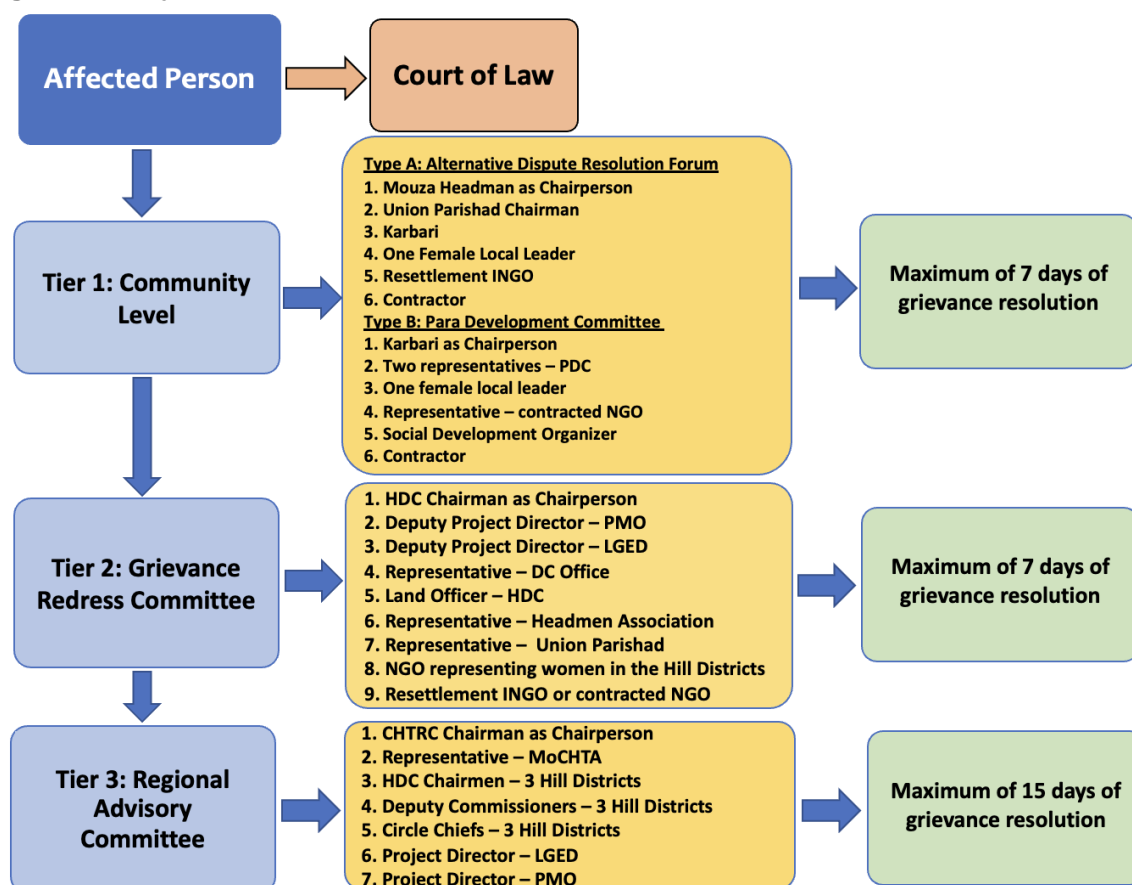
208. Complaints that cannot be settled at the GRC level should be elevated to the Regional Advisory Council (RAC) at the Regional Council level for grievance redressal and resolution within 15 days. The RAC will meet whenever a case is brought to its attention and determine the merit of each grievance brought to their level. The authorities and responsibilities of the RAC and its rules of business will be part of the MoCHTA Executive Order. The RAC secretary will provide feedback to the affected person.

209. The RAC is composed of:

- i. Chairman or Representative of Chittagong Hill Tracts Regional Council as Chairperson
- ii. Representative from the Ministry of Chittagong Hill Tracts Affairs as Member
- iii. HDC Chairmen of the three Hill Districts or their nominated councilor as Member
- iv. Deputy Commissioners of the three Hill Districts or their nominated representatives as Member
- v. Circle Chiefs of the three Hill Districts Circles as Member
- vi. Project Director LGED PMU or nominated representative as Member
- vii. Project Director PMO as Member Secretary

210. None of the three levels of the GRM possess any legal mandate or authority to resolve land issues, they rather act as an advisory body or facilitator to try to resolve issues between the affected household/person and the CRLIWM-CHT Project. Any complaints of ownership or other suits, to be resolved by judicial system, will not be resolved by project's GRM. The affected person always has other recourse through the Government legal channels. However, every effort will be made to avoid this by applying traditional conflict resolution procedures in negotiating resolutions to complaints. Should an affected person wish to pursue legal recourse at any point prior to approaching, during interaction with, or after interacting with the GRM, the PMO, DPMO and Implementation NGOs (INGOs) will ensure that support is given to the affected person to prepare a case. No fees will be charged to the affected person for such assistance.

Figure 3. Project Grievance Redress Mechanism



a. Relevant GRM Activities

- i. **Court of Law.** The GRM notwithstanding, an aggrieved person will have access to Bangladesh Legal System at any stage, Accessing the court of law is not dependent on the outcome of the GRM.
- ii. **ADB Accountability Mechanism.** If the established GRM is not able to resolve the issue, the affected person can use the ADB Accountability Mechanism through directly contacting (in writing) the Complaint Receiving Officer at ADB headquarters. Before submitting a complaint to the Accountability Mechanism, it is recommended that affected people make good faith effort to resolve their issues by working with the Bangladesh Resident Mission. Only after doing that, and if they are still dissatisfied, they could approach the Accountability Mechanism. The ADB Accountability Mechanism information will be included in the project-relevant information to be distributed to the affected communities.
- iii. **Consultation and Information Dissemination.** Consultation will include group meetings, and one-on-one discussion with affected persons, to be announced in advance and conducted at the time and day agreed on with the affected persons or their representatives. Non-literate affected persons will be assisted to understand the grievance

redress process. The GRM process will be explained to them in indigenous dialects by the Resettlement NGO, contracted INGOs, or the Social Development Organizers. The public especially the SEC and affected persons will be made aware of the GRM through consultation meetings, focus group discussions and inclusion of the GRM hotline and relevant details in the Project information booklet.

- iv. **Record Keeping.** A grievance database system will be established by CHTRC. Records of all grievances received, including contact details of affected person, date of complaint/grievance received, nature of grievance, agreed actions and measures, dates of meetings conducted and resolutions with linked documentation are recorded in the database. The number of grievances recorded and resolved, and the outcomes will be displayed/disclosed in the PMO office, and on the website of PMO (to be developed in project readiness), as well as reported in the semiannual environmental, IR and IP safeguards monitoring reports to be submitted to ADB. The PMO, with support from the GROs composed of the Environmental Management/Climate Adaptation Expert, Land Acquisition Expert, and SEC Expert, will be responsible for maintaining the grievance database system.
- v. **Costs.** All costs involved in resolving the complaints (meetings, consultations, communication, and reporting/information dissemination) will be borne by the PMO. Cost estimates for grievance redress are included in resettlement cost estimates.

VIII. RESETTLEMENT BUDGET AND FINANCING PLAN

211. All funds required for compensating the affected households/persons will be allocated by the Government. MoCHTA will ensure that adequate funds are available for Resettlement Plan implementation and management. The Project Management Office (PMO) will coordinate allocation of funds, approval of payments, and delivery of funds, monitoring of progress and reporting.

212. A tentative budget for implementation of this Resettlement Plan has been estimated at BDT 5,859,336 or USD 64,043 (considering a conversion rate of 1 USD = 91.5 BDT). Almost 59% of the total budget is allocated for the compensation of affected land, trees and structure and payment of vulnerability grant. The budget breakdown is presented in the Table 22.

Table 19. Summary of Resettlement Budget

SL	Description	Unit	Quantity	Rate (Taka)	Amount Taka	USD
Compensation for Land Impact						
	1. Paddy Land	Decimal	32.29	10000.00	322,900.00	3,529
	2. Homestead	Decimal	23.38	15000.00	350,700.00	3,833
A.	3. Hilly Land/ Orchard	Decimal	21.24	8000.00	169,920.00	1,857
	Sub-Total		76.91	-	843,520.00	9,220
	Premium / Additional/ Top Up 200 % of the sub total A.				1,687,040.00	18,440
	Sub-total of Land Value				2,530,560.00	27,659
Compensation for Trees Impact						
B.	1. Large size Tree	No	327	1200.00	392,400.00	4,289
	2. Medium size Tree	No	180	800.00	144,000.00	1,574

SL	Description	Unit	Quantity	Rate (Taka)	Amount Taka	USD
	3. Small size Tree	No	124	300.00	37,200.00	407
	Sub-total		2676		573,600.00	6,270
	Premium / Additional/ Top Up 200 % of the sub total B.				1,147,200.00	12,539
	Sub-total of Trees Value				1,720,800.00	18,809
	Total Direct Cost				4,251,360.00	46,468

	RP implementation management and administrative cost, including cost of community consultations and disclosure;	15% of RP	637,704.00	6,970
C.	cost of capacity building for RP implementation and activities of GRM cost			
D.	Monitoring Budget and NGO budget	10% of RP	425,136.00	4,646
E.	Contingency @ 10% of the total direct cost.		425,136.00	4,646
F	Implementing Agency Cost		120,000.00	1312
	Total Resettlement Cost Grand Total (A+B+C+D+E+F)		5,859,336.00	64,043

Note: Vulnerability grants for 2 women headed affected households to be added after the compensation amount for this has been determined

IX. INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

A. RP Implementation Arrangements

213. MoCHTA, through the CHTRC and the HDCs, has overall coordination, planning, implementation and financing responsibilities for resettlement plans under the CRLIWM-CHT Project. The CHTRC fully recognizes the importance and complexity of the Project's resettlement programs. Therefore, the CHTRC has agreed that a Senior Social Safeguards Specialist will be included in the PISC team. The CHTRC PMO will, after finalization of the design and prior to commencement of work on RoW, hire an experienced INGO for resettlement plan preparation and implementation, with clearly defined tasks including establishing an income restoration program.

B. Project Director (Project Management Office-Regional Council)

214. The Project Director is the Chief Resettlement Officer and focal point from PMO for Resettlement Plan and SEC Plan (SECP) implementation with responsibilities including, but not limited to:

- i. Overall supervision of Resettlement Plan and SECP implementation activities.
- ii. Coordination with District Commissioner offices in the three Hill Districts to ensure timely and appropriate compensation payment to all affected persons prior to any civil works.

C. Deputy Project Director (Project Management Office-Regional Council)

215. The DPD's responsibilities include, but are not limited to:

- i. Overall supervision and management of the social safeguards implementation.
- ii. Provide technical and administrative support to PISC and Resettlement INGO.
- iii. Report regularly to the Project Director on the status of implementation of social safeguards.
- iv. Coordinate with LGED and District Commissioner's Offices in there Hill Districts.
- v. Ensure resettlement plans and SECPs are approved, disclosed to affected persons, and submitted to ADB in a timely manner.
- vi. Ensure timely submission of the involuntary resettlement and Indigenous peoples Semiannual Monitoring Reports to ADB.

D. Chief Resettlement Officer

216. The CHTRC will appoint a Chief Resettlement Officer (CRO) within the PMO to manage the RPs. The CRO, under the overall responsibility of the PD LGED, will undertake day-to-day activities with assistance from the appointed INGO and PISC. The CRO will provide overall supervision the implementation resettlement work. At the field level, staff of the DPMOs will assist with day-to-day activities in collaboration with the appointed INGO and three DROs.

217. The Project Director will ensure cooperation between the CRO and the District administrations to carry out land acquisition. The Project will arrange capacity enhancement training, supported by the PISC, of CHTRC, HDC, DPMO and LGED staff upon their deployment to carry out resettlement activities. Capacity enhancement to include ADB resettlement policy and principles and to focus on differences between provisions of ADB policy and relevant country laws. The appointed INGO will open field offices in subproject districts, carry out information campaigns and involve APs, including women and vulnerable APs, from the very beginning in the implementation process. Figure 3 below shows the organization of the resettlement key persons and organizations.

Acquiring Body

218. 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 district land administration officer (LAO). The LAO or his/her appointed officers, along with HDC, LGED and INGO staff, will conduct a joint physical verification of property on the land in accordance with the LAP which will be submitted by LGED as soon as the detailed design and confirmed alignments for the subprojects are approved by LGEDT. The DC offices are responsible for the entire acquisition process. The DPMOs and LGED district offices with support of the INGO will liaise with the concerned DC office to complete the land acquisition process in a timely fashion.

219. Common land grants will be verified by Headmen and Karbaris, with assistance from the INGO. Users of Common 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. Final verification of such grants will rest with the Circle Chief, as will verification of GRC decisions.

Project Implementation Consultant (PISC)

220. The PISC will have provision for one senior national Land Acquisition Expert. The expert will provide technical support to the PMO, LGED and HDCs to supervise, RP implementation by the INGO. The PISC will assist the HDC engineers in preparing design and estimate for community infrastructure and WSM infrastructure. The Land Acquisition Expert with the PISC team will supervise and monitor RP implementation and prepare the semiannual involuntary resettlement safeguards monitoring report to be submitted to ADB through the PMO CHTRC.

221. The LA expert's responsibilities include, but are not limited to:

- i. Prepare and analyze baseline socioeconomic data and contribute to the Social Impact Assessment (SIA) report and feasibility study.
- ii. Establish system to monitor IR safeguards and prepare gender, age and vulnerability disaggregated indicators for monitoring important parameters of IR safeguards.
- iii. Ensure Project GRM is established and functional.
- iv. Ensure subprojects and interventions conform to the agreed selection criteria for the subprojects and interventions.
- v. Ensure that all subprojects and interventions are screened following the IR impact screening checklist developed for the Project.
- vi. Assess the impact of the proposed subprojects and interventions, their short- and long-term as well as direct and indirect IR impacts.
- vii. Coordinate with LGED for IR impacts according to final design and update the RPs accordingly.
- viii. Provide technical assistance, supervise, and monitor the Resettlement Implementation NGO, Social Development Organizers, and other NGOs.
- ix. Provide technical assistance, supervise, and monitor the Social Development Organizers and the NGOs.
- x. Review and ensure quality of all 25 RPs following the RF and ADB SPS 2009; confirm existing RPs are updated based on detailed measurement survey and final design, and that new subproject RPs are prepared in accordance with the agreed entitlement matrix for the Project.
- xi. Ensure that RPs are included in the bidding documents and civil works contracts.
- xii. Oversee IR safeguards management aspect of subprojects and ensure RPs and impact avoidance measures outlined in the RPs are implemented by the contractors.
- xiii. Prepare and submit semi-annual IR safeguards monitoring reports to PMO in a timely manner.
- xiv. Facilitate and ensure compliance with all government rules and regulations regarding No Objection Certificates, third party certificates for negotiated settlement and voluntary land donation, land ownership and transfer details for each subproject site, as relevant.
- xv. Ensure no contract is awarded prior to circulation of Section 8 Notice from the District Commissioner's Office.
- xvi. Ensure compensation is completed prior to start of any civil works.
- xvii. Review, monitor, and evaluate the effectiveness with which the RPs are implemented and recommend corrective actions to be taken as necessary.
- xviii. Conduct quarterly site visit and monitoring in the field.
- xix. Prepare semi-annual IR safeguards monitoring reports and submit to PMO for approval and submission to ADB for disclosure on ADB website.
- xx. Ensure timely disclosure of final RPs in locations, form, and language that are accessible and acceptable to SEC and all affected persons.

- xxi. Address and record any grievances filed through the GRM in a timely manner.
- xxii. Oversee implementation of subprojects and interventions under community infrastructure; watershed management; agriculture production, storage, processing, and marketing; rural non-farm skills; and rural roads components of the Project.
- xxiii. Identify training needs and coordinate training activities for the Resettlement Implementation NGO, Social Development Organizers, and other NGOs for capacity building to implement the RPs and GRM.
- xxiv. Coordinate with the IT Officer about database management for IR safeguards implementation and monitoring.
- xxv. Coordinate with Social Development Organizers, Resettlement INGO, and other NGOs on public awareness campaigns about the Project and the GRM in a language and form acceptable to the SEC.

222. The SEC expert's responsibilities include, but are not limited to:

- i. Prepare baseline socioeconomic profile of the SEC groups in the project area and project impact zones as part of the Social Impact Assessment (SIA).
- ii. Assess the impact of the proposed subprojects and interventions, their short- and long-term as well as direct and indirect impacts on each SEC group's social, cultural, and economic status.
- iii. Determine the approaches and resource requirements for addressing various concerns and issues of the projects that affect the SEC.
- iv. Ensure meaningful consultation with SEC as part of the BCS is conducted in the presence of Headmen (*Karbaris*), consultation process follows BCS guidelines per SECPF and good practices per ADB IP Sourcebook.
- v. Documentation of consultation (with minutes of the meetings reflecting that SEC consent is provided, attendance signatures, and photos) are compiled for the Project.
- vi. Establish system to monitor IP safeguards and prepare gender, age and vulnerability disaggregated indicators for monitoring important parameters of IP safeguards.
- vii. Ensure Project GRM is established and functional.
- viii. Ensure subprojects and interventions conform to the agreed selection criteria for the subprojects and interventions.
- ix. Ensure that all subprojects and interventions are screened following the IP safeguards impact screening checklist developed for the Project.
- x. Provide technical assistance, supervise, and monitor the Social Development Organizers and the NGOs.
- xi. Prepare SECPs for the 8 watershed subprojects per SECPF and ensure SECPs and mitigative measures are implemented by the contractors and NGOs; and confirm existing SECPs are updated based on the final design and ensure SEC's perspective on the subproject and intervention design are considered.
- xii. Update and finalize the 15 SECPs (SPB-1) as required in project readiness and prepare, update, and finalize the additional 10 SECPs (SPB-2).
- xiii. Ensure that SECPs are included in the bidding documents and civil works contracts.
- xiv. Facilitate and ensure compliance with all government rules and regulations regarding No Objection Certificates, third party certificates for negotiated settlement and voluntary land donation, land ownership and transfer details for each subproject site, as relevant.
- xv. Review, monitor, and evaluate the effectiveness with which the SECPs are implemented and recommend corrective actions to be taken as necessary.

- xvi. Conduct quarterly site visit and monitoring in the field.
 - xvii. Prepare semi-annual IP safeguards monitoring reports and submit to PMO for approval and submission to ADB for disclosure on ADB website.
 - xviii. Ensure timely disclosure of final SECPs in locations and form accessible to the SEC and all affected persons.
 - xix. Address and record any grievances filed through the GRM in a timely manner.
 - xx. Oversee implementation of subprojects and interventions under community infrastructure; watershed management; agriculture production, storage, processing, and marketing; rural non-farm skills; and rural roads components of the Project.
 - xxi. Identify training needs and coordinate training activities for the PMO, Social Development Organizers, Resettlement INGO, and other NGOs for capacity building to implement the SECPs and GRM.
 - xxii. Coordinate with the IT Officer about database management for IP safeguards implementation and monitoring.
 - xxiii. Coordinate with Social Development Organizers and NGOs on public awareness campaigns about the Project and the GRM in a language and form acceptable to the SEC.
223. The Social Development Organizers' responsibilities include, but are not limited to:
- i. Support the Land Acquisition and SEC Experts in IR and IP safeguards implementation.
 - ii. Report directly to the Land Acquisition Expert on matters concerning IR safeguards and to the SEC Expert on matters relating to IP safeguards.
 - iii. Guide, supervise and monitor the NGOs' social mobilization activities in the paras/villages under the Project in Hill Districts of Rangamati, Khagrachari and Bandarban to ensure RPs and SECPs are timely implemented according to the RF and SECPF.
 - iv. Support the SEC and Para Development Council (PDC) in identification, prioritization, and final selection of the proposed subprojects/interventions, and ensure SEC's perspective on the subproject/intervention design are considered.
 - v. Ensure participation of SEC in all subproject/intervention selection process including grievance redressal.
 - vi. Conduct meaningful consultation with SEC and ensure consultation process follows SPS requirements, BCS guidelines per SECPF and good practices; and consultation process is duly documented with minutes of the meetings, attendance, and photos.
 - vii. Facilitate and ensure compliance with all government rules and regulations regarding No Objection Certificates, third party certificates for negotiated settlement and voluntary land donation, land ownership and transfer details for each subproject site, as relevant.
 - viii. Monitor implementation of RPs and SECPs including GRM related activities during implementation of subprojects and interventions under community infrastructure; watershed management; agriculture production, storage, processing and marketing; and rural non-farm skills components of the Project.
 - ix. Discuss sustainability of the subprojects and interventions with the SEC and other beneficiaries, specifically for the community infrastructure component.
 - x. Ensure all subprojects and interventions are culturally appropriate and inclusive.
 - xi. Disseminate information about the Project, its objectives, outputs, and the subprojects/interventions including GRM.
 - xii. Perform other related tasks that may be assigned by the Land Acquisition

Expert and SEC Expert.

Resettlement Plan Implementing NGO (INGO)

224. The CHTRC PMO will employ an experienced Implementing NGO to prepare and support implementation of the resettlement plans in coordination with the Deputy Commissioner, HDC and the PISC. The resettlement plans will clearly define the role and terms of reference for the INGO. The INGO will need to be mobilized in the first semester of the first year of project. The INGO will have staff from SEC in each CHT district to carry out field activities in SEC. The responsibilities of the INGO include, but not limited to:

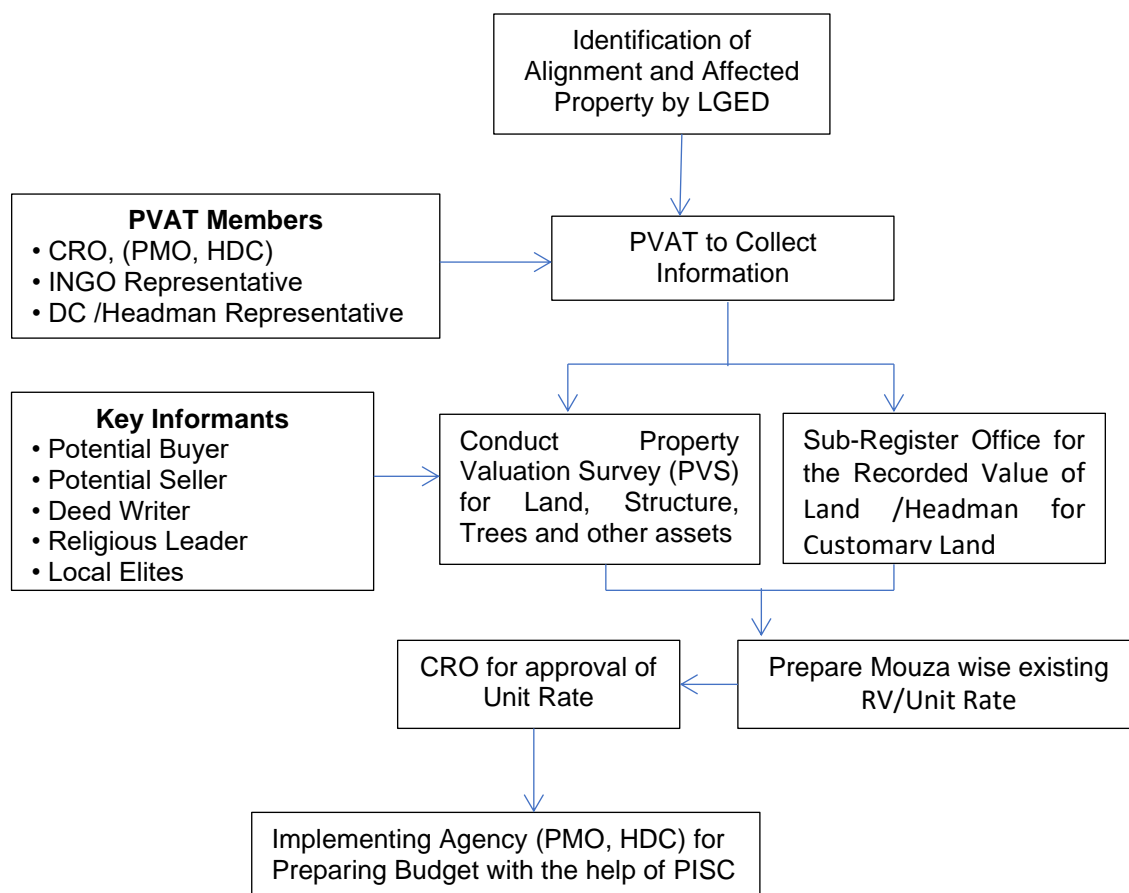
- i. Conduct meaningful consultation with affected persons and their communities following the guidelines in ascertaining BCS and ensure participation of SEC according to the RF and SECPF.
- ii. Conduct detailed socio-economic survey of the additional 10 proposed rural roads under Output 5.
- iii. Conduct property valuation and survey to ensure replacement cost at current market rate is followed.
- iv. Participate in joint verification process with the District Commissioner for all the 25 proposed rural roads.
- v. Prepare ID cards and entitlement cards for eligible affected persons.
- vi. Identify eligible vulnerable households for livelihood restoration through the skills training component of the Project.
- vii. Ensure livelihood restoration measures are implemented and the progress is reported through the monthly and semiannual monitoring reports.
- viii. Update and finalize the 15 RPs (SPB-1) as required in project readiness and prepare, update, and finalize the additional 10 RPs (SPB-2).
- ix. Prepare sketch maps of the proposed alignment with any prominent landmarks indicated, and land ownership along its length including the names of affected persons for the additional 10 proposed rural roads.
- x. Map the location of the subproject road within the district.
- xi. Provide description of the environment along the alignment and the SEC present in the subproject areas including any suggested strategies to avoid or minimize impacts.
- xii. Provide video of the entire alignment and photo inventory of each area of impact to correctly record the status of land and assets and submit to PISC for record keeping.
- xiii. Complete the Land Valuation Survey and provide a draft estimate for the RP.
- xiv. Facilitate and ensure compliance with all government rules and regulations regarding No Objection Certificates, third party certificates for negotiated settlement and voluntary land donation, land ownership and transfer details for each subproject site, as relevant.
- xv. Manage the outputs of the team, coordinate with LGED, CHTRC, PISC and affected communities.
- xvi. Assist affected communities in identification of alternative locations as required.
- xvii. Document the process and progress of all IR safeguards related activities including BCS and GRM, and satisfactory completion in the form of monthly IR safeguards monitoring report, semi-annual IR safeguards monitoring report and completion reports to be submitted to CHTRC through PISC.
- xviii. Provide representative at GRC meetings and support in grievance resolution process including documentation of complaints.
- xix. Represent the vulnerable groups/communities in GRC and support the affected persons in filing complaints.

- xx. Coordinate with Headmen (*Karbaris*) and Para Development Committees (PDC).

H. Property Valuation Advisory Team

225. A Poverty Valuation Advisory Team (PVAT) will be formed through a gazette notification by MoCHTA. The PVAT will review the assessment of the INGO of market prices for land and other property affected by the Project to determine their replacement cost. The scope and responsibilities of the PVAT will clearly be defined in the gazette notification. The INGO will process the entitlements of the Project APs using the PVAT data as one of the determinants. The PVAT will be a five-member body and be comprised of: (i) the concerned HDC Chairman to be Chairman; (ii) the LAO or a LAO-appointed district official; (iii) Representative of Headman Association, (iv) Representative concerned Union Parishad and v) the area manager of the INGO, who will be the PVAT Member Secretary. A flowchart of PVAT is shown in Figure 4.

Figure 4. Property Valuation Advisory Team



I. Resettlement Advisory Committee (RAC)

226. RAC will be formed at the subproject level to involve the local community and APs in the implementation process. The RACs will be comprised of an HDC representative as the Chairman, the INGO as Member Secretary and representatives of various stakeholders in the subproject area. The RACs will seek local inputs from APs and affected communities in the

implementation process and assist the INGO in all matters related to resettlement, ensuring local participation in RP implementation.

J. Joint Verification Committee

227. For each of the three project districts, a Join Verification Team (JVC) will be formed by the concerned Deputy Commissioner office. After fixing a date, the concerned Assistant Deputy Commissioner (revenue) or LAO will issue a letter to PMO and the Forestry, Public Works and Agriculture departments to attend the JVC session for the subproject area. The INGO will be charged with making arrangements. The role of the JVC will be to identify, verify, measure land, tree, structure and standing crops identified in the resettlement plan. Membership of the JVC is as follows:

- i. LAO (Land Acquisition Officer), DC office or Representative
- ii. INGO Team representative of PMU
- iii. Forest Ranger, District Forest Office or Representative
- iv. XEN Xn, District PWD Office or Resentative
- v. Upazila Agriculture Officer or Representative ,Agricultur Department
- vi. Concern Headman/ Representative or Concern UP Chairman or Representative
- vii. Concern Community Leader or Representative of APs

K. Resettlement Processing Committees/Teams

228. MoCHTA, through a gazette notification, will form various committees/teams for implementation of the RPs at the field level. The INGO will work as member secretary for all the committees/teams involving representatives of the DC, HDC, local government institutes and APs, as the case may be. These committees/teams will ensure stakeholders' participation and uphold the interest of the vulnerable APs. The power and jurisdictions of the committees will be clearly defined in the gazette notification. The INGO will form an RAC to involve the local community and APs in the implementation process.

L. Capacity Development

229. To ensure that project structures are capable of undertaking their respective responsibilities on RF implementation, capacity development programs will be provided by Land Acquisition Expert of the PISC, including but not limited to:

- i. sensitization on ADB's policies and guidelines on social safeguards (ADB's Safeguard Requirement 2 and 3: Involuntary Resettlement and Indigenous Peoples) including meaningful consultation, GRM and accountability mechanism;
- ii. introduction to the assessment of involuntary resettlement and Indigenous Peoples impacts and mitigation measures, including best practices, in the design, construction, operation and maintenance of water supply, sewerage, roads, and drainage subprojects;
- iii. preparation and review of RPs/DDR's based on preliminary design, and updating of the documents based on the final design;
- iv. improved coordination within nodal departments;
- v. disbursement of compensation, resettlement and relocation, consultation; and
- vi. monitoring and reporting requirements.

X. RESETTLEMENT PLAN IMPLEMENTATION SCHEDULE

230. Table 23 presents the indicative Implementation Schedule of the Resettlement Plan for the Kawkhali GC - Kalampati Union Road via Battali. The earliest time for allocation of fund for resettlement aspects of the project is expected to be available in August 2023. The actual implementation of the Resettlement Plan, particularly delivery of compensation is targeted beginning early September 2023.

231. Resettlement plan implementation shall comply with national and local COVID-19 protocols. Depending on the extent of COVID-19 infections during subproject implementation, some adjustments in the resettlement activities may occur.

Table 20. Tentative Schedule for Resettlement Plan Implementation

SL	Land Acquisition & Resettlement Activities	Start Date	Completion Date
1.	Information Campaign	1 February 2023	15 February 2023
2.	Consultation and focus group discussion	16 February 2023	28 February 2023
3.	Formation of Committees by MoCHTA	01 March 2023	31 March 2023
4.	Design/Development of RP Implementation Tools	01 April 2023	15 April 2023
5.	Joint Verification Survey by JVT based on detail design within subproject redline area	16 April 2023	15 May 2023
6.	Identification of landowners for negotiated settlement & voluntary donations by JVT	Not applicable	Not applicable
7.	Fixation of property value and agreement with the APs through negotiation by third party valuer	01 June 2023	30 June 2023
8.	Property Valuation Survey and determination of unit rate by PVAT	01 July 2023	15 July 2023
9.	Data Processing and Determination of Individual Entitlements	16 July 2023	31 July 2023
10.	Approval of Resettlement Budget	1 August 2023	15 August 2023
11.	Payment of compensation/ resettlement benefits to EPs	16 August 2023	15 September 2023
12.	Redress of Grievances	Ongoing	Ongoing till project completion
13.	Payment of Other Resettlement benefits based on GRC decision	Depending on 12	Ongoing till project completion
14.	Relocation of HHs and CBEs	not applicable	not applicable
15.	Training and Income Generation Programs	01 October 2023	31 October 2023
16.	Submission of RP completion report by IA	Not applicable	31 December 2023
17.	Internal and External Monitoring, and Reporting	Ongoing	Till project completion
18.	Updating of RP	As required	Till project completion

XI. MONITORING AND REPORTING

General

232. The PMO, through the Project Director at the PMO, will establish a monitoring and reporting system involving the CHTRC, LGED and its CRO, the PISC and the INGO for collection, analysis and preparation of reports on the progress of RP implementation. The PISC will conduct periodic review missions during the implementation stage to assess progress, identify and assist in resolving issues.

233. In addition to regular review missions, ADB will undertake a comprehensive midterm review of the RP implementation. A post evaluation of RP implementation will be carried out by the ADB to assess the resettlement impact in terms of adequacy and deficiency in planning and implementation of resettlement activities.

234. PMO CHTRC will provide quarterly, semi-annual, and annual reports to ADB prepared with assistance of PISC. Reporting on the resettlement plan implementation will cover the assessment whether the resettlement objectives were appropriate and whether they were met, specifically, whether livelihoods and living standards were restored or enhanced. The reports will also cover assessment of resettlement efficiency, effectiveness, impact, and sustainability, drawing upon lessons learned as a guide to future resettlement planning. Monitoring of RP implementation will be done both internally and externally.

Internal Monitoring

235. Internal monitoring of land acquisition and resettlement will be carried out by Project Director-PMO and Project Director-LGED, assisted by district and upazila engineers, the INGO, and the PISC resettlement specialist.

236. The district resettlement officer (DRO, to clarify who this will be), assisted by the field staff at HDC District offices and the INGO, will establish a monthly/quarterly/annual monitoring and reporting system and prepare a monthly/quarterly/annual progress report on all aspects of RP implementation. DRO will submit the reports to Project Director-LGED for consolidation and submission to Project Director-PMO. Project Director-PMO prepares and submits overall project report to ADB.

237. Semi-annual social safeguards monitoring reports (SMRs) for Involuntary Resettlement safeguards covering all subprojects will be prepared by PMO, with support from PISC and Implementing NGOs, and submitted to ADB for review within 30 days of reporting period till a project completion report is issued to ADB by the PMO. Monitoring will involve consultations with affected SEC and households. ADB-cleared SMRs will be disclosed on the ADB website. SMRs shall follow the proposed outline in the Resettlement Framework.

238. 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 indicators. A management information system (MIS) developed by the INGO and installed and operated at the LGED and PMO and INGO field offices will tabulate quantitative information obtained through the monitoring.

239. Internal monitoring will include reporting on progress in the activities envisaged in the implementation schedule with particular focus on public consultations, determination of compensation, record of grievances and status of complaints, financial disbursements, and level of satisfaction among affected person. Indicators for internal monitoring are briefed in the Table 24.

Table 21. Internal Monitoring Indicators

Monitoring Issues	Monitoring Indicators
Budget and Timeframe	<ul style="list-style-type: none"> • Have all land acquired and resettlement staff been appointed and mobilized for field and office work on schedule? • Have capacity building and training activities been completed on schedule? • Are resettlement implementation activities being achieved against agreed implementation plan? • Are funds for resettlement being allocated to resettlement agencies on time? • Have resettlement offices received the scheduled fund? Have funds been absorbed according to RPs? • Has all land been acquired and occupied in time for project implementation?
Delivery of Affected Persons Entitlements	<ul style="list-style-type: none"> • Have all APs received entitlements according to numbers and categories of loss set out in the entitlement matrix? • Have APs received payment on time? • Have all APs received agreed resettlement benefits as per schedule of payment? • How many affected households have received compensation for titled land? • How many affected households relocated and built their new structure at new location? • How many APs are being able to purchase replacement land? • Are APs able to access to school, health service, cultural sites and activities? • Are income and livelihood restoration activities being implemented as planned? • Have affected farmers received entitlements? • Have affected business received entitlements? • Have the APs losing their livelihood received their entitlements? • Have APs losing their eroded land received proper compensation? • Have properly identified users of SEC Common Land been compensated? • Have the squatters, encroachers of <i>khas</i> land or LGED/or any other Government of Bangladesh (GoB) land displaced due to the project been compensated? • Have the community structures are compensated and rebuilt at new site? • Are host communities sufficiently assisted for civic amenities where necessary?
Consultation, Grievances and Special Issues	<ul style="list-style-type: none"> • Have resettlement information brochures/leaflets been prepared in <i>Bangla</i> and distributed? • Have consultation taken as scheduled including meetings, groups, community activities? • How many APs know their entitlements? How many know if they have been received? • Have any Aps used the grievance redress procedures? What were the outcomes? • Have conflicts been resolved?
Benefit Monitoring	<ul style="list-style-type: none"> • 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?

Source: Adapted from ADB Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook. 2012. pages 74-75.

Reporting Arrangements

240. Resettlement NGO will submit monthly monitoring reports to PMO on resettlement plan implementation progress for the rural roads. Semiannual monitoring reports are to be generated by PMO with support from PISC to be submitted to ADB and for disclosure. SMRs will be submitted to ADB until a Project Completion Report has been issued by the government. The external monitoring consultant will conduct quarterly monitoring and site visits as required and submit semiannual monitoring reports to ADB.

External Monitoring

241. The executing agency is required to undertake external monitoring considering proposed project is Category A in Involuntary Resettlement. Based on final (sub)project categorization, external monitoring will be carried out by a qualified and reputable External Monitoring Expert to be engaged by the ADB, in close coordination with the PMO.

242. The Land Acquisition Expert with the PISC team will supervise and monitor resettlement plan implementation for PMO. The ADB, in coordination with the PMO, will engage an external resettlement monitoring expert to undertake resettlement monitoring and evaluation during the resettlement plan implementation. The tasks of the external expert will be to: (i) verify results of internal monitoring; (ii) assess whether resettlement objectives have been met, especially whether livelihoods and living standards have been restored or enhanced; (iii) assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement policy making and planning; and (iv) ascertain whether the objectives were suited to AP conditions. The external expert will design and adopt methods and tools for data collection facilitating a comparable database of “before” and “after” resettlement conditions and submit semi-annual monitoring reports to ADB through the CHTRC. Indicators for external monitoring are presented in Table 25.

243. The external impact evaluation will be focused on issues such as:

- i. Restoration of income levels of affected persons;
- ii. Changes and shifts in occupational pattern;
- iii. Changes in asset ownership;
- iv. Changes in types of housing of affected persons; and
- v. Assessing affected persons’ access to amenities, such as water, electricity, transportation, etc.

Table 22. Indicators for External Monitoring

Monitoring Indicators	Basis of Indicators
Basic Information on AP Households	<ul style="list-style-type: none"> • Location • Composition and structure, ages, educational and skill levels • Gender of Household heads • Ethnic identity of the household • 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

Monitoring Indicators	Basis of Indicators
Reconstruction of Living Standards	<ul style="list-style-type: none"> • Were house compensation made free of depreciation, fees or transfer costs to the APs? • Have APs achieved replacement of key social and cultural element?
Reconstruction of Livelihoods	<ul style="list-style-type: none"> • 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 transition? • 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 been provided with jobs in civil works?
Levels of Satisfaction	<ul style="list-style-type: none"> • 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 procedures?
Effectiveness of Resettlement Planning	<ul style="list-style-type: none"> • Were the APs and their assets correctly enumerated? • Was any 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 resettlement implementers deal with unforeseen problems?
Other Impacts	<ul style="list-style-type: none"> • Were there unintended environmental impacts? • Were there unintended impacts on employment or income?

Annex 1. List of affected persons with customary land to be acquired

SL No.	Name of Affected person	Father's/ Husband's Name	Gender	Village	Mouza	Land Area owned (Decimal)		Affected land area (Decimal)		Types of affected land (Decimal)				Remarks
						Customary land	Total land	Customary land	Total land	Paddy (Decimal)	Homestead (Decimal)	Tila (Decimal)	Total	
1	Triratna Boudha Bihar	N/A		Choto Dulu	96 no kalampati	50	50	1	1	0	0	1	1	Community property
2	Md. Jahageer	Ahidur Rahaman	Male	Choto Dulu	96 no kalampati	26	26	1	1	0	1	0	1	
3	Arjya Mitra Buddha Bihara	N/A		Bara Dulu	96 no kalampati	50	50	1.41	1.41	0	1.41	0	1.41	Community property
4	Maitri Buddha Bihara	N/A		Bara Dulu	96 no kalampati	250	300	4.27	4.27	0	4.27	0	4.27	Community property
Total						376	426	7.68	7.68	0	6.68	1	7.68	

Annex 2. List of affected persons with titled land to be acquired

SL No.	Name of Affected person	Father's/ Husband's Name	Gender	Village	Mouza	Land Area Owned (Decimal)		Affected Land Area (Decimal)		Types of affected land (Decimal)			
						Title land	Total land	Title land	Total land	Paddy (Decimal)	Homestead (Decimal)	Tila (Decimal)	Total
1	Md. Majibula Alam	Late- Anowar Hosain	Male	Uttar Nalyechari	96 no kalampati	900	900	3.25	3.25	3.25	0	0	3.25
2	Md. Ismail	Md. Jahageer	Male	Choto Dulu	96 no kalampati	40	40	1.31	1.31	0	0	1.31	1.31
3	Asta Mitu Chakma	Sindu Lal Chakma	Male	Choto Dulu	96 no kalampati	1700	1700	4.41	4.41	1.72	0	2.69	4.41
4	Amalini Chakma	Sriti Kusum Chakma	Female	Choto Dulu	96 no kalampati	60	60	2	2	2	0	0	2
5	Iyangsiu Marma	Late- Tusa Aung Marma	Male	Bara Dulu	96 no kalampati	500	500	10.67	10.67	2.75	0	7.92	10.67
6	Kyajai Marma	Late- Hlaaungsu Marma	Male	Bara Dulu	96 no kalampati	80	80	2.41	2.41	2.41	0	0	2.41
7	Krusahla Marma	Aungboishi Marma	Male	Bara Dulu	96 no kalampati	250	250	2.07	2.07	2.07	0	0	2.07
8	Ruichau Marma	Late- Suihlaung Marma	Male	Bara Dulu	96 no kalampati	150	150	5.23	5.23	0	0	5.23	5.23
9	Shahlamong Marma	Late- Sui Jai U Marma	Male	Bara Dulu	96 no kalampati	50	50	1.03	1.03	0	1.03	0	1.03
10	Sui Thui Prue Marma	Late- PaisaKhai Marma	Male	Bara Dulu	96 no kalampati	500	500	1.03	1.03	0	1.03	0	1.03
11	UchingMo Marma	Thoaiching Marma	Male	Bara Dulu	96 no kalampati	20	20	1	1	0	1	0	1

SL No.	Name of Affected person	Father's/ Husband's Name	Gender	Village	Mouza	Land Area Owned (Decimal)		Affected Land Area (Decimal)		Types of affected land (Decimal)			
						Title land	Total land	Title land	Total land	Paddy (Decimal)	Homestead (Decimal)	Tila (Decimal)	Total
12	Ching Sanu Marma	Hlamongsu Marma	Male	Bara Dulu	96 no kalampati	40	40	1.84	1.84	0	1.84	0	1.84
13	Hlaowa Marma	Late- Kyamra Marma	Male	Bara Dulu	96 no kalampati	200	200	1	1	1	0	0	1
14	Thoaiching Marma	Thoaiong Marma	Male	Bara Dulu	96 no kalampati	60	60	1.79	1.79	0	1.79	0	1.79
15	Paimajai Marma	Late- Mongtu Marma	Male	Bara Dulu	96 no kalampati	20	20	1	1	0	1	0	1
16	Paichingthui Marma	Late-Suijhai U Marma	Male	Bara Dulu	96 no kalampati	80	80	1.06	1.06	0	1.06	0	1.06
17	Aungching Marma	Thoaiaung Prue Marma	Male	Bara Dulu	96 no kalampati	30	30	1	1	1	0	0	1
18	Sui Thui Ma Marma	Mongjhai Marma	Female	Bara Dulu	96 no kalampati	100	100	1.17	1.17	1.17	0	0	1.17
19	Upai Mong Marma	Chingbai Aung Marma	Male	Bara Dulu	96 no kalampati	700	700	5.5	5.5	3.78	0	1.72	5.5
20	Bara Dalu Para Govt. Primary School	N/A		Bara Dulu	96 no kalampati	50	50	2.06	2.06	0	2.06	0	2.06

SL No.	Name of Affected person	Father's/ Husband's Name	Gender	Village	Mouza	Land Area Owned (Decimal)		Affected Land Area (Decimal)		Types of affected land (Decimal)			
						Title land	Total land	Title land	Total land	Paddy (Decimal)	Homestead (Decimal)	Tila (Decimal)	Total
21	Thoaichai Marma	Mongshakhai Marma	Male	Bara Dulu	96 no kalampati	280	280	1.72	1.72	0	1.72	0	1.72
22	Khilu Aung Marma	Muimau Marma	Male	Bara Dulu	96 no kalampati	200	200	7.57	7.57	7.57	0	0	7.57
23	Labrishai Marma	Muisau Marma	Male	Bara Dulu	96 no kalampati	80	80	1.1	1.1	0	1.1	0	1.1
24	Nisha Aung Marma	Muisau Marma	Male	Bara Dulu	96 no kalampati	80	80	2.07	2.07	0	2.07	0	2.07
25	Paisajhai Marma	Suisakhai Marma	Male	Bara Dulu	96 no kalampati	40	40	1	1	0	1	0	1
26	Suiching Mong Marma	Ponche Marma	Male	Bara Dulu	96 no kalampati	100	200	2.20	2.20	2.20	0	0	2.20
27	Sathui Aung Marma	Muraprue Marma	Male	Bara Dulu	96 no kalampati	50	50	1.37	1.37	1.37	0	0	1.37
28	Kyashailha Marma	Suilhaprue Marma	Male	Bara Dulu	96 no kalampati	90	90	1.37	1.37	0	0	1.37	1.37
Total						6450	6550	69.23	69.23	32.29	16.7	20.2	69.23

Annex 3. List of affected trees to be cut

SL	Name of tree owner	Father's/ Husband Name	Sex	Village	Mouza	Name of tree	Large	Medium	Small	Sapling	
1	Anwar Hosain	Late: Najir Ahamed	Male	Uttar Nalyechari	96 no kalampati	Gamar	10	0	0	0	10
						Neem	5	0	0	0	5
						Belgium	7	0	0	0	7
						Mehagani	2	0	0	0	2
2	Asta Mitu Chakma	Sindu Lal Chakma	Male	Choto Dolu	96 no kalampati	Mango	0	5	0	0	5
						Battle Nut	0	0	3	0	3
						Banana	0	9	0	0	9
						Amra	1	0	0	0	1
						Sajana	1	0	0	0	1
						Guava	1	0	0	0	1
3	Ruichau Marma	Late: Suihla Aung Marma	Male	Bara Dolu	96 no kalampati	Teak	6	0	0	0	6
						Akasia	3	0	0	0	3
4	Sahlamong Marma	Late- Sui Jai U Marma	Male	Bara Dolu	96 no kalampati	Gamar	0	7	0	0	7
						Bamboo	50	0	0	0	50
						Battle Nut	0	0	10	0	10
5						Bamboo	24	0	0	0	24

	Arjyamtira Buddha Bihara		Male	Bara Dolu	96 no kalampati	Mango	0	6	0	0	6
						Batta	0	1	0	0	1
						Black berry	0	2	0	0	2
						Jackfruit	0	2	0	0	2
						Cotton	0	1	0	0	1
						Coconut	0	2	0	0	2
						Battle Nut	0	0	10	0	10
6	Suithuiprue Marma	Late-Paisakhoi Marma	Male	Bara Dolu	96 no kalampati	Akasia	0	7	0	0	7
						Gamar	2	0	0	0	2
						Banana	2	0	0	0	2
						Palm	0	0	8	0	8
						Battle Nut	0	0	5	0	5
						Mango	0	0	5	0	5
7	Uchingmo Marma	Thoiching Marma	Male	Bara Dolu	96 no kalampati	Belgium	3	0	0	0	3
						Coconut	2	0	0	0	2
						Bamboo	0	8	0	0	8
8	Chingsanu Marma	Hlamongsu Marma	Male	Bara Dolu	96 no kalampati	Palm	1	0	0	0	1
						Mango	0	0	2	0	2
						Neem	0	0	1	0	1
						Teak	0	0	5	0	5
						Bamboo	50	0	0	0	50
9	Hlawa Marma	Late: Kyamra Marma	Male	Bara Dolu	96 no kalampati	Teak	0	0	7	0	7
						Neem	0	5	0	0	5
						Battle Nut	0	0	5	0	5
						Kadam	0	2	0	0	2
10	Thoaiching Marma	Thoaimong Marma	Male	Bara Dolu	96 no kalampati	Palm	1	0	1	0	2
						Battle Nut	0	11	0	0	11
						Coconut	0	0	1	0	1

						Banana	9	0	0	0	9
						Teak	0	0	2	0	2
						Bamboo	0	50	0	0	50
						Batta	1	0	0	0	1
						Gub	1	0	0	0	1
11	Paisajai Marma	Late: Mongtu Marma	Male	Bara Dolu	96 no kalampati	Teak	2	0	13	0	15
						Palm	0	0	1	0	1
12	Paisingtui Marma	Late: Suijaiu Marma	Male	Bara Dolu	96 no kalampati	Teak	0	7	0	0	7
						Mango	3	0	0	0	3
						Battle Nut	17	0	20	0	37
						Mehagani	3	0	0	0	3
						Pine	1	0	0	0	1
						Campa	0	0	1	0	1
						Batta	0	0	1	0	1
						Tula	1	0	0	0	1
						Tetul	0	0	1	0	1
13	Suithuima Marma	Late: Mongjai Marma	Female	Bara Dolu	96 no kalampati	Teak	0	13	0	0	13
14	Upaimong Marma	Chingbaiaung Marma	Male	Bara Dolu	96 no kalampati	Suruj	0	3	0	0	3
						Neem	0	0	4	0	4
						Coconut	0	0	8	0	8
						Battle Nut	0	0	10	0	10
						Bamboo	30	0	0	0	30
						Banana	4	0	0	0	4
15				Bara Dolu		Teak	7	0	0	0	7

	Bara Dolu Para Govt Primary School				96 no kalampati	Belgium	0	3	0	0	3
						Kul	0	1	0	0	1
16	Thoaichai Marma	Mongsakhai Marma	Male	Bara Dolu	96 no kalampati	Palm	1	0	0	0	1
						Coconut	8	0	0	0	8
						Battle Nut	5	0	0	0	5
						Banana	10	0	0	0	10
						Kul	0	1	0	0	1
						Mango	0	1	0	0	1
						Bamboo	0	30	0	0	30
17	Khilu Aung Marma	Thuisa U Marma	Male	Bara Dolu	96 no kalampati	Jackfruit	1	0	0	0	1
						Palm	2	0	0	0	2
						Teak	0	3	0	0	3
						Bamboo	50	0	0	0	50
Total							327	180	124	0	631

Annex 4. Census and Socioeconomic Survey Questionnaire

CENSUS AND SOCIOECONOMIC SURVEY QUESTIONNAIRE

BAN: Climate Resilient Livelihood Improvement and Watershed Management in the Chattogram Hill Tracts Sector Project (CRLIWM-CHT)

PART 1. SOCIOECONOMIC PROFILE OF THE AFFECTED HOUSEHOLDS

Survey Date:

Name of Investigator:

GENERAL IDENTIFICATION Code

Name of the Road/Road
No/Subproject/Component.....
.....

1.2 Name of this Location/Chainage Km.....

i. District..... ii. Upazila.....

Union/Ward..... iv.
Village/Para.....

2. HOUSEHOLD IDENTIFICATION

2.1 Name of the Household Head.....

2.2 National ID Card Number.....

2.3 Father's Name.....

2.4 Indigenous People (mention tribe).....

2.5 Main Profession/Occupation.....

2.6 Address of the identified Household.....
.....
.....

2.7 Mobile Number, if available.....

2.8 Name of the respondent.....

• Relation with head of the household.....
(wife/husband/daughter/son/others)

2.9 Family Type:

Joint 2. Nuclear 3. Extended 4. Other

☐

2.10 Religious Group:

1. Islam 2. Buddhist 3. Christian 4. Hindu 5. Other

☐

2.11 Number of Family Members :

1. Male 2. Female.....

2.12 Details of Family Members (Demography and Education)

Sl. No.	Name of the Family Member	Sex 1. Male 2. Female	Age (year)	Marital Status 1. Married 2. Unmarried 3. Widow 4. Widower 5. Other	Education 1. Illiterate 2. Elementary School 3. Middle School 4. High School 5. Bachelor/Equivalent 6. Above Bachelor	Occupation 1. Service 2. Business 3. Agriculture 4. Study 5. Housewife 6. Labour 7. Professional 8. Unemployed
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
# of physically handicapped members, if any						
1.						
2.						
3.						

Note: Insert additional column if family members exceed more than above numbers

3. HOUSEHOLD ASSETS

3.1 Landownership & Uses [All lands situated anywhere and under the ownership of the household]

Land Type	Total Area		Current Market Price (Taka)	How owned (Inherited=1	Lands Bought & Soled in last Two Years (in Taka))
-----------	------------	--	-----------------------------	------------------------	---

	(hectare)	Presently Used by Owner (Yes=1, No=2)	(approximately)	Purchased=2	Bought	Soled	Price per Decimal(Taka)
Homestead							
Agricultural							
Commercial							
Fallow							
Pond							
Others							

3.2 Houses / Structures

Sl. No.	Present Use	# of Story	# of Rooms (all floors)	Total Floor Area (sqm)	Building Materials (Code)			Approximate present construction cost (Taka)
					Floor	Wall	Roof	

Floor Materials: Earthen = 1; Cemented = 2; Brick (uncemented) = 3; Wooden = 4; Bamboo thatch = 5; Others = 9 (Mention:)

Wall Materials: Earthen = 1; Bamboo thatch = 2; GI Sheet = 3; Plastered Brick = 4; Unplastered Brick = 5; Plastered Brick = 6; Unplastered Brick = 7; Straw/Leaf Mats/Plastic Sheet = 8; Others = 9 (Mention:)

Roofing Materials: GI Sheet with Wood/Bamboo Frame = 1; GI Sheet with Steel Frame = 2; Reinforced Cement Concrete (RCC) = 3; Straw = 4; Plastic sheet = 5; Others = 6 (Mention:)

3.2 Electricity: Use ? : Yes = 1 No = 2

☐

Authorized Connection?: Yes = 1, No = 2

☐

3.3 Water supply: Yes = 1 No = 2

☐

Type of Water Supply _____

Worksheet for Valuation Durable Consumer Items and Other Assets & Amenities

Items	#	Approx Total Value (Taka)
Television		
Radio		
Music System		

Items	#	Approx Total Value (Taka)
Refrigeration		
Washing Machine		
Air Conditioner		
Oven		
L.P.G. connection		
Motor Bike		
Bicycle		
Car		
Bus/Micro		
Furniture		
Tube-well		
Sanitary Latrine		
Others (name)		

AGRICULTURE: OPERATION & PRODUCTION

Land use

Cultivable	Non-Cultivable	Total Land Area (decimal)

Cropping Pattern

Sl. No.	Type of Crops	Total Cultivated Land (decimal)	Total Yield
i			
ii			
iii	Summer Crop-example		
Total			

ANNUAL INCOME

Sl. No.	Source	Income (Taka)
1.	Agriculture	
2.	Service	
3.	Business	
4.	Labour	
5.	Professional	
6.	Others	
Grand Total		

HOUSEHOLD SAVINGS

6.1 Does the household as a whole have any savings? 1. Yes 2. No ☐

If yes, total amount of savings: Taka

6.2 The money is kept in (Use applicable codes below): ☐

At home=1; With relatives=2; With friends=3; Bank/Cooperatives=4;
 NGOs=5;
 Others=6 (Mention:)

OVERALL ECONOMIC STATUS

According to the respondent, which of the following best describes the household's overall economic status with the present income and expenditure needs?

1 = Surplus deficit 2 = Breaks even 3 = Occasionally deficit 4 = Always ☐

CONSUMPTION PATTERN

Please indicate the consumption/expenditure on different items on last one year

Sl. No.	Particulars	Expenditure (Taka)	
		Monthly	Annual
A	Food		
	Cereal		
	Pulses		
	Milk		
	Oil		
	Vegetable		
	Fruits		
	Meat/Fish		
	Eggs		
	Sugar		
Sub Total (A)			
B	Cooking fuel/gas/wood		
C	Clothing		
D	Health		
E	Education		
F	Communication		
G	Social Function		
H	Agriculture (such as seeds, hiring of farm implements etc.)		
I	Others (specify)		
Grand Total (A+I)			

COVERAGE UNDER GOVERNMENT/DONORS DEVELOPMENT SCHEMES

9.1 Have you availed any benefit under any govt. Scheme ? 1. Yes ☐ 2. No

If Yes, please give us the following details:

Name of the Scheme	Kind of Help
	Loan, 2. Training, 3. Employment

Example, JFPR (Japan Fund for Poverty Reduction)	

If "1", please indicate the amount Taka

If "2", please indicate the type of training

No 9.2 After availing this scheme did your annual income increase? 1. Yes ☐

If "Yes", how much? Taka

If "NO", why?

HEALTH

10.1 What is the most accessible health facility from your community?

10.2 Do you access health facility when needed?

Yes _____ If not, why? _____

10.3 Was any member of your family affected by any illness in last one year?

1. Yes 2.No ☐

10.4 If "Yes", please indicate the details

No. of Cases	Type of Diseases/Illness	Treatment taken Allopathic Homeopathic Traditional No treatment

MIGRATION

11.1 Do you migrate for work? 1. Yes 2. No ☐

11.2 If "Yes" for how many days/months in a year :

11.3 Where do you migrate?

1. Within the District 2. Outside the District 3. Outside the State

☐

11.4 What kind of job do you undertake?

1. Agricultural Labour
2. Non-Agricultural Labour 3. Trade & Business
4. Others(specify):

☐

11.5 How much do you earn : Taka

11.6 Trend of Migration:

1. Once in a year 2. Twice in a year
3. Every alternative year 4. Once in every three years
5. No regular intervals/as and when required

☐

11.7 At what time of the year do you migrate (season)? :

WOMEN STATUS

12.1 Please give the following details

Sl. No	Economic / Non-economic Activities	Engagement in Activities	
		Yes	2. No
1.	Cultivation		
2.	Allied Activities*		
3.	Sale of forest products		
4.	Trade & Business		
5.	Agricultural Labour		
6.	Non Agricultural Labour		
7.	Household Industries		
8.	Service		
9.	Household Work		
10.	Entertainment		
11.	Others (specify)		

* Dairy, Poultry, Piggery, Sheep rearing etc

If engaged in economic activities, total income of the year: Taka
.....

12.2 Do your women member have any say in decision making of household matters?

1. Yes 2. No

☐

12.3 If "Yes", give the following details:

Sl. No	Issues	1 Yes	2 No
--------	--------	-------	------

1.	Financial matters		
2.	Education of child		
3.	Health care of child		
4.	Purchase of assets		
5.	Day to day activities		
6.	On social functions and marriage		
7.	Others (mention)		

Cont. Annex 4

PART II: SPECIFIC PROJECT IMPACTS

(Please proceed to the relevant section)

13. AFFECTED LANDS

Code

Land to be affected and/or acquired

13.1 Ownership of the Affected Land:

1. Private / Customary 2. Government 3. Religious 4. Community
5. Other (.....)

13.2 Category of Land :

1. Cultivated 2. Non-Cultivated

13.3 Type of Land :

1. Irrigated 2. Non-Irrigated 3. Jhum 4. Fellow
5. Other (specify).....

Use of Land :

1. Cultivation 2. Residential 3. Commercial
4. Orchard 5. Others 6. No Use

Total Area of Land of which affected area is a part (in decimal):.....

Area of Land actually Affected (in hectare):

Estimated monthly income derived from the affected land, if any

Taka (.....)

13.8 Any of the following persons associated with the affected land:

Agricultural Labour 1. Yes 2. No

Sub-Tenant 1. Yes 2. No

Share-Cropper 1. Yes 2. No

13.9 If yes, name of the Agricultural Labour/Sub-Tenant/Share-Croppers

.....
.....
.....

.....

AFFECTED HOUSES/STRUCTURES/PROPERTY

14.1 Type of Affected Structures:

- A.1 Residential Structure: 1. House 2. Boundary wall 3. Fencing ☐
 4. Toilet 5. Tube/Dug well
 6. Others (.....)

A.2 Type of Structure:

1. Temporary 2. Permanent 3. Semi-Permanent ☐
 4. Thatched 5. Wooden 6. Others

A.3 Ownership of the Affected Houses/Structures:

- Legal 2. Non-Legal (Squatter/Encroacher) 3. Renting/Lessee ☐
 Others (please specify) _____

If legal owner, do you have Legal Document of Property

- 1.Yes 2.No. ☐

A.4. Do you currently live in the affected residential structure?

Yes 2. No 3. Renting it out 4. Lessee 5. Other use _____

A.5. If you are renting it out, how much are you earning from the monthly rent?
 Taka.....

A.6. If you are currently a lessee, how much are you paying for rent?
 Taka.....

A.6.1 Why do you see as the main advantage of the current house you are renting?

- Proximity work 2. Cheaper rent 3. Safety
 4. Others please specify _____

☐

B.1 Commercial Structure:

1. Shop 2. Hotel 3. Vendor 4. Farm House 5. Petrol Pump
 6. Private Clinic 7. Industry 8. Residential cum-structure ☐
 9. Others.....

B.2 Type of Structure:

1. Temporary 2. Permanent 3. Semi-Permanent ☐

4. Thatched 5. Wooden 6. Others

B. 3 What type of ownership do you have of the affected structure?

Owner 2. Lessee 3. Sub-lessee 4. Others (pls specify)

☐

B. 4. What is the estimated monthly income you are earning from the affected commercial structure Taka

D.1. Other Affected Structures that you own/use:

D.2. Type of Structure :

1. Temporary 2. Permanent 3. Semi-Permanent

4. Thatched 5. Wooden 6. Others

☐

D.3. Type of ownership

Owner 2. Lessee 3. Sub-lessee

4. Others (specify) _____

☐

D.4. What is the estimated monthly income you are earning from the affected commercial structure, if any Taka.....

14.2. Measurement of the Affected Structures/Property

Based on the affected structures above please provide the required details below

Type of Affected Structure (refer 14.2)	Length (m)	Width (m)	Height (m)	Total Area (m ²)	Total Affected Area (m ²)	Estimated distance from the transmission line/substation (in meters)

Physical Relocation of Affected Households

[Applicable to the households whose homesteads would be affected partially and fully, and will have to relocate their homes.]

If the household is aware of displacement from the present homestead, its plan/thinking about relocation:

.....

Can the affected household relocate on the same home-lot/dwelling plot by moving the houses?

1=Yes; 2=No

Does the household have lands in the locality which are suitable for relocation? 1=Yes; 2=No

Does the household have lands in the locality that can be developed into home-lot for relocation? 1=Yes 2=No

Can the household find land for purchase at a location it would like to relocate? 1=Yes; 2=No

Are there public lands (govt. & other lands owned by any department of the Government) in the vicinity of the project? Yes / No

If 'Yes', approx. distance from the project site:km

Approximate amount:

Physical description, ownership and current use of the lands

.....

AFFECTED TREES AND CROPS

Types of Trees	Quantity	Remarks

Types of Crops	Quantity	Remarks

Gardens	Size	Use (consumption/ sell to market)

Affected Common Resources in the Community

16.1. Please specify if there are any affected common structures being used by the community?

.....

16.2 How are you using the common property?

.....

16.3. How much monthly income are you generating from the affected common property, if any?

Taka.....

16.4. Are any of the following structures to be affected by the project?

Church/Temple (please specify)	Location: How many?
Graveyard:	Location: How many?
Sacred Place (please specify)	Location: How many?
Others: (please specify)	

17. Any other potential project impacts not identified (please provide the specifics):

.....

Name of Investigator:

Signature :

Mobile No.....

Date :

Annex 5. Photos taken during the Census and Socioeconomic Survey

	
<p>Photo 1: Survey of land, trees and structures</p>	<p>Photo 2: Consultation with comity members during survey</p>
	
<p>Photo 3: Consultation with comity members during survey</p>	<p>Photo 4: Survey of land, trees, and structures</p>



Photo's 5-8: Focus group meetings with community members during the social and economic survey to gather data

Annex 6. Cut-off date for Kawkhali GC - Kalampati Union Road via Bat Tali

Cut-off Date for Kawkhali GC - Kalampati Union Road via Bat Tali

Date of Establishment: 10 February 2022

TA Preparing the Climate Resilient Livelihood Improvement and Watershed Management in the Chittagong Hill Tracts Project
Project Office, Rangamati

স্মারক নং: সিএ-সিআরএলআইউএম-সিএইচটি/২০২১/৩৭ তারিখ: ০৫/০২/২০২২খ্রিঃ

আপনাদের সদয় অবগতির জন্য জানানো যাচ্ছে যে, এশিয়া উন্নয়ন ব্যাংক ও বাংলাদেশ সরকারের যৌথ অর্থায়নে কাউখালী উপজেলাধীন -Kawkhali HQ-Kalampati Union Road via Battali রাস্তাটি বাস্তবায়ন করা হচ্ছে। এই রাস্তার সের্ঘ্য ৫ কিমি এবং প্রস্থ ১৮ ফুট করা হবে। রাস্তাটি যেহেতু ১৮ ফুট বড় করা হচ্ছে সেজন্য অতিরিক্ত জমির প্রয়োজন রয়েছে যা আপনাদের পরামর্শমূলক সভায় ইতিপূর্বে জানানো হয়েছে এবং এই অতিরিক্ত জমির ক্ষতিপূরণ প্রদান করা জন্য ইতিমধ্যে ১০-১৪ অক্টোবর ২০২১ সালে জরিপ কার্য পরিচালনা করা হয়। জরিপে সর্বমোট এই পর্যন্ত ৭৬ জন ক্ষতিগ্রস্ত জমির মালিক ও ৫০ জনের গাছপালা ক্ষতিগ্রস্ত ব্যক্তির তালিকা পাওয়া যায়। এই তালিকা ইতিমধ্যে অত্র এলাকার ইউনিয়ন চেয়ারম্যান, ওয়ার্ড মেম্বর ও অত্র এলাকার গন্যমান্য ব্যক্তিদের কাছে প্রেরণ করা হয়েছে। এখন এই তালিকায় কারো জমি, গাছপালা অথবা ঘরবাড়ি ক্ষতিগ্রস্ত হয়ে তালিকাভুক্ত না হলে তাদেরকে ১০ ফেব্রুয়ারী ২০২২ সালের মধ্যে অত্র কার্যালয়ে অথবা প্রকল্প কর্মরত ব্যক্তিদের সাথে যোগাযোগ করে তালিকাভুক্তি করার জন্য অনুরোধ করা গেল। অত্র তারিখের পর আর কারো নাম / তালিকা অর্জভুক্তি করা হবেনা মর্মে জানানো গেল।

অনুরোধক্রমে

রশেদ রায়
রিসেস্টেমেন্ট ফেসিলিটেশন

অনুলিপি:

- ১। চেয়ারম্যান, কলমপতি ইউনিয়ন।
- ২। মেম্বর, ৩ নং ওয়ার্ড, কলমপতি ইউনিয়ন।
- ৩। হেডম্যান, কলমপতি মৌজা।
- ৪। কার্বারী, কলমপতি মৌজা।

TA Preparing CRLIWM-CHT Project Office, Stadium Area, North Kalindipur, Rangamati – 4500

Translation

TA Preparing the Climate Resilient Livelihood Improvement and
 Watershed Management in Chattogram Hill Tracts Sector Project
 Project Office, Rangamati

Memo No- TA-CRLIWM-CHT/2021/37

Date: 05/02/2022 (In Gregorian Era)

For your kind information it has been stated that in accordance with the joint funding by the Asian Development Bank and the Government of the People's Republic of Bangladesh, for the road of "Kawkhali HQ-Kalampati Union Road via Battali under the Kawkhali sub-district area is being implemented. Length of this road will be 5k.m. and width 18 feet. WHEREAS, the road is expanded up to 18 feet, so that there is needed extra land of which you have been previously informed at your advisory meeting and to compensate for the extra land all survey work has been completed between 10-14 October 2021. As per the survey there 76 persons affected landowners were found and 50 tree and plant owners were listed. This list has already been forwarded to the union chairman, ward member and honorable persons of this territory. Notwithstanding if anybody's affected land, trees and houses in this area is not enlisted, they are requested to get their name enlisted before 10 February 2022 by communicating with this office or the persons who works on this project. After cut-off date, nobody's name shall be included in this list and it will be considered as being confirmed.

Requested by

Signed

Reetesh Roy

Resettlement Facilitator

Copy to:

1. Chairman, Kalampati Union.
2. Member, No.3 Kalampati Union.
3. Headman, Kalampati Mouza.
4. Karbari, Kalampati Mouza.

TA Preparing CRLIWM-CHT Sector Project Office, Stadium Area, North Kalindpur,
Rangamati-4000

Annex 7. Consultation Meeting for Kalampati Union Road**Attendance list of consultation meeting 22 May 2021**

Sl. No.	Name & Father's/Husband's Name	Address	M/F
1.	Name: Md. Mojibul Alam Father's Name: Nojib Ahamad	Nailaychari, 4 No. Ward	M
2.	Name: Amolini Chakma Husband's Name: Smriti Kusum Chakma	Chotodolu, 1 No. Ward	F
3.	Name: Asto Mitu Chakma Father's Name: Sindu Lal Chakma	Chotodolu, 1 No. Ward	M
4.	Name: Ruichau Marma Father's Name: Suila Aong Marma	Borodolu, 3 No. Ward	M
5.	Name: Chingsanu Marma Shroman Father's Name: Hlamong Su Marma	Borodolu, 3 No. Ward	M
6.	Name: Mongtusi Marma Father's Name: Mruhla Aong Marma	Borodolu, 3 No. Ward	M
7.	Name: Thowaiching Marma Father's Name: Thowai Mong Marma	Borodolu, 3 No. Ward	M
8.	Name: Paimajai Marma Father's Name: Mongto Marma	Borodolu, 3 No. Ward	F
9.	Name: Paiching Thui Marma Father's Name: Suijaiu Marma	Borodolu, 3 No. Ward	M
10.	Name: Upaimong Marma Father's Name: Chingbai Aong Marma	Borodolu, 3 No. Ward	M
11.	Name: Thowaichai Marma Father's Name: Mongcha Khoi Marma	Borodolu, 3 No. Ward	M
12.	Name: Sahlamong Marma Father's Name: Suijaiu Marma	Borodolu, 3 No. Ward	M
13.	Name: Aongshiu Marma Father's Name: Thochaong Marma	Borodolu, 3 No. Ward	M
14.	Name: Suiching Mong Marma Father's Name: Pohche Marma	Borodolu, 3 No. Ward	M
15.	Name: Suithuima Marma Father's Name: Mong Jai Marma	Borodolu, 3 No. Ward	F
16.	Name: Khiluong Marma Father's Name: Muichakhoi Marma	Borodolu, 3 No. Ward	M
17.	Name: Suithuiprue Marma Father's Name: Paichakhoi Marma	Borodolu, 3 No. Ward	M
18.	Name: Nisaong Marma Father's Name: Muisau Marma	Borodolu, 3 No. Ward	M

Appendix <#>: Agenda and summarized minutes of consultation of 30 November 2021, at Bara Dalu village

Note: Bara Dalu village is situated at the middle point of the road and therefore was convenient as meeting place. Only potentially affected persons were present in this meeting. 34 of 69 households which were initially thought to be affected were present (the number of APs was later reduced to 28).

Location, date and time	Male + Female Participants	Participants and issues discussed
<p>Bara Dalu, No. 96 Kalampati Mouza, kalampati Union, Kawkhali Upazila Date:30/11/2021, Time:11.00 AM</p>	<p>Male-29 Female-5 Total- 34</p>	<p>Mr.Paisa Mong Marma, Union Parishad member, Kalampati UP, ward-3, presided over the meeting attended by 34 persons potentially affected by the road rehabilitaon. Five paticipants were female.</p> <p>The meeting was attending by UP Members, Affected Persons of the affected areas. Mr. Reetesh Roy of the TRTA team, addressed the meeting explaining the. Current condition made it qualify for inclusion in the project, which would mean the road surface would be upgraded from HBB to BC and the troad would also be widened to ensure it would meet the latest government design standards. He then continued explananign tat the project would adhere to ADB and Government compensation standards for affected people and explained this in detail, including the new compensation law (ARIPA 2018) and the related amendment specifically for the CHT, that compensation on customarily owned land as well as titled land would be provided as required under ADB SPS-2009, and that special grant would be available for SAPs, Women household APs, vulnerable household, disabled persons; that standing crops, land, trees and structures would be valued and compensated. That other forms of compensation included transfer grants, reconstruction grants, land development cost for structures, fruit bearing trees, one time crops, businesses etc.. He then continued explaining the project's GRM, and how the ADRF and GRC would help solving any the disputes that might arises. He added the project would engage an NGO to assist APs to update land documents and require of documents for receive compensation both title and customary.</p> <p>Many questions were asked by the participants. They related to the compensation rates for land, documents required of compensation receive both title and customary. On behalf f the TRTA team Mr Reetesh Roy then responded to the questions.</p>

সভার কার্যবিবরণী

৩০-১১-২০২১খ্রি. মঙ্গলবার, সকাল ১১:০০ ঘটিকায় কাউখালী উপজেলাধীন -কলমপতি ইউনিয়নের বড়ডলু গ্রামে এক আলোচনা সভা অনুষ্ঠিত হয়। উক্ত সভায় সভাপতিত্ব করেন কলমপতি ইউনিয়ন পরিষদের ৩ নং ওয়ার্ডের মেধার পাইচামং মারমা আর এশিয় উন্নয়ন ব্যাংকের পক্ষে উপস্থিত ছিলেন উক্ত প্রকল্পের ফিল্ড ফেসিলিটের রীতেশ রায় এবং সার্ভেয়ার অনন্ত কুমার দেওয়ান ও সোহেল চাকমা। উক্ত আলোচনা সভায় নিম্নবর্ণিত আলোচ্যসূচি নিয়ে আলোচনা শুরু করা হয়।

আলোচ্যসূচী:

- ১। এডিবি'র অর্থায়নে বাস্তবায়নাধীন কলমপতি ইউপি রোড টু বটতলী রোডের নির্মাণকল্পে সংশ্লিষ্ট উপকারভূমী ও ক্ষতিগ্রস্ত ভূমি মালিকদের সাথে মতবিনিময় সংক্রান্ত আলোচনা;
- ২। ক্ষতিগ্রস্ত সংশ্লিষ্ট ভূমি মালিকদের অন্যপতি প্রদান সংক্রান্ত আলোচনা;
- ৩। ক্ষতিপূরণের পদ্ধতি;
- ৪। বিরোধ নিষ্পত্তি;
- ৫। ক্ষতিপূরণের জন্য প্রয়োজনীয় দলিলপত্র সংগ্রহ;
- ৬। প্রকল্পের লক্ষ্য ও উদ্দেশ্য;
- ৭। বিভিন্ন;

সভার আলোচনা

সভার শুরুতে ৩ নং ওয়ার্ডের ইউপি মেধার পাইচামং মারমা উপস্থিত সকলকে তত্বেজ্ঞা জানিয়ে সভার মূল উদ্দেশ্য সম্পর্কে সবাইকে অবগত করেন এবং আলোচ্যসূচী সম্পর্কে উপস্থিত সকলকে এডিবি কর্তৃক কলমপতি ইউপি রোড টু বটতলী রাস্তা নির্মাণ করার প্রস্তাব ভূমি মালিকদের নিকট উপস্থাপন করেন। প্রকল্পের লক্ষ্য ও উদ্দেশ্য, ক্ষতিপূরণের পদ্ধতি, বিরোধ নিষ্পত্তির পদ্ধতি, ক্ষতিপূরণ প্রাপ্তির জন্য কি কি প্রয়োজনীয় দলিলপত্র সংগ্রহ করতে হবে এ বিষয়ে বিস্তারিত আলোচনা করেন প্রকল্পের ফিল্ড ফেসিলিটের রীতেশ রায়। তিনি আরও জানান বর্তমান রাস্তাটি ইট বিছানো, রাস্তার প্রস্থ হচ্ছে ১০ ফুট, দীর্ঘদিন আগে এই রাস্তা নির্মাণ করা হয়েছে যারফলে রাস্তার বর্তমান অবস্থা খুবই শোচনীয়, অনেক স্থানে রাস্তা ভেঙে গেছে আবার অনেক স্থানে রাস্তা এবরোথেবরো হয়ে গেছে, এমতাবস্থায় এ রাস্তা দিয়ে যানবাহন চলাচল করা, বাজারে যাওয়া, স্কুল-কলেজে আসা-যাওয়া, মালামাল পরিবহন করা খুবই কষ্টকর বিশেষ করে বর্ষাকালে রাস্তার অবস্থা আরও বেশী খারাপ হয়ে যায়। এখন এডিবি অর্থায়নে এল জি ই ডি এই রাস্তাটি পিচ ঢালাই ১৮ ফুট প্রস্থ করবে, যাতে আপনাদের কষ্ট লাঘব হয়। রাস্তার প্রস্থ যেহেতু ১৮ ফুট করা হবে, রাস্তার উভয় পার্শ্বে ৩ ফুট জমির প্রয়োজন হবে এবং গাছপালা ও ঘরবাড়ি ক্ষতিগ্রস্ত হবে। তাই এডিবি এই ক্ষতিগ্রস্ত ব্যক্তিদের ক্ষতিপূরণ প্রদানের নীতিগতভাবে সিদ্ধান্ত নিয়েছেন এবং এই ক্ষতিপূরণের প্রক্রিয়া সরকারী অধিগ্রহণ আইন মোতাবেক করা হবে। ঘরা জমি, গাছপালা, ঘরবাড়ি হারাবেন প্রকল্পের

অর্থাৎ তাদেরকে পূর্ববাসন ও ক্ষতিপূরণ প্রদান করা হবে এবং কয়েকদিনের মধ্যে প্রকল্পের সার্ভেয়ার দ্বারা জরিপ কার্য সম্পাদনের মাধ্যমে ক্ষতিগ্রস্ত জমি, গাছপালা ও ঘরবাড়ির পরিমাণ নির্ণয় করা হবে।

আলোচনা শেষ পর্যায়ে কারো কোন প্রশ্ন আছে কিনা জানতে চাইলে- অস্ত্র মিছু চাকমা প্রশ্ন করেন কি হারে ক্ষতিপূরণ প্রদান করা হবে? জবাবে প্রকল্পের ফিল্ড ফেসিলিটিটর রীতেশ রায় বলেন- ক্ষতিপূরণ প্রদানের সরকারের একটি নির্দিষ্ট আইন রয়েছে, এই আইন মোতাবেক ক্ষতিপূরণ প্রদান করা হবে। এই আইনে জমির যে মূল্য নির্ধারণ করা হবে তার দুইগুন আরও অতিরিক্ত ধরে মূল্য নির্ধারণ করা হবে। এরপরও জমির মূল্য কম হলে প্রকল্পে অতিরিক্ত ক্ষতিপূরণের ব্যবস্থা রয়েছে যা জেলা পরিষদের মাধ্যমে প্রদান করা হবে। এরপর ফিল্ড এং মারমা প্রশ্ন করেন-রাস্তার কাজ যখন শুরু হবে তার জমির শস্য ক্ষতিগ্রস্ত হবে এক্ষেত্রে তিনি ক্ষতিপূরণ পাবেন কিনা? জবাবে- প্রকল্পের ফিল্ড ফেসিলিটিটর রীতেশ রায় বলেন প্রকল্পে অতিরিক্ত ক্ষতিপূরণের সাত সদস্য বিশিষ্ট একটি কমিটি রয়েছে। এ কমিটির নাম সম্পত্তির মূল্য নির্ধারনী কমিটি। এ কমিটির কাছে শস্যের ক্ষতিপূরণের জন্য আবেদন করলে তা প্রদান করা হবে। আনোয়ার হোসেন জিজ্ঞাস করেন-তারা দুইভাই, কিন্তু জমির মালিকানা তাদের বাবার নামে। বর্তমানে তাদের বাবা মৃত্যুবরণ করেছেন, এক্ষেত্রে তাদের কি করতে হবে? জবাবে প্রকল্পের ফিল্ড ফেসিলিটিটর রীতেশ রায় বলেন-জমির রেকর্ড হালনাগাত করতে হবে, তা না হলে জেলা প্রশাসক অফিস হতে ক্ষতিপূরণ প্রদান করা হবে না। আর কারোর কোন কিছু জানার আছে কিনা জানতে চাওয়া হলে কারোর কোন প্রশ্ন নেই বলে জানান। পরে উপস্থিত সকলের ঐক্যমত্যের ভিত্তিতে আলোচনা/পর্যালোচনা করার পর নিম্নবর্ণিত সিদ্ধান্তবলী সর্বসম্মতিক্রমে গৃহীত হয়।

সিদ্ধান্তসমূহ :

সিদ্ধান্ত : ১। সংশ্লিষ্ট কর্তৃপক্ষ কর্তৃক কলমপতি ইউপি রোড টু বটতলী রাস্তা নির্মাণের ক্ষেত্রে ভূমি মালিকদের কোন অভিযোগ/আপত্তি নেই।

সিদ্ধান্ত : ২। কলমপতি ইউপি রোড টু বটতলী রোড উন্নয়নের স্বার্থে সংশ্লিষ্ট কর্তৃপক্ষের বাস্তবায়নে রাস্তা নির্মাণ যাতে টেকসই হয় সে ব্যাপারে সংশ্লিষ্ট কর্তৃপক্ষের নিকট জোর সুপারিশ করা হয়।

সিদ্ধান্ত : ৩। ক্ষতিপূরণ প্রদানের জন্য প্রকল্প থেকে সর্বোচ্চ সহযোগীতা প্রদান করা।

সিদ্ধান্ত : ৪। প্রকল্পটি সফলভাবে বাস্তবায়নের জন্য সবার সহযোগীতা প্রদান করা।

সিদ্ধান্ত : ৫। কোন বিরোধ সৃষ্টি হলে স্থানীয় পর্যায়ে সমঝোতার ভিত্তিতে সমাধান করা।

পরিশেষে আজকের সভার সভাপতি পাইচামং মারমা বলেন, আমরা অনেক সোভাগ্যবান এশিয় উন্নয়ন ব্যাংক আমাদের এলাকায় এতবড় প্রকল্প বাস্তবায়ন করতে যাচ্ছে, এই প্রকল্প বাস্তবায়িত হলে অত্র এলাকার আর্থসামাজিক অবস্থা সম্পূর্ণ পাল্টে যাবে, তাই অত্র এলাকাবাসীর পক্ষে এতিমিকে ধন্যবাদ জানান এবং প্রকল্পটি যাতে দ্রুত ও সফলভাবে বাস্তবায়ন করার যায় তার জন্য সবাইকে

অর্থায়নে তাদেরকে পূর্ণবাসন ও ক্ষতিপূরণ প্রদান করা হবে এবং কয়েকদিনের মধ্যে প্রকল্পের সার্ভেয়ার দ্বারা জরিপ কার্য সম্পাদনের মাধ্যমে ক্ষতিগ্রস্ত জমি, গাছপালা ও ঘরবাড়ির পরিমাণ নির্ণয় করা হবে।

আলোচনা শেষ পর্যায়ে কারো কোন প্রশ্ন আছে কিনা জানতে চাইলে- অন্ত মিতু চাকমা প্রশ্ন করেন কি হারে ক্ষতিপূরণ প্রদান করা হবে? জবাবে প্রকল্পের ফিল্ড ফেসিলিটের রীতেশ রায় বলেন- ক্ষতিপূরণ প্রদানের সরকারের একটি নির্দিষ্ট আইন রয়েছে, এই আইন মোতাবেক ক্ষতিপূরণ প্রদান করা হবে। এই আইনে জমির যে মূল্য নির্ধারণ করা হবে তার দুইগুন আরও অতিরিক্ত ধরে মূল্য নির্ধারণ করা হবে। এরপরও জমির মূল্য কম হলে প্রকল্পে অতিরিক্ত ক্ষতিপূরণের ব্যবস্থা রয়েছে যা জেলা পরিষদের মাধ্যমে প্রদান করা হবে। এরপর খিলুএং মারমা প্রশ্ন করেন-রাস্তার কাজ যখন শুরু হবে তার জমির শস্য ক্ষতিগ্রস্ত হবে এক্ষেত্রে তিনি ক্ষতিপূরণ পাবেন কিনা? জবাবে- প্রকল্পের ফিল্ড ফেসিলিটের রীতেশ রায় বলেন প্রকল্পে অতিরিক্ত ক্ষতিপূরণের সাত সদস্য বিশিষ্ট একটি কমিটি রয়েছে। এ কমিটির নাম সম্পত্তির মূল্য নির্ধারনী কমিটি। এ কমিটির কাছে শস্যের ক্ষতিপূরণের জন্য আবেদন করলে তা প্রদান করা হবে। আনোয়ার হোসেন জিজ্ঞেস করেন-তারা দুইভাই, কিন্তু জমির মালিকানা তাদের বাবার নামে। বর্তমানে তাদের বাবা মৃত্যুবরণ করেছেন, এক্ষেত্রে তাদের কি করতে হবে? জবাবে প্রকল্পের ফিল্ড ফেসিলিটের রীতেশ রায় বলেন-জমির রেকর্ড হালনাগাত করতে হবে, তা না হলে জেলা প্রশাসক অফিস হতে ক্ষতিপূরণ প্রদান করা হবে না। আর কারোর কোন কিছু জানার আছে কিনা জানতে চাওয়া হলে কারোর কোন প্রশ্ন নেই বলে জানান। পরে উপস্থিত সকলের ঐক্যমত্যের ভিত্তিতে আলোচনা/পর্যালোচনা করার পর নিম্নবর্ণিত সিদ্ধান্তবলী সর্বসম্মতিক্রমে গৃহীত হয়।

সিদ্ধান্তসমূহ :

সিদ্ধান্ত : ১। সংশ্লিষ্ট কর্তৃপক্ষ কর্তৃক কলমপতি ইউপি রোড টু বটতলী রাস্তা নির্মাণের ক্ষেত্রে ভূমি মালিকদের কোন অভিযোগ/আপত্তি নেই।

সিদ্ধান্ত : ২। কলমপতি ইউপি রোড টু বটতলী রোড উন্নয়নের স্বার্থে সংশ্লিষ্ট কর্তৃপক্ষের বাস্তবায়নে রাস্তা নির্মাণ যাতে টেকসই হয় সে ব্যাপারে সংশ্লিষ্ট কর্তৃপক্ষের নিকট জোর সুপারিশ করা হয়।

সিদ্ধান্ত : ৩। ক্ষতিপূরণ প্রদানের জন্য প্রকল্প থেকে সর্বাত্মক সহযোগীতা প্রদান করা।

সিদ্ধান্ত : ৪। প্রকল্পটি সফলভাবে বাস্তবায়নের জন্য সবার সহযোগীতা প্রদান করা।

সিদ্ধান্ত : ৫। কোন বিরোধ সৃষ্টি হলে স্থানীয় পর্যায়ে সমঝোতার ভিত্তিতে সমাধান করা।

পরিশেষে আজকের সভার সভাপতি পাইচামং মারমা বলেন, আমরা অনেক সোভাগ্যবান এশিয় উন্নয়ন ব্যাংক আমাদের এলাকায় এতবড় প্রকল্প বাস্তবায়ন করতে যাচ্ছে, এই প্রকল্প বাস্তবায়িত হলে অত্র এলাকার আর্থসামাজিক অবস্থা সম্পূর্ণ পাল্টে যাবে, তাই অত্র এলাকাবাসীর পক্ষে এডিবিকে ধন্যবাদ জানান এবং প্রকল্পটি যাতে দ্রুত ও সফলভাবে বাস্তবায়ন করার যায় তার জন্য সবাইকে

নিঃস্বার্থভাবে সর্বাঙ্গিক সহযোগীতা করার আহ্বান জানান । আরকোনো আলোচ্যবিষয় না থাকায় সবাইকে ধন্যবাদ জানিয়ে সভার সমাপ্তি ঘোষণা করেন ।



পাইচামং মারমা
৩ নং ওয়ার্ড মেম্বর
কলমপতি ইউনিয়ন

সংযুক্তি: সভায় উপস্থিত ব্যক্তিবর্গের স্বাক্ষর ।

Attendance sheet of consultation Meeting
 Name of subproject: Kowkhali GC Kalampati Union Road via Battali
 District : Rangamati
 Upazila : Kawkhali

Sl No	Name	Gender	Occupation	Signature
১	আব্দুল্লাহ চাকলা	পুরুষ	কৃষি	আব্দুল্লাহ চাকলা
২	নাজমুল হক	পুরুষ	সেভার	নাজমুল হক
৩	কাজিম আলী	পুরুষ	কৃষি	কাজিম
৪	চিংগু আলী	পুরুষ	কৃষি	চিংগু
৫	উদার আলী	পুরুষ	কৃষি	উদার
৬	নাজমুল হক	পুরুষ	কৃষি	নাজমুল হক
৭	মুন্সি আলী	পুরুষ	কৃষি	মুন্সি
৮	মুন্সি আলী	পুরুষ	কৃষি	মুন্সি
৯	মুন্সি আলী	পুরুষ	কৃষি	মুন্সি
১০	চিংগু আলী	পুরুষ	কৃষি/সেবার	চিংগু আলী
১১	মুন্সি আলী	মহিলা	কৃষি	মুন্সি
১২	উদার আলী	পুরুষ	কৃষি	উদার
১৩	আব্দুল হক	পুরুষ	কৃষি	আব্দুল হক
১৪	মুন্সি আলী	পুরুষ	কৃষি	মুন্সি
১৫	উদার আলী	পুরুষ	কৃষি	উদার
১৬	চিংগু আলী	মহিলা	কৃষি	চিংগু
১৭	কাজিম আলী	পুরুষ	কৃষি	কাজিম
১৮	মুন্সি আলী	মহিলা	কৃষি	মুন্সি
১৯	মুন্সি আলী	পুরুষ	কৃষি	মুন্সি
২০	আব্দুল হক	পুরুষ	কৃষি	আব্দুল হক

21	ଭୈରବୀନାଥ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ମନ୍ଦିର
22	ସଂସ୍କୃତି ମନ୍ଦିର	ପୁରୀ	କୃଷି	ମନ୍ଦିର
23	ଚିତ୍ରାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ଚିତ୍ରାବତୀ
24	ସଂକ୍ଷୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସଂକ୍ଷୀ
25	ଭାଗ୍ୟବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ଭାଗ୍ୟବତୀ
26	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
27	ସୋମବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	✓
28	ନିମାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ନିମାବତୀ
29	ନାଗବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ନାଗବତୀ
30	ଦିଗ୍‌ବିହାରୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ଦିଗ୍‌ବିହାରୀ
31	ସଂକ୍ଷୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସଂକ୍ଷୀ
32	ସିଦ୍ଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	✓
33	ସଂକ୍ଷୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସଂକ୍ଷୀ
34	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
35	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
36	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
37	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
38	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
39	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
40	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
41	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
42	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
43	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
44	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
45	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
46	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
47	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
48	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
49	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ
50	ସୁଧାବତୀ ମନ୍ଦିର	ପୁରୀ	କୃଷି	ସୁଧାବତୀ

Annex 8. Sample Project Information Booklet

The People's Republic of Bangladesh
Ministry of Chittagong Hill Tracts Affairs
The CRLIWM-CHT Sector Project

DRAFT PUBLIC INFORMATION BOOKLET

Resettlement and Compensation
Kawkhali GC - Kalampati Union Road via Bat Tali

A. Project Background and Description

The Ministry of Chittagong Hill Tracts Affairs (MoCHTA) of the Government of Bangladesh (the Government) has undertaken the implementation of the Climate Resilient Livelihood Improvement and Watershed Management in the Chattogram Hill Tracts Project ("CRLIWM-CHT Sector Project" or "the Project"), with financial assistance from the Asian Development Bank (ADB). The CRLIWM-CHT Sector Project is the third major ADB financed project in Chattogram Hill Tracts (CHT) covering its all three districts - Rangamati, Khagrachari and Bandarban. The primary objective of the Project is to enhance sustainable livelihood opportunities and access to basic services for the CHT rural population.

The main outputs of the proposed project are expected to have: i) rural roads rehabilitated; ii) community infrastructure developed; iii) watershed management strengthened; iv) agriculture production, processing and marketing improved; and v) rural non-farm skills related to project objectives improved.

B. Subproject Description

The CRLIWM-CHT Sector Project will improve 15 existing LGED rural (upazila/union/village) subproject roads with a total length of about 94 km. Among the 15 rural roads, Kawkhali GC - Kalampati Union Road via Bat Tali (ID of 484524012) is one of the subprojects with a total length of 5.10 km, located in Kalampati Union of Kawkhali Upazila under Rangamati District. This rural road will be widened from existing 10 feet to 18 feet. At the same time, there will be bitumen pavement on the existing brick-laid condition to improve the accessibility of the road into a "round-the-year" usable condition.

C. Land Acquisition and Resettlement Impact

Implementation of improvement works with widening of the existing road will require acquisition of some strips of land, estimated at about 3 feet land to be acquired on both sides of the road. To ascertain the magnitude of this land acquisition and resettlement (LAR) impact, a 100% census combined with socioeconomic survey (CSS) was carried out between 10 October 2021 and 03 February 2022 to make an inventory of losses (IOL), and to develop a baseline of socioeconomic status of the households going to suffer from the subproject intervention. The **cut-off date** for the subproject was established as on 10 February 2022, after which any encroachers or informal settlers will not be considered eligible for compensation or resettlement benefits, i.e., they are not included in the list of APs.

Data derived from the survey suggest that improvement with widening of the Kawkhali GC - Kalampati Union Road will trigger LAR impact on a total of 69 households among whom 6 female-headed households are vulnerable, with total number of 371 APs in these HHs - 199 males and 172 females, losing their land, trees and other assets as shown in the Summary of Impact Table 1.

Table 1: Summary of Impact

Impact Category	Magnitude/Value
Total number of Affected Households	28
Total number of Affected Persons	152
Total number of Affected Community Organization (temple & school)	4
Amount of land to be affected (Decimal)	76.91
Total Number of Trees to be affected	6

Source: CSS conducted between 10 October 2021 and 03 February 2022.

D. Resettlement Plan and Entitlements

To address the LAR impact triggered under improvement of the Kawkhali GC - Kalampati Union Road, the MoCHTA has formulated this Resettlement Plan (RP), complying with the existing law for land acquisition in Bangladesh (Acquisition and Requisition of Immovable Property Act of 2017), and in conformity with ADB's safeguard requirements on involuntary resettlement under the Safeguard Policy Statement (2009). Mention should be made that the effects on the affected persons (APs) are small since there will be no affected household (AH) to lose any part of its dwelling land, and no house to be demolished and no household to be physically displaced from his/her existing dwelling, and also no household (HH) is likely to be severely affected as mandated by the ADB policy (i.e., losing 10% or more of its income generating activities).

Census and Socioeconomic Survey identified two groups of population among the AHs - one group includes 66 SEC community HHs and the other group includes 3 Bengali community HHs. There are also 7 community organizations owning customary lands. The IOL also identified that these 66 affected SEC HHs have a mix of both title ownership as well as customary lands. There were no sharecroppers or tenants identified in the IOL. No squatter was also identified. Hence, all the 69 AH and 7 community organizations will receive entitlements. The entitlement matrix is shown in Table 2.

Grievance Redress Mechanism

244. The Grievance Redress Mechanism (GRM) is a mechanism whereby queries, comments, and suggestion about the Project are responded to and issues and complaints are addressed and resolved at the lowest possible level (i.e., community level). Issues and complaints relating to environmental and social safeguards will be dealt with the three levels of the Grievance Redress Committees (GRCs) established for the project GRM. The GRM explains how the procedures are accessible to the SEC and is culturally appropriate and gender sensitive.

245.

246. The GRM has three tiers: [community level, grievance redress committee \(GRC\), and Regional Advisory Council \(RAC\)](#). There are two types of tier one-community level. Tier 1, type A refers to the Alternative Dispute Resolution Forum (ADRF) which will be located at subproject level and will address land disputes for output 5 (rural roads component). Tier 1, type B refers to the Para Development Committee (PDC) which will serve as tier one for all other social and environmental safeguards concerns raised across project outputs 1-5 (i.e., Community Infrastructure, Watershed Management, Agriculture Production and Rural Roads).

Tier two is represented by a GRC which is established at Hill District Council (HDC). At the apex of this structure is the RAC at CHTRC level. In case complainants are not satisfied with the grievance resolution, they can opt to direct their grievances to the appropriate court of law at any stage. The affected person can also file a complaint through the ADB Accountability Mechanism.

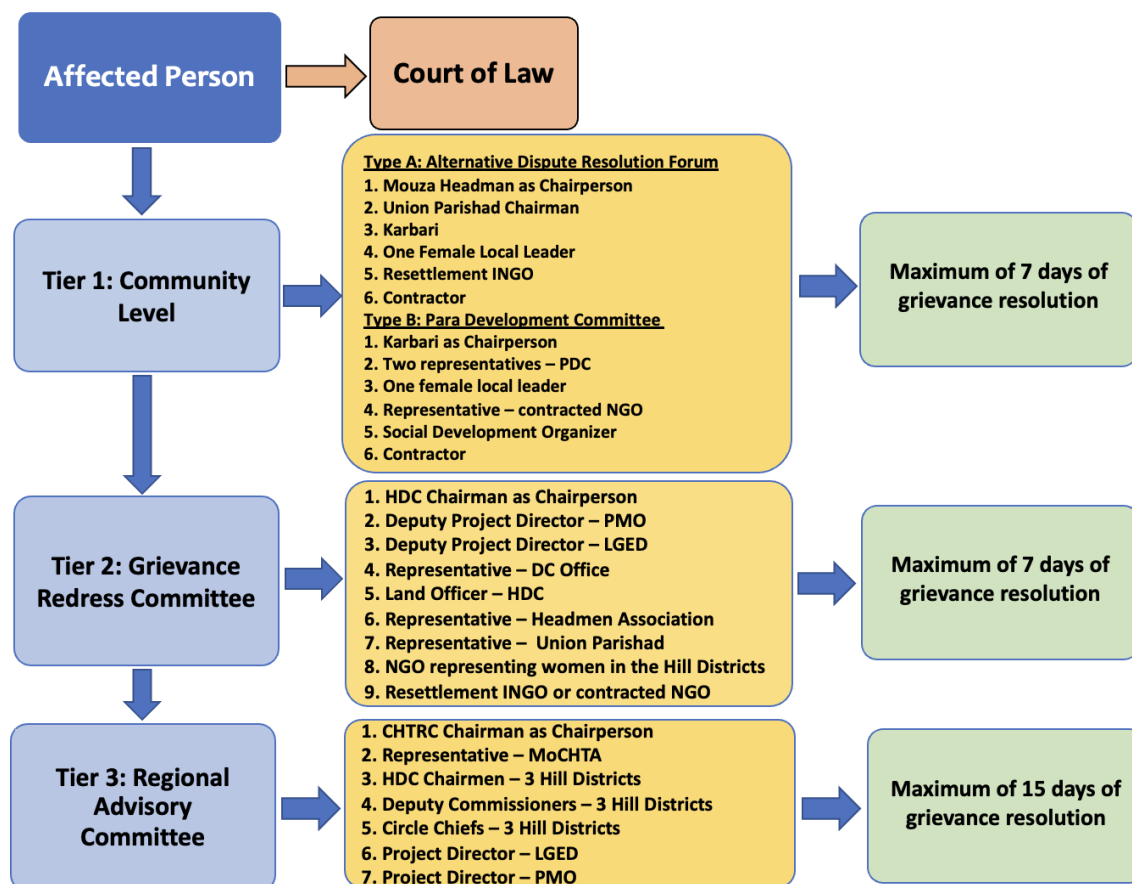


Table 2: Entitlement Matrix and Responsible Entities

To be included when printing the document

F. Resettlement Budget

The budget required for implementation of this RP has been estimated at BDT 5,859,336 which is equivalent to USD 64,043 (considering a conversion rate of 1 USD = 91.5 BDT). Among this, BDT 4,251,360 is the direct cost as compensation of affected land and trees. A budget items for vulnerability grants will be added during the first revision after the amount

has been determined. Table 4 presents the Summary Resettlement Budget for the Kawkhali GC Kalampati Union Road Via Bat Tali.

Table 4: Summary Resettlement Budget

SL	Description	Unit	Quantity	Rate	Amount	
				(Taka)	Taka	USD
Compensation for Land Impact						
A.	1. Paddy Land	Decimal	32.29	10000.00	322,900.00	3,529
	2. Homestead	Decimal	23.38	15000.00	350,700.00	3,833
	3. Hilly Land/ Orchard	Decimal	21.24	8000.00	169,920.00	1,857
	Sub-Total		76.91	-	843,520.00	9,220
Premium / Additional/ Top Up 200 % of the sub total A.					1,687,040.00	18,440
Sub-total of Land Value					2,530,560.00	27,659
Compensation for Trees Impact						
B.	1. Large size Tree	No	327	1200.00	392,400.00	4,289
	2. Medium size Tree	No	180	800.00	144,000.00	1,574
	3. Small size Tree	No	124	300.00	37,200.00	407
	Sub-total		2676		573,600.00	6,270
Premium / Additional/ Top Up 200 % of the sub total B.					1,147,200.00	12,539
Sub-total of Trees Value					1,720,800.00	18,809
Total Direct Cost					4,251,360.00	46,468

	RP implementation management and administrative cost, including cost of community consultations and disclosure; cost of capacity building for RP implementation and activities of GRM cost	15% of RP	637,704.00	6,970
C.				
	D. Monitoring Budget and NGO budget	10% of RP	425,136.00	4,646

SL	Description	Unit	Quantity	Rate	Amount	
				(Taka)	Taka	USD
E.	Contingency @ 10% of the total direct cost.				425,136.00	4,646
F	Implementing Agency Cost				120,000.00	1312
	Total Resettlement Cost Grand Total (A+B+C+D+E+F)				5,859,336.00	64,043

H. Contact Details for Inquiry

For further information about the subproject as a whole, and/or the RP for the Kawkhali GC Kalampati Union Road Via Bat Tali under the CRLIWM-CHT Sector Project, please contact the PMO at the address given below.

(Please indicate name)

Project Director

Project Management Office

CRLIWM Project

Ministry of Chittagong Hill Tracts Affairs

Rangamati

Phone: _____

Email: _____

(Please include other means of contact, as applicable)

Annex 9. Grievance Recording Form

GRIEVANCE RECORDING FORM

Ministry of Chittagong Hill Tracts Affairs

Climate Resilient Livelihood Improvement and Watershed Management in Chattogram Hill Tracts Sector Project

SL	GRIEVANCE RECORDING FORM	
1.	Date of Grievance Reporting	

2.	Full Name of AP / Complainant			
3.	Gender of AP/ Complainant		Male Female	
4.	ID of AP (voters ID/passport number/driving license/any other ID)			
5.	Address of AP/ Complainant			
6.	Contact Information	Phone:	Email:	
7.	Mode of communicating grievance (<i>circle the number below</i>)			
8.	Oral	Oral (but not AP)	Written	Written (by other)
	1	2	3	4
9.	Mode of Contact (<i>circle the number below</i>)			
	Phone	Email	UP Chairman/ Mouza Headman/ UP Member/ Karbari/ Local Community Leader	Others (specify)
	1	2	3	4

10.	Type of Grievance (<i>circle as many reported</i>)			
Unaware of project component boundary		1	Safety of women	7
Parcel missed in measurement		2	Damage to crops due to construction	8
Parcel measurement error		3	Inappropriate livelihood restoration scheme	9
Disagreement over rates used for valuation		4	Loss of access	10
Mistakes in compensation agreement/ID reference		5	Others (Specify)	11
Delay in compensation payment		6		

11.	Description of Grievance:		
12.	Frequency of Grievance (<i>circle the number</i>):		
	• One time incident	1	
	• Happened more than once	2	
	• On-going	3	
13.	Expected resolution to stated grievance:		

14.	Signature/Thumb impression of AP/Complainant	Date:	
15.	Name and Signature of the Official recording grievance	Date:	
16.	Has AP been handed a copy of the grievance form	Yes	No
Status of Resolution			
17.	By GRC	Date:	
Resolution details:			
Has AP/ Complainant been notified?		Yes	No
Is Grievance resolved/closed?		Yes	Not resolved. Referred to Provincial Administrator
If case is closed, then Signature of AP/ Complainant to show agreement		Date:	
Name and signature of the Official		Date:	
18	By Hill District Council	Date:	
Resolution details:			
Has AP/ Complainant been notified?		Yes	No
Is Grievance resolved/closed		Yes	Not resolved. Referred to IPMU/WAF
If case is closed, then Signature of AP/ Complainant to show agreement		Date:	
Name and signature of the Official		Date:	
19.		Date:	

	BY Regional Council	
Resolution details:		
Has AP/ Complainant been notified?	Yes	No
Is Grievance resolved/closed?	Yes	Not resolved. Referred to Court
If case is closed, then Signature of AP/ Complainant to show agreement	Date:	
Name and signature of the Official	Date:	
20.	By Court	Date:
Resolution details:		
Is Grievance resolved/closed?	Yes	No
Name and signature of the Official	Date:	
DECISION OF THE COURT IS FINAL		

পরিশিষ্ট ৪

অভিযোগ সংরক্ষণ ফর্ম

পার্বত্য চট্টগ্রাম বিষয়ক মন্ত্রণালয়

পার্বত্য চট্টগ্রাম জলবায়ু স্থিতিস্থাপক জীবিকা উন্নয়ন ও জলাধার ব্যবস্থাপনা সেক্টর প্রকল্প

ক্রমিক	অভিযোগ সংরক্ষণ ফর্ম	
১.	অভিযোগ প্রতিবেদনের তারিখ	
২.	এপি /অভিযোগকারীর পুরো নাম	
৩.	এপি/অভিযোগকারীর লিঙ্গ	পুরুষ নারী
৪.	এপি আইডি (ভোটার আইডি / পাসপোর্ট নম্বর / ড্রাইভিং লাইসেন্স / অন্য কোনও আইডি)	

৫.	এপি/অভিযোগকারীর ঠিকানা			
৬.	যোগাযোগের তথ্য	ফোন:	ইমেল:	
৭.	যোগাযোগের অভিযোগ করার পদ্ধতি (নীচের নম্বরটি বৃত্তাকার করুন)			
৮.	মৌখিক	মৌখিক (কিন্তু এপি নয়)	লেখা	লেখা (অন্যের দ্বারা)
	১	২	৩	৪
৯.	যোগাযোগের মোড (নীচের নম্বরটি বৃত্তাকার করুন)			
	ফোন	ইমেইল	ইউপি চেয়ারম্যান/মৌজা হেডম্যান/ইউপি সদস্য/কারবাড়ি/স্থানীয় কমিউনিটি লিডার	অন্যান্য (নির্দিষ্ট)
	১	২	৩	৪

১০.	অভিযোগের ধরণ (বৃত্ত হিসাবে অনেক রিপোর্ট করা হয়েছে)		
প্রকল্পের কম্পোনেন্ট সীমানা সম্পর্কে অবগত নয়	১	নারীর নিরাপত্তা	৭
পরিমাপে পার্সেল মিস হয়েছে	২	নির্মাণের কারণে ফসলের ক্ষতি	৮
পার্সেল পরিমাপ ত্রুটি	৩	অনুপযুক্ত জীবিকা পুনরুদ্ধার প্রকল্প	৯
মূল্যায়নের জন্য ব্যবহৃত হারের বিষয়ে মতানৈক্য	৩	অ্যাক্সেস হারানো	১০
ক্ষতিপূরণ চুক্তি/আইডি রেফারেন্সে ভুল	৫	অন্যান্য (নির্দিষ্ট করুন)	১১
ক্ষতিপূরণ প্রদানে বিলম্ব	৬		

১১.	অভিযোগের বিবরণ:	
১২.	অভিযোগের ফ্রিকোয়েন্সি (সংখ্যাটি বৃত্তাকার করুন):	
	• একবারের ঘটনা	১
	• একাধিকবার ঘটেছে	২

	• চলমান	৩
১৩.	অভিযোগ বিবৃত করার প্রত্যাশিত সমাধান:	
১৪.	এপি/অভিযোগকারীর স্বাক্ষর/থাম্ব ইমপ্রেশন	তারিখ:

১৫.	অফিসিয়াল রেকর্ডিং অভিযোগের নাম এবং স্বাক্ষর	তারিখ:	
১৬.	এপিকে কি অভিযোগ ফর্মের একটি অনুলিপি দেওয়া হয়েছে	হ্যাঁ	না
রেজোলিউশনের বিস্তারিত:			
১৭.	জিআরসি দ্বারা	তারিখ:	
রেজোলিউশনের বিস্তারিত:			
এপি/অভিযোগকারীকে কি জানানো হয়েছে?		হ্যাঁ	না
অভিযোগ কি সমাধান/বন্ধ হয়ে গেছে?		হ্যাঁ	সমাধান হয়নি। প্রাদেশিক প্রশাসক
যদি কেস বন্ধ হয়ে যায়, তাহলে চুক্তি দেখানোর জন্য এপি/অভিযোগকারীর স্বাক্ষর		তারিখ:	
কর্মকর্তার নাম ও স্বাক্ষর		তারিখ:	

১৮	পার্বত্য জেলা পরিষদ	তারিখ:	
রেজোলিউশনের বিস্তারিত:			
এপি/অভিযোগকারীকে কি জানানো হয়েছে?		হ্যাঁ	না
অভিযোগ কি সমাধান করা হয়েছে/বন্ধ করা হয়েছে		হ্যাঁ	সমাধান হয়নি। উল্লেখিত

		IPMU/WAF	
যদি কেস বন্ধ হয়ে যায়, তাহলে চুক্তি দেখানোর জন্য এপি/অভিযোগকারীর স্বাক্ষর		তারিখ:	
কর্মকর্তার নাম ও স্বাক্ষর		তারিখ:	
19.	আঞ্চলিক পরিষদ	তারিখ:	
রেজোলিউশনের বিস্তারিত:			
এপি/অভিযোগকারীকে কি জানানো হয়েছে?		হ্যাঁ	না
অভিযোগ কি সমাধান/বন্ধ হয়ে গেছে?		হ্যাঁ	সমাধান হয়নি। আদালতে রেফার করা হয়েছে
যদি কেস বন্ধ হয়ে যায়, তাহলে চুক্তি দেখানোর জন্য AP/অভিযোগকারীর স্বাক্ষর		তারিখ:	
কর্মকর্তার নাম ও স্বাক্ষর		তারিখ:	
২০.	আদালত দ্বারা	তারিখ:	
রেজোলিউশনের বিস্তারিত:			
অভিযোগ কি সমাধান/বন্ধ হয়ে গেছে?		হ্যাঁ	না
কর্মকর্তার নাম ও স্বাক্ষর		তারিখ:	
আদালতের সিদ্ধান্তই চূড়ান্ত			