

FINAL
FULL RESETTLEMENT PLAN
For the
Pabna Irrigation and Rural Development Project
(PIRDP)
2004 Bank Protection Work

JAMUNA MEGHNA RIVER EROSION MITIGATION PROJECT

in

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF WATER RESOURCES
BANGLADESH WATER DEVELOPMENT BOARD

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June 2005

Executive Summary

The Jamuna-Meghna River Erosion Mitigation Project (JMREMP) under ADB TA 1941- BAN (SF) aims to mitigate riverbank erosion threatening Pabna Irrigation and Rural Development Project (PIRDP) developed in 1992 under the same bank. Protection of 7.0km bankline in PIRDP is being implemented in several phases over a period of 7 years starting from 2003. The Project involves both construction of revetment and strengthening of the existing protection work. In the 1st phase, the Government of Bangladesh has approved construction of revetment/spur along 2.40km bankline for the year 2004/5 from Koitola to Harirampur.

This Resettlement Plan (RP) has been prepared to assist the households and establishment to be displaced from the Project Right of Way (ROW) and those affected due to acquisition of their land and productive assets and sources of livelihood. Bangladesh Water Development Board (BWDB) as the executing agency (EA) of the Project will implement the RP for resettlement of the Affected Persons (APs) in compliance with the ADB guidelines¹.

2004/5 bank protection work in PIRDP will require 15.08 ha land over a length of 2.40km bankline. Fifty percent (50%) of the land required is above the LWL and the rest is under water or eroded land after the LWL. The land to be acquired for the ROW, therefore, includes both privately owned land and eroded land along the bankline. The GOB policy clearly states that any land (private or government) for development work should be acquired² and compensated. The RP has been updated through a revised survey in January 2005.

About 37 households and 1 shop with about 165 persons (table 1.2) will be physically relocated because of bank protection work in this section. The households except 5 *uthulis* (who live on others land with or without permission) own their homestead while the shop is operating on a occupied land. Women head about 16% of the households. No indigenous population or ethnic groups will be affected by the Project.

About 13,000 square feet of the structures will be affected under the acquisition. In terms of construction materials 4 different categories of structures are identified and 93% of them are constructed from CI sheets on the roof. Straw made structures constitutes only 7%.

Agriculture as an occupation is not prominent among the APs. Only 5 percent of the affected people are engaged in farming while only 1 person was found to be an agricultural laborer. Business and service constitute 7 percent of the population. Forty five percent (45%) of the population is dependent. More than 24 percent of the population is housewives who have limited opportunities to work and earn. Majority of the households (74%) have income below

¹ Asian Development Bank, Involuntary Resettlement, Operation Manual, Section F2/OP, 29 October, 2003.

² Under-water land in a LA case (if entirely khas) will not require acquisition but transfer between govt. departments should take place through inter-ministerial meeting. In such a case, according to ADB guideline, the previous private owners must be identified and Resettlement Benefit paid for losing the chance of regaining it, if re-emerges within 30 years of erosion. If there are both private and khas land in a LA case, then the DC should be paid 100% compensation for the khas land but not the additional 50% as solatium as required by the LA Act.

the official poverty line³ in Bangladesh. The survey results indicate that this 74% of the households to be relocated from the right of way are poor and earn less than dollar a day.

Only 7 ha of agricultural land will be acquired for 2004/5 work in PIRDP along the bankline while about 7.54 ha of underwater land below the LWL will also be acquired/transferred through inter-ministerial meeting. According to the list provided by Bera O&M Division, BWDB, about 505 people will be affected in 109 agri-land losing households and 7 tenant contract farmer households on floodplain and 163 households owning the eroded land outside the LWL (See draft list at *Annex 1*). A total of 2.38 acres of land might be under tenant contract farming on the floodplain (Table 3.7).

The Acquisition and Requisition of Immovable Property Ordinance 1982 governs all cases of acquisition and requisition by the government of immovable property for any public purpose or in the public interest. But the *East Bengal State Acquisition and Tenancy Act (1951, revised 1994)* will also be applicable for this Project for ownership definition of bankline and eroded land as it is undertaking civil works on the eroded land as well.

As per the Resettlement Framework the entitlement matrix recognizes major types of losses attached to land acquisition and resettlement. In addition to the CCL, Resettlement Benefits will be provided to the APs as shown in Table 1.

Table 1 Loss and Entitlement of Affected Persons

| Type of Loss | Entitlement |
|--|---|
| 1. Loss of agricultural/ fallow land, water bodies, etc. | <ul style="list-style-type: none"> ✓ Replacement value of land⁴ ✓ Refund of registration cost incurred for replacement land purchase determined by the BWDB through NGO.⁵ |
| 2. Loss of homestead and commercial land | <ul style="list-style-type: none"> ✓ Replacement value of land at market price ✓ Refund of registration cost incurred for replacement land purchase determined by the BWDB through NGO. |
| 3. Loss of under water land ⁶ | <ul style="list-style-type: none"> ✓ In case of <i>khas</i> land, replacement value of land assessed by DC without additional 50% as premium to respective DCs ✓ Resettlement Benefit for land assessed by PVAT, to the previous owner(s) of eroded land ✓ Refund of registration cost incurred for purchase of replacement land not exceeding PVAT determined value |

³ Official poverty line is calculated for 2122 KCal intake per person per day which is ensured by a per capita monthly income of Tk. 720/-

⁴ Replacement Value will be 'Market Value,' which will be determined by PVAT and is generally more than the CCL + 50% as premium given by the DC. The difference will be through a Resettlement Grant, when the PVTA determined 'Market Value' is more than the CCL + 50% as premium paid as per GOB LA Law. See MARV above, item (k). This clarification requested by ADB *Safeguard Review Mission Report*, September 2004, para. 23 (ii), attached to fax from ADB, Director, AENR Division, November 17, 2004.

⁵ Refund for 'Types of Loss' 1 & 2 not to exceed PVAT determined value. The refund of registration cost incurred for replacement land purchase at the replacement value determined by a legally constituted body (PVAT). The INGO as a member of the PVAT and JVT confirms the Joint Verification Data of physical property for implementation adequacies. The role of PVAT is set out in *Resettlement Framework*, Para. 12, and that of the INGO in Table 1, Item 1.

| Type of Loss | Entitlement |
|---|--|
| 4. Loss of residential and/or commercial structure by owners/informal settlers from the Project rights of way land. | <ul style="list-style-type: none"> ✓ Replacement value⁷ of structure as determined by the BWDB through NGO; ✓ Taka 2,000 as transfer grant for relocation of residential and commercial structure ✓ Taka 5,000 for homestead/land development grant ✓ Tk. 3,000 house reconstruction grant⁸ ✓ Salvaged materials free of cost |
| 5. Loss of trees, crops, perennials | <ul style="list-style-type: none"> ✓ Compensation at the rate estimated by the Forest Department and the Agriculture Extension Department ✓ Salvaged materials free of cost |
| 6. Loss of access by tenants/sharecroppers to agricultural land for crop production | ✓ Taka 200 per decimal of agricultural land under tenancy/sharecropping contract farming ⁹ |
| 7. Loss of income and work days due to displacement | <ul style="list-style-type: none"> ✓ Taka 2000 per household ✓ Taka 3000 for households headed by women ✓ Employment in the Project construction work, if possible |
| 8. Displacement of community structure | <ul style="list-style-type: none"> ✓ Taka 2,000 as transfer grant for relocation of CPR ✓ Plot inside embankment on BWDB or <i>khas</i> land ✓ Taka 10,000 structure reconstruction grant |
| 9. Loss of diminished business or employment | <ul style="list-style-type: none"> ✓ Taka 2,000 to the owner and operators for business restoration; ✓ Taka 1,500 to employees for income supplement |
| 10. Vulnerability to resettlement and relocation | ✓ Priority assistance in the social development programme |
| 11. Project induced erosion of char land | ✓ Market value of concerned land assessed by PVAT to the owner-occupier by 100 per cent or share it 50-50 among owners and occupier for non-owner occupied land |
| 12. Access to community/ civic facilities ¹⁰ | ✓ Community infrastructure facilities like access roads, plantation, tube-wells and sanitary latrines and drainage. |

During the preparation of this RP the stakeholders were consulted and the inputs from the stakeholders meetings have been used to develop appropriate mitigation measures. This interactive approach will continue during the implementation of the Project by the Implementing NGO (INGO). It is considered that “self-relocation” by affected households in groups for maintaining kinship or other social ties minimize social disruption. .

The Project Director (PD), PMO, BWDB, Dhaka will monitor the RP implementation through the Chief Resettlement Officer (CRO). The Executive Engineer/SDE, Bera O&M Division, BWDB, Bera, Pabna will act as the Resettlement Coordinator (RC) at the field level. An experienced NGO will be appointed to assist the RC in the implementation process. The Deputy Commissioner, Pabna is responsible for acquisition of land for the Project and

⁶ This provision included as per request by ADB: Letter from ADB, Director, AENR Division, General Comments Item (iv), July 31, 2004.

⁷ That is, the ‘Market Price.’

⁸ Per household/shop

⁹ The DC pays 50 percent of crop value if Tenancy Contract (TC) is registered.

¹⁰ This provision included as per request by ADB: Letter from ADB, Director, AENR Division, Resettlement Plan for Removal of the Old Embankment, Item (ii), July 31, 2004. Also found in GOB, MWR, BWDB. JMREMP, *Modified Resettlement and Social Development Plan: Phase I*. July 2002, Annex II, *Land Acquisition and 10Resettlement Framework*, Table 1, Item 11

payment of cash compensation under law. One international and one national resettlement specialists within the Project's Management Consultancy (MC) will assist the PD.

Various resettlement committees will be formed by the Ministry of Water Resources (MOWR), through a gazette notification for implementation of RP at the field level. A Joint Verification Team (JVT) will be formed to carry out the physical verification. The INGO will computerize losses of physical assets and their owners identified by the JVT. A Property Valuation Advisory Team (PVAT) will be formed to review the assessment of the NGO on the market price of land and other property affected by the Project at their replacement cost. A Grievances Redress Committee (GRC) will be formed for resolving any grievances involving Resettlement Benefits, relocation, and other grants to be paid.

It is expected that the RP implementation will be completed within 18 months from the date of clearing of the Project's ROW land and payment of Resettlement Benefits to the APs. A time-bound implementation schedule for the RP implementation has been prepared in accordance with the Project construction schedule (figure 7.1). The INGO will assist the APs in the process of relocation and resettlement. To assist the BWDB in the process of payment the INGO will process individual and household based entitlements. .

The total estimated cost for land acquisition and resettlement is Taka 20.39 million (USD 0.349 million) for the PIRDP and Old Embankment (PIRDP) RPs combined. The entire budget for land acquisition and resettlement will be provided from GOB fund. The budget includes all costs for acquisition of land and assets and cost associated with involuntary resettlement.

The RP implementation monitoring will be done both internally and externally to provide feedback to BWDB and to assess the effectiveness linking the PMO, SMO, MC and INGO. An independent monitor will monitor the activities of the land acquisition and resettlement periodically twice a year. A post implementation evaluation of resettlement activities will be carried out by the ADB to assess the impact and sustainability of resettlement program.

Abbreviations

| | |
|--------|--|
| AC | Assistant Commissioner |
| AD | Alluvial and Diluvial |
| ADB | Asian Development Bank |
| ADC | Additional Deputy Commissioner |
| AP | Affected Person |
| BWDB | Bangladesh Water Development Board |
| CADP | Command Area Development Project |
| CC | Cement Concrete (Blocks) |
| CCL | Cash Compensation under Law |
| CI | Corrugated Iron |
| CRO | Chief Resettlement Officer |
| CRP | Common Resource Property |
| DC | Deputy Commissioner |
| DORP | Development Organization of the Rural Poor |
| EA | Executing Agency |
| EP | Entitled Person |
| FCDI | Flood Control Drainage and Irrigation |
| GOB | Government of Bangladesh |
| GRC | Grievance Redress Committee |
| HH | Household |
| ID | Identity |
| IM | Independent Monitor |
| INGO | Implementing NGO |
| JFPR | Japan Fund for Poverty Reduction |
| JMREMP | Jamuna Meghna River Erosion Mitigation Project |
| JVT | Joint Verification Team |
| KCal | Kilo-Calorie |
| LA | Land Acquisition |
| LA&R | Land Acquisition and Resettlement |
| LAO | Land Acquisition Officer/Office |
| LAP | Land Acquisition Plan |
| LGI | Local Government Institution |

| | |
|-------|---|
| LWL | Lowest Water Level |
| MARV | Maximum Allowable Replacement Value |
| MC | Management Consultant |
| MDIP | Meghna Dhonagoda Irrigation Project |
| M&E | Monitoring and Evaluation |
| MOWR | Ministry of Water Resources |
| NGO | Non-Government Organization |
| OE | Old Embankment |
| O&M | Operation & Maintenance |
| PD | Project Director |
| PIRDP | Pabna Irrigation and Rural Development Project |
| PMO | Project Management Office |
| PPTA | Project Planning Technical Assistance |
| PVAT | Property Valuation Advisory Team |
| PWD | Public Works Datum |
| RAC | Resettlement Advisory Committee or Regional Accounting Center |
| RC | Resettlement Coordinator |
| RDM | Rural Development Movement (An NGO) |
| RF | Resettlement Framework |
| ROW | Right of Way |
| RP | Resettlement Plan |
| RS | Resettlement Survey (Census, Survey, Property Valuation Survey and Public Consultation) |
| SBE | Small Business Enterprise |
| SDE | Sub-Divisional Engineer |
| SES | Socioeconomic Survey |
| SMO | Subproject Management Office |
| TA | Technical Assistance |
| TC | Tenant Contract |
| TCF | Tenant Contract Farming/Farmer |
| TK | Taka (Bangladesh currency, approximately 60 TK to 1 USD in 2005) |
| TOR | Terms of Reference |
| UP | Union Parishad |
| USD | United States Dollar |

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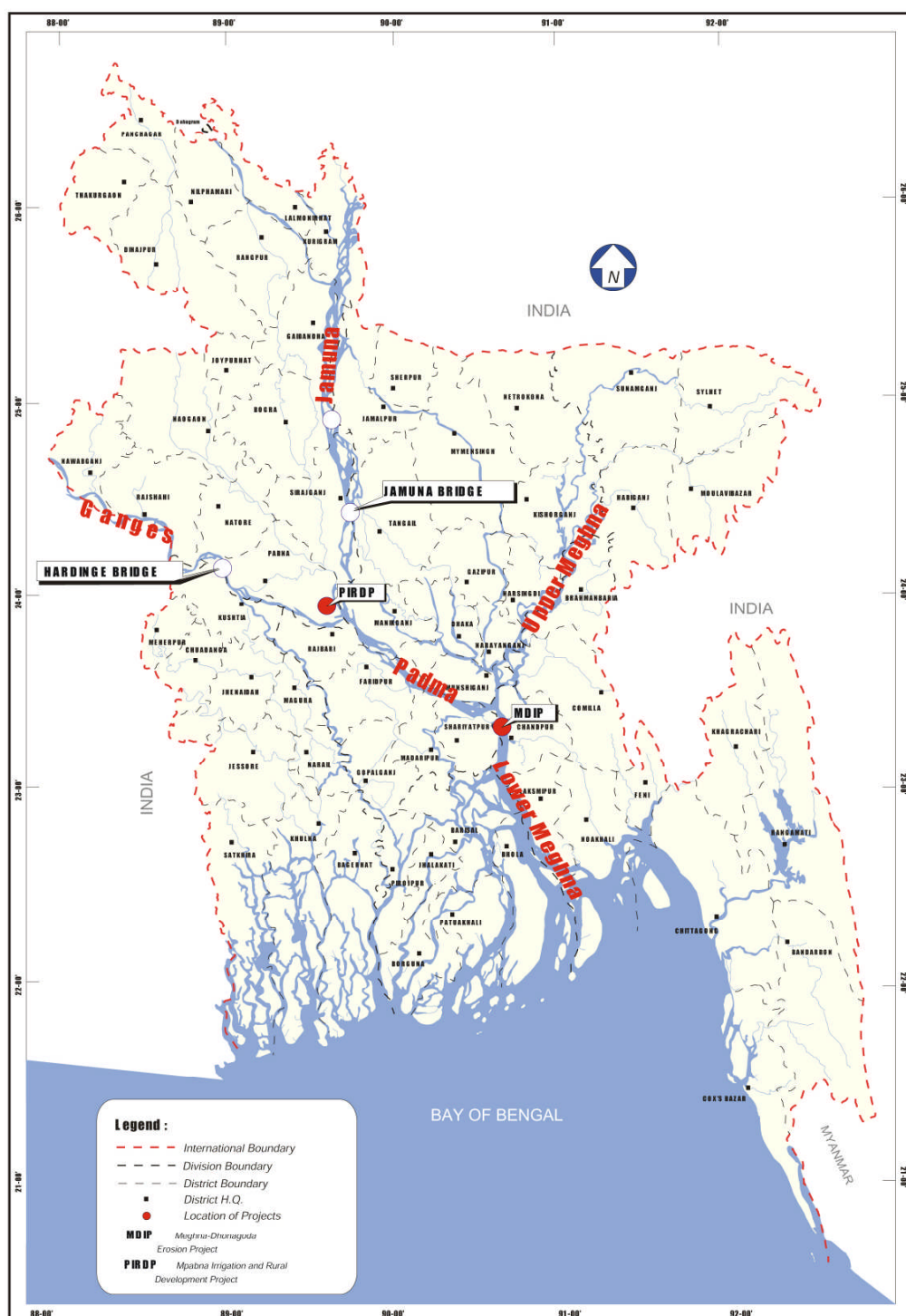
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Figure 1 Location Map of Pabna Irrigation & Rural Development Project (PIRDP) & Meghna-Dhonaoda Irrigation Project (MDIP)



CHAPTER 1 DESCRIPTION OF THE PROJECT

1.1 Project Background

1. The Jamuna-Meghna River Erosion Mitigation Project (JMREMP the Project) aims to mitigate riverbank erosion threatening two important subprojects, namely Pabna Irrigation and Rural Development Project (PIRDP) and Meghna Dhonagoda Irrigation Project (MDIP). The PIRDP and MDIP (the subprojects) were developed in 1992 and 1988 respectively with Asian Development Bank (ADB) financing and were further developed under the ADB financed Command Area Development Project (CADP) completed in the year 2003. For JMREMP, a number of erosion mitigation measures were evaluated for the Project during the feasibility stage under ADB TA-3659¹¹. The successive ADB TA 1941-BAN (SF) under Part A during 2002-2003 found it viable to construct revetment and underwater spur for bank stabilization. The immediate and long-term objectives of the Project are to (i) sustain agricultural and fisheries development within MDIP and PIRDP by mitigating the risk of riverbank erosion and flooding from embankment breaches; (ii) contribute to poverty reduction by ensuring that the future economic benefits of the flood control, drainage, irrigation (FCDI) and CADP investments are achieved; and (iii) substantially improve the social and economic conditions of the flood and erosion victims living on /along the embankment in this sections through social development programs.

2. Under JMREMP protection of 7.0km bankline in PIRDP and 4.4 Km bankline in MDIP is being implemented in several phases over a period of 7 years. The Project involves both construction of revetment and strengthening of the existing protection work. The construction work in Phase I will involve 7.0 km of protection work in PIRDP. In the 1st phase, the Government of Bangladesh has approved construction of revetment/spur along 3.0 km bankline in PIRDP from chainage 89.5 km to 92.5 km for the year 2004/5 in which 2.40km bankline is a part excluding a 600 m Old Embankment (OE) Section from chainage 90.150 km to 90.750 km.

3. PIRDP the 2004/5 bank protection work under construction is causing physical and socioeconomic dislocation due to displacement of household (HHs), business enterprises and community establishments. Besides a number of HHs will be affected due to taking of agricultural and fallow land (floodplain and underwater) from individual owners.

4. This Resettlement Plan (RP) has been prepared to assist the HHs and establishments to be displaced from the ROW over 2.40 km bankline and those affected due to acquisition of their land, productive assets and sources of livelihood. Bangladesh Water Development Board (BWDB) as the executing agency (EA) of the Project will implement the RP in compliance with the ADB guidelines.¹²

¹¹ ADB TA No. 3659-BAN: *Jamuna Meghna River Erosion Mitigation Project (Phase II)*, approved in May 2001.

¹² Asian Development Bank, *Involuntary Resettlement, Operation Manual*, Section F2/OP, 29 October, 2003.

1.2 Construction Schedule and General Resettlement Effects

5. PIRDP's construction schedule for 2004/05 includes some leftover work from the 2003/05 year placing sand filled geo-textile bags underwater mainly for reinforcing underwater work already accomplished. The first testing of cement concrete (cc) block protection above water is being done on about 300 m Permanent Works area just north of the OE that had earlier come to be considered redundant and highly vulnerable to erosion.

6. The OE was backed up by a 'Retired' Embankment and, in the 2003/04 construction year, by a Secondary Defence Line (SDL), another, shorter embankment that was constructed on an emergency basis, along with a Cross Dam on the northern side of the Koitala Canal to prevent Monsoon flood waters from bypassing the OE from behind. Figure 1.2 below shows these main elements of the PIRDP 2004/05 work area as well as that for the 2005/06 season, for which a separate Resettlement Plan (RP) will be prepared as per the Resettlement Framework (RF) agreed to between the Government of Bangladesh (GOB) and the Asian Development Bank (ADB) at the time of Loan negotiations and approval.

7. Aside from the 'pilot' 300 m Permanent Works to test the cc block construction, the PIRDP 2004/05 Civil Works will focus on removing, or lowering, the OE to strengthen the above water bank protection. This will involve both a 600 m section where the Jamuna River has eroded the floodplain that previously separated it from the River and placed in jeopardy the community of 'erosion refugees' presently living on the OE, with nowhere else to go. It will also include a 900 m section just to the south of this critical erosion danger area, where the flood embankment is eroded due to wave erosion and where a similar community is resident. The emergency relocation of these two OE communities is addressed in a separate RP¹³ submitted to the ADB at the same time as this *PIRDP RP* and the *MDIP RP*. The two communities, whose relocation is dealt with in the *OE RP*, are 107 households (HHs) in the more critically threatened 550 m stretch and 113 HHs in the 900 m 'Wave Eroded' area just adjacent to the south (See Figure 1.2), for a total of 220 HHs.

8. This RP concerns the Affected Persons (APs) along the bankline Right of Way (ROW) itself. Because of a one year delay in construction works due to a procurement litigation in 2003/04, the only bankline ROW above water work now actually scheduled for 2004/05 is the 300 m pilot Permanent Works on a floodplain area just to the north of the OE where there are no structures and where contractors have leased the agricultural land over the last year for stockpiling and other activities incidental to the underwater work carried out. See Figure 1.1 below. The land acquisition process has been underway since 2003, and payments are expected by the end of June, 2005.

¹³ BWDB. 2005. *Resettlement Plan for Old Embankment and Cross Dam PIRDP Bank Protection Work*. February 22.

Figure 1.1 Permanent Works 300 m for 2004/05 Construction

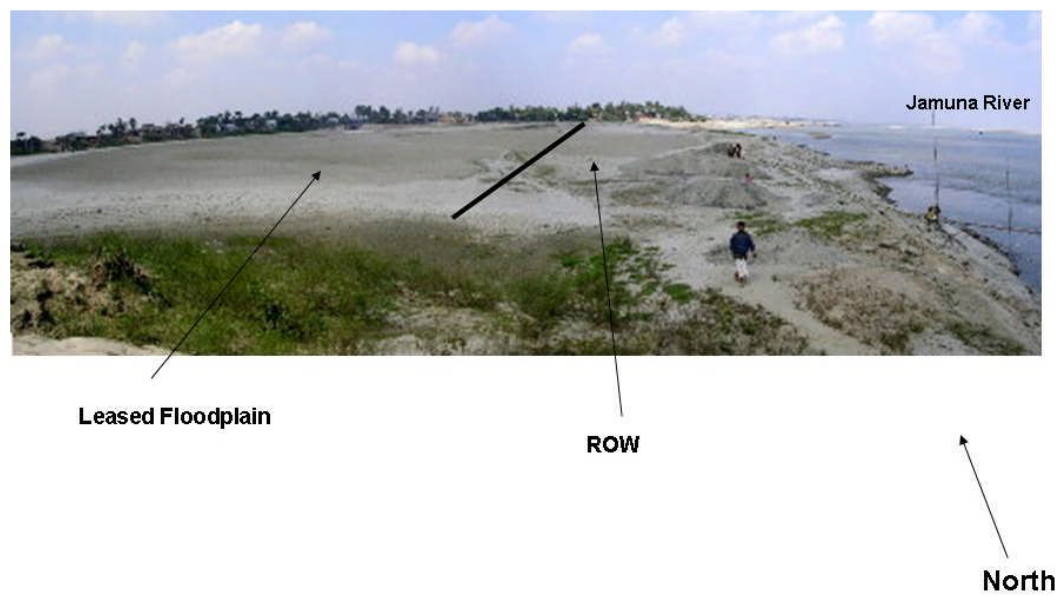
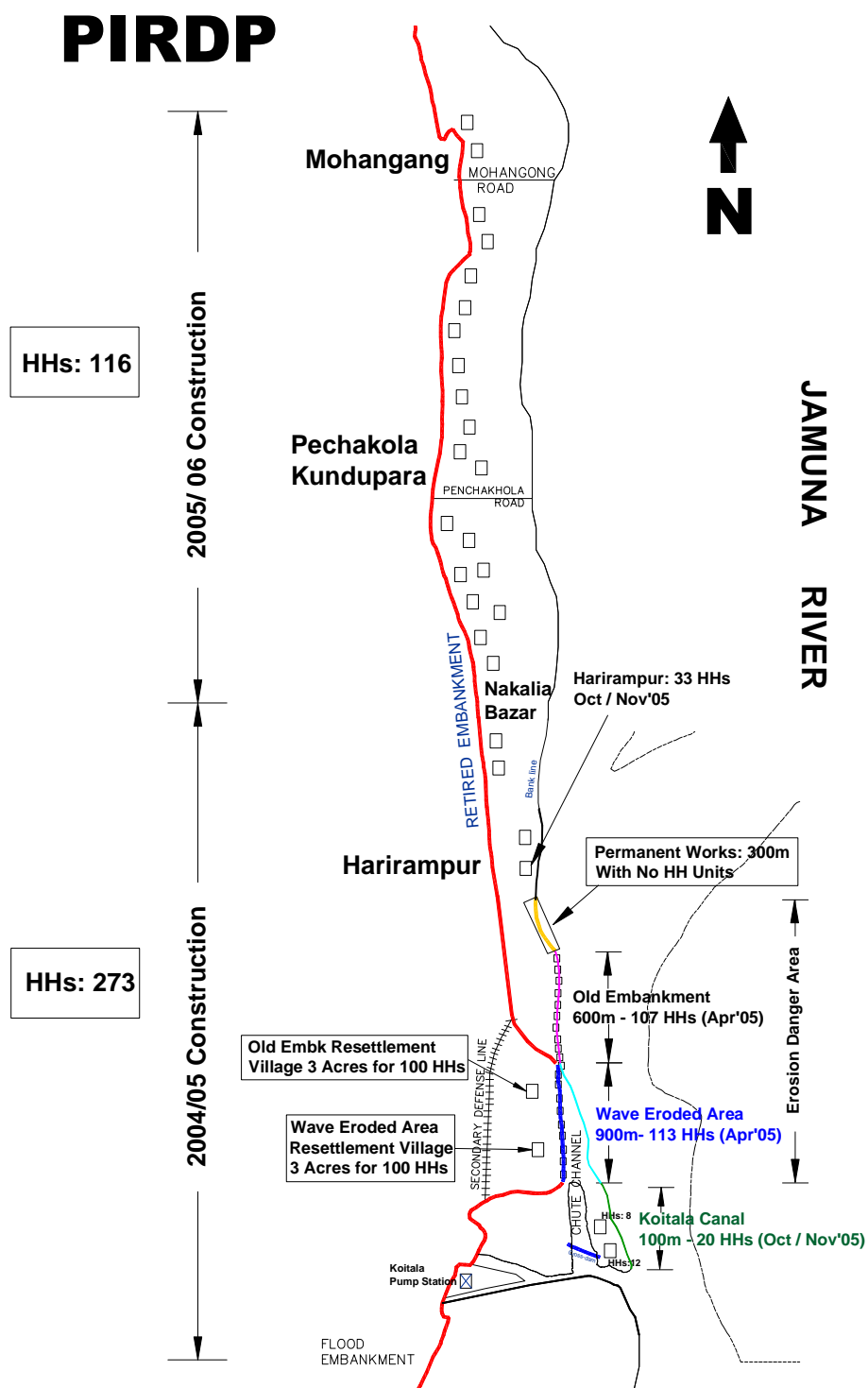


Figure 1.2 PIRDP Resettlement Effects



9. As a result of the year's delay in construction work, actual relocation of any structures will not occur until the 2005/06 work season, after the Monsoon, in Oct/Nov 2005. In effect, this has given some 'breathing room' for implementing this RP, which is important because the NGO that will implement all of the JMREMP RPs (the INGO) was contracted on Feb 7 2005 and deployed only recently, on February 16, 2005.¹⁴

10. Aside from the OE Resettlement Effects, covered in the separate OE RP, the primary displacement will be some 33 HH in Harirampur Village to the north of the 300 m pilot Permanent Works area and 20 HHs along the bankline south of the OE Wave Eroded Area. This latter affected settlement includes 8 HHs along the Jamuna River bankline and 12 HHs along about 100 m of the northern bankline of the Koitala Canal. The Harirampur and Koitala Areas combined will relocate 53 HHs.

11. Note that below, in Table 1.2, some 38 HHs were identified and surveyed in the preparation of this RP. These were primarily at Harirampur Village. The Figure 1.2 map and data presented here is in accordance with the findings of the Inventory Verification Committee (IVC), which presented its findings to BWDB on February 19 2005. The IFC has compared 2003 Inventory data for the entire floodplain where the ROW might potentially be located, depending on the previous year's Monsoon erosion, and Socioeconomic Survey (SES) data from Jan/Feb 2004 to come up with a 'final' list of APs within the current ROW.

12. The figures here, and on Figure 1.2, indicate that some five HHs are no longer in Harirampur Village and have added new HHs adjacent to the Koitala Canal, so that the current IVC figure of 53 HHs is on balance 15 HHs more than the earlier identified 33 HHs, for which survey data is presented below. The newly deployed INGO will now, in accordance with its TOR, use the IVC findings for updating the AP information, including identifying all vulnerable HHs (including those losing more than 10 percent of their income through loss of agricultural land) that will be eligible for special consideration in the Social Development Program (SDP) to be funded by the Japanese Fund for Poverty Reduction (JFPR).

13. From the above, it can be seen that although this RP was prepared for the 2004/05 construction work, in fact only the 300 m bankline Permanent Works will be carried out before the 2005 Jun-Sep Monsoon. The CCL payments to agricultural land losers will be made prior to the Monsoon, and no displacement of HHs will occur before the Monsoon. The INGO, taking up its work from mid-February onwards, will have all arrangements in place for providing Resettlement Benefits to the HHs that will have to move after the Monsoon, in Oct/Nov 2005

14. This procedure is necessary for special conditions of riverbank erosion mitigation in Bangladesh, where resettlement and construction have to in a certain sense be carried out parallel. In the case of the OE communities, this is especially important, as to do nothing runs the risk of their being 'forcibly' relocated by the Jamuna River erosion in any case. The Land Acquisition (LA) process carried out by the Deputy Commissioner (DC) to provide Cash Compensation under Law (CCL) to all Eligible Persons (EPs), initially estimated at some 279

¹⁴ The INGO is Development Organization of the Rural Poor (DORP).

APs losing agricultural land, based on mauza maps within the ROW. In fact, LA case figures overlap considerably between the OE and PIRDP RPs, with the most recent estimate for the OE RP being 97 eligible APs¹⁵ and for the PIRDP RP being 95 APs eligible for CCL¹⁶, or a total of 192 Eligible Persons (EPs).

15. The Total OE & PIRDP RP 2004/05 LA Budget includes both 'Above and Below Water Land.' All of the budget for the Above Water Land for 2004/5, some 995,900 Taka, was disbursed by BWDB to the DC's account in May 2005. The remaining budget of 1,083,100 Taka for the OE and PIRDP RP 'Underwater Land' will be spent in 2005/06 when the LA Plan is approved.

16. The cadastral mapping was initially carried out in the 19th Century. These mauza maps¹⁷ have not changed substantially since the early 20th Century although they now also show ownership subdivided among heirs; but in many cases ownership status requires updating from the 1960s. Therefore, there may be numerous ownership disputes to be resolved, and the actual number of CCL awards will not be known until the process is carried out.¹⁸ To entirely complete even the 'Above Water' CCL payments may take up to a year, depending on the number of land disputes needing to be resolved.

1.3 Project Data and Impacts

17. PIRDP bank protection work in the year 2004/5 will require 15.08 ha land over a length of 2.4km bankline (excluding the BWDB land if any). Fifty percent (50%) of the land will be required above the LWL and the rest is underwater or eroded land after the LWL. The land to be acquired for the ROW, therefore, includes both privately owned land and eroded land within the ROW.

18. From a legal and revenue point of view, the line that mark the lowest water level with the flood plain during the dry season is considered as the bankline - also called the AD line, if declared formally by AC-Land. Land above the LWL to the floodplain (i.e. the slope to be used for bank protection work) is private land (unless already acquired by BWDB). Local people cultivate the land above the LWL during dry season. In Bangladesh, the AD line is not regularly established (by the AC-Land) due to complexity in the process. After having reviewed this complexity and meetings with the stakeholders, this RP has adopted the following as guidelines to clarify definitional issues for assistance and payments of compensation.

19. For the design purpose the LWL will be considered as the demarcated bankline or AD line for the 2004 bank protection work. The scope of work under water after the LWL, will not require relocation but there are issues of acquisition and payment of

¹⁵ LA Case No. 1 (2004-05)

¹⁶ Including 9 under LA Case 2 and 84 under LA Case 3 (2004-05)

¹⁷ Also in South Asia referred to as Village or Revenue Maps.

¹⁸ Additionally, share croppers, as vulnerable APs, may be eligible for benefits from the Project, but these too cannot be determined until the legally recognized owner receiving CCL is officially recognized by the DC.

compensation/grant. As per the design, the construction of revetment on a 36m wide stretch above LWL will need relocation of structure.

20. In PIRDP, to comply with the civil works requirement, LA Plans for the 2004/5 works have been in two phases:

- (i) *Phase I LA Plan* includes land above the LWL to the floodplain, including the slope, for permanent protection work to be carried out in 2004/2005 (already submitted to DC).
- (ii) *Phase II LA Plan* will cover only underwater/eroded land below the LWL (AD line). The land will be transferred through inter-ministerial meeting or by acquisition.

Table 1.1 Land Acquisition by Phase

| Phases | Length (km) | Width (m) | Above LWL | Below LWL | Total |
|----------|-------------|-----------|-----------|-----------|-------|
| Phase I | 2.40 | 36 | 7.54 | - | 7.54 |
| Phase II | 2.40 | 36 | - | 7.54 | 7.54 |
| Total | 2.40 | 72 | 7.54 | 7.54 | 15.08 |

21. A certain degree of stability is required in acquiring land in the eroding zones. Therefore Land Acquisition and temporary and/or permanent protective work will be carried out parallel to construction. If the acquisition for Project work involves khas land only, then payment of compensation will be between government departments. In such case, according to ADB guidelines, the original owners of the land must be identified and Resettlement Benefits paid following the established framework for resettlement. This is why separate LA plans are being prepared

22. PIRDP bank protection work in 2004/5 will displace 161 persons in 37 HHs. The acquisition will displace only 1 shop in Bijoyganj affecting 4 persons in the family. The Project will also affect about 505 persons in 109 agri-land losing HHs¹⁹ and 7 tenant contract farmers on floodplain including tenant contract farmers. Again 163 HHs will be affected for loss of underwater land with 742 persons in their families. The affected HHs requiring relocation own their house structures although 6 of them are identified on others' land. Only 5 women have gainful employment. About 74 per cent of the population live on less than "dollar-a-day" per HH.

Table 1.2 Project Impacts and Displacements

| Category of Establishments | No. of Units/HHs | Affected Population | | | | Total |
|-------------------------------|------------------|---------------------|----|--------|----|-------|
| | | Male | % | Female | % | |
| Households | 37 | 84 | 52 | 77 | 48 | 161 |
| Small Business Establishments | 1 | 2 | 50 | 2 | 50 | 4 |

¹⁹ As per sample survey on agricultural land during January 2004 by RDM and list of agri-land losers provided by the Bera O&M Division, BWDB, Bera, Pabna.

| | | | | | | |
|---|-----|-----|----|-----|----|-------|
| Agricultural land on floodplain and eroded land (projected) | 279 | 648 | 52 | 599 | 48 | 1,247 |
| Total | | 734 | 52 | 678 | 48 | 1,412 |

Source: Socioeconomic survey, January 2004

1.4 Preparation of the Resettlement Plan

23. Around 38 HHs/shops to be relocated for vacating the right of way along the bankline for block pitching on the 36m slope above the LWL. Total number of persons to be affected by the 2004/5 works in this section of PIRDP is about 1,412 and is considered as significant resettlement impact as per ADB guideline. The Resettlement Framework (RF)²⁰ adopted during the feasibility stage of the Project has been followed for preparation of this (full) RP.

24. This RP is associated with relocation of the HHs from 2.4km bankline on the 36 m wide right of way above LWL and owners of agricultural and fallow land including underwater land on the right of way. The resettlement survey in January 2004 covered a width of only 30m. As a result, the inventory of assets and HHs/shops is considered tentative in this RP. Population displacement as per the present design in this section for the protection work in 2004 requires further verification during RP implementation.

²⁰ Prepared as per known impacts during the feasibility study under the PPTA No. 3659-BAN, the laws of land acquisition of the GOB and the ADB guidelines on involuntary resettlement.

CHAPTER 2 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2.1 Background

25. A land acquisition and resettlement framework (RF) for the Project was adopted during the PPTA stage. The land necessary for revetment/protection work is either bankline or land already eroded to the rivers, which is legally considered *khash* or government land. There was extensive scrutiny over the issue of acquisition of bankline and under-water land. Some definitional issues like (i) bankline; (ii) ownership status of eroded/*khas* land; (iii) acquisition of *khas* land; (iv) payments of compensation for *khas* land; and (v) determination of ownership of eroded land were surfaced in Part A of the ADB TA 1941-BAN(SF) during 2003 and have been clarified in the following section.

26. Considerable land between floodplain and the LWL remains arable during the dry season and is considered as private land. The eroded land outside the AD line goes under the ownership of the government through a chained procedure that ends with the declaration as Khas land by the Additional Deputy Commissioner. The law clearly states that any land (private or government) for development work should be acquired and compensated. Under-water land in a LA case (if entirely *khas*) will not require acquisition but transfer between govt. departments should take place through inter-ministerial meeting. In such a case, according to ADB guideline, the previous private owners must be identified and Resettlement Benefit paid for losing the chance of regaining it, if re-emerges within 30 years of erosion. If there are both private and *khas* land in a LA case, then the DC will be paid 100% compensation for the *khas* land but not the additional 50% as required by the LA Act.

2.2 Scope of Land Acquisition and resettlement

27. About 15.08 ha land will be required along the 2,400m bankline for 2004/2005 protection work for an average 36 m wide stretches above and below the LWL excluding the BWDB land. The amounts of land to be acquired for the 2004/5 work include both floodplain and under water/eroded land. However, only 37 HHs and 1 shop will be displaced from the right of way. The under-water revetment will be constructed on *khas* land and nobody will need relocation but private owners of the land will be compensated as per GOB law and ADB policy on involuntary resettlement. The RP also covers owners of the char-land, if eroded two years due to bank stabilization in the proposed area.

28. The BWDB will update the resettlement data through a revised survey in January 2005 for finalization of the RP.

2.3 Guidelines on LA and Resettlement

29. Land acquisition and resettlement of the APs and shops will be carried out in accordance with the Bank's Operational Manual on *Involuntary Resettlement* (29 October 2003).²¹ The principal requirements of the guideline are:

- In consultation with the APs and design engineers, land acquisition will be carried out in a way to minimize the adverse impacts on the people.
- The people whose land, crops, trees are going to be affected will receive cash compensation at the market value of the affected resources.
- Owners of residential/commercial units and community structures will be compensated at replacement costs and will be re-established under Project financing.
- The needs of women and vulnerable groups will be identified and provisions made for social support, employment, and means of subsistence through development program to improve their status.
- The Project's Implementing NGO (INGO) will assist APs and Small Business Enterprises (SBEs) in all aspects regarding relocation and resettlement. The Executing Agency (EA) will involve all stakeholders in the decision-making process concerning relocation and resettlement.

2.4 Primary Responsibility of Land Acquisition and Resettlement

30. Primary responsibility of land acquisition and resettlement lies on the Bangladesh Water Development Board (BWDB). The Project Management Office (PMO) of the BWDB is coordinating and executing land acquisition process through respective Deputy Commissioner's LA section. The PMO has appointed an experienced NGO for implementing the RP, the Implementing NGO (INGO), for resettlement and rehabilitation of the APs. Development Organisation of the Rural Poor (DORP) is the INGO deployed by BWDB on February 16, 2005.

²¹ ADB. 2003. *Operations Manual Involuntary Resettlement Best Practice* (OM Section F2/BP). Manila: October 29. This Operations Manual supplements, but does not replace, ADB. 1995. *Policy on Involuntary Resettlement*. Manila: August and ADB. 1998. *Handbook on Resettlement: A Guide to Good Practice*. Manila: 1998. All three apply.

CHAPTER 3 SOCIOECONOMIC SURVEY AND DATA ANALYSIS

3.1 Approach

31. The existing HHs and establishment between the riverbank and the retired embankment were surveyed in April-May 2003 and an inventory of the HHs and establishment was prepared. This inventory is being considered to be the cut-off date for eligibility of resettlement assistance for physical losses under the Project after verification by BWDB. The Resettlement Survey (RS)²²/Socio-economic Survey conducted during January 2004 identified the HHs and establishments within an average 32 m wide right of way (ROW) in the 2400m bankline. In addition to that, video film of all structures on the Project alignment was prepared recording number and condition of the structures to check any abuse.

32. The RS in 2004 collected a wide range of data, for example, demography, age/sex distribution, education, occupation, income/poverty data, types of Small Business Enterprises (SBEs), types and ownership status of affected structures and other assets. The database provides a detailed picture of the social and economic impacts and has been used for RP preparation, its management, implementation, and monitoring. Some of the key findings are stated as follows.

3.2 Profile of the APs

33. The SES in the 2,400 m bankline from Koitola toward Pechakola identified 37 HHs and 1 shop (Table 3.1). All the HHs are on owned land while the shops are operating on rented land. Women head about 16% of the HHs. However, the shop affected is owned and operated by male persons (table 3.1). The Project will not affect any indigenous population or ethnic minority groups.

Table 3.1 Head of Households/Shops to be Relocated by Gender

| Category of Establishments | No. of Units | Headed By Male | | Headed By Female | | Population Affected |
|-------------------------------|--------------|----------------|--------------|------------------|--------------|---------------------|
| | | Nos. | % | Nos. | % | |
| Households | 37 | 31 | 82 | 6 | 18 | 161 |
| Small Business Establishments | 1 | 1 | 100 | 0 | 0 | 4 |
| Total | 38 | 32 | 84.00 | 6 | 16.00 | 165 |

Source: Socioeconomic survey, January 2004

²² Includes census, survey, property valuation and AP consultation also collectively known as socioeconomic survey (SES)

3.2.1 Socio-Demographic Characteristics

34. A total of 161 people will be relocated from the right of way land. Average HH size is 4.35 smaller than the national figure (5.00 persons) and male-female ratio is 109:100 (Table 3.2). About 26 percent of the families living on the bankline are well off while 74 percent are poor. More than 60 percent of the HHs are hardcore poor. The survey found 7 widows and 3 divorced women among the population to be displaced.

Table 3.2 Population in Structure Losing Households & Shops by Gender

| Category of Establishments | No. of Units | Affected Population | | | | Total | HH Size |
|-------------------------------|--------------|---------------------|-----------|-----------|-----------|------------|-------------|
| | | Male | % | Female | % | | |
| Households | 37 | 84 | 52 | 77 | 48 | 161 | 4.35 |
| Small Business Establishments | 1 | 2 | 50 | 2 | 50 | 4 | 4.00 |
| Total | 38 | 86 | 52 | 79 | 48 | 165 | 4.35 |

Source: Socioeconomic Survey - January 2004

3.2.2 Ownership of Land for Homestead and Shops

35. Most of the HHs identified on the ROW on floodplain along the 2.4 km bankline in PIRDP are on their own homestead. Only 5 HHs are living on others land and 12 HHs co-own their homestead with other family members. But the shop is on occupied land.

Table 3.3 Ownership Status of Land for Homestead/Shops

| Affected Category | Owner | % | Co-Owner | % | Sheltered/ Occupant | % | Total |
|-------------------------------|-----------|-----------|-----------|-----------|---------------------|-----------|-----------|
| Households | 20 | 54 | 12 | 32 | 5 | 14 | 37 |
| Small Business Establishments | 0 | - | 0 | - | 1 | 100 | 1 |
| Total | 20 | 53 | 12 | 32 | 6 | 15 | 38 |

Source: Socioeconomic Survey, January 2004

3.2.3 Ownership of Affected Structure

36. Most of the house structures are made with wood, bamboo and straw with corrugated iron sheet. The structure are built and owned by the owners of HHs and shops. The total floor area of the affected structure is about 13,000 sq ft. In terms of construction materials 4 different categories of structures are identified and 93% of them are constructed with CI sheets in the roof. Straw made structures constitutes only 7% of the total affected structure. None of the house structure are found with tin fence. Table 3.4 presents the type and floor area of the structure affected.

Table 3.4 Structures to be Relocated from the Bankline Right of Way

| Village | Structure Type | HH | | SBEs | | Total | |
|--------------------|--|-----------|-------------------|----------|-------------------|-----------|-------------------|
| | | Nos. | Floor area (sft.) | Nos. | Floor area (sft.) | Nos. | Floor area (sft.) |
| Maizkhali | Thatched in roof & wall and ea | 4 | 343 | - | - | 4 | 343 |
| | Tin in roof & wall and earthen t | 9 | 2712 | - | - | 9 | 2,712 |
| | Tin in roof, thatched wall and earthen floor | 5 | 872 | - | - | 5 | 872 |
| <i>Sub-total</i> | | 18 | 3,927 | - | - | 18 | 3,927 |
| Bijoygonj | Tin in roof & wall and wooden floor | - | - | 1 | 20 | 1 | 20 |
| <i>Sub-total</i> | | | | 1 | 20 | 1 | 20 |
| Harirampur | Thatched in roof & wall and ea | 8 | 503 | - | - | 8 | 503 |
| | Tin in roof & wall and earthen floor | 19 | 4,868 | - | - | 19 | 4,868 |
| | Tin in roof, thatched wall and earthen floor | 13 | 2,716 | - | - | 13 | 2,716 |
| | Tin in roof, wooden wall and earthen floor | 4 | 855 | - | - | 4 | 855 |
| <i>Sub-total</i> | | 44 | 8,942 | - | - | 44 | 8,942 |
| Grand Total | | 62 | 12869 | 1 | 20 | 63 | 12,889 |

Source: Socioeconomic Survey, January 2004

3.2.4 Occupational Profiles

37. The APs to be relocated from the ROW are reported to earn their livelihood from 5 different sources where day laboring is prominent. Only 5 percent of the affected people are engaged in farming while only 1 person was found agri-labour. Business and service constitute 7 percent of the population. Table 3.5 presents an overview of the occupational trends. Forty five percent (45%) of the population is dependent. Women have limited opportunities to work and only 5 women are reported to have some gainful employment. More than 23 percent of the population are housewives.

Table 3.5 Occupational Data

| Occupation | Affected persons by Gender | | Total APs | |
|-----------------------|----------------------------|-----------|-----------|-----|
| | Male | Female | No | % |
| Total | 86 | 79 | 165 | 103 |
| Housewife | 0 | 39 | 39 | 26 |
| Student | 27 | 14 | 41 | 25 |
| Children | 11 | 15 | 26 | 16 |
| Day labour | 23 | 3 | 26 | 16 |
| Agriculture | 8 | 0 | 8 | 5 |
| Business | 7 | 0 | 7 | 4 |
| Unemployed | 1 | 4 | 5 | 3 |
| Rickshaw-Van Puller | 4 | 0 | 4 | 2 |
| Service | 4 | 0 | 4 | 2 |
| Retired | 1 | 2 | 3 | 1 |
| Agri-labour | 0 | 1 | 1 | 0 |
| Others | 0 | 1 | 1 | 0 |
| Percentage (%) | 52 | 48 | | |

Source: Socioeconomic survey, January 2004

3.2.5 Income and Poverty Dimensions

38. The HHs and shops were classified broadly into three income groups based on the total stated income. Majority of the HHs (74%) have income below the official poverty line²³ in Bangladesh. Only 26% HHs earn a moderate income. The results indicate that 74% of the HHs to be relocated from the right of way are poor and earn less than dollar a day per HH.

Table 3.6 Monthly Household Income and Economic Status

| Village | Upto Tk. 2550 | | Tk. 2550-Tk.3600 | | Above Tk. 3600 | | Total | |
|--------------|---------------|-----------|------------------|-----------|----------------|-----------|-----------|-----|
| | HH/SBE | % | HH/SBE | % | HH/SBE | % | HH/SBE | % |
| Maizkhali | 5 | 63 | 0 | 0 | 3 | 37 | 8 | 100 |
| Bijoygonj | 0 | 0 | 1 | 100 | 0 | 0 | 1 | 100 |
| Harirampur | 18 | 62 | 4 | 14 | 7 | 24 | 29 | 100 |
| Total | 23 | 61 | 5 | 13 | 10 | 26 | 38 | |

Source: Socioeconomic survey, January, 2004

3.3 Affected Agricultural Land

39. An estimated 7 ha of agricultural land will be acquired on the floodplain along the bankline for 2004/5 works and the underwater works will require about 7.54 ha to be acquired below the LWL. According to the list provided by Bera O&M Division, BWDB, an estimated 505 people will be affected in 109 agri-land losing and 7 tenant contract farmer HHs. In addition, 742 persons will be affected in 163 HHs owning the eroded land after the LWL. About 2.38 acres of land might be under tenant contract farming on the floodplain (Table 3.7).

Table 3.7 Acquisition of Agricultural Land

| Source of Estimation | Amount Of Land (Acre) | Land Under TCF (Acre) | Total Number Of Owners | No. Of Vulnerable Owner | TC Farmer | Affected Persons Including TCF Households | | |
|--|-----------------------|-----------------------|------------------------|-------------------------|-----------|---|--------|-------|
| | | | | | | Male | Female | Total |
| Quantum of land in 60 sample plots | 17.05 | 2.180 | 51 | 18 | 6 | 129 | 119 | 248 |
| Projected for 7 ha of land(floodplain) ²⁴ | 18.62 | 2.38 | 109 | 38 | 7 | 262 | 243 | 505 |
| Projected for 7.54 ha of land(eroded land) | 18.62 | - | 163 | 57 | - | 386 | 356 | 742 |

Source: Agri-land survey on sampled agricultural plots for 2004 work and list provided by BWDB excluding 32 homestead plots to be affected.

40. As per the sample survey, the HHs having land up to 1 acre are losing 36% of their land and the rest are losing less than 20%. The more the land holding the less is the impact. This gives the prediction that the poor and vulnerable HHs will be suffering the most due to the acquisition (Table 3.8).

41. The Deputy Commissioner's Office will finalize the list of the agriculture land losers on the floodplain right of way while the previous owners of underwater land will be scrutinized by BWDB through GRC.

²³ Official poverty line is calculated for 2122 KCal intake per person per day which is ensured by a per capita monthly income of Tk. 720/-

²⁴ Excluding 32 homestead owners on the floodplain right of way.

Table 3.8 Acquisition and Residual Land as per Sample Survey

| Land Holding In Acre | No. Of Owners Interviewed | No. Of Owners Affected | Average Land Holding (Acres) | Average Acquisition Land (Acre) | Average Amount Of Residual Land (Acre) | Residual Land In Percentage (%) |
|----------------------|---------------------------|------------------------|------------------------------|---------------------------------|--|---------------------------------|
| Up to 1 acre | 18 | 103 | 0.65 | 0.23 | 0.42 | 64.49 |
| 1-5 acre | 23 | 132 | 2.54 | 0.37 | 2.17 | 85.41 |
| 5-10 acre | 6 | 34 | 7.48 | 0.43 | 7.05 | 94.28 |
| Beyond 10 acres | 4 | 24 | 26.57 | 0.44 | 26.12 | 98.33 |
| Total | 51 | 293 | 4.34 | 0.33 | 4.00 | 92.31 |

Source: Agri-land survey on sampled agricultural plots for 2004 work.

42. Following its TOR, the INGO that BWDB deployed on February 16, 2005 will now carry out a socioeconomic survey that will, *inter alia*, identify all vulnerable HHs, including those made vulnerable through loss of agricultural land. The INGO will use the Inventory Verification Report submitted to BWDB Feb 20, 2005 to make initial identification of these HHs and will follow up with a social consensus survey with regards to their status as vulnerable HHs. This will necessary, as much of the agricultural land, has been leased for stockpiling and other uses, so verification using mauja maps and local informants will be necessary to understand tenancy and actual agricultural usage.

43. As indicated in the *Resettlement Entitlement Matrix* (Table 4.1 below), these HHs will be eligible for Priority assistance in the Social Development Programme (SDP) to be funded by the JFPR and still under formulation. An NGO will be contracted to implement the SDP and will be responsible for verifying the vulnerable HHs identified at this stage by the INGO.

3.4 Gender Issues

44. AP consultation and the survey findings indicate that the women play vital role in HH chores as well as productive work. Women in consultation meeting reported that they are unable to utilize their time fully for indifference created by the male members and due to the absence of support for income-generating activities.

3.5 Categories of APs and Definitions

45. Although the entitlement matrix identifies 12 different types of losses the resettlement framework recognizes four broad categories of APs in this Project. The categories often overlap and the impact may vary depending on ownership of assets, income and vulnerability. These include:

- (i) *Project-Affected HHs-* with title to land, structure and trees
- (ii) *Informal settlers/uthulies-HHs/shops* (vulnerable or non-vulnerable) without title to land but structure and using BWDB land along the bankline.

- (iii) *Shops/Small business enterprises-* on the bankline that include tea shops/kiosks, and small groceries shops.
- (iv) *Vulnerable HHs* - such as female-headed HHs and HHs having income below the poverty line needing relocation from the right of way and agri-land losing HHs losing more than 10% of their income from agriculture due to acquisition.

3.6 Types of Losses

46. The types of losses can be estimated as loss of: (i) homestead/agri land; (ii) residential/commercial/community structures and trees; and (iii) work days/incomes due to dislocation and relocation; and (iv) underwater land.

CHAPTER 4 OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

4.1 Legal Framework for Land Acquisition

47. The two major legislations applicable for acquisition of land for the Project are: (i) *Acquisition and Requisition of Immovable Property Ordinance* (1982) and (ii) *East Bengal State Acquisition and Tenancy Act* (1951, revised 1998). The *Acquisition and Requisition of Immovable Property Ordinance* governs all cases of acquisition and requisition by the government of immovable property for any public purpose or in the public interest. The owners affected by such acquisition are eligible to compensation for (i) land and assets permanently acquired (including standing crops, trees, houses); and (ii) any other damages caused by such acquisition. In determining the compensation, the Deputy Commissioner (DC) considers the recorded price of land transaction of the past 12 months in the Project area, plus a 50 percent solatium on the assessed value of the property for compulsory acquisition.²⁵ The 1994 amendment made provisions for payment of crop compensation to tenant cultivators. The Ordinance, however, does not cover APs without titles or ownership records such as informal settlers/squatters. Further, the compensation paid does not constitute market or replacement value of the property acquired.

48. The *East Bengal State Acquisition and Tenancy Act* (Section 7) defines the ownership and use right of alluvial (*nadi sikosti*) and diluvial land (*payosti*, reformation *in situ* or original site) in the country. Legally, GOB owns the bank lines²⁶ and eroded land in the river.²⁷ However, the “original” owner(s) can claim the land if it reappears in a natural process within 30 years from the date of erosion. The loss of land for the revetment work will permanently seal off the possibility of any such claims of regaining access to new land *in situ* or original site. Thus, it is reasonable that land acquired for revetment, including bankline, should be compensated by the Project.

4.2 Land Acquisition and Resettlement Framework

49. Land acquisition and resettlement of project-affected-persons will be carried out in accordance with the approved resettlement framework (RF) which has been used to define entitlement matrix in the light of losses.

4.3 Resettlement and Income Restoration Assistance

50. The affected people will be entitled to Resettlement Benefits and also social development assistance under the JFPR, if vulnerable.

²⁵ The solatium was raised from 25 percent to 50 percent through an amendment in 1993.

²⁶ The Jamuna Bridge Project defined the “bankline” based on the flood levels in winter (PWD+8m) and flood (PWD+11m) seasons. See *Guidelines for Compensating Erosion and Flood Affected Persons*, Jamuna Multipurpose Bridge Authority, 1996.

²⁷ The *East Bengal State Acquisition and Tenancy Act* (1951, revised 1994). See A. K. M. Siddique, *Common Land Laws and Rules*, Dhaka, August 2001.

4.4 Entitlement Matrix

51. The entitlement matrix recognizes 11 major types of losses attached to land acquisition and resettlement. BWDB is committed to assist the APs in clustered relocations with community facilities. They will be relocated to BWDB land (if available) or plots purchased (by the APs) for which assistance is provided in the form of homestead land development. In addition to the CCL, Resettlement Benefits as per the entitlement matrix will be provided to the APs (Table -4.1).

Table 4.1 Resettlement Entitlement Matrix²⁸

| Type of Loss | Application | Definition of APs | Entitlement | Expected Results |
|--|---|---|---|---|
| 1. Loss of agricultural/ fallow land, water bodies, etc. | Land on the Project right of way along the bankline acquired by DC | Legal owners of land | <ul style="list-style-type: none"> ✓ Replacement value of land²⁹ ✓ Refund of registration cost incurred for replacement land purchase determined by the BWDB through NGO.³⁰ | Replacement of land or the value to the APs |
| 2. Loss of homestead and commercial land | Land on the Project right of way along the bankline acquired by DC | Legal owners of land | <ul style="list-style-type: none"> ✓ Replacement value of land at market price ✓ Refund of registration cost incurred for replacement land purchase determined by the BWDB through NGO. | Replacement of homestead/ commercial land |
| 3. Loss of under water land ³¹ | Land on the Project right of way within the river along the Bankline, if acquired | Legal owner(s) of land and (DC) if owns the <i>khas</i> land after legally established AD line; the previous private owners of land below the AD line | <ul style="list-style-type: none"> ✓ In case of <i>khas</i> land, replacement value of land assessed by DC without additional 50% as premium to respective DCs ✓ Resettlement Benefit for land assessed by PVAT, to the previous owner(s) of eroded land ✓ Refund of registration cost incurred for purchase of replacement land not exceeding PVAT determined value | Replacement of land or the value to the owner as his/her ownership ceases |

²⁸ As agreed by GOB and ADB in *Aide Memoire of the Loan Appraisal Mission*, 25 June 2002, *Resettlement Framework* and confirmed in the *Loan Agreement*, November 25, 2002.

²⁹ Replacement Value will be 'Market Value,' which will be determined by PVAT and is generally more than the CCL + 50% as premium given by the DC. The difference will be through a Resettlement Grant, when the PVTA determined 'Market Value' is more than the CCL + 50% as premium paid as per GOB LA Law. See MARV above, item (k). This clarification requested by ADB *Safeguard Review Mission Report*, September 2004, para. 23 (ii), attached to fax from ADB, Director, AENR Division, November 17, 2004.

³⁰ Refund for 'Types of Loss' 1 & 2 not to exceed PVAT determined value. The refund of registration cost incurred for replacement land purchase at the replacement value determined by a legally constituted body (PVAT). The INGO as a member of the PVAT and JVT confirms the Joint Verification Data of physical property for implementation adequacies. The role of PVAT is set out in *Resettlement Framework*, Para. 12, and that of the INGO in Table 1, Item 1.

³¹ This provision included as per request by ADB: Letter from ADB, Director, AENR Division, General Comments Item (iv), July 31, 2004.

| Type of Loss | Application | Definition of APs | Entitlement | Expected Results |
|---|--|---|--|--|
| 4. Loss of residential and/or commercial structure by owners/informal settlers from the Project rights of way land. | Structure on the Project right of way land along the bank line | Owner(s) of structures identified by the DC and SES ³² | <ul style="list-style-type: none"> ✓ Replacement value³³ of structure as determined by the BWDB through NGO; ✓ Taka 2,000 as transfer grant for relocation of residential and commercial structure ✓ Taka 5,000 for homestead/land development grant ✓ Tk. 3,000 house reconstruction grant³⁴ ✓ Salvaged materials free of cost | Reconstruction of structure at a new site |
| 5. Loss of trees, crops, perennials | Standing crops, trees on the right of way land | Owners of land | <ul style="list-style-type: none"> ✓ Compensation at the rate estimated by the Forest Department and the Agriculture Extension Department ✓ Salvaged materials free of cost | Compensation for standing crops and trees |
| 6. Loss of access by tenants/sharecroppers to agricultural land for crop production | Agricultural plots on the Project rights of way | Tenants of the land as identified by the SES | <ul style="list-style-type: none"> ✓ Taka 200 per decimal of agricultural land under tenancy/sharecropping contract farming³⁵ | Compensation for loss of access to farm land |
| 7. Loss of income and work days due to displacement | Households affected by the Project alignment/ROW | Head of households identified by the SES | <ul style="list-style-type: none"> ✓ Taka 2000 per household ✓ Taka 3000 for households headed by women ✓ Employment in the Project construction work, if possible | Subsistence and income in post-displaced period |
| 8. Displacement of community structure | Community structure on the Project rights of way | Community representative as identified by the SES | <ul style="list-style-type: none"> ✓ Taka 2,000 as transfer grant for relocation of CPR ✓ Plot inside embankment on BWDB or <i>khas</i> land ✓ Taka 10,000 structure reconstruction grant | Restoration of community structure for common benefits |
| 9. Loss of diminished business or employment | Owners/ operators of SBEs on the Project rights of way | Owners and employees of the SBEs | <ul style="list-style-type: none"> ✓ Taka 2,000 to the owner and operators for business restoration; ✓ Taka 1,500 to employees for income supplement | Restoration of business after relocation |
| 10. Vulnerability to resettlement and relocation | Vulnerable households or non-titled persons ³⁶ on the Project ROW | Households relocated on the new site of BWDB | <ul style="list-style-type: none"> ✓ Priority assistance in the social development programme | Sustainable social development |
| 11. Project induced erosion of char land | Char land if erodes due to the Project within 2 years of its completion | Owners/occupiers of eroded char land | <ul style="list-style-type: none"> ✓ Market value of concerned land assessed by PVAT to the owner-occupier by 100 per cent or share it 50-50 among owners and occupier for non- | Project benefits shared to every impacttees |

³² As approved by BWDB.

³³ That is, the 'Market Price.'

³⁴ Per household/shop

³⁵ The DC pays 50 percent of crop value if Tenancy Contract (TC) is registered.

³⁶ These are the Heads of poor and vulnerable HHs identified by SES. Also found in GOB, MWR, BWDB, JMREMP, *Modified Resettlement and Social Development Plan: Phase I. July 2002, Annex II, Land Acquisition and Resettlement Framework, Table 1, Item 11*

| Type of Loss | Application | Definition of APs | Entitlement | Expected Results |
|--|---|----------------------------------|--|---|
| 12. Access to community/civic facilities ³⁷ | All households on the ROW if they relocate in group | Households identified by SES/JVT | owner occupied land ✓ Community infrastructure facilities like access roads, plantation, tube-wells and sanitary latrines and drainage. | Development of cluster settlements assisted by EA |

52. This Entitlement Matrix is based the Resettlement Framework (RF) and a Short Resettlement Plan (RP) that were submitted to the ADB by the Government of Bangladesh on May 14, 2002 with assurances that these would be followed during project implementation. A Summary Resettlement Framework and Short RP, to serve as a model for future RPs, were Appendix 12 to the *Report and Recommendation of the President to the Board of Directors on a Proposed Loan to the People's Republic of Bangladesh for the Jamuna-Meghna River Erosion Mitigation Project* (the RRP), June 4, 2002. Some revisions were subsequently made in the *Land Acquisition and Resettlement Framework* was attached as Annex II to the Government of Bangladesh, Ministry of Water Resources, Bangladesh Water Development Board. 2002. JMREMP, *Modified Resettlement and Social Development Plan (RSDP)*: Phase I. July and through ADB review mission requests, as documented in the footnotes to the above Entitlement Matrix. The original RRP and RSDP of 2002 are provided in Annex 6 to this RP.

4.5 Definitions of Terms

- *Affected Persons (APs)*: Affected persons shall include (a) persons whose houses, land, structure, business, income/employment or productive assets are affected by the Project.
- *Household*: A household includes all persons living and eating together (sharing the same kitchen and cooking food together as a single-family unit).
- *Entitled Person*: An entitled person (EP) 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 DC office and/or cash grant from BWDB.
- *Structures - Houses and Commercial Enterprises*: All structures affected by Project acquisition -- living quarters, community infrastructures/roadside shops/businesses -- will be compensated for.
- *Assistance/Compensation*: Compensation for lost assets refers to legal compensation provided through the Land Acquisition section of the Deputy Commissioner's office. Assistance refers to resettlement assistance extended in cash and/or kind over and above the compensation under law as per independent assessment of replacement price of land and physical assets concurred by a Property Valuation Advisory Committee (PVAT).

³⁷ This provision included as per request by ADB: Letter from ADB, Director, AENR Division, Resettlement Plan for Removal of the Old Embankment, Item (ii), July 31, 2004. Also found in GOB, MWR, BWDB. JMREMP, *Modified Resettlement and Social Development Plan*: Phase I. July 2002, Annex II, *Land Acquisition and Resettlement Framework*, Table 1, Item 11

- *Relocation/Resettlement*: Relocation refers to physically moving of the APs from the affected area to a new area/site and rebuilding homes, assets, including productive land/employment while resettlement means re-establishing income, livelihoods, living and social system.
- *Replacement Land*: Those affected by the RoW alignment will receive alternative land, if available, or cash compensation at the replacement price. NGO will assess the market value of land to determine the Maximum Allowable Replacement Value (MARV) and be approved by PAVT.
- *Project Affected Communities/Host Villages*:: Project-affected communities are local villages, markets or townships that may be affected by Project impacts such as loss/dislocation/capacity inadequacy of common property resources, school, mosques etc. Host communities are recipients where APs are to be relocated.
- *Vulnerable Households*: For this Project, vulnerable groups are defined as APs who suffer more - economically and socially - from relocation than other affected population. Based on past experiences from similar projects, the vulnerable groups include (i) women-headed HHs; (ii) landless HHs (those without agricultural land, and depend largely on wage labor for survival); (iii) disabled HHs heads and (iv) HHs having residual agricultural land less than 1 acre or losing more than 10% of their income from agriculture due to acquisition.
- *Cut-Off Date*. The Cut-Off Date is the date after which eligibility for Resettlement Benefits will not be considered. Because of the vagaries of river bank erosion, there are two Cut-Off Dates: **May 30, 2003 for Physical Losses** and **January 28, 2005 for Income Losses**, subject to verification and clearances as described below:
 - **Physical Losses Cut-Off Date**. Because of the ongoing nature of Bank erosion, an *Inventory of Households and Assets between the Embankment and the Bankline* conducted in April-May 2003 that indicated all HHs that might possibly be on the ROW by start of construction and so be considered for physical losses due to land acquisition. The Physical Losses Cut-Off Date of **May 30, 2003** includes, therefore, only HHs having houses and establishment within the ROW at the beginning of physical works construction as identified by BWDB's Inventory Verification Committee (IVC).
 - The *Inventory Survey*³⁸ is subject to verification by the IVC and approval by BWDB, considering not only the original Inventory but the Socioeconomic Survey (SES) and IVC data collected just prior to civil works construction. In case of discrepancies, GRC will determine eligibility for individual HHs for Resettlement Benefits, such as: Replacement Value of Structure; Salvaged Material Free of Cost; Transfer Grant; Reconstruction Grant; and Homestead Development Grant.

³⁸ The *Inventory of Households and Assets between the Embankment and the Bankline Report* is dated June 24, 2003.

- *Income Losses Cut-Off Date.* Among the Resettlement Benefits to be given to APs are Subsistence Grants for Loss of Income. The Socioeconomic Surveys (SES), completed **January 28, 2005**, serve as the Cut-Off Date for eligibility to receive the Income subsistence Grants for: Male And Female HH Heads; Small Business Enterprise (SBE) Proprietors and Employees; and for Tenants/Sharecroppers. As with the Inventory Survey data, the SES Cut-Off Date is subject to verification by BWDB's Inventory Verification Committee (IVC) and approval by BWDB.
- *Land Acquisition* is not covered by these Cut-Off Dates. CCL will be paid by the DC as per GOB LA Law; and the INGO, with BWDB approval, will provide Grants for *Replacement Value of Land and other properties established* by the PVAT and according to the *Resettlement Entitlement Matrix* in Section 4 below.

4.6 RP Implementation Guidelines

53. Since BWDB does not have any set codified rules for payment of grants to the Entitled Persons (EPs) as resettlement of APs, a detailed RP implementation guideline (payment modality) will be required to implement the RP at the field level. Both the BWDB and the RP NGO will follow the payment modality after its approval from the Project Director (PD), Jamuna Meghna River Erosion Mitigation Project (JMREMP).

CHAPTER 5 CONSULTATION AND STAKEHOLDER PARTICIPATION

5.1 Information Dissemination and Public Consultation

54. The Project concept, the objectives and land acquisition requirements as per various options and technical design of structural measures for riverbank protection were discussed with the primary stakeholders. They were consulted for their perception on risks and consequences of river bank erosion, development concerns, views on alternative options and beneficiary participation in Project cycle. The women and other vulnerable groups were also consulted on site concerning the Project impact and their livelihood aspects. The sub-consultants team held consultation meetings at two separate locations during the census and survey (Table 5.1) in January 2004. The Resettlement Specialists and the BWDB staff also consulted the local people and their representatives during the preparation of this RP.

55. The inputs from the stakeholders meetings have been used to develop appropriate mitigation measures. This interactive approach will continue during the implementation of the Project through the INGO.

Table 5.1: Summary of Consultation Meetings

| Date | Location and President of the Meetings | Participants | Issues discussed |
|-------------|--|---|---|
| 7 Jan 2004 | Maijkhali Md. Abdus Sattar | Farmers, people's representatives, NGO workers, fishers, women group, students, and village elders. | Land acquisition, relocation, land use along the bankline, riverbank protection measures, resettlement requirements, etc. |
| 10 Jan 2004 | Bijoyganj Md. Motiar Rahman | Farmers, religious leader, women group, fishers, NGO workers, and village elders. | Bank protection options, people's expectation, option for relocation, vulnerability of women and children, income constraints, etc. |

56. This interactive approach will continue during the implementation of the Project through INGO. The INGO was deployed by BWDB on February 16, 2005 and, as per its Terms of Reference (TOR), a *Resettlement Information Brochure* developed for the Project and approved by the PD, JMREMP, is being distributed to APs, providing general Project background and especially focusing on the *Resettlement Entitlement Matrix* and the due process involved in receiving Resettlement Benefits. The RP currently being translated into Bangla by the INGO will be placed at the Union Parishad by mid-July 2005 until the Information Resource Center is completed through the JFPR social development program.

5.2 Steps to Ensure Stakeholders Participation

57. The INGO, will publish brochure, leaflets, etc. explaining the impact of the Project, compensation policies for APs, resettlement options/strategies for HHs and SBEs, and tentative implementation schedule of the Project. Further steps will be taken (i) to keep the APs informed about land acquisition plan, compensation policy and payments, and (ii) to ensure that APs will be involved in making decisions concerning relocation and implementation of the RP.

58. Resettlement Advisory Committees (RACs) will be formed during the implementation stage, to seek cooperation from various stakeholders in the decision-making and implementation of RP. Representatives of the APs will be involved in the Grievance Redress Committees (GRC) to review and resolve disputes concerning compensation and other Resettlement Benefits. Finally, there will be continuous on-site consultation during the implementation stage to ensure that the APs receive their due entitlements/benefits. The resettlement implementation committees like JVT, PVAT, and GRC will be formed.

5.3 Social Issues and Development Needs

59. The erosion victims, particularly those without assets, are very poor and vulnerable in physical, social/gender and economic dimensions. Physical dimension includes problems with existing shelter/housing while economic dimensions involve adjustments to losses, employment/income, and livelihood sources. Some of the social issues will be addressed under the JFPR funded program.

CHAPTER 6 RESETTLEMENT AND INCOME RESTORATION PROGRAMS

6.1 Resettlement Strategy for APs

60. "Self-relocation" is considered as a better option compared to the Govt. sponsored relocation and the Project will encourage self-relocation by affected HHs in groups or individually keeping kinship or other social ties to minimize social disruption but maximize mutual self-help support. There is sufficient land available within the vicinity and there is potential to mutually relocate. The RP keeps provision for clustered relocation and provides extra supports like tube well, latrine, access road etc. to each clusters. BWDB will develop the access road if required and ensure plantation, sanitation and water supply in the relocation site.

6.2 Income Restoration Strategies

61. The people of the area are habituated in rolling type of lives struggling with the havoc of river erosion and flooding. On the other hand the river and the embankment are also playing a big role in their economic aspects. The affected HHs and SBEs are anticipated not to relocate at long distance. Other than place of residence and businesses, they are not losing sources of livelihood/client base permanently.

62. The affected HHs and small business enterprises requiring relocation from this section of the bankline for 2004/2005 bank protection work may suffer temporarily due to loss of workdays/income and lost businesses. Income restoration assistance in the form of grant will be paid to eligible APs. The APs, including those experiencing indirect or secondary impact, will be eligible for assistance due to loss of employment/workdays (daily wage labor, second/third income-earners) due to dislocation and relocation.

6.2.1 Assistance in Re-establishing Business

63. The Resettlement plan has provisions to provide assistance to affected SBEs to restore their businesses. All SBEs, irrespective of titled/non-titled owners of business premises, will receive a cash grant for loss of business premise, plus shifting or moving allowance, and one-time cash business restoration. The employees will receive a grant for loss of workday/employment. This assistance is intended to help SBEs to re-establish businesses in new locations.

64. It is expected that all the APs and businesses will continue their previous occupations and commercial activities in post-relocation period with the same client base. As a result, no training program for alternative occupation will be necessary for owners of affected SBEs.

6.2.2 Employment in Construction

65. The Civil work contractors will require many unskilled laborers for earthworks in revetment construction. BWDB will make provision with the contractors for preferential access to employment by deserving APs, including affected women, if possible.

6.2.3 Tree Plantation Program

66. There are not many valuable trees there on the ROW as people fell them for salvation purpose. Of the remaining ones most trees are of small and medium size. The RP NGO will organize women and other vulnerable groups in the resettlement clusters (assisted by the Resettlement and Social Development Specialists for selection of species, design plan, and other technical support for example, training) for roadside plantation.

6.3 Social Development Support

67. The INGO may start savings and income generation programs on its own for providing capital support for income restoration and poverty reduction. The vulnerable APs will also be covered under SDP supported by JFPR.

CHAPTER 7 INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION SCHEDULE

7.1 Institutional Arrangement

68. The Project Director (PD) of PMO, BWDB, Dhaka will monitor the RP implementation through the Chief Resettlement Officer (CRO). The PD will recruit and appoint the NGO and will be in charge of the overall implementation program. The Executive Engineer/SDE Bera O&M Division, BWDB, Bera, Pabna will act as the Resettlement Coordinator (RC) at the field level. The appointed NGO will open a field office to implement the RP and will involve APs, including women, representatives of the local Government Institutions in the implementation process.

69. The Deputy Commissioner, Pabna is responsible for acquisition of land for the Project. The RC will ensure co-ordination between various relevant offices, particularly DC at the district level, and the INGO.

70. There are provisions for (i) one international resettlement specialist, (ii) one local resettlement specialist attached with the Project's Management Consultant (MC). In addition, there will be an external monitor for independent monitoring. The resettlement specialists will provide technical support to BWDB and supervise/monitor and review the field activities of the RP implementing NGO in collaboration with the Bera O&M Division, BWDB, Pabna.

71. The EA staff associated with implementation of RPs will undergo intensive training on involuntary resettlement management for their capacity enhancement. The MC will organize such training involving both the EA staff and the implementing NGO.

7.2 Resettlement Implementation Committees/Teams

72. The Ministry of Water Resources (MOWR), through a gazette notification, will form various committees/teams³⁹ for implementation of the RP at the field level. A Joint Verification Team (JVT) will be formed to carry out the physical verification. Implementing NGO will computerize losses of physical assets and their owners identified by the JVT. A Property Valuation Advisory Team (PVAT) will be formed to review the assessment of the implementing NGO on the market price of land and other property affected by the Project at their replacement cost. A Grievances Redress Committee (GRC) will be formed for resolving any grievances involving Resettlement Benefits, relocation, and other assistance. The scope and responsibility of these committees/teams will clearly be defined in the gazette.

73. The JVT and PVAT will consist of officials from the respective Deputy Commissioner's office, a representative from EA, and a representative from the INGO. The Resettlement Coordinator (RC) at the Subproject Office (SMO) level will chair the JVT/PVAT as convener and representative of the implementing NGO will act as the member secretary.

³⁹ Joint Verification Team (JVT), Property Valuation Advisory Team (PVAT) and Grievance Redress Committee (GRC).

74. To resolve the grievances of the APs and assist the resettlement activities, two Grievance Redress Committees (GRC); one for each of the sub-projects, have already been formed and will be gazetted soon. The GRC will consist of Sub-Divisional Engineer (SDE)/Assistant Engineer or any official with the same status from BWDB; the Area Manager/Deputy Team leader or equivalent officer/specialist of the INGO; the Union Parishad Chairman or a member of the concerned local government; and a representative of the APs selected by Resettlement Advisory Committee (RAC). The BWDB representative will chair the GRC, and the INGO representative will act as Member Secretary.

75. The functions of the GRCs will be to:

- Receive applications and hold hearings on AP grievances concerning the Project, in particular regarding resettlement issues.
- Refer APs to the concerned authority/Deputy Commissioner if the grievance can be dealt through conventional law or by arbitration.
- Make decisions to resolve AP grievances following RP policy if outside conventional law and if the grievance does not lend itself to arbitration.
- Prepare recommendations according to the procedure described by the GRC in resolving AP complaints.

76. The GRCs will receive AP grievances and resolve them in the following manner:

- The written AP grievance will be lodged with the GRC within a month of the receipt of ID Card or from when the AP is informed of their entitlement.
- The GRC will meet to resolve the AP grievance within 10 days of its receipt and will preserve the records and procedure of the meeting. The GRC will mention the basis of its resolutions in the written record of its meetings.
- The GRC will publicize its decisions regarding AP grievances through local community meetings and through the distribution of leaflets to the public.
- All the GRC activities will take place in the office of the GRC chairperson.

77. The INGO will form resettlement advisory committee (RAC) to involve the local communities and APs in the implementation process. RAC will be formed by the INGO after its placement consisting of representatives from APs, women/vulnerable groups and LGI and constituted by the Project Director, PMO, JMREMP. The local UP Chairmen/Member will chair the RAC and representative of the INGO will act as the member secretary.

7.3 Implementation Schedule

78. The implementation schedule of the RF adopted will be followed for implementation of this RP. Land has already been acquired through the Deputy Commissioners' Office covering the 2.4km bankline for 2004/2005 work of which 50% land are eroded land presumably khas.

79. A time-bound implementation schedule for the RP has been prepared in accordance with the Project construction schedule. The overall schedule of implementation is based on

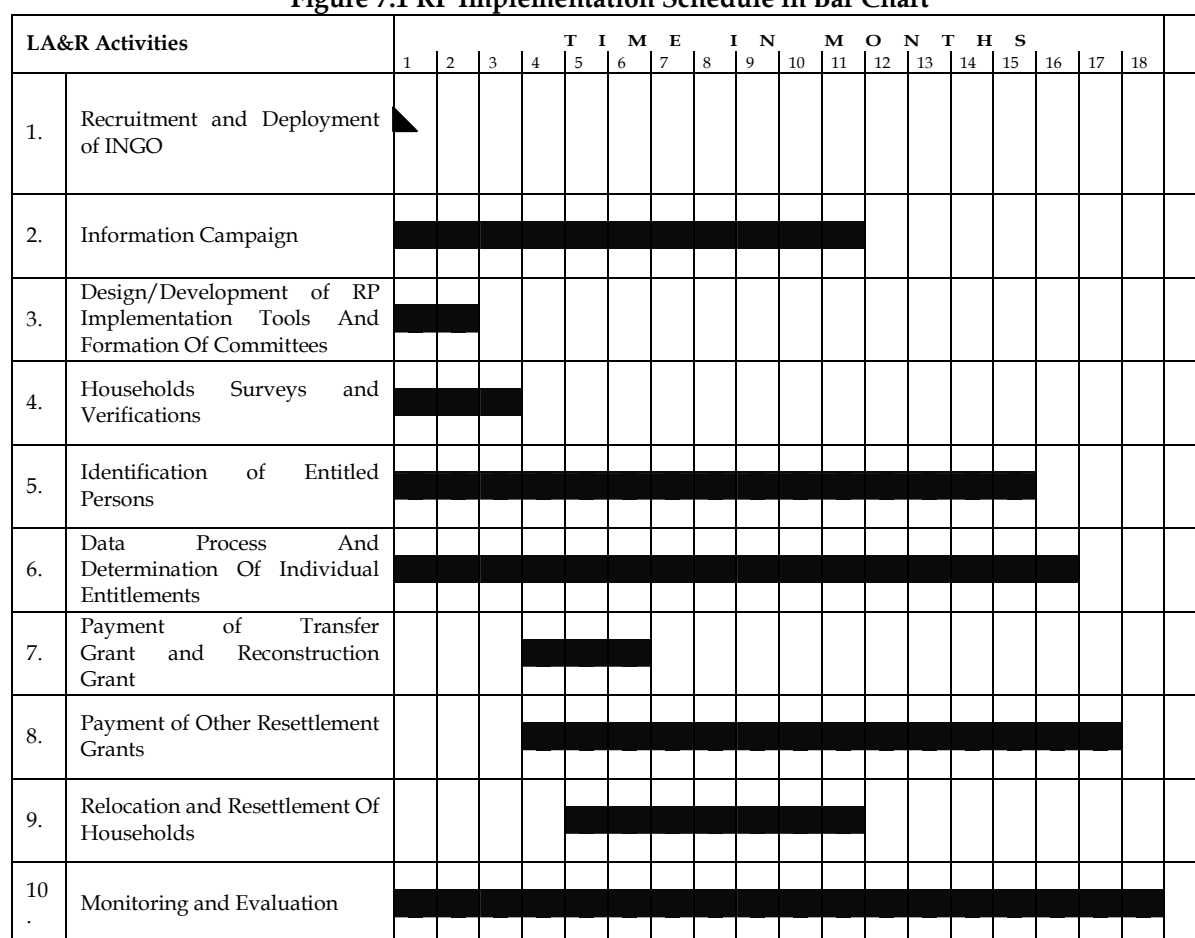
the principle that people affected by the Project are paid their due Resettlement Benefits prior to displacement. The NGO will assist the APs in the process of relocation and resettlement. Individual entitlements on HH basis will be processed by the NGO. Each EP will receive an ID card and an entitlement card. The implementation of this RP will be completed in 18 months from the date of deployment of the NGO in the field (Table 7.1 & Figure 7.1).

Table 7.1 PIRDP RP Implementation Schedule

| Sl.No. | LA&R Activities | Start Date | Completion Date |
|--------|---|-------------|---------------------------|
| 1. | Deployment& Orientation of INGO | 16 Feb 2005 | 23 Feb 2005 |
| 2. | Information Campaign | 1 Mar 2005 | 28 Feb 2006 |
| 3. | Design/Development of RP Implementation Tools And Formation Of Committees | 24 Feb 2005 | 24 Apr 2005 |
| 4. | Household Surveys and Verifications | 1 Mar 2005 | 30 Apr 2005 |
| 5. | Identification of Entitled Persons | 1 Mar 2005 | 30 Jun 2006 |
| 6. | Data Process And Determination Of Individual Entitlements | 10 Mar 2005 | 30 Jul 2006 |
| 7. | Payment Of Transfer & Reconstruction Grant | 20 Mar 2005 | 20 May 2005 |
| 8. | Payment Of Other Resettlement Grants | 1 Apr 2005 | 31 May 2006 ⁴⁰ |
| 9. | Relocation And Resettlement Of Households | 20 Mar 2005 | 20 Sep 2005 |
| 10. | Monitoring And Evaluation | 16 Feb 2005 | 16 Jul 2006 |

⁴⁰ The Additional Grant for Land will be matched to CCL payments to assure the market price is received. The cadastral mapping was initially carried out in the 19th Century, and the maps – in S. Asia referred to variously as Revenue Maps, Mauza Maps, or Village maps, though in Bangladesh usually as ‘Mauza Maps’ -- have not changed substantially since 1905. These original mauza maps now show ownership as subdivided among heirs, and this in many cases needs updating from the 1960s. Therefore, there may be numerous ownership disputes to be resolved, and the actual number of CCL awards will not be known until the process is carried out, and the Additional Grant for Land schedule will depend on the award of CCL, which could take up to a year in cases where there are land disputes. Other APs will receive the Grant for Underwater Land for underwater land they still may legally claim. In both cases, more time may be required for the DC to make certain of legal ownership claims. Otherwise, the Resettlement Grants will be made at the time of household relocation

Figure 7.1 RP Implementation Schedule in Bar Chart



7.4 Budget and Cost Estimates

80. The total estimated cost for land acquisition and resettlement is Taka 20.39 million (USD 0.349 million) for the PIRDP and Old Embankment (PIRDP) RPs combined.⁴¹ The entire budget for land acquisition and resettlement will be provided from GOB fund. The budget includes all costs for acquisition of land and assets and cost associated with involuntary resettlement. The detailed cost estimate for land acquisition, resettlement and implementation of RP is given in Table 7.2.

⁴¹ Revised downward from the Taka 29.00 million (USD 0.496 million) in Table 7.2 but not including the 2005/6 Construction period.

Table 7.2: Land Acquisition and Resettlement Budget

| Sl. No. | Particulars | Unit | Quantity | Rate in Tk. | Total (Tk.) |
|----------------------|--|---------|----------|-------------|-------------------|
| A | Land Acquisition Cost | | | | |
| 1 | CCL for land (Above LWL) | ha | 7.54 | 1,037,400 | 7,821,996 |
| 2 | CCL for land (Below LWL) | ha | 7.54 | 691,600 | 5,214,664 |
| 3 | Cash compensation for structure | sft. | 12,889 | 60 | 773,340 |
| 4 | Compensation for trees/perennials | LS | | | 500,000 |
| 5 | Overhead @ 2% | | | | 286,200 |
| <i>Sub-total</i> | | | | | 14,596,200 |
| B | Resettlement Grants | | | | |
| 1 | Transfer grant | no. | 38 | 2,000 | 76,000 |
| 2 | Homestead development grant | no. | 37 | 5,000 | 185,000 |
| 3 | Reconstruction grants | no. | 38 | 3,000 | 114,000 |
| 4 | Additional grants for floodplain land | ha | 7.54 | 262,600 | 1,980,004 |
| 5 | Additional grants for under water land | ha | 7.54 | 176,000 | 1,327,040 |
| 6 | Additional grants for structure | sft. | 12,889 | 25 | 322,225 |
| 7 | Refund of registration cost @ 15% (60% probable cases) | ha | 9.05 | 325,140 | 441,378 |
| 8 | Subsistence allowance for male headed HH | no. | 31 | 2,000 | 62,000 |
| 9 | Subsistence allowance for female headed HH | no. | 6 | 3,000 | 18,000 |
| 10 | Cash grant for TCF | Decimal | 238 | 200 | 47,600 |
| 11 | Cash grant for business restoration | no. | 1 | 2,000 | 2,000 |
| 12 | Income substitution for employees | no. | 0 | 1,500 | - |
| <i>Sub-total</i> | | | | | 4,575,247 |
| C | Host area development/Civic amenity (assessed by BWDB) | LS | | | 3,000,000 |
| D | Project induced erosion of char land | LS | | | 2,000,000 |
| E | NGO including overhead | LS | | | 2,500,000 |
| F | EA Capacity Building Training | LS | | | 500,000 |
| G | Monitoring and evaluation | | | | 450,000 |
| Total | | | | | 27,621,447 |
| H | Contingency @ 5% on Total | | | | 1,381,072 |
| Grand Total | | | | | 29,002,519 |
| US Dollar equivalent | | | | | 495,770 |

CHAPTER 8 MONITORING AND EVALUATION

8.1 Supervision and M&E

81. The Project Director in coordination with the CRO and BWDB staff, MC and the INGO will supervise and monitor -the tasks of resettlement implementation. The RP implementation monitoring will be done both internally and externally to provide feedback to BWDB and to assess the effectiveness.

8.2 Internal Monitoring

82. The internal monitoring by BWDB will deal with all aspects of land acquisition and resettlement. The CRO, assisted by the field staff/NGO, will establish a monthly monitoring system and prepare monthly progress reports on all aspects of RP, following annex-3. The benchmark data for Project level monitoring will come from the socio-economic survey database created during planning and implementation stages.

8.3 External Monitoring

83. The BWDB upon consent by the Asian Development Bank will recruit an Independent Monitor for monitoring the performance of RP implementation. The External Monitor is currently being recruited, however, this will require a loan variation, and the recruitment is expected to be completed on or before September 2005. The specific tasks and methodology for external monitoring will be as per the TOR (annex-4) and shall include: (i) review of pre-Project baseline data on APs; (ii) identification and selection of an appropriate set of indicators for gathering and analyzing information on resettlement impact; (iii) use of various formal and informal surveys for impact analysis; and (iv) an assessment of RP strategy, effectiveness, impact and sustainability, drawing lessons as a guide to future Project preparation work. The independent monitor will work on six-monthly-basis and will report to the ADB through the BWDB.

8.4 Supervision by MC Consultants

84. The Resettlement Specialists will directly supervise and monitor the implementation of RP. The supervision and monitoring work shall involve review of resettlement implementation, verification of the results of internal monitoring in the field, and consultation with APs, officials and community leaders for preparing review reports.

85. In addition to regular review missions, ADB will undertake Mid-Term comprehensive review of the RP implementation.

8.5 Reporting Requirements

86. During Project implementation, BWDB will establish a monthly monitoring system involving BWDB and NGO staff, and prepare monthly progress reports on all aspects of resettlement operations.

87. During the implementation, the Project Director will send status reports on RP implementation periodically to ADB and a final report once the resettlement is completed. The report will reflect on the resettlement experience and lessons learned for improved management of land acquisition and resettlement in subsequent phases of the subproject. The progress of LA&R will be included in the Project Quarterly Report.

88. The Project Management Consultants will also carry out periodic review of the RP implementation. The Resettlement Specialist will conduct the periodic review and supervision missions during the implementation of the RP and will report to BWDB and the ADB on the progress of all aspects of resettlement activities. A post-evaluation of RP activities will be carried out by ADB to assess the resettlement impact and sustainability of the resettlement program.

Annex-1

List of Landowners in PIRDP Outside the lowest water level

Jamuna Meghna River Erosion Mitigation Project (JMREMP)

**List of the Land owners according to Plot Number
in the 36 meter wide alignment (Under water) from the AD line toward river side
(From 89.000 to 92.500)**

| Sl.No | Mouza | Ledger No. | Plot No. | Name of owner | Amnt.of land (Dec) | Type of land | Remarks |
|-------|--------------|------------|----------|--------------------------|--------------------|--------------|---------|
| 1 | Gheor | 6 | 406 | Asiron Nesa (Self) | 5 | Veg.Garden | |
| 2 | Gheor | 45 | 409 | Abdur Rashid Gong | 19 | Homestead | |
| 3 | Gheor | 36 | 410 | Doiyam gong | 8 | Cropped | |
| 4 | Gheor | 13 | 421 | Doiyam-Anjer | 12 | Cropped | |
| 5 | Gheor | 13 | 416 | Doiyam-Anjer | 11 | Cropped | |
| 6 | Gheor | 36 | 411 | Doiyam gong (self) | 8 | Cropped | |
| 7 | Gheor | 12 | 412 | Anjer Bepari gong | 8 | Cropped | |
| 8 | Gheor | 190 | 413 | Hazrat Bepari (self) | 9 | Cropped | |
| 9 | Gheor | 113 | 414 | Jhumur (self) | 5 | Cropped | |
| 10 | Gheor | 113 | 415 | Jhumur (self) | 12 | Cropped | |
| 11 | Gheor | 6 | 405 | Asiron Nesa,H\Kasimuddin | 5 | Veg.Garden | |
| 12 | Gheor | 155 | 404 | Moniruddin gong | 10 | Veg.Garden | |
| 13 | Gheor | 199 | 334 | Hefazuddin gong | 42 | Cropped | |
| 14 | Gheor | 199 | 335 | Hefazuddin gong | 22 | Cropped | |
| 15 | Gheor | 118 | 333 | Taiazuddin (self) | 54 | Cropped | |
| 16 | Gheor | 99 | 425 | Zoynal (self) | 10 | Homestead | |
| 17 | Gheor | 99 | 426 | Zoynal (self) | 10 | Homestead | |
| 18 | Gheor | 83 | 397 | Gedu Pramanik (self) | 38 | Cropped | |
| 19 | Gheor | 139 | 336 | Naimuddin Mollah (self) | 5 | Cropped | |
| 20 | Gheor | 139 | 337 | Naimuddin Mollah (self) | 10 | Cropped | |
| 21 | Gheor | 196 | 338 | Hefaz (self) | 9 | Cropped | |
| 22 | Gheor | 118 | 332 | Taiazuddin (self) | 33 | Cropped | |
| 23 | Gheor | 71 | 339 | Entaz (self) | 22 | Cropped | |
| 24 | Gheor | 70 | 340 | Eken sardar(self) | 17 | Cropped | |
| 25 | Gheor | 83 | 341 | Gedu Pramanik (self) | 15 | Cropped | |
| 26 | Gheor | 71 | 342 | Entaz sardar (self) | 15 | Cropped | |
| 27 | Gheor | 71 | 343 | Entaz sardar (self) | 9 | Cropped | |
| 28 | Gheor | 28 | 346 | Abul Kashem (self) | 47 | Cropped | |
| 29 | Gheor | 116 | 347 | Tafiz gong | 34 | Cropped | |
| 30 | Gheor | 196 | 348 | Hefazuddin (self) | 37 | Cropped | |
| 1 | Harirampur-4 | 1849 | 8190 | Hefaz gong | 96 | Cropped | |
| 2 | Harirampur-4 | 618 | 8189 | Eman Ali (self) | 20 | Cropped | |
| 3 | Harirampur-4 | 1473 | 8188 | Mohammad Ali (self) | 28 | Cropped | |
| 4 | Harirampur-4 | 1267 | 8187 | Rani Bewa (self) | 27 | Cropped | |
| 5 | Harirampur-4 | 785 | 8185 | Gedulal | 28 | Cropped | |
| 6 | Harirampur-4 | 107 | 8186 | Anary Bewa (self) | 20 | Cropped | |
| 7 | Harirampur-4 | 209 | 8184 | Kader Bepari gong | 28 | Cropped | |
| 8 | Harirampur-4 | 460 | 7709 | Kashem (self) | 63 | Cropped | |
| 9 | Harirampur-4 | 508 | 7719 | Amzad gong | 54 | Cropped | |
| 10 | Harirampur-4 | 508 | 7720 | Amzad gong | 72 | Cropped | |
| 11 | Harirampur-4 | 407 | 7721 | Abdul Latif gong | 31 | Cropped | |
| 12 | Harirampur-4 | 1730 | 7722 | Sher Ali khan (self) | 33 | Cropped | |

| | | | | | | | |
|----|--------------|-------|------|----------------------------|-----|---------|--|
| 13 | Harirampur-4 | 1036 | 7718 | Taleb Khan (self) | 16 | Cropped | |
| 14 | Harirampur-4 | 1528 | 7716 | Razem Fakir (self) | 15 | Cropped | |
| 15 | Harirampur-4 | 1527 | 7715 | Razem Fakir (self) | 15 | Cropped | |
| 16 | Harirampur-4 | 1585 | 7714 | Lal Miah (self) | 34 | Cropped | |
| 17 | Harirampur-4 | 119 | 7727 | Anwar gong | 28 | Cropped | |
| 18 | Harirampur-4 | 518 | 7728 | Amir gong | 20 | Cropped | |
| 19 | Harirampur-4 | 373 | 7729 | Abdur Rahman (self) | 27 | Cropped | |
| 20 | Harirampur-4 | 1847 | 7731 | Hefaz gong | 15 | Cropped | |
| 21 | Harirampur-4 | 84 | 7732 | Atikul (self) | 34 | Cropped | |
| 22 | Harirampur-4 | 84 | 7733 | Atikul (self) | 23 | Cropped | |
| 23 | Harirampur-4 | 870 | 7735 | Shohrab gong | 19 | Cropped | |
| 24 | Harirampur-4 | 934 | 7736 | Zabed gong | 52 | Cropped | |
| 25 | Harirampur-4 | 941 | 8094 | Montaz gong | 93 | Cropped | |
| 26 | Harirampur-4 | 591 | 8092 | yunus gong | 32 | Cropped | |
| 27 | Harirampur-4 | 1330 | 8091 | Mozir gong | 26 | Cropped | |
| 28 | Harirampur-4 | ***** | 8090 | ***** | 43 | Cropped | |
| 29 | Harirampur-4 | 424 | 8082 | A.Hye (self) | 17 | Cropped | |
| 30 | Harirampur-4 | 1430 | 8088 | Mahtab (self) | 30 | Cropped | |
| 31 | Harirampur-4 | 1320 | 8086 | Mozibor (self) | 31 | Cropped | |
| 32 | Harirampur-4 | 1572 | 8087 | Rokeya (self) | 31 | Cropped | |
| 33 | Harirampur-4 | 1495 | 7742 | Razob (self) | 28 | Cropped | |
| 34 | Harirampur-4 | 940 | 7743 | Zomiron Nesa (self) | 40 | Cropped | |
| 35 | Harirampur-4 | 1081 | 7744 | Dudu Sheikh (self) | 23 | Cropped | |
| 36 | Harirampur-4 | 1466 | 7745 | Moslem gong, Maniknagar | 43 | Cropped | |
| 37 | Harirampur-4 | 871 | 7746 | Shohrab (self) | 23 | Cropped | |
| 38 | Harirampur-4 | 239 | 7747 | Gofur (self) | 22 | Cropped | |
| 39 | Harirampur-4 | 1328 | 7748 | Mozir (self) | 22 | Cropped | |
| 40 | Harirampur-4 | 661 | 7749 | Talem Khan (self) | 22 | Cropped | |
| 41 | Harirampur-4 | 1764 | 7750 | Haque Ali (self) | 22 | Cropped | |
| 42 | Harirampur-4 | 592 | 7751 | yunus gong | 22 | Cropped | |
| 43 | Harirampur-4 | 557 | 7752 | Alimuddin (self) | 60 | Cropped | |
| 4 | Harirampur-4 | 557 | 7753 | Alimuddin (self) | 42 | Cropped | |
| 45 | Harirampur-4 | 370 | 7754 | A. Rashid khan (self) | 19 | Cropped | |
| 46 | Harirampur-4 | 421 | 7755 | Hye gong | 24 | Cropped | |
| 47 | Harirampur-4 | 153 | 7756 | Mirza Awal gong | 10 | Cropped | |
| 48 | Harirampur-4 | 424 | 7757 | Hye gong | 16 | Cropped | |
| 49 | Harirampur-4 | 315 | 7758 | Mirza A. Baset (self) | 33 | Cropped | |
| 50 | Harirampur-4 | 153 | 7759 | Mirza Awal gong | 140 | Cropped | |
| 51 | Harirampur-4 | 1359 | 7764 | Monser gong | 11 | Cropped | |
| 1 | Harirampur-3 | 97 | 6383 | Anser Ali (self) | 4 | Cropped | |
| 2 | Harirampur-3 | 2 | 6384 | WDB | 8 | Cropped | |
| 3 | Harirampur-3 | 1014 | 5435 | Tamser gong | 4 | Cropped | |
| 4 | Harirampur-3 | 2 | 5434 | WDB | 12 | Cropped | |
| 5 | Harirampur-3 | 286 | 5433 | Doiyam gong | 4 | Cropped | |
| 6 | Harirampur-3 | 2 | 5432 | WDB | 6 | Cropped | |
| 7 | Harirampur-3 | 2 | 5430 | WDB | 6 | Cropped | |
| 8 | Harirampur-3 | 2 | 5429 | WDB | 7 | Cropped | |
| 9 | Harirampur-3 | 895 | 5445 | Zoynab Khatun (self) | 14 | Cropped | |
| 10 | Harirampur-3 | 652 | 5446 | Samad gong | 11 | Cropped | |
| 11 | Harirampur-3 | 1014 | 5448 | Tamser Khan (self) | 19 | Cropped | |
| 12 | Harirampur-3 | 1014 | 5449 | Tamser Khan (self) | 91 | Cropped | |
| 13 | Harirampur-3 | 1951 | 5450 | Latif (self) | 39 | Cropped | |
| 14 | Harirampur-3 | 1844 | 5451 | Humayun Kabir (self) | 48 | Cropped | |
| 15 | Harirampur-3 | 2 | 5452 | WDB | 3 | Cropped | |

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|----|--------------|------|------|-----------------------------------|----|-----------|--|
| 16 | Harirampur-3 | 2 | 5453 | WDB | 5 | Cropped | |
| 17 | Harirampur-3 | 2 | 5454 | WDB | 8 | Cropped | |
| 18 | Harirampur-3 | 2 | 5456 | WDB | 4 | Cropped | |
| 19 | Harirampur-3 | 2 | 5457 | WDB | 12 | Cropped | |
| 20 | Harirampur-3 | 1397 | 5458 | Moiz gong | 13 | Cropped | |
| 21 | Harirampur-3 | 1844 | 5464 | Humayun Kabir (self) | 63 | Cropped | |
| 22 | Harirampur-3 | 1599 | 5465 | Tamser Ali (self) | 79 | Cropped | |
| 23 | Harirampur-3 | 1014 | 5466 | Tamser Ali (self) | 44 | Cropped | |
| 24 | Harirampur-3 | 1014 | 5489 | Tamser Ali (self) | 23 | Cropped | |
| 25 | Harirampur-3 | 1014 | 5488 | Tamser Ali (self) | 10 | Cropped | |
| 26 | Harirampur-3 | 1014 | 5490 | Tamser Ali (self) | 11 | Cropped | |
| 27 | Harirampur-3 | 1014 | 5495 | Tamser Ali (self) | 30 | Cropped | |
| 28 | Harirampur-3 | 1014 | 5496 | Tamser Ali (self) | 20 | Cropped | |
| 29 | Harirampur-3 | 1014 | 5491 | Tamser Ali (self) | 11 | Cropped | |
| 30 | Harirampur-3 | 1952 | 5492 | Tamser Ali (self) | 27 | Cropped | |
| 31 | Harirampur-3 | 1014 | 5493 | Tamser Ali (self) | 6 | Cropped | |
| 32 | Harirampur-3 | 1014 | 5494 | Tamser Ali (self) | 6 | Cropped | |
| 33 | Harirampur-3 | 1 | 5483 | Govt. of Bangladesh | 8 | Cropped | |
| 34 | Harirampur-3 | 1014 | 5484 | Tamser Ali (self) | 12 | Cropped | |
| 35 | Harirampur-3 | 1014 | 5485 | Tamser Ali (self) | 15 | Cropped | |
| 36 | Harirampur-3 | 1014 | 5486 | Tamser Ali (self) | 12 | Cropped | |
| 37 | Harirampur-3 | 1014 | 5489 | Tamser Ali (self) | 23 | Cropped | |
| 38 | Harirampur-3 | 122 | 5094 | Afsar gong | 13 | Homestead | |
| 39 | Harirampur-3 | 80 | 5093 | Atorzan Nesa (self) | 12 | Homestead | |
| 40 | Harirampur-3 | 335 | 5092 | Abdul Bari (self) | 6 | Homestead | |
| 41 | Harirampur-3 | 134 | 5091 | Afaz (self) | 6 | Homestead | |
| 42 | Harirampur-3 | 1953 | 5090 | Foiz (self) | 15 | Homestead | |
| 43 | Harirampur-3 | 1940 | 5089 | Satter (self) | 36 | Homestead | |
| 44 | Harirampur-3 | 1 | 5141 | Govt. of Bangladesh | 32 | Cropped | |
| 45 | Harirampur-3 | 1 | 5142 | Govt. of Bangladesh | 60 | Cropped | |
| 46 | Harirampur-3 | 1281 | 5118 | Baharam Sheikh (self) | 18 | Homestead | |
| 47 | Harirampur-3 | 1 | 5119 | Govt. of Bangladesh | 8 | Cropped | |
| 48 | Harirampur-3 | 456 | 5120 | Abbas Bepari (self) | 6 | Cropped | |
| 49 | Harirampur-3 | 335 | 5124 | Abdul Bari (self) | 1 | Cropped | |
| 50 | Harirampur-3 | 1040 | 5129 | Taherunnesa gong | 7 | Homestead | |
| 51 | Harirampur-3 | 974 | 5130 | Zulmat sarker (self) | 10 | Homestead | |
| 52 | Harirampur-3 | 470 | 5134 | Bashar (self) | 16 | Homestead | |
| 53 | Harirampur-3 | 471 | 5131 | Bashar (self) | 8 | Homestead | |
| 54 | Harirampur-3 | 201 | 5132 | A. Kader (self) | 7 | Homestead | |
| 55 | Harirampur-3 | 1594 | 5133 | Lokman (self) | 8 | Homestead | |
| 56 | Harirampur-3 | 450 | 5140 | Hamid gong | 12 | Homestead | |
| 57 | Harirampur-3 | 687 | 5143 | Karim (self) | 7 | Homestead | |
| 58 | Harirampur-3 | 687 | 5163 | Karim (self) | 8 | Cropped | |
| 59 | Harirampur-3 | 452 | 5164 | A. Hamid (self) | 36 | Cropped | |
| 60 | Harirampur-3 | 1 | 5162 | Govt. of Bangladesh | 12 | Cropped | |
| 61 | Harirampur-3 | 400 | 5168 | Latif (self) | 46 | Homestead | |
| 62 | Harirampur-3 | 479 | 5165 | Abul Hossain (self) | 14 | Homestead | |
| 63 | Harirampur-3 | 479 | 5166 | Abul Hossain (self) | 14 | Homestead | |
| 64 | Harirampur-3 | 1883 | 5170 | Barkat Mollah (self) | 41 | Cropped | |
| 1 | Haturia-4 | 1388 | 9194 | Darog Ali gong, Horirampur | 47 | Cropped | |
| 2 | Haturia-4 | 1291 | 9207 | Dalim Nesa,Nayanpur | 80 | Cropped | |
| 3 | Haturia-4 | 1897 | 9206 | Motiar Rahman gong, Harirampur | 9 | Cropped | |

| | | | | | | | |
|----|-----------|------|------|------------------------------------|----|---------|--|
| 4 | Haturia-4 | 744 | 9191 | Elahi box gong, Harirampur | 34 | Cropped | |
| 5 | Haturia-4 | 744 | 9195 | Elahi box gong, Harirampur | 25 | Cropped | |
| 6 | Haturia-4 | 744 | 9196 | Elahi box gong, Harirampur | 19 | Cropped | |
| 7 | Haturia-4 | 1573 | 5197 | Noor Md. Mondol, Nayanpur | 17 | Cropped | |
| 8 | Haturia-4 | 1623 | 9201 | Pathu Mollah, Harirampur | 8 | Cropped | |
| 9 | Haturia-4 | 1897 | 9205 | Motiar Rahman gong, Harirampur | 9 | Cropped | |
| 10 | Haturia-4 | 1736 | 5027 | Badaruddin sarker, Haturia | 20 | Cropped | |
| 11 | Haturia-4 | 1399 | 5026 | Naimuddin sarker,Maldahapara | 41 | Cropped | |
| 12 | Haturia-4 | 2390 | 5028 | Santosh kumar gong,Jagannathpur | 13 | Cropped | |
| 13 | Haturia-4 | 2390 | 5029 | Santosh kumar gong,Jagannathpur | 8 | Cropped | |
| 14 | Haturia-4 | 1320 | 5024 | Tafizuddin Sheikh (self) | 29 | Cropped | |
| 15 | Haturia-4 | 1182 | 5023 | Zoynal uddin Mondol,Haturia | 38 | Cropped | |
| 16 | Haturia-4 | 2390 | 5022 | Santosh kumar gong,Jagannathpur | 21 | Cropped | |
| 17 | Haturia-4 | 781 | 5025 | Kadbanu, Mohongonj | 41 | Cropped | |
| 18 | Haturia-4 | 2390 | 5030 | Santosh kumar gong,Jagannathpur | 4 | Cropped | |

Annex-1-2

List of Landowners in PIRDP Country Side of AD Line

Jamuna Meghna River Erosion Mitigation Project (JMREMP)
List of the Land owners according to Plot Number
in the 36 meter wide alignment (Above Water) from the AD line towards Country Side
(From 89.000 to 92.500 and the Closure Dam)

| Sl.No | Mouza | Ledger No. | Plot No. | Name of owner | Acquired Land | Remarks |
|-------|-----------------|------------|----------|-------------------|---------------|----------|
| 1 | Harirampur-28/3 | 895 | 5445 | Joynav Khatun | 0.12 | Cropped |
| 2 | Harirampur-28/3 | 706 | 5445 | Abdul Hakim | 0.18 | Cropped |
| 3 | Harirampur-28/3 | 652 | 5446 | Abdus Shamad gong | 0.18 | Cropped |
| 4 | Harirampur-28/3 | 553 | 5447 | Abdul Karim | 0.2 | Cropped |
| 5 | Harirampur-28/3 | 1014 | 5448 | Tamshar Ali Gong | 0.21 | Cropped |
| 6 | Harirampur-28/3 | 1599 | 5465 | Tamshar Ali Gong | 0.19 | Cropped |
| 7 | Harirampur-28/3 | 1014 | 5467 | Tamshar Ali Gong | 0.05 | Cropped |
| 8 | Harirampur-28/3 | 1014 | 5449 | Tamshar Ali Gong | 0.62 | Cropped |
| 9 | Harirampur-28/3 | 1014 | 5466 | Tamshar Ali Gong | 0.36 | Cropped |
| 10 | Harirampur-28/3 | 292 | 5479 | Abdus Sobhan Gong | 0.15 | Cropped |
| 11 | Harirampur-28/3 | 292 | 5478 | Abdus Sobhan Gong | 0.13 | Cropped |
| 12 | Harirampur-28/3 | 292 | 5480 | Abdus Sobhan Gong | 0.13 | Cropped |
| 13 | Harirampur-28/3 | 1014 | 5489 | Tamshar Ali | 0.02 | Cropped |
| 14 | Harirampur-28/3 | 1014 | 5481 | Tamshar Ali | 0.27 | Cropped |
| 15 | Harirampur-28/3 | 368 | 5488 | Abdur Rashid Gong | 0.01 | Cropped |
| 16 | Harirampur-28/3 | 1014 | 5484 | Tamser Ali | 0.08 | Cropped |
| 17 | Harirampur-28/3 | 1014 | 5485 | Tamser Ali | 0.02 | Cropped |
| 18 | Harirampur-28/3 | 1900 | 5482 | Musa Mandal | 0.12 | Cropped |
| 19 | Harirampur-28/3 | 1 | 5483 | Bangladesh Govt. | 0.06 | Cropped |
| 20 | Harirampur-28/3 | 1832 | 5095 | Halima Khatun | 0.012 | Homstead |
| 21 | Harirampur-28/3 | 300 | 5096 | Abdul Jalil Gong | 0.07 | Homstead |
| 22 | Harirampur-28/3 | 368 | 5100 | Abdur Rashid Gong | 0 | Homstead |
| 23 | Harirampur-28/3 | 368 | 5097 | Abdur Rashid Gong | 0.06 | Homstead |
| 24 | Harirampur-28/3 | 705 | 5101 | Kalam | 0.02 | Homstead |
| 25 | Harirampur-28/3 | 948 | 5121 | Jalal | 0.04 | Homstead |
| 26 | Harirampur-28/3 | 96 | 5122 | Ansar Ali | 0.02 | Homstead |
| 27 | Harirampur-28/3 | 948 | 5112 | Jalal Uddin | 0.04 | Homstead |
| 28 | Harirampur-28/3 | 1944 | 5017 | Sadek Ali Gong | 0.01 | Cropped |
| 29 | Harirampur-28/3 | 368 | 5120 | Abdur Rashid | 0.01 | Cropped |
| 30 | Harirampur-28/3 | 368 | 5121 | Abdur Rashid | 0.01 | Cropped |
| 31 | Harirampur-28/3 | 1281 | 5118 | Bahram Sheikh | 0.012 | Homstead |
| 32 | Harirampur-28/3 | 1 | 5119 | Bangladesh Govt. | 0.08 | Homstead |
| 33 | Harirampur-28/3 | 456 | 5120 | Abbas Bepari | 0.06 | Homstead |
| 34 | Harirampur-28/3 | 683 | 5123 | Kafil Uddin | 0.03 | Homstead |
| 35 | Harirampur-28/3 | 683 | 5124 | Kafil Uddin | 0.01 | Homstead |
| 36 | Harirampur-28/3 | 683 | 5125 | Kafil Uddin | 0.02 | Homstead |
| 37 | Harirampur-28/3 | 1040 | 5129 | Taherun Nesa | 0.07 | Cropped |
| 38 | Harirampur-28/3 | 1244 | 5134 | Fayez Ali | 0.19 | BWDB |
| 39 | Harirampur-28/3 | 471 | 5131 | Abul Bashar | 0.01 | Homstead |
| 40 | Harirampur-28/3 | 201 | 5132 | Abdul Kader | 0.02 | Homstead |
| 41 | Harirampur-28/3 | 1595 | 5133 | Lokman Hossain | 0.03 | Homstead |
| 42 | Harirampur-28/3 | 470 | 5126 | Abul Bashar | 0.016 | Homstead |
| 43 | Harirampur-28/3 | 1244 | 5128 | Fayez Uddin | 0.02 | Cropped |
| 44 | Harirampur-28/3 | 368 | 5135 | Abdur Rashid | 0.01 | Cropped |
| 45 | Harirampur-28/3 | 1249 | 5136 | Basir Uddin | 0.02 | Cropped |
| 46 | Harirampur-28/3 | 1669 | 5137 | Shah Alam | 0.03 | Cropped |
| 47 | Harirampur-28/3 | 1836 | 5143 | Haider Ali | 0.03 | Cropped |
| 48 | Harirampur-28/3 | 450 | 5140 | Abdul Hamid | 0.04 | Homstead |
| 49 | Harirampur-28/3 | 450 | 5139 | Abdul Hamid | 0.08 | Homstead |

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|----|------------------|------|------|----------------------|------|----------|
| 50 | Harirampur-28/3 | 1194 | 5138 | Nefaz Uddin | 0.04 | Cropped |
| 51 | Harirampur-28/3 | 669 | 5155 | Osman | 0.03 | Homstead |
| 52 | Harirampur-28/3 | 186 | 5149 | Abdul Wahab | 0.02 | Homstead |
| 53 | Harirampur-28/3 | 1194 | 5150 | Nefaj Ali | 0.03 | Homstead |
| 54 | Harirampur-28/3 | 687 | 5151 | Abdul Karim | 0.05 | Homstead |
| 55 | Harirampur-28/3 | 1068 | 5152 | Darog Ali | 0.06 | Homstead |
| 56 | Harirampur-28/3 | 450 | 5144 | Abdul Hamid | 0.02 | Homstead |
| 57 | Harirampur-28/3 | 1069 | 5145 | Darog Ali | 0.04 | Homstead |
| 58 | Harirampur-28/3 | 571 | 5146 | Ahej Uddin | 0.3 | Cropped |
| 59 | Harirampur-28/3 | 1194 | 5147 | Nefaj Uddin | 0.03 | Cropped |
| 60 | Harirampur-28/3 | 1197 | 5148 | Nefaj Uddin | 0.02 | Homstead |
| 61 | Harirampur-28/3 | 400 | 5153 | Abdul Latif | 0.4 | Homstead |
| 62 | Harirampur-28/3 | 773 | 5154 | Khorshed ali | 0.04 | Homstead |
| 63 | Harirampur-28/3 | 1153 | 5161 | Nurul Islam | 0.03 | Homstead |
| 64 | Harirampur-28/3 | 1 | 5162 | Bangladesh Govt. | 0.12 | Homstead |
| 65 | Harirampur-28/3 | 1153 | 5169 | Nurul Islam | 0.11 | Cropped |
| 66 | Harirampur-28/3 | 400 | 5168 | Abdul Latif | 0.26 | Homstead |
| 67 | Harirampur-28/4\ | 1813 | 9190 | Foyej Uddin | 0.43 | Cropped |
| 68 | Harirampur-28/4\ | 744 | 9192 | Elahi Box | 0.07 | Homstead |
| 69 | Harirampur-28/4\ | 744 | 9193 | Elahi Box | 0.07 | Homstead |
| 70 | Harirampur-28/4\ | 1388 | 9194 | Darog Ali | 0.06 | Homstead |
| 71 | Harirampur-28/4\ | 744 | 9191 | Elahi Box | 0.25 | Homstead |
| 72 | Harirampur-28/4\ | 744 | 9195 | Elahi Box | 0.12 | Homstead |
| 73 | Harirampur-28/4\ | 744 | 9196 | Elahi Box | 0.09 | Homstead |
| 74 | Harirampur-28/4\ | 1713 | 9197 | Foyej Uddin | 0.03 | Homstead |
| 75 | Harirampur-28/4\ | 2315 | 9198 | Lutfor Rahman | 0.07 | Homstead |
| 76 | Harirampur-28/4\ | 1897 | 9199 | Motiar Rahman | 0.1 | Homstead |
| 77 | Harirampur-28/4\ | 1623 | 9200 | Path Mollah | 0.07 | Homstead |
| 78 | Harirampur-28/4\ | 1623 | 9201 | Path Mollah | 0.08 | Homstead |
| 79 | Harirampur-28/4\ | 1897 | 9202 | Motiar Rahman | 0.09 | Homstead |
| 80 | Harirampur-28/4\ | 437 | 9166 | Abdul Latif | 0.22 | Homstead |
| 81 | Harirampur-28/4\ | 1897 | 9208 | Motiar Rahman | 0.09 | Homstead |
| 82 | Harirampur-28/4\ | 1897 | 9205 | Motiar Rahman | 0.03 | Homstead |
| 83 | Harirampur-28/4\ | 383 | 9159 | Abdul Latif | 0.35 | Homstead |
| 84 | Harirampur-28/4\ | 385 | 9111 | Abdul Mannan | 0.48 | Homstead |
| 1 | Gheor-36-1 | 1 | 388 | Bangladesh govt | 9 | Cropped |
| 2 | Gheor-36-1 | 52 | 389 | Abul hossain gong | 13 | Homstead |
| 3 | Gheor-36-1 | 59 | 390 | Ardosh Sheikh gong | 15 | Homstead |
| 4 | Gheor-36-1 | 81 | 395 | Karim Ali Gong | 21 | Cropped |
| 5 | Gheor-36-1 | 83 | 396 | Gedu Pramanik | 18 | Homstead |
| 6 | Gheor-36-1 | 67 | 400 | Iman Ali Gong | 10 | Homstead |
| 7 | Gheor-36-1 | 20 | 401 | Abdul Awal | 12 | Homstead |
| 8 | Gheor-36-1 | 155 | 402 | Monirul Gong | 25 | Homstead |
| 9 | Gheor-36-1 | 45 | 407 | Abdur Rashid | 13 | Homstead |
| 10 | Gheor-36-1 | 104 | 408 | Abdul Khalek | 5 | Homstead |
| 11 | Gheor-36-1 | 6 | 406 | Asiron nessa | 5 | Cropped |
| 12 | Gheor-36-1 | 155 | 403 | Monir Uddin | 12 | Cropped |
| 13 | Gheor-36-1 | 155 | 404 | Monir Uddin | 8 | Cropped |
| 14 | Gheor-36-1 | 199 | 334 | Hefaj Uddin Pramanik | 15 | Cropped |
| 15 | Gheor-36-1 | 29 | 398 | Kashem gong | 10 | Cropped |
| 16 | Gheor-36-1 | 67 | 399 | Iman ali Gong | 6 | Cropped |
| 17 | Gheor-36-1 | 83 | 397 | Gedu Pramanik | 32 | Cropped |
| 18 | Gheor-36-1 | 87 | 394 | Choutibor Rahman | 23 | Cropped |
| 19 | Gheor-36-1 | 53 | 393 | Abul Hossain Gong | 8 | Cropped |
| 20 | Gheor-36-1 | 135 | 392 | Nefaj Uddin | 13 | Cropped |
| 21 | Gheor-36-1 | 196 | 344 | Hefaj Uddin Gong | 28 | Cropped |

| | | | | | | |
|----|--------------|-------|-------|--------------------|----|---------|
| 22 | Gheor-36-1 | 71 | 345 | Entaj Ali | 14 | Cropped |
| 23 | Gheor-36-1 | 71 | 343 | Entaj Ali | 5 | Cropped |
| 24 | Gheor-36-1 | 25/68 | 346/1 | Iman Ali Gong | 24 | Cropped |
| 25 | Gheor-36-1 | 28/68 | 346/2 | Abul Kashem | | Cropped |
| 26 | Gheor-36-1 | 162 | 347/1 | Rais Uddin | 33 | Cropped |
| 27 | Gheor-36-1 | 116 | 347/2 | Tofij Uddin Gong | | Cropped |
| 28 | Gheor-36-1 | 27 | 349 | Abdul Kader Gong | 8 | Cropped |
| 29 | Gheor-36-1 | 196 | 348 | Hefaj Uddin Gong | 27 | Cropped |
| 30 | Gheor-36-1 | 42 | 352 | Abdul Malek | 14 | Cropped |
| 31 | Harirampur-4 | 487 | 8192 | Abul hossain gong | 10 | Cropped |
| 32 | Harirampur-4 | 1849 | 8190 | Hefaj Uddin Gong | 66 | Cropped |
| 33 | Harirampur-4 | 1473 | 8188 | Mohammad Ali Gong | 28 | Cropped |
| 34 | Harirampur-4 | 1267 | 8187 | Rani Bewa | 12 | Cropped |
| 35 | Harirampur-4 | 209 | 7707 | Abdul Kader Gong | 7 | Cropped |
| 36 | Harirampur-4 | 1197 | 7708 | Nefaj Uddin | 17 | Cropped |
| 37 | Harirampur-4 | 460 | 7709 | Abul Kashem | 34 | Cropped |
| 38 | Harirampur-4 | 971 | 7710 | Kumar Sardar | 9 | Cropped |
| 39 | Harirampur-4 | 508 | 7719 | Amzad hossain gong | 25 | Cropped |
| 40 | Harirampur-4 | 795 | 7717 | Golam Maula | 11 | Cropped |
| 41 | Harirampur-4 | 508 | 7720 | Amzad Hossain | 3 | Cropped |
| 42 | Harirampur-4 | 1036 | 7718 | Taleb Ali | 9 | Cropped |
| 43 | Harirampur-4 | 1528 | 7716 | Ramej Fakir | 14 | Cropped |
| 44 | Harirampur-4 | 1527 | 7715 | Razem Fakir | 10 | Cropped |
| 45 | Harirampur-4 | 1585 | 7714 | Lal Miah | 24 | Cropped |
| 46 | Harirampur-4 | 1513 | 7734 | Raham Ali | 25 | Cropped |
| 47 | Harirampur-4 | 870 | 7735 | Sohbar Mollah gong | 14 | Cropped |
| 48 | Harirampur-4 | 84 | 7733 | Atikul Sordar | 1 | Cropped |
| 49 | Harirampur-4 | 84 | 7732 | Atikul Sardar | 2 | Cropped |
| 50 | Harirampur-4 | 934 | 7736 | Zobed Gong | 30 | Cropped |
| 51 | Harirampur-4 | 941 | 8094 | Montaj Ali | 15 | Cropped |
| 52 | Harirampur-4 | 1513 | 7738 | Rahma Ali Gong | 2 | Cropped |
| 53 | Harirampur-4 | 1202 | 7739 | Naimuddin | 3 | Cropped |
| 54 | Harirampur-4 | 1202 | 7740 | Naimuddin | 2 | Cropped |
| 55 | Harirampur-4 | 591 | 8092 | Yousuf | 5 | Cropped |
| 56 | Harirampur-4 | 1330 | 8091 | Mozir Uddin | 6 | Cropped |
| 57 | Harirampur-4 | 559 | 8090 | Nazim | 9 | Cropped |
| 58 | Harirampur-4 | 424 | 8082 | Abdul Hai Gong | 4 | Cropped |
| 59 | Harirampur-4 | 504 | 7741 | Amzad | 35 | Cropped |
| 60 | Harirampur-4 | 203 | 8089 | Kader Bepari | 18 | Cropped |
| 61 | Harirampur-4 | 1430 | 8088 | Mahatab Bepari | 13 | Cropped |
| 62 | Harirampur-4 | 1495 | 7742 | Rajab ali | 6 | Cropped |
| 63 | Harirampur-4 | 940 | 7743 | Jomiron Nessa | 11 | Cropped |
| 64 | Harirampur-4 | 1081 | 7744 | Dudu sheikh | 6 | Cropped |
| 65 | Harirampur-4 | 1466 | 7745 | Moslem | 8 | Cropped |
| 66 | Harirampur-4 | 871 | 7746 | Sohrab Ali gong | 5 | Cropped |
| 67 | Harirampur-4 | 239 | 7747 | Abdul Gafur | 3 | Cropped |
| 68 | Harirampur-4 | 1328 | 7748 | Mojib | 2 | Cropped |
| 69 | Harirampur-4 | 661 | 7749 | Talem Khan (self) | 1 | Cropped |
| 70 | Harirampur-4 | 1764 | 7750 | Haque Ali | 1 | Cropped |
| 71 | Harirampur-4 | 188 | 7097 | Mirza Abdul Wahab | 1 | Cropped |
| 72 | Harirampur-4 | 1857 | 7093 | Helena Khatun | 6 | Cropped |
| 73 | Harirampur-4 | 1514 | 7095 | Rahmaton nessa | 10 | Cropped |
| 74 | Harirampur-4 | 3335 | 7087 | Motiar | 5 | Cropped |
| 75 | Harirampur-4 | 0 | 7086 | Soot | 8 | Cropped |

| | | | | | | |
|------------------------|--------------|------|------|-----------------------|------|-----------|
| 76 | Harirampur-4 | 314 | 7085 | Mirza Abdul Based | 6 | Cropped |
| 77 | Harirampur-4 | 1901 | 7084 | Moymon Nessa gong | 3 | Cropped |
| 78 | Harirampur-4 | 129 | 7083 | Hazi Mirza Afad Uddin | 7 | Cropped |
| 79 | Harirampur-4 | 1408 | 7082 | Moymon Nessa | 12 | Cropped |
| 80 | Harirampur-4 | 1664 | 7081 | Samsul Haque Gong | 4 | Cropped |
| 81 | Harirampur-4 | 659 | 7080 | Elahi | 2 | Cropped |
| 82 | Harirampur-4 | 1359 | 7079 | Monija Khatun | 2 | Cropped |
| 83 | Harirampur-3 | 1558 | 5340 | Helena Khatun | 1 | Cropped |
| 84 | Harirampur-3 | 1142 | 5343 | Nil Chandra Sarker | 4 | Cropped |
| 85 | Harirampur-3 | 1858 | 5359 | Helena Khatun | 6 | WDB |
| 86 | Harirampur-3 | 1014 | 5362 | tomser Ali | 5 | Cropped |
| 87 | Harirampur-3 | 1189 | 5363 | Nifaj Uddin | 19 | Cropped |
| 88 | Harirampur-3 | 1836 | 5365 | Haydar Ali Bepari | 9 | Cropped |
| 89 | Harirampur-3 | 1853 | 5367 | Bangladesh govt | 11 | Cropped |
| 90 | Harirampur-3 | 1276 | 5326 | Daien sordar | 13 | Cropped |
| 91 | Harirampur-3 | 97 | 5327 | Ansar Ali | 18 | Cropped |
| 92 | Harirampur-3 | 1142 | 5328 | Nil Chand Khandaker | 4 | Cropped |
| 93 | Harirampur-3 | 911 | 5331 | Jakiron Nessa | 5 | Cropped |
| 94 | Harirampur-3 | 1836 | 5436 | Abdul Doiam | 4 | Cropped |
| 95 | Harirampur-3 | 1014 | 5435 | Tomser Ali | 1 | Cropped |
| 96 | Harirampur-3 | 286 | 5433 | Haydar Ali Bepari | 35 | Cropped |
| 97 | Harirampur-3 | 1245 | 5437 | Barkat Ali Gong | 56 | Cropped |
| Closure Dam Area | | | | | | |
| 1 | Gheor-1 | 12 | 412 | Anjel Bepari | 0.07 | Cropped |
| 2 | Gheor-1 | 190 | 413 | Hazrat Bepari | 1.2 | Cropped |
| 3 | Gheor-1 | 113 | 414 | Jhumur Uddin | 0.5 | Cropped |
| 4 | Gheor-1 | 1113 | 415 | Jhumur Uddin | 0.16 | Cropped |
| 5 | Gheor-1 | 99 | 425 | Joynal Abedin | 0.1 | Cropped |
| 6 | Gheor-1 | 99 | 427 | Joynal Abedin | 0.1 | Homestead |
| 7 | Gheor-1 | 116 | 428 | Tafizuddin | 0.15 | Homestead |
| 8 | Gheor-1 | 99 | 429 | Joynal Abedin | 0.4 | Homestead |
| 9 | Gheor-1 | 1 | 436 | Government | 0.14 | Cropped |

Annex-2

Resettlement Information Brochure

Government of the People's Republic of Bangladesh
Ministry of Water Resources
Bangladesh Water Development Board



Jamuna Meghna River Erosion Mitigation Project
Pabna Irrigation & Rural Development Project
& Meghna Dhonagoda Irrigation Project

Resettlement Information Brochure

**INFORMATION ON ENTITLEMENT TO COMPENSATION AND RESETTLEMENT OF PEOPLE
AFFECTED BY LAND ACQUISITION AND RIVER BANK PROTECTION WORK**

February 22, 2005

Published by Jamuna Meghna River Erosion Mitigation Project, Bangladesh Water Development Board

Abbreviations

| | |
|--------|---|
| AB | Acquiring Body (the Deputy Commissioner) |
| AC | Assistant Commissioner |
| AD | Alluvial and Diluvial |
| ADB | Asian Development Bank |
| AP | Affected Person |
| BWDB | Bangladesh Water Development Board |
| CCL | Cash Compensation under Law |
| DC | Deputy Commissioner |
| EP | Entitled Person |
| GOB | Government of Bangladesh |
| GRC | Grievance Redress Committee |
| ID | Identity |
| INGO | Implementing NGO |
| IVC | Inventory Verification Committee |
| JFPR | Japan Fund for Poverty Reduction |
| JMREMP | Jamuna Meghna River Erosion Mitigation Project |
| JVT | Joint Verification Team |
| LA | Land Acquisition |
| LWL | Lowest Water Level |
| MARV | Maximum Allowable Replacement Value |
| MDIP | Meghna Dhonagoda Irrigation Project |
| MOWR | Ministry of Water Resources |
| NGO | Non-Government Organization |
| PIRDP | Pabna Irrigation and Rural Development Project |
| PVAT | Property Valuation Advisory Team |
| RB | Requiring Body (Bangladesh Water Development Board) |
| ROW | Right of Way |
| RP | Resettlement Plan |
| RRC | Refund of Registration Cost |
| SBE | Small Business Enterprise |
| SDE | Sub-Divisional Engineer |
| SES | Socio-economic Survey |
| UP | Union Parishad (Local Government Institution) |

1 Background

The Bangladesh Water Development Board (BWDB) under the Ministry of Water Resources (MOWR) of the Government of the People's Republic of Bangladesh (GOB) is implementing the Jamuna Meghna River Erosion Mitigation Project (JMREMP). The Project has started a 6 (six) year-long activities to protect the Pabna Irrigation and Rural Development Project (PIRDP) from erosion of Jamuna river and Meghna Dhonagoda Irrigation Project (MDIP) from that of Meghna River. The Asian Development Bank (ADB) is providing financial and technical assistance to the Project. About 7.0 km Banklines in PIRDP from Koitola to Mohangonj in Bera *Upazila* (Sub-District) of Pabna District and 4.44 km Bankline in MDIP from Ekhlaspur to Dashaani in Matlab *Upazila* of Chandpur District will be brought under the protection works. For this purpose, a 72 m wide ROW in Bera and 67 m wide ROW in Matlab along the bankline will be covered by sand filled geo-bags in the underwater section and by concrete cement (cc) blocks in the above water area of the ROW. A total of 124 acres of land in PIRDP in Bera and 74 acres of land in MDIP in Matlab will be acquired for the Project along the bankline or in the river. In the mean time, acquisition of a 3 km long strip of land in Bera and a 3.5 km long strip of land in Matlab are being processed. Although there are only a few settlements on the bankline in the erosion-prone areas, in both PIRDP and MDIP, many households will be losing land due to acquisition and some households requiring relocation.

During April-May 2003, a survey listed the houses and other structures between the eroding Bankline and the flood control embankment. In addition, BWDB has collected a list of the owners of land in the ROW, including owners of land in the river-bed. Those who have lost or will lose land, homestead and other properties, as identified by the Acquiring Body (AB, which is the Deputy Commissioner) and the Requiring Body (RB, which is BWDB), will be entitled to Cash Compensation under Law (CCL) from the respective District administration. They will also be provided with Resettlement Benefits and other support by BWDB according to the guidelines of the ADB so that they can retain their pre-Project socio-economic condition. In addition, persons living within the ROW and earning an income will receive a Subsistence Allowance from BWDB for loss of income or workdays according to Resettlement Plans (RPs) approved by the GOB.

For successful implementation of the Resettlement Plans, BWDB requests the attention and support of both national and local social development organizations. An Implementing NGO (INGO) is in place to assist BWDB in the implementation of the resettlement activities.



2 Definitions of Some of the Resettlement Terms

(a) Directly Affected Persons

People who were living in the Project Right Of Way (ROW) during service of the notice under Section - 3 of the *Land Acquisition Act 1982* or during the *Inventory of Households and Assets Between the Embankment and the Bankline* conducted in April-May 2003¹ and *Socioeconomic Survey (SES)* conducted during from December 2004 through February 2005 and recognized by BWDB, and will lose their land and property or source of income, will be entitled to Resettlement Benefits from BWDB as the directly Affected Persons (APs).

(b) Indirectly Affected Persons

People who will lose their place of residence or source of income but do not own any land in the Project ROW will also be entitled to Resettlement Benefits from BWDB as indirectly Affected Persons (APs).

(c) Affected Households

Generally, parents with children, brothers and sisters who live as a single family and eat from the same hearth are considered as a household; but household servants or regular employees will not be regarded as family members.

(d) Entitled Person (EP)

Persons who lose land or other property and/or sources of income opportunity who receive compensation from the District administration and are listed in April-May 2003 Inventory and 2004-5 SES, and recognized by BWDB, will be considered to be Entitled Persons (EPs). Those who are included in the *Land Acquisition (LA) Award Book*, that is legal owners who receive compensation from the District administration, or their lawful heirs, will be entitled to Resettlement Benefits from BWDB. In the case of joint ownership, the head of the household will receive the resettlement benefits.

(e) People Who Live on Private Land Belonging to Others and Squatters on Public Land

*Uthuli*² who live on private land belonging to others or carry out business there and squatters who live in Government land temporarily will be regarded as affected if their homestead land is acquired/required. Such families identified in the April-May 2003 Inventory and 2004-5 SES and confirmed by BWDB will be regarded as the EPs.

(f) Affected Income Earner

According to the April-May 2003 Inventory and the 2004-5 SES, confirmed by BWDB, households living within an acquired or BWDB land will be regarded as Entitled Persons (EPs) due to any temporary loss of income through impact on home/business structures. If the household head is a female, and if there is no male income-earner, the household will be considered as a Vulnerable Household.

(g) Affected Tenant/Sharecropper

Cultivators of agricultural land which is not their own will, if certified by BWDB and the INGO as such, be regarded as an affected Tenant/Sharecropper. For category (e) above

¹ Verified and approved by BWDB's Inventory Verification Committee (IVC) February 2005.



and for category (f), employer and the owners of the plot respectively and /or the Union Parishad³ (UP) Chairman/Member will jointly certify them.

(h) Purchase of Replacement Land and Refund of Registration Cost

An AP is entitled to the replacement price of the agricultural/homestead/commercial land he/she lost to the Project so that he/she may purchase the equivalent amount of land. If he/she cannot find the same amount of land with the compensation money, then he/she can purchase less land of higher quality or more land of lower quality than he/she lost. The AP will get a Refund of Registration Cost (RRC); however, the RRC cannot be more than the stamp duty needed to purchase land using the replacement value fixed by a Property Valuation Advisory Team (PVAT) established by BWDB and approved by MoWR.

(i) Compensation

APs will get Cash Compensation under Law (CCL) and a 50% additional price as premium over the same from the DC. CCL will be fixed by the District administration according to the *Land Acquisition Act 1982* and all amendments thereafter.

(j) Resettlement Benefits

In addition to the CCL, the RP provides additional Resettlement Benefits in the form of grants to ensure that the APs will receive the current Replacement Market Value for their land and other properties.

(k) Prices of Different Types of Land

The legally constituted PVAT will carry out a detailed market survey through the INGO to determine the *Maximum Allowable Replacement Value* (MARV) of acquired land, and APs will be entitled to the MARV according to their loss

(l) Lowest Water Level and AD Line

From a legal and revenue point of view, the line that marks the Lowest Water Level (LWL) with the Flood Plain during the Dry Season is considered as the Bankline - also called the AD Line (Alluvial and Dilluvial Line) when declared formally by Assistant Commissioner of Land. Land above the LWL to the floodplain is private land unless already acquired by BWDB. For the Project purposes, the LWL will be considered as the demarcated Bankline or AD line.

The eroded land beyond the AD line goes under GOB ownership through a chained procedure that ends with the declaration as *Khas*⁴ land by the Additional Deputy Commissioner. If *Khas land*, (underwater land⁵) is acquired, the DC will be paid the CCL as required by the *Land Acquisition Act 1982*, but not the additional 50% as premium.

² *Uthili* are persons who live on the private land of others with permission.

³ The *Union Parishad* is the lowest level of local government.

⁴ Eroded land is considered to be *Khas* land. *Land Administration Manual*, GOB, page 384

⁵ The value of eroded land is only 25 percent of land in the floodplain (Quality Land). *Land Administration Manual*, GOB, page 660

In such a case, because of the Project's stabilization of the Bankline, the previous private owners will be identified and a Resettlement Benefit paid to them as APs losing their legal opportunity of regaining the land if it re-emerges within 30 years of erosion.⁷

(m) Vulnerable Households

Vulnerable Households are defined as APs who suffer more - economically and socially - from relocation than other APs. Based on past experiences from similar projects, the vulnerable households include (i) women-headed households; (ii) landless households (those without agricultural land, and depend largely on wage labor for survival); (iii) disabled households heads and (iv) households having residual agricultural land less than 1 acre or losing more than 10% of their income from agriculture due to acquisition. Such households will receive priority assistance in the Social Development Program (SDP) and employment in the Project construction work, if available. The ADB is obtaining funding from the Japanese Fund for Poverty Reduction (JFPR) for the SDP, which will have the long-term goal of reducing poverty in the PIRDP and MDIP areas.

3 Cut Off Dates

As defined in the RPs, *the Cut Off Date is the date after which eligibility for resettlement benefits will not be considered*. Because of the vagaries of river bank erosion, there are two Cut Off Dates: *May 30, 2003 for Physical Losses* and *January 28, 2005 for Income Losses*, subject to verification and clearances as described below.

Physical Losses Cut Off Date. Because of the ongoing nature of Bank erosion, an *Inventory of Households and Assets between the Embankment and the Bankline* conducted in April-May 2003 that indicated all HHs that might possibly be on the ROW by start of construction and so be considered for physical losses due to land acquisition. The Physical Losses Cut Off Date of *May 30, 2003* includes, therefore, only HHs having houses and establishment within the ROW at the beginning of physical works construction as identified by BWDB's Inventory Verification Committee (IVC).

The *Inventory Survey*⁸ is subject to verification by the IVC and approval by BWDB, considering not only the original Inventory but the Socioeconomic Survey (SES) and IVC data collected just prior to civil works construction. In case of discrepancies, GRC will determine eligibility for individual HHs for Resettlement Benefits, such as: Replacement Value of Structure; Salvaged Material Free of Cost; Transfer Grant; Reconstruction Grant; and Homestead Development Grant.

Income Losses Cut Off Date. Among the Resettlement Benefits to be given to APs are Subsistence Grants for Loss of Income. The Socioeconomic Surveys (SES), completed *January 28, 2005*, serve as the Cut Off Date for eligibility to receive the Income subsistence Grants for:

⁷ East Bengal State Acquisition and Tenancy Act (1951, Revised 1998) and Land Administration Manual, GOB, pages 240, 243.

⁸ The *Inventory of Households and Assets between the Embankment and the Bankline Report* is dated June 24, 2003.

Male And Female HH Heads; Small Business Enterprise (SBE) Proprietors and Employees; and for Tenants/Sharecroppers. As with the Inventory Survey data, the SES Cut Off Date is subject to verification by BWDB's Inventory Verification Committee (IVC) and approval by BWDB.

Land Acquisition is not covered by these Cut Off Dates. CCL will be paid by the DC as per GOB LA Law; and the INGO, with BWDB approval, will provide Grants for Replacement Value of Land and other properties established by the PVAT and according to the Resettlement Entitlement Matrix in Section 4 below.

4 The Resettlement Entitlement Matrix

Through the District Administration and the INGO, the BWDB will provide the CCL + 50% additional cost as premium and Resettlement Benefits respectively in accordance with the Land Acquisition Act and the Resettlement Entitlement Matrix of the RP, as legally agreed between the GOB and the ADB. The Resettlement Entitlement Matrix is shown below:

Resettlement Entitlement Matrix⁹

| Type of Loss | Application | Definition of APs | Entitlement | Expected Results |
|---|---|--|--|---|
| 1. Loss of agricultural/fallow land, water bodies, etc. | Land on the Project right of way along the bankline acquired by DC | Legal owners of land | ✓ Replacement value of land ¹⁰ ✓ Refund of registration cost incurred for replacement land purchase determined by the BWDB through NGO. ¹¹ | Replacement of land or the value to the APs |
| 2. Loss of homestead and commercial land | Land on the Project right of way along the bankline acquired by DC | Legal owners of land | ✓ Replacement value of land at market price ✓ Refund of registration cost incurred for replacement land purchase determined by the BWDB through NGO. ¹² | Replacement of homestead/commercial land |
| 3. Loss of under water land ¹³ | Land on the Project right of way within the river along the Bankline, if acquired | Legal owner(s) of land and (DC) if owns the khas land after legally established AD line; the previous private owners of land below the AD line | ✓ In case of khas land, replacement value of land assessed by DC without additional 50% as premium to respective DCs ✓ Resettlement Benefit for land assessed by PVAT, to the previous owner(s) of eroded land ✓ Refund of registration cost incurred for purchase of replacement land not exceeding PVAT determined value | Replacement of land or the value to the owner as his/her ownership ceases |
| 4. Loss of residential and/or commercial structure by | Structure on the project right of way land along the | Owner(s) of structures identified by | ✓ Replacement value ¹⁵ of structure as determined by the BWDB through NGO; | Reconstruction of structure at a new site |

⁹ As agreed by GOB and ADB in *Aide Memoire of the Loan Appraisal Mission*, 25 June 2002, *Resettlement Framework* and confirmed in the *Loan Agreement*, November 25, 2002.

¹⁰ Replacement Value will be 'Market Value,' which will be determined by PVAT and is generally more than the CCL + 50% as premium given by the DC. The difference will be through a Resettlement Grant, when the PVAT determined 'Market Value' is more than the CCL + 50% as premium paid as per GOB LA Law. See MARV above, item (k). This clarification requested by ADB *Safeguard Review Mission Report*, September 2004, para. 23

(ii), attached to fax from ADB, Director, AENR Division, November 17, 2004.

¹¹ Not to exceed PVAT determined value. Role of PVAT is set out in *Resettlement Framework*, Para. 12.

¹² Not to exceed PVAT determined value. Role of PVAT is set out in *Resettlement Framework*, Para. 12.

¹³ This provision included as per request by ADB: Letter from ADB, Director, AENR Division, General Comments Item (iv), July 31, 2004.

| Type of Loss | Application | Definition of APs | Entitlement | Expected Results |
|---|--|---|--|--|
| owners/informal settlers from the project rights of way land. | bank line | the DC and SES ¹⁴ | <ul style="list-style-type: none"> ✓ Taka 2,000 as transfer grant for relocation of residential and commercial structure ✓ Taka 5,000 for homestead/land development grant ✓ Tk. 3,000 house reconstruction grant¹⁶ ✓ Salvaged materials free of cost | |
| 5. Loss of trees, crops, perennials | Standing crops, trees on the right of way land | Owners of land | <ul style="list-style-type: none"> ✓ Compensation at the rate estimated by the Forest Department and the Agriculture Extension Department ✓ Salvaged materials free of cost | Compensation for standing crops and trees |
| 6. Loss of access by tenants/sharecroppers to agricultural land for crop production | Agricultural plots on the project rights of way | Tenants of the land as identified by the SES | <ul style="list-style-type: none"> ✓ Taka 200 per decimal of agricultural land under tenancy/sharecropping contract farming¹⁷ | Compensation for loss of access to farm land |
| 7. Loss of income and work days due to displacement | Households affected by the project alignment/ROW | Head of households identified by the SES | <ul style="list-style-type: none"> ✓ Taka 2000 per household ✓ Taka 3000 for households headed by women ✓ Employment in the project construction work, if possible | Subsistence and income in post-displaced period |
| 8. Displacement of community structure | Community structure on the project rights of way | Community representative as identified by the SES | <ul style="list-style-type: none"> ✓ Taka 2,000 as transfer grant for relocation of CPR ✓ Plot inside embankment on BWDB or khans land ✓ Taka 10,000 structure reconstruction grant | Restoration of community structure for common benefits |
| 9. Loss of diminished business or employment | Owners/operators of SBEs on the project rights of way | Owners and employees of the SBEs | <ul style="list-style-type: none"> ✓ Taka 2,000 to the owner and operators for business restoration; ✓ Taka 1,500 to employees for income supplement | Restoration of business after relocation |
| 10. Vulnerability to resettlement and relocation | Vulnerable households or non-titled persons ¹⁸ on the project ROW | Households relocated on the new site of BWDB | <ul style="list-style-type: none"> ✓ Priority assistance in the social development programme | Sustainable social development |
| 11. Project induced erosion of char land | Char land if erodes due to the Project within 2 years of its completion | Owners/occupiers of eroded char land | <ul style="list-style-type: none"> ✓ Market value of concerned land assessed by PVAT to the owner-occupier by 100 per cent or share it 50-50 among owners and occupier for non-owner occupied land | Project benefits shared to every impactees |
| 12. Access to community/civic facilities ¹⁹ | All households on the ROW if they relocate in group | Households identified by SES/JVT | <ul style="list-style-type: none"> ✓ Community infrastructure facilities like access roads, plantation, tube-wells and sanitary latrines and drainage. | Development of cluster settlements assisted by EA |

5 Procedures for Receiving Resettlement and Other Grants

(a) Identity (ID) Card

¹⁴ As approved by BWDB.

¹⁵ That is, the 'Market Price.'

¹⁶ Per household/shop

¹⁷ The DC pays 50 percent of crop value if TC is registered.

¹⁸ These are the Heads of poor and vulnerable HHs identified by SES and through a plot by plot survey

¹⁹ This provision included as per request by ADB: Letter from ADB, Director, AENR Division, Resettlement Plan for Removal of Old Embankment, Item (ii), July 31, 2004.

APs that get paid CCL by the District Administration and/or Resettlement Benefits from the BWDB will be termed as Entitled Persons (EPs). Each AP household head or EP will be given an Identity (ID) Card.



(b) Entitled Person's File (EP File) & Entitlement Card

All the losses of an EP will be computerized to an electronic EP File that can then, based on the Resettlement Entitlement Matrix, automatically summarize the EP's total losses and benefits at any point in time. This will be produced into a standardized report, the Entitlement Card; and the EP will be provided with all the benefits according to his/her loss as shown in the Entitlement Card. The INGO will distribute one (1) copy of their final Entitlement Card to each EP.

(c) Purchase of Replacement Land

If an EP chooses replacement land, the EP will, with the assistance of the INGO, scrutinize the replacement land owner's relevant documents. If the EP is satisfied, he/she will fix the price and register it. The EP then has to submit the relevant documents to BWDB for receiving the Resettlement Benefit.

All influential persons are requested to persuade owners of landed property in their own areas to sell their land to the EPs for the area's greater good.

(d) Grievance Redress Committees (GRCs)

The PIRDP and the MDIP will each have one Grievance Redress Committee (GRC). These GRCs have been constituted, and will be gazetted, to assist the resettlement activities. The GRC will consist of Sub-Divisional Engineer (SDE)/Assistant Engineer or any official with the same status from BWDB; the Area Manager/Deputy Team leader or equivalent officer/specialist of the INGO; the UP Chairman or a member of the concerned local government; and a representative of the APs. The BWDB representative will chair the GRC, and the INGO representative will act as Member Secretary.

The Scope of Works of the GRCs are shown in appendix-I.

(e) Joint Verification Team (JVT):

Joint Verification Teams (JVTs) will also be constituted at the PIRDP and MDIP. The JVT members will include the SDE/Assistant Engineer or any official with the same status from BWDB; a representative of the concerned Deputy Commissioner; and Area Manager/Deputy Team Leader or equivalent officer/specialist of the INGO. The BWDB representative will chair the JVT, and the INGO representative will act as Member Secretary.

The Scope of Works of the JVTs are shown in appendix-I.

f) Property Valuation Advisory Team (PVAT)

Property Valuation Advisory Teams (PVAT) have been constituted by BWDB for PIRDP and MDIP to determine the current market price and replacement cost of acquired land, physical structures, trees and other property. The PVAT is comprised of the SDE/Assistant Engineer or any official with the same status from BWDB; a representative of the concerned Deputy Commissioner; and the Area Manager/Deputy Team Leader or equivalent officer/specialist of the INGO. The BWDB representative chairs the PVAT, and the INGO representative acts as Member Secretary.

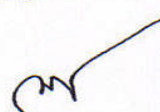
The Scope of Works of the PVATs are shown in appendix-I.

5. **Other Information/Procedures for Entitled Persons (EPs)**

- In order to receive their CCL, EPs must produce at the DC's office their ownership deed, record, rent receipt, mutation document, share document, or other relevant proof of ownership.
- Until and unless the legal owners receive the CCL from the Deputy Commissioner, BWDB cannot provide the Resettlement Benefit grants through the INGO for the relevant plot.
- If replacement land is purchased within the period of RP implementation, and the evidence of properly used stamp duty and other relevant documents is produced in the INGO's field office, the stamp duty and registration cost will be refundable at the rate provisioned in the RP.
- The EPs will receive an ID Card bearing ID number and photograph of the EP, signed by BWDB's and the INGO's assigned representatives. The EP will need to produce their ID Card to receive Resettlement Benefits.
- The entitlement determined by BWDB through the INGO as per RP provision will be disbursed through a 'Crossed Bank Cheque'²⁰ on the date declared earlier and in the presence of local UP chairman/member. For this purpose, the EP must open a bank account.
 - The BWDB or INGO field offices at PIRDP and MDIP may be contacted for any additional information regarding acquisition and resettlement. The INGO will provide necessary assistance to all EP.
 - Affected tenants/sharecroppers will be identified by the JVT and certified by the relevant landowner and the UP chairman/member.

Note: APs will get compensation as per 1982 Act and resettlement benefit according to the Resettlement Entitlement Matrix shown above in Section 3. This *Resettlement Information Brochure* is amendable as per requirement and approval of BWDB and the ADB.

²⁰ A 'Crossed Bank Cheque' can only be cashed through being deposited in the EP's account first.



Annex- 3

Internal RP implementation Monitoring Indicators

Annex- 3

Internal RP implementation Monitoring Indicators

There is a necessity to establish an internal monthly monitoring system to understand the physical and financial progresses in resettlement implementation and achievement in key resettlement activities in relation to time spent. The EA will consider that as the performance of the agencies involved and plan the future action as per the result of the monitoring. The BWDB in consultation with the Project Resettlement Specialists, INGO and the field executives will establish some key indicators like budget and time frame, delivery of AP entitlements, consultation, grievance and any special issues for monitoring purposes.

The project will create a databank and automated software to compare and verify any information and data flow and adoption for implementation of RPs including GRC cases. The project will verify progress and achievement of implementing NGO and devise formats for estimating various progress.

In addition to the monitoring of the qualitative information the attached format will be used for reporting the quantitative aspects of the RP implementation on a monthly basis. BWDB will fix the item and sub-item Weightage in consultation with the INGO.

Internal RP implementation Monitoring format (automated)

Sub-project:

JMREMP

| Major items of action | Item weight (%) | Specific action steps (sub-items) | Distribution of Sub-Item weight (%) | Unit | Planned Total | Progress in quantity | | | Cumulative Progress in % | | | Progress during the month in % | | |
|---|-----------------|--|-------------------------------------|------------|---------------|----------------------|--------------------|------------------|--------------------------|---------------|------------------|--------------------------------|---------------|------------------|
| | | | | | | up to the month | to till last month | during the month | Sub-Item Progress | Item Progress | Project Progress | Sub-Item Progress | Item Progress | Project Progress |
| 1) Recruitment, training and deployment | 5 | 1. Deployment of managerial staff /Consultants | 30 | Man-month | | | | | | | | | | |
| | | 2. Deployment of resettlement workers | 30 | Man-month | | | | | | | | | | |
| | | 3. Training and mobilization | 40 | No. of RWs | | | | | | | | | | |
| 2) Adopting the Resettlement Plan | 5 | 1. Review of RP | 25 | % | | | | | | | | | | |
| | | 2. Devise corrections to the RP | 25 | % | | | | | | | | | | |
| | | 3. Submission of comments to RB | 25 | % | | | | | | | | | | |
| | | 4. Approval of RP with corrections | 25 | % | | | | | | | | | | |
| 3) Socio-economic survey | 10 | 1. Designing the surveys | 15 | % | | | | | | | | | | |
| | | 2. Field survey and collection of data | 35 | % | | | | | | | | | | |
| | | 3. Computerization of field data | 25 | % | | | | | | | | | | |
| | | 4. Data analysis and report generation | 25 | % | | | | | | | | | | |
| 4) Valuation of affected property | 10 | 1. Formation of PVAT | 20 | % | | | | | | | | | | |
| | | 2. Planning for valuation | 20 | % | | | | | | | | | | |
| | | 3. Communication and collection of data | 45 | % | | | | | | | | | | |
| | | 4. Recommendation | 15 | % | | | | | | | | | | |
| 5) Information campaign | 6 | 1. Distribute information brochure | 40 | EP | | | | | | | | | | |
| | | 2. Personal contacts | 30 | EP | | | | | | | | | | |
| | | 3. Public consultation meetings | 30 | Times | | | | | | | | | | |

| Major items of action | Item weight (%) | Specific action steps (sub-items) | Distribution of Sub-Item weight (%) | Unit | Planned Total | Progress in quantity | | | Cumulative Progress in % | | | Progress during the month in % | | |
|---|-----------------|---|-------------------------------------|------|---------------|----------------------|--------------------|------------------|--------------------------|---------------|------------------|--------------------------------|---------------|------------------|
| | | | | | | up to the month | to till last month | during the month | Sub-Item Progress | Item Progress | Project Progress | Sub-Item Progress | Item Progress | Project Progress |
| 6) Relocation of project Affected Persons | 5 | 1. Motivate EPs | 40 | EP | | | | | | | | | | |
| | | 2. Payment of Transfer Grant | 60 | EP | | | | | | | | | | |
| 7) Identification of Eps | 12 | 1. Collection of award data | 20 | EP | | | | | | | | | | |
| | | 2. Assigning ID numbers | 20 | EP | | | | | | | | | | |
| | | 3. Photographing EPs | 20 | EP | | | | | | | | | | |
| | | 4. Issuance of ID cards | 30 | EP | | | | | | | | | | |
| | | 5. Distribution of ID cards | 10 | EP | | | | | | | | | | |
| 8) Grievance Redress | 5 | 1. Members given in GRCs | 15 | Nos. | | | | | | | | | | |
| | | 2. Receiving complaints / claims from EPs | 35 | EP | | | | | | | | | | |
| | | 3. Disposing off complaints | 35 | EP | | | | | | | | | | |
| | | 4. Assist EPs in replacement land purchase/Relocation | 15 | HHs | | | | | | | | | | |
| 9) Information Management/Technical services | 10 | 1. Finalization of resettlement budget | 10 | % | | | | | | | | | | |
| | | 2. Preparation of information brochure | 10 | % | | | | | | | | | | |
| | | 3. Preparation of operation manual | 10 | % | | | | | | | | | | |
| | | 4. Designing ID card, EP file, EC | 10 | % | | | | | | | | | | |
| | | 5. Develop ID numbering system | 10 | % | | | | | | | | | | |
| | | 6. Computerization of award data | 10 | EP | | | | | | | | | | |
| | | 7. Develop software for EP file & EC | 20 | % | | | | | | | | | | |
| | | 8. Develop software for computerized MIS | 20 | % | | | | | | | | | | |
| 10) Resettlement of Project Affected Persons. | 15 | 1. Assist EPs to collect CCL | 10 | EP | | | | | | | | | | |
| | | 2. Preparation of EP files and ECs | 20 | Sets | | | | | | | | | | |

| Major items of action | Item weight (%) | Specific action steps (sub-items) | Distribution of Sub-Item weight (%) | Unit | Planned Total | Progress in quantity | | | Cumulative Progress in % | | | Progress during the month in % | | |
|--------------------------------|-----------------|--|-------------------------------------|-------|---------------|----------------------|--------------------|------------------|--------------------------|---------------|------------------|--------------------------------|---------------|------------------|
| | | | | | | up to the month | to till last month | during the month | Sub-Item Progress | Item Progress | Project Progress | Sub-Item Progress | Item Progress | Project Progress |
| | | 3. Opening bank account by the EPs | 15 | Nos. | | | | | | | | | | |
| | | 4. Organize payment of grants from BR | 45 | EP | | | | | | | | | | |
| | | 5. Assist vulnerable EPs in resettlement | 10 | Nos. | | | | | | | | | | |
| 11) Rehabilitation of the APs | 7 | 1. HRD training received | 15 | APs | | | | | | | | | | |
| | | 2. OSD training received | 30 | APs | | | | | | | | | | |
| | | 3. Credit disbursed | 55 | Tk. | | | | | | | | | | |
| 12) Supervision and Management | 5 | 1. Supply of manpower and logistics | 25 | mms | | | | | | | | | | |
| | | 2. Liaison with BR and other agencies | 15 | Times | | | | | | | | | | |
| | | 3. Monitoring through CMIS | 25 | Month | | | | | | | | | | |
| | | 4. Administrative management | 35 | Month | | | | | | | | | | |
| 13) Performance Reporting | 5 | 1. Inception report | 15 | Nos. | | | | | | | | | | |
| | | 2. Monthly progress report | 50 | Nos. | | | | | | | | | | |
| | | 3. Draft final report | 20 | Nos. | | | | | | | | | | |
| | | 4. Final report | 15 | Nos. | | | | | | | | | | |
| | | | | | | | | | | | - | | | - |

Annex-4

Independent Monitoring of Resettlement Activities

Annex 4

**Jamuna Meghna River Erosion Mitigation Project
Land Acquisition and Resettlement
Independent Monitoring of Resettlement Activities
Terms of Reference**

[Draft]

I. Background

1. The Bangladesh Water Development Board (BWDB), Ministry of Water Resources, Government of Bangladesh, has undertaken riverbank protection works to protect (i) the Pabna Irrigation and Rural Development Project (PIRDP) and (ii) the Meghna-Dhonagoda Irrigation Project (MDIP) from the onslaught of erosions by the Jamuna and Meghna rivers respectively under the banner of Jamuna Meghna River Erosion Mitigation Project (the Project). The Asian Development Bank (ADB) is financing the Project.

2. The Project has considered construction of revetment as structural measures along 4.44 km bankline in MDIP in Matlab under Chandpur district and 7.0 km bankline in PIRDP in Bera under Pabna district. The revetment will be constructed on an approximately 67meter wide bankline for MDIP and approximately 72meter wide bankline for PIRDP. Based on comprehensive socioeconomic surveys conducted in February - May 2002, a Resettlement and Social Development Plan (RSDP) has been prepared by BWDB. Subsequently, Resettlement Plans have been prepared for subproject civil works requirement for the year 2004/05 including a separate full RP for the 600 m Old Embankment (OE) in PIRDP following the resettlement framework of the RSDP which outlines the measures for relocation and resettlement programmes for the affected households, entitlement matrix, the institutional framework, implementation schedule and monitoring and evaluation.

3. The Project envisages acquisition of about 80 Ha of land, mainly along the riverbanks, over three years effecting displacement of about 500 households with their homestead and some small business enterprises in the two subprojects. In addition to that some people will lose agricultural land. Due to changing nature of the bankline, land will be acquired annually as per requirement of the construction schedule of civil works during the dry season within the Project implementation period up to 2008. More RPs will come out for the subprojects as a result of acquisition of land for each year's construction.

4. The BWDB will implement the RPs (present and future) engaging an experienced non-governmental organization (NGO) in the two subproject areas. The NGO will implement the RPs as per the resettlement policy and spirit of the social development plan of the RSDP, ensure stakeholders participation as per the Project need, and provide technical assistance for compensating the APs as per RPs policy and packages.

5. The construction supervision consultant through its national and international resettlement specialists will supervise and monitor the resettlement activities for the Project. BWDB is intending to engage an independent consultant to ensure complete and objective information on monitoring and evaluation of the resettlement interventions.

II. Objectives of Independent Monitoring and Evaluation

5. In order to implement the RPs properly, independent monitoring by third party of the executing agency, the supervision consultant and the implementing NGO, preferably by an external monitoring consultant has been considered effective. Through independent monitoring, the executing agency can help ensure RP implementation activity efficient. It will be possible to identify bottlenecks and amend/improve the RP implementation procedure or payment modality through executive order, if found necessary. The major objectives of engaging the independent monitor are to:

- Assess the overall approach of resettlement activities along eroding bank lines
- Verify results of internal monitoring;
- Assess whether resettlement objectives have been met; specifically, whether livelihoods and living standards have been restored or enhanced;
- Assess resettlement efficiency, effectiveness, impact and sustainability drawing lessons as a guide to future resettlement policy making and planning; and
- Ascertain whether the resettlement entitlements were appropriate in meeting the objectives, and whether the objectives were suited to AP conditions.

III. Scope of Work - Specific Tasks

7. The independent consultant will set up a set of baseline indicators reviewing available data and or collecting primary data for monitoring and evaluation, building upon the Projects' own record keeping system. It may also include maps, charts, photographs or affected property, copies of contracts and land titles, payments, and valuation documents relating to resettlement. Specific tasks of the monitor are to

- Establish system of internal monitoring to assess progress in meeting key targets in the Resettlement Plan: budget and time frame, delivery of AP entitlements, consultation, grievance and special issues and benefits.
- Conduct regular reviews, based on internal monitoring and evaluation reports, involving key stakeholders including AP representatives. Reach consensus on actions required to improve resettlement performance and implement them.
- Establish a system for external monitoring and evaluation to assess achievement and suitability of resettlement objectives.
- Establish monitoring and evaluation reporting methods and reporting requirements.
- Involve APs, hosts, NGOs and community in Project monitoring and evaluation using appropriate methods.
- Include an ex-post evaluation of resettlement to be conducted by the independent monitor after completion of the Project.
- Review lessons learned for resettlement policy making and planning.

8. In specific to the Project the independent monitor should perform the following activities

- Monitor the authenticity of the data and the approach for generation of those.
- Review justification for changes in RP policy and budget.

- Verify progress and achievement of implementing NGO and devise formats for estimating various indicators responsible for achievement of progress.

IV. Monitoring indicators and Information Needed

9. The information needed for independent monitoring are as follows:

- 1) Basic information on AP households
 - i) Location
 - ii) Composition and structure, ages, educational and skill levels
 - iii) Gender of household head
 - iv) Access to health, education, utilities and other social services
 - v) Housing type
 - vi) Land and other resource owning and using patterns
 - vii) Occupations and employment patterns
 - viii) Income sources and levels
 - ix) Agricultural production data
 - x) Participation in neighbourhood or community groups
 - xi) Value of all assets forming entitlements and resettlement entitlements
- 2) Restoration of living standards
 - i) Cost of compensation and entitlements
 - ii) Adoption of housing options developed
 - iii) Restoration of perceptions of "community"
 - iv) Replacement of key social and cultural elements
- 3) Restoration of livelihoods
 - i) Cost of compensation and entitlements
 - ii) Degree of sufficiency of the compensation and entitlements
 - iii) Availability of replacement land
 - iv) Degree of sufficiency of transfer and relocation grants to cover the costs incurred
 - v) Degree of sufficiency of income substitution allowances
 - vi) Degree of sufficiency of assistance for re-establishment of business enterprises
 - vii) Income earning opportunities provided to the vulnerable APs and their adequacy
 - viii) Degree of sufficiency of the jobs provided to the APs to restore pre-project income level
- 4) Levels of AP satisfaction
 - i) Level of the knowledge about resettlement procedures and the entitlements

- ii) Knowledge base on fulfillment of these provisions
- iii) AP assessment on restoration of living standards and livelihoods
- iv) Knowledge on GRC mechanism and conflict resolution procedure
- 5) Effectiveness of Resettlement Planning
 - i) Assistance provided to land speculators
 - ii) Sufficiency of time and budget to meet objectives of the RPs
 - iii) Degree of generosity of the entitlements
 - iv) Identification of vulnerable groups
 - v) Dealing with unforeseen problems by resettlement implementers
- 6) Other Impacts
 - i) Unintended environmental impacts
 - ii) Unintended impacts on employment or incomes

V. Approach and Methodology

A. General Approach

11. Appropriate methods will be followed to collect field level information in order to review and compare the socio-economic condition of APs "before" and "after" resettlement program. Collected information on the key indicators of resettlement progress, efficiency, effectiveness, impact and sustainability will be analyzed. The monitoring and evaluation consultant will also conduct at least one ex-post evaluation surveys to assess the achievement of resettlement objectives, the changes in living standards and livelihoods and the restoration of the economic and social base of the APs.

B. Detailed Methodology

12. The independent monitor will use existing baseline census and survey data with their periodic updates. In specific the independent monitor perform its activity in the following methods:

13. Review pre-project baseline data on income and expenditure, occupational and livelihood patterns, leadership, community organizations and cultural parameters.

13. Identify an appropriate set of indicators for gathering and analyzing information on resettlement/rehabilitation impacts; the indicators shall include but not limited to issues like relocation of affected people, delivery of entitlement, and level of satisfaction by the beneficiaries of the programs.

14. Review result of internal monitoring and verify claims through random checking at the fields level to assess whether resettlement/ rehabilitation objectives have been generally met. Involve the APs and community groups in assessing the impact of resettlement programs for monitoring and evaluation purposes.

15. Conduct both individuals and community level impact analysis through the use of formal and informal surveys, key informant interviewers, focus group discussions, community public

meetings, and in-depth case studies of APs/women from the various social classes to assess the impact of RP implementation.

C. Methodology for Participatory Rapid Appraisal

16. The affected and host people should be involved in the monitoring and evaluation process to solve day-to-day problems arising during resettlement operations. APs, local CBOs, and/or NGOs should be involved in the process. The key players should be involved in the evaluation design and implementation. Participatory Rapid Appraisal (PRA) techniques should be undertaken to foster the involvement of APs and other key stakeholders in resettlement monitoring and implementation. The methodology of the PRA should be as follows:

- i) Key informant interviews: select local leaders, village workers or persons with special knowledge or experience about resettlement activities and implementation.
- ii) Focus group discussion: specific topics (e.g. land compensation payments, services at resettlement sites, income restoration, and gender issues)
- iii) Field observations on status of resettlement implementation, plus individual or groups interviews for cross-checking purposes.
- iv) Informal surveys/interviews: informal surveys of APs, hosts, village workers, resettlement staff, and implementing agency personnel using non-sampled methods.

VI. Required Resources

17. The tasks require a consultant experienced in the field of resettlement planning, implementation and monitoring. The consultant should have sufficient technical and professional skill in dealing with involuntary resettlement as per ADB guidelines.

VII. Criteria for selection of Consultant

18. The Consultant must be able to present appropriate evidence to verify his/her satisfactory performance in resettlement planning, implementation, monitoring and evaluation and preparation of analytical/evaluation reports meeting the standards of the external financiers.

VIII. Staffing for the Tasks

19. The consultant must be able to present evidence of his/her skill and sufficient qualified, experienced and trained manpower to mobilize to the field to collect data according to the requirements. In order to carry out the tasks stipulated in this Terms of Reference, the field level input should be limited as shown in Table 3 below. The consultant should show the duration of their services and limit as per requirement in consultation with the civil works contact. However, the mobilization is based on field requirement only.

Table 3 Staffing for Independent Monitoring

| Position | Nos. Unit | Estimated no. of man months |
|-------------------------------|------------------|------------------------------------|
| Resettlement Monitor | 1 | 6 |
| Data Collector/Data Processor | 5 | 7.5 |
| Total | 06 | 13.5 |

X. Stakeholders and their Responsibility**a. Responsibility of Executing Agency**

89. The Bangladesh Water Development Board through its Project Management Office and the Subproject Management Offices will ensure timely supply of background references, data and project options to the independent monitor. It will ensure uninterrupted access to work sites, relevant offices of the GOB and BWDB in particular. The independent monitor will sit in quarterly coordination meetings with the BWDB in presence of the supervision consultants and the BWDB should organize that at PMO or SMO level as appropriate.

90. Recommendation based on the result of the monitoring should be offered to BWDB to cover up the deficiencies identified by the independent monitor. The BWDB will accept the recommendations of the independent monitor if it is within the scope of work and there is nothing incorrect in the report.

b. Responsibility of Supervision Consultant

91. The supervision consultant will provide appropriate protocol at site or at its Project Office for the mission of the independent monitor. It will, on behalf of the EA, ensure free access to work sites, impact areas and the database on resettlement and civil works. The SC will ensure timely intimation of its civil works planning as and when made or updated during the construction period AND KEEP THE INDEPENDENT MONITOR INFORMED.

c. Responsibility of RP Implementing NGO (INGO)

92. The RP implementing NGO will assist and cooperate with the independent monitor through providing free access to its database and the automated management information system (MIS). It will provide copies of the progress reports and other reports as requested by the independent monitor. The INGO may have to carry out surveys as well for fulfillment of the requirements of the independent monitoring.

d. Asian Development Bank

93. The Asian Development Bank will review the activities of the independent monitor in light of the social safeguard strategy and the involuntary resettlement guideline. The Bank will ensure timely response from the EA on queries and recommendations from the independent monitor.

XI. Time Frame

94. The independent monitor will be employed from April 2005 until December 2008 with intermittent inputs from the professional team up to August 2008.

XII. Reporting Requirement

95. Half yearly monitoring report should be submitted to the BWDB and simultaneously to the ADB. An evaluation report at the end of the Project should be submitted to the BWDB and concerned parties with critical analysis of the achievement of the program and performance of the EA and NGO.

The independent monitor will report to BWDB and ADB based on some agreed upon formats developed in consultation with the BWDB.

XIII. Budget and Logistics

96. The budget (Attachment 1) includes all expenses such as staff salary, training, computer/software, transport, field expenses and other logistics necessary for resettlement monitoring. The budget contains a workshop to be conducted together with the supervision consultant to disseminate and discuss the Project experience of implementation of resettlement plans along eroding riverbanks. Additional expense claims whatsoever outside the proposed and negotiated budget will not be entertained. VAT, Income Tax and other charges admissible will be deducted at source as per GOB rule. The Project has a maximum allocation of TK 2,000,000 for the services of Independent Monitor.

(Md. Sharif Al Kamal)
Project Director
Project Management Office (PMO)
Jamuna-Meghna River Erosion Mitigation Project
BWDB, Dhaka

Annex 5

Approval of JVT, PVAT & GRC

Appendix-1.

(Page 1 of 3)

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
পানি সম্পদ মন্ত্রণালয়
উন্নয়ন-০২ শাখা
বাংলাদেশ সচিবালয়, ঢাকা

নং- পাসম-উঃ ২/এডিবি-২/২০০৪ (খন্ড-২)/১৭

তারিখ- ৩১-০১-২০০৬ খ্রিঃ
১৮-১০-১৪১১ বঃ

প্রজ্ঞাপন

এশীয় উন্নয়ন ব্যাংক (ADB) এর আর্থিক সহায়তায় বাংলাদেশ পানি উন্নয়ন বোর্ড (বাপাউবো) কর্তৃক বাস্তবায়ন করা 'যমুনা মেঘনা রিভার ইরোশন মিটিগেশন প্রকল্প (JMREMP)' এর আওতায় ২টি উপ-প্রকল্প যথাক্রমে (১) মেঘনা বন্যপ্রদেশ সেচ প্রকল্প (MDIP) ও (২) পাবনা সেচ ও পল্লী উন্নয়ন প্রকল্প (PIRIDP) গ্রহণের প্রেক্ষিতে ভূমি অধিগ্রহণের ফলে ক্ষতিগ্রস্ত লোকজনদের প্রচলিত আইনের অধীনে এবং উন্নয়ন সহযোগীর সাথে সম্মত পুনর্বাসন পরিকল্পনা (Resettlement Plan) অনুযায়ী পুনর্বাসন এর বিষয়ে প্রত্যাশী সংস্থা বাংলাদেশ পানি উন্নয়ন বোর্ডকে সহায়তা প্রদানের জন্য নিয়োজিত সদস্যগণের সমন্বয়ে উপ-প্রকল্প ২টির জন্য ৩টি করে মোট ৬ (ছয়)টি কমিটি গঠন করা হ'লঃ

(১) Joint Verification Team (JVT) : গঠন ও কার্যপরিধি

Joint Verification Team (JVT) for PIRDP (at Pabna)
Joint Verification Team (JVT) for MDIP (at Chandpur)

গঠনঃ

- | | | |
|--|---|------------|
| (ক) বাংলাদেশ পানি উন্নয়ন বোর্ডের প্রতিনিধি (উপ-বিভাগীয় প্রকৌশলী/সহকারী প্রকৌশলী/সমপর্গায়ের কর্মকর্তা) | - | সদস্য |
| (খ) সংশ্লিষ্ট জেলা প্রশাসক এর মনোনীত প্রতিনিধি | - | সদস্য |
| (গ) বাপাউবো-কে সহায়তা প্রদানকারী এনজিও এর প্রতিনিধি (ডেপুটি চীম লিডার, এরিয়া ম্যানেজার অথবা সমপর্গায়ের কর্মকর্তা/বিশেষজ্ঞ) | - | সদস্য সচিব |

কার্য পরিধি :

- (ক) পুনর্বাসন কর্মসূচী প্রণয়নকালে বাপাউবো তার পরামর্শকের সহায়তায় আর্থ-সামাজিক জরিপের মাধ্যমে প্রকল্পের ক্ষতিগ্রস্ত ব্যক্তিদের তালিকা ও ক্ষতিগ্রস্ত সম্পদের পরিমাণ এবং অধিগ্রহণ আইনের আওতায় যৌথ জরিপের মাধ্যমে ক্ষতিগ্রস্তদের তালিকা ও ক্ষতির পরিমাণ যাচাইপূর্বক সমন্বয় করে পুনর্বাসনের জন্য চূড়ান্ত তালিকা প্রণয়ন, সংশ্লিষ্ট রেকর্ডপত্রের স্বাক্ষরকরণ ও প্রকল্প পরিচালকের নিকট পেশকরণ।
- (খ) বাংলাদেশ পানি উন্নয়ন বোর্ড কর্তৃক প্রস্তাবিত প্রকল্প সীমানায় অবস্থিত বাপাউবো'র নিষ্কৃত বা সরুচালের গ্রামের ভাটখানার মালিক বসবাসকারীদের সনাক্তকরণসহ প্রকল্প পরিচালকের নিকট পেশকরণ।
- (গ) প্রকল্পের সময়সীমা (বাস্তবায়নকাল) অনুসরণে উপরোক্ত কার্যাদি সম্পাদন করে প্রয়োজনীয় নথিপত্র/প্রতিবেদন সংশ্লিষ্ট কর্মকর্তাগণের নিকট পেশকরণ।

(২) Property Valuation Advisory Team (PVAT) : গঠন ও কার্য পরিধি

Property Valuation Advisory Team (PVAT) for PIRDP (at Pabna)
Property Valuation Advisory Team (PVAT) for MDIP (at Chandpur)

Appendix-1
(Page 2 of 3)

গঠন :

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| (ক) বাংলাদেশ পানি উন্নয়ন বোর্ডের প্রতিনিধি (উপ-বিভাগীয় প্রকৌশলী /সহকারী প্রকৌশলী /সমপর্যায়ের কর্মকর্তা) | - | আহবায়ক |
| (খ) সংশ্লিষ্ট জেলা প্রশাসক এর মনোনীত প্রতিনিধি | - | সদস্য |
| (গ) পাউবো-কে সহায়তা প্রদানকারী এনজিও এর প্রতিনিধি (ডেপুটি চীম লিডার, এরিয়া ম্যানেজার অথবা সমপর্যায়ের কর্মকর্তা/বিশেষজ্ঞ) | - | সদস্য- সচিব |

কার্য পরিধি :

- (ক) অধিগ্রহণের ফলে ক্ষতিগ্রস্ত ভূমি ও অন্যান্য সম্পদের মূল্য বাজার দর অনুযায়ী ভূমি ও অন্যান্য সম্পদের বদলী মূল্য নিরূপনে আইনানুগভাবে নির্ধারিত কর্তৃপক্ষকে সহায়তাকরণ।
- (খ) বাংলাদেশ পানি উন্নয়ন বোর্ড ও অন্যান্য সরকারী জমিতে অবস্থানরত ব্যক্তিদের ক্ষতিগ্রস্ত সম্পদের মূল্য বাজার দর অনুযায়ী সম্পদের বদলী মূল্য নিরূপনে আইনানুগভাবে নির্ধারিত কর্তৃপক্ষকে সহায়তাকরণ।
- (গ) ক্ষতিপূরণের চেক বিতরণে সঠিকতা নিরূপনে সহায়তাকরণ।
- (ঘ) ঘরবাড়ী/অবকাঠামো/গাছপালা/ফসল ইত্যাদির ক্ষতিপূরণ মূল্য নিরূপনে সংশ্লিষ্ট বিভাগকে সহায়তাকরণ।
- (ঙ) প্রকল্পের সময়সীমা (বাস্তবায়নকাল) অনুসরণে উপরোক্ত কার্যাদি সম্পাদন করে প্রয়োজনীয় কাগজপত্র/প্রতিবেদন বাংলাদেশ পানি উন্নয়ন বোর্ডের সংশ্লিষ্ট প্রকল্প পরিচালক ও জেলা প্রশাসকের কাছে পেশকরণ।

(৩) Grievance Redress Committee (GRC) : গঠন ও কার্য পরিধি

Grievance Redress Committee (GRC) for PIRDIP (at Pabna)

Grievance Redress Committee (GRC) for MDIP (at Chandpur)

গঠন :

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| (ক) বাংলাদেশ পানি উন্নয়ন বোর্ডের প্রতিনিধি (উপ-বিভাগীয় প্রকৌশলী /সহকারী প্রকৌশলী /সমপর্যায়ের কর্মকর্তা) | - | আহবায়ক |
| (খ) পাউবো-কে সহায়তা প্রদানকারী এনজিও এর প্রতিনিধি (ডেপুটি চীম লিডার, এরিয়া ম্যানেজার অথবা সমপর্যায়ের কর্মকর্তা/বিশেষজ্ঞ) | - | সদস্য- সচিব |
| (গ) ইউনিয়ন পরিষদের চেয়ারম্যান (ক্ষতিগ্রস্ত ব্যক্তি যে ইউনিয়নে নালিশ লিপিবদ্ধ করবেন) | - | সদস্য |
| (ঘ) ক্ষতিগ্রস্ত ব্যক্তিদের প্রতিনিধি | - | সদস্য |

কার্য পরিধি:

- (ক) প্রকল্প গ্রহণের কারণে ক্ষতিগ্রস্ত ব্যক্তিদের নালিশ এবং শুনানী গ্রহণ।
- (খ) ক্ষতিগ্রস্ত ব্যক্তিদের নালিশ যদি ভূমি অধিগ্রহণ অধ্যাদেশ এর সালিশ (Arbitration) পদ্ধতি অথবা প্রচলিত আইনের আওতাভুক্ত কোন বিষয় হয়, তবে এ কমিটি উক্ত নালিশ সংশ্লিষ্ট জেলা প্রশাসক/কর্তৃপক্ষের নিকট পেশ করার পরামর্শ দিবে। নালিশ যদি প্রচলিত আইনের আওতাভুক্ত না হয় সেক্ষেত্রে প্রকল্পের পুনর্বাসন পরিকল্পনা (Resettlement Plan) এর নীতিমালার আলোকে বিষয়সমূহ নিষ্পত্তির ব্যাপারে কমিটি কর্তৃক সিদ্ধান্ত গ্রহণ।
- (গ) ভূমিহীন ক্ষতিগ্রস্ত ব্যক্তিদের নালিশকার্যে এই কমিটি কর্তৃক বর্ণিত পদ্ধতি অবলম্বনপূর্বক সিদ্ধান্ত প্রদান।

নালিশ গ্রহণ ও নিষ্পত্তি করার পদ্ধতি :

- (ক) ক্ষতিগ্রস্ত ব্যক্তি পরিচয়পত্র প্রাপ্তির ১ মাসের মধ্যে অথবা প্রাপ্য ক্ষতিপূরণ সম্বন্ধে তাহাকে অবহিত করার ১ মাসের মধ্যে লিখিতভাবে আহবায়কের কার্যালয়ে আবেদন করতে পারবেন।

Hasan

Appendix- I.
(Page 3 of 3)

- (খ) এই কমিটি নালিশ প্রাপ্তির ১০ দিনের মধ্যে বিষয়টি নিষ্পত্তির জন্য বসবেন এবং এসংক্রান্ত মাননীয় রেকর্ড ও সভার কার্যবিবরণী সংরক্ষণ করবেন।
- (গ) আহ্বায়কের কার্যালয়ে এই কমিটির যাবতীয় কাজ অণুষ্ঠিত হবে।
- (ঘ) কমিটি সিদ্ধান্ত গ্রহণের ভিত্তি অবশ্যই উল্লেখ করবে।
- (ঙ) কমিটি নালিশ প্রতিকার সংশ্লিষ্ট নিয়মাবলী এবং এ সংক্রান্ত ক্ষতিগ্রস্তদের অধিকার স্থানীয়ভাবে কমিউনিটি সভায় এবং ক্ষুদ্র পত্রিকা বিলির মাধ্যমে সাধারণ জনসমক্ষে প্রচার করবে।

(মোসাম্মৎ নাসিমা বেগম)
সিনিয়র সহকারী সচিব
ফোন ৭১৬১৭২১

নং- পাসম-উঃ ২/এডিবি-২/২০০৪ (খন্ড-২)/১৭/১(১৯)

তারিখ- ৩১-০১-২০০৫ খ্রিঃ
১৮-১০-১৪১১ নং

বিতরণ :

- ১। মন্ত্রিপরিষদ সচিব, মন্ত্রিপরিষদ বিভাগ, বাংলাদেশ সচিবালয়, ঢাকা।
- ২। সচিব, সংস্থাপন মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৩। সচিব, স্বরাষ্ট্র মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৪। আইন, বিচার ও সংসদ বিষয়ক মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৫। সচিব, ভূমি মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৬। সচিব, অর্থনৈতিক সম্পর্ক বিভাগ, শেরে বাংলা নগর, ঢাকা।
- ৭। সচিব, পরিবেশ ও বন মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৮। সচিব, গৃহায়ন ও গনপূর্ত মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৯। সচিব, কৃষি মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ১০। সচিব, পরিকল্পনা বিভাগ, শেরে বাংলা নগর, ঢাকা।
- ১১। সচিব, আই, এম, ই, ডি, শেরে বাংলা নগর, ঢাকা।
- ১২। মহা-পরিচালক, এন, জি, ও, বিষয়ক ব্যুরো, মৎস্য ভবন, রমনা, ঢাকা।
- ১৩। মহা-পরিচালক, বাংলাদেশ পানি উন্নয়ন বোর্ড, ওয়াপদা ভবন, মতিঝিল, ঢাকা।
- ১৪। বিভাগীয় কমিশনার, রাজশাহী বিভাগ, রাজশাহী।
- ১৫। বিভাগীয় কমিশনার, চট্টগ্রাম বিভাগ, চট্টগ্রাম।
- ১৬। উপ-নিয়ন্ত্রক, বাংলাদেশ সরকারী মুদ্রণালয়, তেজগাঁও, ঢাকা।

(তাকে উক্ত প্রজ্ঞাপন বাংলাদেশ গেজেট এর পরবর্তী সংখ্যায় প্রকাশের প্রয়োজনীয় ব্যবস্থা গ্রহণের জন্য নির্দেশক্রমে অনুরোধ করা হ'ল)।

১৭। জেলা প্রশাসক, পাবনা/চাঁদপুর।

১৮। প্রকল্প পরিচালক, যমুনা-মেঘনা রিভার ইরোশন মিটিগেশন প্রকল্প, হক চেম্বার, ৩ ডি, আই, টি এন্টারপ্রাইজ
বাগাউবো, মতিঝিল, ঢাকা।

ডায়েরী নং- ৩৪

তারিখঃ ১২/১০/০৫

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| ১। ভূস্বায়িক প্রকৌশলী/ডিজাইন ইউনিট | <input type="checkbox"/> প্রয়োজনীয় ব্যবস্থা নি |
| ২। নির্বাহী প্রকৌশলী-১ | <input type="checkbox"/> অধ্যাপক |
| ৩। নির্বাহী প্রকৌশলী-২ | <input type="checkbox"/> ফাইল দিন |
| ৪। নির্বাহী প্রকৌশলী-৩ | <input type="checkbox"/> মতামত দিন |
| ৫। উপ-প্রধান (কৃষিভূবিদ)/বিএমইইউ | <input type="checkbox"/> অবগতির জন্য |
| ৬। উপ-পরিচালক (প্রশাসন) | |
| ৭। ইকোনমিস্ট | |
| ৮। উপ-বিভাগীয় প্রকৌশলী-১ | |
| ৯। উপ-বিভাগীয় প্রকৌশলী-২ | |
| ১০। উপ-বিভাগীয় প্রকৌশলী(পুর)/এমইইউ | |
| ১১। সহকারী প্রকৌশলী | |
| ১২। হিঃ রঃ কর্মকর্তা | |
| ১৩। প্রধান নং- ১৩ | |

৩
প্রকল্প পরিচালক

(মোসাম্মৎ নাসিমা বেগম)
সিনিয়র সহকারী সচিব

Annex 6

SUMMARY OF RESETTLEMENT FRAMEWORK AND SHORT RESETTLEMENT PLAN FOR SDL, MAY 2002

LAND ACQUISITION AND RESETTLEMENT FRAMEWORK JULY 2002

SUMMARY OF RESETTLEMENT FRAMEWORK AND SHORT RESETTLEMENT PLAN

Introduction

The Resettlement Framework (RF) and a Short Resettlement Plan (RP) were submitted to the ADB by the Government of Bangladesh on May 14, 2002 with assurances that these would be followed during project implementation. A Summary RF and the Short RP, to serve as a model for future RPs, were *Appendix 12 to the Report and Recommendation of the President to the Board of Directors on a Proposed Loan to the People's Republic of Bangladesh for the Jamuna-Meghna River Erosion Mitigation Project (the RRP)*, June 4, 2002.⁴²

The RRP stated that the resettlement activities will be implemented in accordance with ADB's involuntary resettlement and other social safeguard policies. In the context of the Project, a resettlement framework (RF) was prepared for PIRDP and MDIP to cover the riverbank protection work, for which specific site will be finalized at the final design stage in response to the shifting of riverine environment. The RF require the following procedures: (i) BWDB to carry out impact assessment surveys once the scope of each year's work is identified, based on preliminary technical designs; (ii) if impacts are found to be "significant", BWDB will prepare full RPs for each subproject; and (iii) if subproject impacts are less than significant, short RPs would be sufficient for project preparation. The short RPs must, however, comply with ADB's policy on involuntary resettlement and other social safeguard guidelines. In addition to the above, a short resettlement plan (RP) was prepared for SDL.

A. Resettlement Framework for the Riverbank Protection Works

1. **Scope and Impact:** The resettlement framework (RF) includes the framework for the proposed 7.0km and 4.4 km of protection work along the flood embankments along the Jamuna and the Meghna rivers in PIRDP and MDIP respectively to protect the project area from the progressive river erosion. The revetment works will be implemented over a 6-year period. The total amount of land acquired for revetment is estimated at 33 hectare (ha) in PIRDP and 22 ha in MDIP. While these lands will be eroded without the project implementation, this will displace 89 households including 9 small business enterprises with 547 persons to be displaced. In addition 150 households are likely to be affected by the loss of agricultural land along the bank line. These have to be further reviewed and finalized during the final design stage when the alignments for the protection works will be decided based on the morphological development at that time. The implementation of the project is expected to start in the first-quarter of 2003.

2. **Resettlement Policy:** Resettlement will be implemented following the legislation of the Government of Bangladesh including (i) Acquisition and Requisition of Immovable Property Ordinance 1982 and (ii) East Bengal State Acquisition and Tenancy Act (1951, revised 1994), and in accordance with the ADB's policy on involuntary resettlement.

⁴² The *Land Acquisition and Resettlement Framework* was subsequently attached as Annex II to the Government of Bangladesh, Ministry of Water Resources, Bangladesh Water Development Board. 2002. *JMREMP, Modified Resettlement and Social Development Plan: Phase I*. July.

3. **Resettlement Principles and Entitlements:** Those affected will be assisted to maintain their original standard of living, at least equal to what they enjoyed prior to the Project. All types of losses including land, crops/ trees, structures, business/ employment, and workdays/ wages will be compensated. The owners of land acquired for protection work, including bank line/ eroded land within the 50-m right-of-way acquisition will be compensated at full replacement costs. Affected households will receive (i) additional cash grant to match replacement value, and (ii) other resettlement assistance such as shifting allowance, compensation for loss of workdays/income due to dislocation. Female-headed households and other vulnerable households will be eligible for further cash assistance for relocation and house reconstruction.

4. After the bank lines to be protected in each year's work are defined after the monsoon season, the following procedures are carried out: (i) BWDB undertake impact assessment surveys based on preliminary technical designs; (ii) if impacts are found to be "significant", BWDB will prepare full resettlement plans (RPs) for each section; and (iii) if subproject impacts are less than significant, short RPs would be sufficient for project preparation, in compliance with ADB's policy on involuntary resettlement and other social safeguard guidelines.

5. **Institutional Responsibilities and Costs:** BWDB has overall coordination, planning, implementation and financing responsibilities. An experienced NGO will be hired for RSDP implementation. A senior BWDB staff at the rank of executive engineer will be appointed as Chief Resettlement Officer to supervise the implementation work. BWDB will further ensure resettlement budgets are delivered on time to the DC office and the implementing NGOs for timely RP implementation. The cost of land acquisition and resettlement is estimated at Tk86.6 million (\$1.51 million). The Government of Bangladesh will provide the entire fund for land acquisition and resettlement.

6. **Disclosure, Consultation and Grievances:** Each RPs will be prepared and implemented in close consultation with the stakeholders and will involve focus group discussion (FGD) and meetings, particularly with the project-affected people. Copies of draft RPs will be distributed among NGOs/ community groups prior to project appraisal for local inputs. Grievances Redress Committee (GRC) will be established with representations from the EA, APs, women/vulnerable groups, local government and NGOs. The Resettlement Coordinator will chair the GRC. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, relocation, and other assistance. Any grievances submitted to the GRC shall be resolved within a period of 2 to 3 weeks.

8. **Monitoring and Evaluation:** BWDB will establish a monthly monitoring system involving BWDB and implementing NGO staff, and prepare progress reports on all aspects of land acquisition/resettlement and social development activities. External monitoring will be assigned to an independent local expert/agency. BWDB will report to the ADB on land acquisition and resettlement/social development in the quarterly progress report.

B. SHORT RESETTLEMENT PLAN FOR THE SECONDARY EMBANKMENTS IN PIRDP

9. **Scope and Impacts:** The short resettlement plan (RP) is associated with the construction of a 1.2km Secondary Defense Line (SDL) of embankments to protect some critical sections of the existing embankments in PIRDP. It will be implemented in 2003. The construction of the SDL will require acquisition of an estimated 10 ha of land. The proposed alignment largely consists of low-lying agricultural land. As a result, the project impact is limited to 3 households only (total affected persons 18). In addition to this, an estimated 150 households will experience some limited loss of agricultural lands from strip acquisition.

12. **Resettlement Policy:** Resettlement will be implemented following the Acquisition and Requisition of Immovable Property Ordinance 1982 and in accordance with the ADB's policy on involuntary resettlement.

13. **Stakeholder Consultation and Entitlements:** During the project preparatory stage, a consultation was held covering the SDL area. The feedback and observations made at the stakeholders' meetings have been used in preparing the entitlement matrix and project benefits for the affected people. The entitlement matrix recognizes seven types of losses to cover all potential losses, including loss of access by tenants (Figure A13-1).

Figure A13-1. Resettlement Matrix⁴³

Note: Some Revisions in Land Acquisition and Resettlement Framework, July 2002 below]

| Type of Loss | Application | Definition of APs | Entitlements | Expected Results |
|---|-----------------------------------|---|--|--|
| 1. Loss of agricultural/ or any other type of land such as fishponds. | Land on the SDL right-of-way | Legal owners of land | <ul style="list-style-type: none"> ✓Cash compensation under GOB law by D.C. ✓Additional cash grant to match market/replacement value to be determined by BWDB through independent valuation committee ✓Refund of registration cost incurred for replacement land purchase | Replacement of agricultural land or the value to the APs |
| 2. Loss of homestead land | Land on the SDL right-of-way | Legal owners of land | <ul style="list-style-type: none"> ✓Cash compensation under GOB law by D.C. ✓Replacement value of land. ✓Refund of registration cost incurred for replacement land | Replacement of homestead/ commercial land |
| 3. Loss of residential structure by owners | Structure on the SDL right-of-way | Owner(s) of structures identified by DC and the SES | <ul style="list-style-type: none"> ✓Cash compensation under GOB law by D.C. ✓Additional cash grant to match replacement costs ✓Taka 2,000 as transfer grant for relocation ✓Taka 7,500 for homestead/land development and reconstruction cost | Reconstruction of structure at a new site |
| 4. Loss of trees, crops, perennials | Standing crops, trees on SDL RoW | Owners of land | <ul style="list-style-type: none"> ✓Compensation at the rate estimated by the Forest Department and the Agriculture Extension Department | Compensation of standing crops and trees |
| 5. Loss of access by | Agricultural | Tenants of the | <ul style="list-style-type: none"> ✓Taka 200 per decimal of | Compensation for |

⁴³ Note that this *Entitlement Matrix* was subsequently revised in the following document in this Annex 6, the *Land Acquisition and Resettlement Framework, July 2002*.

| Type of Loss | Application | Definition of APs | Entitlements | Expected Results |
|--|--|---|---|--|
| tenants/ sharecroppers | plots on the SDL RoW | land as identified by the SES | agricultural land under tenant/sharecropping contract farming | loss of access to farm land |
| 6. Loss of income and work days due to displacement | Households affected by SDL RoW | Head of households identified by the SES | <ul style="list-style-type: none"> ✓Taka 2000 per household ✓Taka 3000 for households headed by women ✓Employment in the project construction work | Subsistence and income in post- displaced period |
| 7. Additional assistance to the poor and vulnerable | Vulnerable households on the SDL RoW | Households relocated to new site | <ul style="list-style-type: none"> ✓Lump sum poverty reduction assistance pf Taka 5,000 per households with incomes under the poverty line | Poverty reduction measures and development |

15. **Implementation Responsibilities and Cost Estimates:** The same arrangement as described in RF is followed. The estimated land acquisition and resettlement cost for SDL is Taka 15 million (\$260,000). The Government will provide the entire fund for land acquisition and resettlement. The affected people, including those affected by land acquisition, will receive compensation prior to the start of work.

**LAND ACQUISITION AND RESETTLEMENT FRAMEWORK, JULY 2002⁴⁴
FOR THE JAMUNA-MEGHNA RIVER EROSION MITIGATION PROJECT,
BANGLADESH**

A. Project Background and Description

1. The Jamuna-Meghna River Erosion Mitigation Project (the Project) involves protection of two subprojects, namely the Meghna-Dhonagoda Irrigation Project (MDIP), and Pabna Irrigation and Rural Development Project (PIRDP), from the onslaught of erosions by the Jamuna and the Meghna Rivers. Sections of the existing embankments in MDIP and PIRDP are likely to experience bankline erosion without protection work. An estimated 530,000 people will be affected in the event of any breaches with adverse impacts on the socioeconomic, livelihoods and food security situations in the project area.
2. The Project will implement riverbank erosion mitigation work consisting of a combination of structural and non-structural measures. The structural measures include revetment work using concrete blocks and sand-filled geo-textile bags while non-structural measures focus on emergency disaster preparedness, resettlement/social development and poverty reduction programs for project affected as well as vulnerable people living on the embankments. The proposed 11.4 km protection work will be implemented over a 7-year period involving both construction and strengthening of the existing protection work.
3. For the riverbank protection work, an estimated 57 ha of land will be acquired, comprising 35 ha in PIRDP and 22 ha in MDIP, which will otherwise be eroded without the Project intervention. An estimated 89 households will be relocated including 9 small business establishments. However, the alignment will be decided upon finalization of the design stage due to the active and dynamic riverine situation in the floodplain. The following policy framework will be used for resettlement of project-affected persons and guide the project preparation and implementation. The implementation of the Project is expected to start in the first-quarter of 2003. The Bangladesh Water Development Board (BWDB) is the executing agency (EA) of the project.

B. Resettlement Policy Framework

4. The current legislation governing land acquisition for the project include: (i) Acquisition and Requisition of Immovable Property Ordinance 1982 and (ii) East Bengal State Acquisition and Tenancy Act (1951, revised 1994). The 1982 Ordinance does not cover project-affected persons without titles or ownership records such as informal settlers/squatters. Further, the compensation paid does not constitute market or replacement value of the property acquired.
5. The East Bengal State Acquisition and Tenancy Act (Section 7) defines the ownership and use right of alluvial (*nadi sikosti*) and diluvion land (*payosti*, reformation *in situ* or original site) in the country. Legally, GOB owns the bank lines and eroded land in the river.

⁴⁴ The *Land Acquisition and Resettlement Framework* was attached as Annex II to the Government of Bangladesh, Ministry of Water Resources, Bangladesh Water Development Board. 2002. JMREMP, *Modified Resettlement and Social Development Plan (RSDP)*: Phase I. July..

However, the 'original' owner(s) can claim the land if it reappears as a natural process within the 30 years from the date of erosion. The loss of land for the revetment work may reduce the possibility of any such claims to regaining access to new land in *in situ* or original site. There are also no legal provisions to compensate for land eroded in to the rivers, although the Jamuna Bridge Project provided compensation to people affected by erosion and flooding in association with the construction of the guide bund on char land and eroded land upon confirmation of titles.

6. The 1982 Ordinance and its subsequent amendments will be applied for land acquisition for the project. In the absence of a policy consistent with ADB policy on involuntary resettlements and poverty reduction, a project specific resettlement policy framework (RPF) and resettlement procedural guidelines (RPG) will be adopted. The RPF and RPG stipulations contained in this document shall apply to all subprojects/phases to be prepared and approved under the loan project. This will ensure that persons affected by land acquisition – whether it is floodplain, bankline or eroded land which is attributed to the Project works – will be eligible for appropriate compensation in this Project including any displacement of non-titled people. In the event that any non-titled people is displaced to free up sites, they will have priority for self selected relocation schemes and will be provided with compensation for structures and shifting allowance, formal lease contract for new sites and priority for the social development programme support. Like wise, any charland lost as a result of the Project work, will be compensated under the entitlement matrix in the resettlement framework. Finally, any involuntary resettlement effect associated with the flood embankment works that may arise as a result of floods and river erosion in the monsoon season will also be covered by the framework.

7. The RPF reflects the borrowers land acquisition laws/regulations and ADB's policy on involuntary resettlement and guidelines. It stipulates eligibility and provisions for all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). Since land-for-land would not be a feasible option due to the ongoing erosions in the floodplain, the owners of land acquired for protection work, including bankline/eroded land within the 50-m right-of-way acquisition (from the revetment toe in the river to the floodplain on the bankline), will be compensated at full replacement costs. Households affected by land acquisition and compensated by the DC (Deputy Commissioner) for lost assets will receive (i) additional cash grant to match replacement value, and (ii) other resettlement assistance such as shifting/reconstruction allowances, and (iii) compensation for loss of workdays/income due to dislocation. Non-titled households will receive resettlement benefits based on socioeconomic survey prior to compensation to the titled project persons. Female-headed households and other vulnerable households will be eligible for further cash assistance for relocation and house reconstruction. Table 1 presents a comparison of the GOB laws and ADB policy, and how the policy gaps will be addressed, including assessment and valuation of acquired property, while Table 2 shows the compensation entitlement matrix under the RPF and Table 3 shows the entitlement matrix under the JFPR programme. [Note: Table 3 is not relevant for involuntary resettlement, so is not included in this Annex.] The government has agreed to ensure that these would be implemented accordingly.

8. Erosion and flood-affected people on the embankment, particularly the poor and women with incomes below the poverty line, will receive assistance through the 'pilot' social development programme (SDP) for poverty reduction funded by the Japan Fund for Poverty Reduction (JFPR). The pilot project in Phase I includes (i) micro-credit for income-generation activities; (ii) community-based routine maintenance work for embankment and canal dike protection; (iii) plantation and social forestry along the embankment and canal dike alignment; and (iv) information and resource centre for networking, capacity building and empowerment. The EA will pay particular attention to developing effective poverty reduction strategies for households below the poverty line. The people involuntarily displaced from homes, assets, or income sources as well as non-titled people affected by the project will receive priority access to the Social Development Programme. This implies that the non-titled people affected will receive not only compensation at replacement cost for assets lost and other assistance to restore their economic and social base, but also have priority access to SDP.

C. Resettlement Procedural Guidelines

9. The Resettlement and Social Development Plan (RSDP) has been submitted to the ADB prior to project appraisal and was further refined at appraisal. Specific RPGs have been established to guide preparation of appropriate subprojects.

10. The established RPGs require the following procedures: (i) BWDB to carry out impact assessment surveys once scope of each year's work are identified, based on preliminary technical designs; (ii) if impacts are found to be 'significant', BWEDB will prepare full RPs for each subproject; and (iii) if subproject impacts are less than significant, short RPs would be sufficient for project preparation. The short RPs must, however, comply with ADB's policy on involuntary resettlement and other social safeguard guidelines including consultation with people affected that would underpin the preparation of these RPs.

Table 1: Measures Proposed to Bridge the Gaps between GOB and ADB Policy

| LAR Issues | GOB Policy | RSDP as per ADB Policy |
|---|--|--|
| A. Assessment of Losses and Identification of Owner(s) | | |
| 1. Land and physical property on the acquired property | The DC conducts joint verification with the requiring body and categorizes land by types, any assets thereon as well as identifies the owners of physical assets. | In addition to DC, the requiring body conducts census and SES to assess the losses and identifies owner(s) of acquired assets. In addition, the Implementing NGO (INGO) as a member of the Joint Verification Team confirms the Joint Verification Data of physical property for implementation adequacies. |
| 2. Livelihood and income opportunities | GOB laws of acquisition of land and property do not count loss of income and employment. | Recognizes. The loss of income and employment through census and socioeconomic survey conducted by independent agency |
| 3. Squatters/Illegal Occupants | Joint Verification Team assesses and recognizes the squatters as owners of structures they live in. | Recognizes loss of structure, place of residence through census and socioeconomic survey conducted by independent agency. |
| 4. Social Dislocation | The DMC laws do not count social dislocation due to acquisition. | Recognizes social and emotional disturbance due to dislocation from original place of residence. |
| B. Assessment of Compensation and Valuation | | |
| 5. Land (Agricultural and Homestead) | Deputy Commissioners (DCs) consider recorded price for the preceding one-year | A land market survey is conducted by independent agency through structured survey and consultation for assessing the current market price of land. A Property Valuation Advisory Team (PVAT) recommends a replacement value as additional payments paid directly to owner(s) of acquired land. |
| 6. Tree, crops, perennials | Prices from the Forest Department and Agricultural Extension are used for affected trees and standing crops. | The DC price is reviewed and additional value is added to ensure the market price. The PVAT recommends the replacement price of trees and crops |
| 7. Structure & non-structure assets, etc. | PWD price is considered to assess the price of structure of different types. | The PWD price for different types of structure is reviewed. The PVAT also conducts valuation to recommend market price of structure at replacement value. |
| C. Compensation Entitlement | | |
| 8. Loss of land, structure, tree, crops, etc. | <ul style="list-style-type: none"> Assessed market price of land and other immovable property and a 50% premium on that to legal owners Removal cost @ 12.5% of the assessed value. Auctions out the salvaged materials | <ul style="list-style-type: none"> Market Price at Replacement Cost assessed by PVAT Stamp Duty/Registrations cost is reimbursed for purchase of Replacement Land. Shifting and Reconstruction Assistance to facilitate relocation and reconstruction of structure at a new site Allowed to take salvaged materials free of cost |
| 9. Livelihood and Income Opportunities | <ul style="list-style-type: none"> No provisions for loss of income and employment | <ul style="list-style-type: none"> Cash Assistance for Income Restoration Priority Assistance in the Social Development Program (SDP) and employment in civil works |
| 10. Informal Settlers/Squatters | <ul style="list-style-type: none"> Assessed Market Value of structure including 50% premium on that or Removal Cost for moveable structures | <ul style="list-style-type: none"> Replacement Price of structure, and alternative House Plot Shifting and Reconstruction Assistance to facilitate relocation and reconstruction of structure at a new site Priority assistance in the Social Development Program and employment in civil works |
| 11. Social Dislocation | <ul style="list-style-type: none"> No Assistance | <ul style="list-style-type: none"> Options for Relocation of the APs are considered for resettlement Renovation and extension of community facilities in host areas are provided Special assistance is provided to female-headed households and other vulnerable groups |
| 12. Unforeseen Impacts | <ul style="list-style-type: none"> No Assistance | <ul style="list-style-type: none"> For example, char land lost due to the stabilization works within 2 years of their completion will be compensated under the Entitlement Matrix agreed under the RF following the policy adopted under the Jamuna Multipurpose Bridge Project |

Table 2 Compensation Entitlement Matrix (Land Acquisition & Resettlement)⁴⁵

| Type of Loss | Application | Definition of APs | Entitlement | Expected Results |
|--|--|---|--|---|
| Loss of agricultural/fallow land, water bodies, ditch, etc. | Land on the Project right of way along the bankline acquired by DC | Legal owners of land | <ul style="list-style-type: none"> ✓ Replacement value of land ✓ Refund of registration cost incurred for replacement land purchase determined by the BWDB through NGO. | Replacement of land or the value to the APs |
| Loss of homestead and commercial land | Land on the Project right of way along the bankline acquired by DC | Legal owners of land | <ul style="list-style-type: none"> ✓ Replacement value of land at market price ✓ Refund of registration cost incurred for replacement land purchase determined by the BWDB through NGO. | Replacement of homestead/commercial land |
| Loss of residential and/or commercial structure by owners/informal settlers from the Project rights of way land. | Structure on the Project right of way land along the bank line | Owner(s) of structures identified by the DC and SES ⁴⁶ | <ul style="list-style-type: none"> ✓ Replacement value⁴⁷ of structure as determined by the BWDB through NGO; ✓ Taka 2,000 as transfer grant for relocation of residential and commercial structure ✓ Taka 5,000 for homestead/land development grant ✓ Tk. 3,000 house reconstruction grant⁴⁸ ✓ Salvaged materials free of cost | Reconstruction of structure at a new site |
| Loss of trees, crops, perennials | Standing crops, trees on the right of way land | Owners of land and non-titled owners of trees/crops/perennials recognized by the owners of the land | <ul style="list-style-type: none"> ✓ Compensation at the rate estimated by the Forest Department and the Agriculture Extension Department ✓ Salvaged materials free of cost | Compensation for standing crops and trees |
| Loss of access by tenants/sharecroppers to agricultural land for crop production | Agricultural plots on the Project rights of way | Tenants of the land as identified by the SES | <ul style="list-style-type: none"> ✓ Taka 200 per decimal of agricultural land under tenancy/sharecropping contract farming | Compensation for loss of access to farm land |
| Loss of income and work days due to displacement | Households affected by the Project alignment/ROW | Head of households identified by the SES | <ul style="list-style-type: none"> ✓ Taka 2000 per household ✓ Taka 3000 for households headed by women ✓ Employment in the Project construction work, if possible | Subsistence and income in post-displaced period |

⁴⁵ Note: Some revisions based on ADB mission requests are documented by footnote in main RP text Entitlement Matrix

⁴⁶ As approved by BWDB.

⁴⁷ That is, the 'Market Price.'

⁴⁸ Per household/shop

| Type of Loss | Application | Definition of APs | Entitlement | Expected Results |
|--|---|---|--|--|
| Displacement of community structure | Community structure on the Project rights of way | Community representative as identified by the SES | <ul style="list-style-type: none"> ✓ Taka 2,000 as transfer grant for relocation of CPR ✓ Plot inside embankment on BWDB or <i>khas</i> land ✓ Taka 10,000 structure reconstruction grant | Restoration of community structure for common benefits |
| Loss of diminished business or employment | Owners/ operators of SBEs on the Project rights of way | Owner and employees of the SBEs | <ul style="list-style-type: none"> ✓ Taka 2,000 to the owner and operators for business restoration; ✓ Taka 1,500 to employees for income supplement | Restoration of business after relocation |
| Vulnerability to resettlement and relocation | Vulnerable households or non-titled persons on the Project ROW | Households relocated on the new site of BWDB | ✓ Priority assistance in the social development programme | Sustainable social development |
| Project induced erosion of char land | Char land if erodes due to the Project within 2 years of its completion | Owners/occupiers of eroded char land | ✓ Market value of concerned land assessed by PVAT to the owner-occupier by 100 per cent or share it 50-50 among owners and occupier for non-owner occupied land | Project benefits shared to every impacttees |

D. Institutional Responsibilities and RSDP Cost

11. The Ministry of Water Resources (MOWR) through BWDB has overall coordination, planning, implementation and financing responsibilities. BWDB fully recognizes the complexity of the resettlement and social development programs in the project. Therefore, BWEDB will hire resettlement specialists under a team of consultants as well as experienced NGOs for RSDP implementation with clearly defined tasks, including micro-credit for poverty reduction and community capacity building under JFPR programs. BWDB with the assistance of resettlement specialist(s) will undertake land acquisition survey, census and asset inventory survey and prepare full/short Resettlement Plans and proposals for land acquisition plans through sub-contracting with a local agency under the consultancy. During the process, BWDB with the assistance of consultants will ensure that (i) the agency responsible for RP preparation for subprojects is aware of the RPF and RPG arrangements for resettlement planning so that appropriate entitlements and mitigation measures are established in the RP; and (ii) resettlement budgets are delivered on time to the DC office and the implementing NGOs for timely RP implementation. BWDB will also ensure that all Full and/or Short RPs should be submitted to ADB for approval, and that funds for compensation and entitlements under the RPs are fully provided directly to APs prior to the award of the civil award contracts.

12. Upon clearance of land acquisition proposal by Deputy Commissioner of Ministry of Land, a property valuation advisory team (PVAT) will be formed with representative from the BWDB in the chair, representative from the implementing NGO as member secretary and the representation from the Deputy Commissioners through Government gazette to determine replacement market price of land and properties. A senior BWDB staff at the rank of executive engineer will be appointed as Chief Resettlement Officer to supervise the implementation work and will be assigned in the subproject management offices (SMOs) to undertake day-to-day activities with the appointed NGO and consultants. Given the capacity constraint within BWDB in terms of identification, contracting and supervision for involuntary resettlement work, training in these regards will be prepared and arranged by the consultants. The appointed NGO will open field offices in MDIP and PIRDP and will involve affected persons, including women, in the implementation process.

13. The cost of land acquisition and resettlement for the Project is estimated at Taka 106 million (\$1.85 million), including the physical contingency of 10 percent (Table-4). The Government of Bangladesh will provide the entire fund for land acquisition and resettlement. The fund will be released through the DC office for acquired properties, whereas all the other additional benefits will be paid directly by the executing agency through the implementing NGO. The social development and poverty reduction programs, estimated at Taka 114 million (\$1.98 million), will be requested for a JFPR grant (Table-5).

Table 4: Cost Estimate for the Resettlement under GOB Fund

| Sl. No. | Description | Unit | Rate (Tk) | Quantity | | Amount (TK) | |
|---------|--|------|-----------|----------|--------|-------------|------------|
| | | | | MDIP | PIRDP | MDIP | PIRDP |
| A | Land Acquisition | | | | | | |
| 1 | CCL for Acquired Land | Ha | 1,050,000 | 22 | 35 | 23,100,000 | 36,750,000 |
| 2 | CCL for Structure | Sft | 75 | 6,653 | 49,145 | 498,975 | 3,685,875 |
| 3 | CCL for Trees, Crops, Perennials | LS | | | | 504,000 | 2,500,000 |
| 4 | Overhead Cost for DCs | % | 7% | | | 1,687,208 | 3,005,511 |
| B | Resettlement | | | | | | |
| 1 | Additional Grant for Replacement Land | Ha | 100,000 | 22 | 35 | 2,200,000 | 3,500,000 |
| 2 | Refund of Registration Cost for Replacement Land Purchase (20% will be able to buy land) | % | 15% | | | 759,000 | 1,207,500 |
| 3 | Additional Grant for Structure | Sft | 25 | 6,653 | 49,145 | 166,325 | 1,228,625 |
| 4 | Transfer Grant | Nos. | 2,000 | 27 | 71 | 54,000 | 142,000 |
| 5 | Land Development and Reconstruction Grant | Nos. | 8,000 | 27 | 71 | 216,000 | 568,000 |
| 6 | Cash Grant to TCF | Dec | 200 | 720 | 2,000 | 144,000 | 400,000 |
| 7 | Cash Grant for Income Substitution | Nos. | 2,000 | 19 | 70 | 38,000 | 140,000 |
| 8 | Cash Grant for Business Income Loss | Nos. | 2,000 | 8 | 1 | 16,000 | 2,000 |
| 9 | Cash Grant for Employees | Nos. | 1,500 | 2 | 0 | 1,500 | - |
| 10 | Compensation for Eroded Land | Ha | 800,000 | 5 | 10 | 4,000,000 | 8,000,000 |
| C | Implementing NGO (2 Years) | LS | | | | 2,200,000 | 3,800,000 |
| D | Administrative Cost | LS | | | | 576,000 | 625,000 |
| E | Contingency @ 10% | | | | | 1,306,101 | 2,880,351 |
| F | Total Cost (Bangladesh Taka) | | | | | 37,467,109 | 68,433,862 |
| | Project Total (PIRDP & MDIP) | | | | | 105,900,971 | |

Table 5: Cost Estimate for the Social Development under the JFPR

| | | | | |
|---|--|--|--|--|
| Table not Included here, as not relevant to Involuntary Resettlement | | | | |
| | | | | |

E. Disclosure, Consultation, and Grievances

14. Each RP will be prepared and implemented in close consultation with the stakeholders and will involve focus group discussion (FGD) and meetings, particularly with the project-affected people. The resettlement policy framework will be made available in Bangla to the APs during FGDs at the village/community level. Complaints and grievance procedures will be outlined in each RP and grievance redress committees (GRCs) will be established for each subproject with representation from the EA, APs, women/vulnerable groups, local government and implementing NGO. The Chief Resettlement Officer will chair the GRC. Other than disputes relating to ownership rights under the court of law, GRC will review grievances involving all resettlement benefits, relocation and other assistance. Grievances will be redressed within two to four weeks from the date of lodging the complaints. The GRCs as well as the JVT and the PVAT will be formed and activated during land acquisition process to allow APs sufficient time to lodge complaints and safeguard their recognized interests.

F. Monitoring and Evaluation

15. BWDB will establish a monthly monitoring system involving CRO who will be made responsible to monitor the progress of all aspects of land acquisition/resettlement and social development activities, in coordination with resettlement officers at subproject management offices and implementing NGO staff. An external monitoring and evaluation agency having sufficient skills and capacity in monitoring resettlement and social development activities will also be assigned through the consultants. The agency will report to the ADB on land acquisition and resettlement/social development in the quarterly progress report, including identification of significant or non-significant components, preparation of Full and Short RPLs, and the progress in their implementation. Besides, an annual report stipulating all efforts and outcomes will be sought by the ADB from the BWDB.