

Government of the People's Republic of Bangladesh
Ministry of Local Government, Rural Development & Cooperatives
Local Government Engineering Department

**Municipal Governance and Services Project
(MGSP)**

**SOCIAL MANAGEMENT
FRAMEWORK**

September 2013

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ACRONYMS

A&P	Appraisal and Preparation
ARP	Abbreviated Resettlement Plan
B MDF	Bangladesh Municipal Development Fund
CBO	Community Based Organization
CUL	Compensation-Under-Law
DC	Deputy Commissioner
DLAC	District Land Acquisition Committee
DUTP	Dhaka Urban Transport Project
GoB	Government of Bangladesh
GRC	Grievance Redress Committee
HCG	House Construction Grant
HTG	House Transfer Grant
IDA	International Development Association
IP	Indigenous People
IPP	Indigenous Peoples Plan
LAP	Land Acquisition Proposal
LGD	Local Government Division
LGED	Local Government Engineering Department
M & S	Management & Supervision
MGSP	Municipal Governance and Services Project
MOLGRDC	Ministry of Local Government, Rural Development & Cooperatives
MSP	Municipal Services Project
NGO	Non-governmental Organization
O & M	Operation and Maintenance
OD 4.30	Operational Directive 4.30 on Indigenous Peoples
OP 4.12	Operational Policy 4.12 on Involuntary Resettlement
PAH	Project Affected Household
PAP	Project Affected Person
RP	Resettlement Plan
RTIP	Rural Transport Improvement Project
SA	Social Assessment
SIMF	Social Impact Management Framework
SMP	Social Management Plan
SSS	Social Safeguards Specialist
TP	Tribal People
TPP	Tribal Peoples Plan
UGIIP	Urban Governance and Infrastructure Improvement Project
ULB	Urban Local Body
WB	World Bank

DEFINITION OF SELECTED TERMS

Compensation: Payment made in cash to the project affected persons/households for the assets acquired for the subprojects, which includes the compensation provided in the *Acquisition and Requisition of Immovable Property Ordinance 1982* and others stipulated in this Social Impact Management Framework.

Compensation-Under-Law (CUL): Refers to the compensation assessed for lands and other assets, such as trees, houses/structures, etc., by different government agencies as per the methods provided in the Land Acquisition Ordinance, and paid by the Deputy Commissioners.

Consultation Framework: In view of their stakes and interests in the project or subprojects, the framework is prepared to guide the project preparation team about who are to be discussed/consulted about the overall project and its positive and negative social impact implications and to seek their inputs and feedback in the different stages of the project cycle.

Cut-off Dates: These are the dates on which censuses of the affected persons and their assets are taken. Assets like houses/structures and others, which are created and the persons or groups claiming to be affected, after the cut-off dates, become ineligible for compensation and assistance.

Entitlement: Refers to mitigation measures, which includes CUL, ULB payment (top-up and others), to make up for the replacement costs/market prices of the affected assets, and those that are not provided in the Land Acquisition Ordinance, but stipulated in this SIMF.

Income Restoration: Re-building the capacity of the project affected households to re-establish income sources at least to restore their living standards to the pre-acquisition levels.

Tribal Peoples: Unless they are already recognized, the Tribal Peoples are identified in particular geographic areas based on these four characteristics: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.

Involuntary Resettlement: The situation arises where the State's power of eminent domain requires people to acquiesce their rights to personal properties and re-build their lives and livelihood in the same or new locations.

Participation/Consultation: Defined as a continuous two-way communication process consisting of: 'feed-forward' the information on the project's goals, objectives, scope and social impact implications to the project beneficiaries, and their 'feed-back' on these issues (and more) to the policymakers and project designers. In addition to seeking feedback on project specific issues, participatory planning approach also serve the following objectives in all development projects: public relations, information dissemination and conflict resolution.

Physical Cultural Property: Includes monuments, structures, works of art, or sites of “outstanding universal value” from the historical, aesthetic, scientific, ethnological, or anthropological point of view, including unrecorded graveyards and burial sites, and unique natural environmental features like canyons and waterfalls. Within this broader definition, cultural property is defined as sites and structures having archaeological, pale ontological, historical, architectural, or religious significance, and natural sites with cultural values.

Project-Affected Person/Household: Persons/households whose livelihood and living standards are adversely affected by acquisition of lands, houses and other assets, loss of income sources, and the like.

Rehabilitation: Refers to re-establishing the previous living standards, which may include rebuilding the income earning capacity, physical relocation, rebuilding the social support and economic networks.

Relocation: Moving the project-affected households to new locations and providing with housing, water supply and sanitation facilities, lands, schools and other social and healthcare infrastructure, depending on locations and scale of relocation. [Homestead losers may also relocate on their own in any location they choose.]

Replacement Cost: Bank’s OP 4.12 on Involuntary Resettlement describes “replacement cost” as the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard.

Stakeholder: Refers to recognizable persons, formal and informal groups who have direct and indirect stakes in the project, such as affected persons/households, shop owners, traders in the kitchen markets, squatters, community-based and civil society organizations.

Top-Up Payment: Refers to ULBS payment in cases where the compensation-under-law (CUL) determined and paid by DCs fall short of the replacement costs/market prices of the affected lands and other assets.

Bangladesh:
Municipal Governance and Services Project (MGSP)
Social Assessment and Social Management Framework

I. INTRODUCTION

A. Background of the Project

Bangladesh is one of the most populous and densely populated countries in the world. Despite stable economic growth, poverty has been widespread in the country. Close to 31.5 percent of the country's population still lives in poverty (2010). Rapid urbanization in recent days has added governance and service challenges. At present about 28% of the national population of 150 million people are living in the urban areas (2011), City Corporations and Municipalities commonly referred to as Paurashava or Urban Local Body (ULB). With rapid urbanization, particularly in district towns and Paurashavas, there is even greater pressure exerted on basic urban services such as water supply, sanitation, sewage and drainage, solid waste management, and urban transport. Water supply is inadequate, traffic congestion has worsened, drainage channels are blocked and inadequate, solid waste management practices are poor, and pollution levels (water, air, noise) have increased, posing significant health risks to the population.

The urban institutions are weak, with limited fiscal autonomy and decision making, inadequate capacity, weak resource mobilization, and weak systems of accountability. Substantial progress has been made on the decentralization reform agenda including legislative reforms during 2008-09 and the new Paurashava and city corporation acts of 2009. Despite these developments, the ULBs face constraints to function as strong, responsive and inclusive local government institutions.

In response to these urban governance challenges, the Sixth Five Year Plan (SFYP) lays out the Government of Bangladesh (GoB) priorities to address human service delivery deficiencies and to further reduce urban poverty. These include emphasis on enhancing participation of various urban stakeholder groups in service delivery, providing greater clarity in the roles and responsibilities of urban local bodies, including improving municipal finances, strengthening systems of financial accountability, improving physical and sectoral planning and implementation capacity, improving coordination among various service agencies, and promoting private-public partnerships.

The World Bank, along with an increasing segment of the global development community, is working with the GoB to identify and implement urban solutions to governance and service delivery challenges by building strong ownership and relying on country systems. Since 1999, the Bank has supported infrastructure development and capacity strengthening of ULBs through the Municipal Services Project (MSP) that closed in June 2012. MSP helped to enhance the

capacity of ULBs to more effectively manage ULBs through provision of resources for financing critical urban infrastructure, improve own revenue generation, and enhance urban planning, procurement and financial management. The primary implementation agencies of the MSP were the ULBs, Local Government Engineering Department (LGED) and Bangladesh Municipal Development Fund (BMDF). The BMDF started operations in 2004 as a non-bank financial intermediary to provide credit facilities to ULBs based on transparent and objective eligibility criteria.

In continuation of the urban governance and services improvement efforts, the GoB seeks Bank assistance to enhance the capacity of ULBs in development and management of urban infrastructure and improve municipal governance and services through undertaking the Municipal Governance and Services Project (MGSP) in selected municipalities and city corporations. The proposed project will provide performance-based infrastructure improvement block grants and pilot O&M grants to 26 ULBs covering four city corporations and 22 municipalities through the LGED. The project will also provide credit support to around 200 ULBs for infrastructure development through the BMDF.

B. Project Objectives and Components

The project objective is to improve municipal governance, basic urban infrastructure services in selected city corporations and municipalities. The project will contribute to more sustainable and pro-poor public service delivery by strengthening the effectiveness, responsiveness and accountability of the ULBs. The objectives will be achieved through an integrated approach targeting governance improvements in planning, resource management, accountability and social inclusiveness, and support for improvement of basic urban services. The project have been designed to implement in four integrated components including (1) Basic urban services investment and maintenance program; (2) BMDF operations support and institutional improvement; (3) Project Management and Implementation Support; and (4) Emergency Response Provision. Details of the project components and their implementation arrangements are discussed in the PAD.

Component 1: Municipal Governance and Basic Urban Services Improvement (Total Cost: US\$ 233.81 million; IDA: US\$ 204.26 million)

This component aims to improve municipal governance and enhance the delivery of basic urban services in 26 ULBs, which are located in the growth corridors where economic investments have already been made by GoB and the private sector. Key features of the component are the introduction of institutional, policy and operations reform features: (i) the performance-based municipal grant allocation system for basic urban services improvement; and (ii) grant support to 26 ULBs for operation and maintenance (O&M) improvement on a declining basis, as described below.

(a) Performance-Based Grants (PBG) for Basic Urban Services. The performance-based grant will comprise: (i) the base allocation (US\$ 135.00 million) that will be allocated to all 26 ULBs for five years subject to agreement to minimum improvements in governance described in

a Partnership Agreement between the ULB and GoB; which will indicate the total amount of base grant allocation to the ULB for the five years, to ensure predictability of resources, and enable ULBs to develop the 5-year capital investment plan; and (ii) a performance-based allocation (US\$ 45.00 million) that will be allocated, in equal amounts, to the 10 best performing ULBs that achieve highest performance scores, determined by an annual performance evaluation system. Within the resources available under the PBG, each ULB will prioritize its own investments drawing from a range of basic urban services.

(b) Operation and Maintenance (O&M) Grant Support on a Declining Basis (US\$ 20 million). Provision will be made for grant funding to the 26 ULBs to support O&M for five years, on a declining basis, to enhance municipal O&M budgets and activities to address the current extremely weak O&M planning and budgeting. The first O&M grant will top up the current O&M budget to a realistic optimum level in each ULB, consistent with their infrastructure assets and finances, and will reduce annually to zero in the fifth year of the project. Starting in the second year, ULBs will be required to increase their own allocation to the O&M budget to maintain the agreed optimum level of O&M funding. Starting the second year, ULBs will be required to increase their own allocation to the O&M budget to maintain the agreed optimum level of O&M funding.

Component 2: BMDF Lending Operations and Institutional Improvements (Total Cost: US\$ 120.32.00 million; IDA: US\$ 100.00 million)

The component comprises: (i) financing to BMDF for lending to all municipalities in Bangladesh that meet eligibility criteria, for demand-based basic urban services and services projects; and (ii) measures to improve the viability of operations, and long-term sustainability of BMDF. BMDF financing for eligible subprojects will be on a loan-grant mix, based on established project selection criteria, projects preparation and appraisal processes and procedures, and agreed lending terms. BMDF will lend a minimum of 25% (US\$ 25.0 million) of the credit allocation for revenue-earning projects, establish grant ceilings, increase the loan portion of financing (over terms used in MSP), and improve its loan recovery performance. The subprojects to be financed by BMDF will be the same basic urban services as in Component 1.

Component 3: Project Management and Implementation Support (Total Cost: US\$ 52.38 million; IDA: US\$ 45.74 million)

The objective of this component is to support governance improvement and urban management capacity. Capacity building and technical assistance under the project comprises five categories: (i) capacity building for all ULBs across Bangladesh, provided by the Municipal Support Unit (MSU); (ii) focused capacity building support for the 26 participating ULBs; (iii) capacity building, implementation, and construction supervision for ULBs using BMDF financing; and (iv) capacity building for implementing agencies, e.g., LGED and BMDF. Capacity building and implementation support under the project is summarized below:

(a) For All ULBs: (i) capacity building and governance improvements for all ULBs; and (ii) support for computerization of ULB records.

(b) For the 26 ULBs: (i) training on all areas of governance, revenue enhancement options; (ii) support to introduce innovative financing systems; (iii) preparation of financial statements.

(c) For ULBs financed by BMDF: (i) consultant services to ULBs for project preparation and implementation; and (ii) capacity building for officials and staff of ULBs.

(d) For LGED: (i) incremental staff costs of LGED; (ii) consultant services related to implementation of Component 1; (iii) consultant services development of the national municipal performance monitoring system, and GIS-based land management system; and (iv) equipment.

(e) For BMDF: (i) incremental staff costs of BMDF; and (ii) capacity building and operation management support; and (iii) equipment.

Component 4: Emergency Response Provision (Total Cost: Zero)

This component is included to provide for any potential response necessary for a natural disaster event. In the event that it becomes necessary, funds will be appropriated from the project through reallocation or through providing additional financing.

C. Social Issues and Likely Impacts

The selected ULBs under component 1 and participating ULBs under component 2 will pick up investment options from a menu of potential investments eligible under MGSP. The potential investment will include road rehabilitation; new roads/footpaths; storm water drainage; bridges and culverts; rehabilitation of water supply systems; public toilets; solid waste collection and disposal (trash bins, carts, tractor/trailers); car parks; street lights; traffic management facilities; pedestrian underpasses or overpasses; wholesale/kitchen markets; bus/truck terminals; and basic urban services in slums/poor settlements. LGED will receive investment proposals from 26 ULBs selected during formulation of the project and review and revise them for funding from the project. However, BMDF will review applications from interested ULBs and appraise their investment proposals for standards acceptable under MGSP for investment.

During the tenure of the project, LGED and BMDF are expected to finance infrastructure improvements using land available with ULBs and avoid to the extent feasible, acquisition of additional lands and displacement of people from public or private lands. However, there could still be some subprojects that may require additional land that are private in nature or belong to other public agencies. Additionally, people may be using land that belongs to ULBs or other agencies that may have been under use by authorized or unauthorized citizens.

LGED and BMDF, the two executing agencies (EA), will follow certain guiding principles to finance subprojects from selected and participating ULBs. The EAs will be responsible to guide ULBs in subproject preparation and review them for approval ensuring compliance requirements. The EAs will also be responsible to supervise and monitor implementation of the approved subprojects. LGED and BMDF will ensure that the ULBs are engaged to promote enhanced citizen awareness, participation, inclusive planning, women participation, and pro-poor urban development. The ULBs will identify and design specific subprojects through an

inclusive consultation process and comply with applicable regulatory framework of the country and policy guidelines of the World Bank. No interventions will be undertaken that impact “tribal groups” in the project areas.

Given the approach of the subproject preparation and implementation, the World Bank’s Operational Policy (OP) on involuntary resettlement (OP 4.12) is triggered to the project. Although specific subprojects remain to be identified, tribal people inhabit one or more of the selected and participating ULBs and some of them can be from the Chittagong Hill Tracts districts, the hub for the tribal peoples in Bangladesh. . Bank OP 4.10 on Indigenous Peoples is therefore triggered. LGED has however, carried out the Social Assessment and developed a Social Management Framework (SMF) that meets the requirements of country legal framework and the Bank requirements including OP 4.12 and OP 4.10. In addition to social safeguard compliance requirements, the SMF lays down the processes to ensure that subprojects are prepared to ensure inclusion, participation, transparency and social accountability.

D. Purpose of Social Assessment

The proposed MGSP intends to design improvement or changes in municipal governance and infrastructure services that affect community groups in the municipalities and those visiting the areas for administrative, social, commercial or transit purposes. The project has been categorized as B as per the Bank OP 4.01 on environmental assessment. A partial social assessment of the project has therefore, been carried out to review the legal policy and institutional capacities governing urban infrastructure development, assess the possible social impacts associated with the proposed project, and review public perceptions and recommendations over the need and approach towards improvement of urban infrastructure. The social assessment will help to make the project responsive to social development concerns and assist LGED/BMDF/ULBs in reaching the vulnerable and the poor, as well as to ensure that the project objectives are acceptable to the target beneficiaries.

The social assessment reviewed project approach and implications of project interventions in compliance with the legal framework and the Bank’s Operational Policies on social safeguards and guidelines on social inclusion and gender. The social assessment enabled preparation of the SMF.

E. Approach and Methodology

This SMF has been prepared based on social assessment of MGSP carried out through literature review and stakeholders consultation. Literature review includes desk research of past experiences of community demand driven projects and social safeguards management in urban development projects in LGED and BMDF including the Municipal Services Project (MSP) financed by the World Bank and the Urban Governance and Infrastructure Improvement Project (UGIIP) financed by ADB. Among the 26 selected ULBs, stakeholder consultations were carried out in one City Corporation and three municipalities (Table 1.1 and Figure 1). The assessment enabled the preparation of SMF.

Table 1.1 Social Assessment Study Area

Name of ULBs	Location
Comilla City Corporation	Comilla
Tangail Municipality (A Category)	Tangail
Upazila Municipality -1 (B category)	Sherpur, Bogra
Upazila Municipality -1 (A category)	Madhabpur, Habiganj

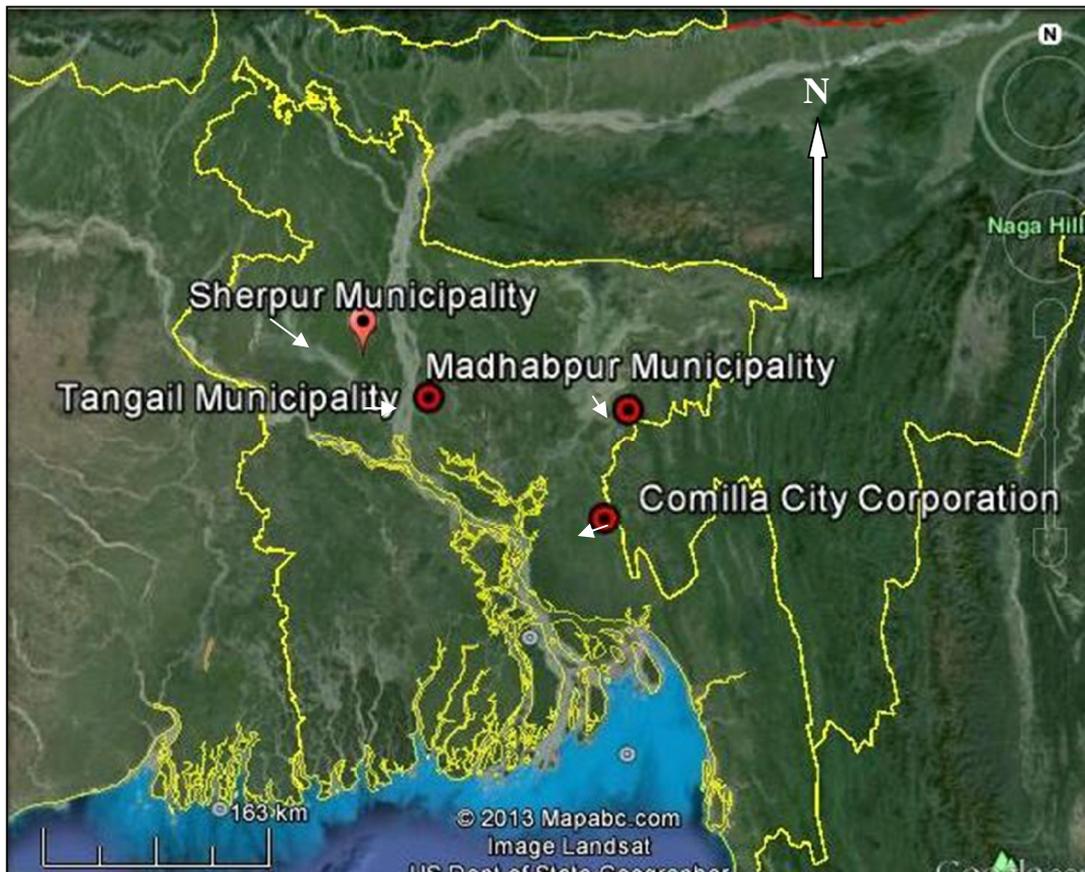


Figure1: Location of study areas (Sample ULBs)

The SMF will apply throughout the duration of the MGSP. It will be implemented by the respective ULBs and monitored by LGED and BMDf for subproject investments to be identified, prepared and implemented following the procedures recommended.

Each of the ULBs will be responsible for mainstreaming the SMF in the identification and preparation of subprojects. All investments will be implemented following the SMF guidance on social issues and safeguards, and will include the associated costs including stakeholders' consultation, disclosure and training of local actors at ULBs. LGED will develop a community operational guideline for implementation of the SMF at ULB level in carrying out social screening and preparation of RAP (where required) for subproject appraisal and implementation.

II. ASSESSMENT OF SOCIAL ISSUES AND IMPACTS

A. Urban Population and Beneficiaries

1. Urban Population

Urban population in Bangladesh constitutes about a quarter of its total population. About 42 million people are presently living in urban areas.¹ Before independence in 1971, the country was predominantly agrarian and rural. The residents in urban areas in 1951 represented only 4% of the total population in this land. The urban population increased moderately to about 8% of the total population in the next 2 decades but grew rapidly after independence in 1971, to 19% by 1991, 26% by 2005, and 28% by 2011.² Even though urbanization is relatively low, nowadays (28%), the rate of growth of the urban population is quite high. At 2.8%, the present growth rate of the urban population is more than double the 1.1% annual growth rate of the entire population. This urban population growth rate is expected to remain high even when the country achieves a high base of urban population. At existing growth rates, the country's urban population will reach 79 million, or 42% of the population, by 2035³. Urbanization has been rapid because of (i) the high natural increase in the urban population, (ii) the territorial expansion of the urban areas, and (iii) rural-to-urban migration.⁴

Administratively, there are 532 urban areas in Bangladesh. Of these, eight are city corporations and 316 are *pourashavas* run by elected *pourashava* (municipal)councils, which are further classified into A, B, and C categories.⁵ About 60% of the urban population resides in the city corporations, while 40% live in the *pourashavas*. Urban areas are contained within only 10,600 sq. km (7%) of the country's 147,000 sq. km, reflecting a high urban population density, in 2011, of 4,028 persons per sq. km (compared with a much lower rural density of 790 persons).

2. Poverty in Urban Areas

Urbanization has also been a major contributor to the national economy. The contribution of the urban economy to gross domestic product (GDP) increased from 26% in 1973 to 42% in 1999. Currently, the urban share of GDP is almost 50%, a reflection of the rapid transformation of the country's economy over the last 2 decades.

Bangladesh reported a significant and impressive reduction in income poverty, from 59% in FY1992 to 31.5% in 2010, one of the fastest rates of decline recorded worldwide. Urban poverty likewise declined, from 45% to 21.3% in 2010.⁶ With the massive reduction in poverty incidence,

¹ Bangladesh Bureau of Statistics, Population and Housing Census 2011, Dhaka

²United Nations Department of Economic and Social Affairs. 2011. *World Population Prospects: The 2010 Revision and World Urbanization Prospects: The 2011 Revision*. New York.

³ *ibid*

⁴ Asian Development Bank Booklet on Urban Governance and Infrastructure Improvement Project

⁵*Pourashava* classes are based on the annual revenues collected over the last 3 years. *Pourashavas* in class A have an annual income of more than Tk6.0 million; those in class B, Tk2.5-Tk 6.0 million; and those in class C, Tk1.0-Tk2.5 million.

⁶Bangladesh Bureau of Statistics. 2011. *Report of the Household Income and Expenditure Survey 2010*. Dhaka.

the absolute number of urban poor declined to 9 million in 2010 from 10 million in 2005. Despite this impressive improvement in income poverty, non-income poverty continues to be a challenge in the urban areas, particularly the slums which are in desperate need of basic services and infrastructure.

Higher income inequality in urban areas and a number of local and socioeconomic factors spell considerable misery for specific groups. For example, a 2005 ADB study reported that the poverty incidence among women-headed households in urban areas is higher by 14% than the urban average, and for those residing in slum locations, it is higher by 34%. Of course, the inadequacy of urban services – slum housing, sanitation facilities, and public health and education services – brought about by the rapidly growing urban population worsens the vicious cycle of social and economic disempowerment arising out of higher income inequities in the urban areas.

3. Population in Project Area

Project interventions under component 1 will be implemented by LGED in 26 ULBs including 4 City Corporations and 22 Municipalities (Table 2.1). Total population of these 26 ULBs is about 3 million. In addition, BMDF will implement component 2 in about 200 ULBs across the country those will be selected on interest basis under certain criteria including institutional and financial capabilities for identification, preparation, financial contribution (10% of investment) and implementation of subprojects, and the revenue strength to repay the loan to BMDF in 10 years.

Table 2.1 Project Area under Component 1

SL.No.	Pourashava /City-Corporation	Population 2011
1	Bhairab Pourashava	119,000
2	Bhaluka Pourashava	38,774
3	Chaddagram Pourashava	38,317
4	Chakoria Pourashava	72,669
5	Chandina Pourashava	46,823
6	Comilla City Corporation	235,423
7	Daudkandi Pourashava	46,256
8	Elenga Pourashava	39,448
9	Feni Pourashava	156,971
10	Gobindaganj Pourashava	38,415
11	Gopalganj Pourashava	51,346
12	Madaripur Pourashava	62,690
13	Madhabdi Pourashava	49,583
14	Madhabpur Pourashava	21,930
15	Mirsharai Pourashava	27,820
16	Narayanganj City Corporation	709,381
17	Patiya Pourashava	55,323
18	Rangpur City Corporation	300,659

Table 2.1 Project Area under Component 1

SL.No.	Pourashava /City-Corporation	Population 2011
19	Saidpur Pourashava	127,104
20	Shaistagonj Pourashava	26,943
21	Shariatpur Pourashava	49,535
22	Sherpur Pourashava	97,979
23	Sitakunda Pourashava	45,147
24	Sylhet City Corporation	485,138
25	Tangail Pourashava	167,412
26	Trishal Pourashava	34,747
	TOTAL	3,144,833

Source: BBS Population and Housing Census 2011

Communities in the selected *pourashavas* are diverse in social and economic considerations. Findings from social assessment indicates that the backward communities in the ULBs comprise of the poor people, slum dwellers, floating population or pavement dwellers, landless people, small traders, day laborers, tribal and ethnic minorities, differently able, transgender, and sex workers (permanent and floating). The population has a religious mix of Islam, Hinduism, Buddhism, and Christianity. The major low income people in *pourashava* are sweeper, inhabitants of brothel, and slum dwellers. These peoples are facing severe crisis for their housing and other basic facilities like water supply, sanitation, waste disposal and electricity. According to the findings, very small number of individual tribal families is dispersed in *pourashavas* and some of them are living in rental accommodations.

4. Tribal Peoples in Project Area

Tribes, minor races, ethnic sects and communities are commonly known as tribal peoples in Bangladesh⁷. Tribal peoples are mostly concentrated in the Chittagong Hill Tracts (CHT) region constituting Bandarban, Rangamati and Khagrachari districts under Chittagong Division. They are also dispersed in small proportion in other plain districts mainly in the border districts of Rangpur, Dinajpur, Rajshahi, Mymensingh, and Sylhet. Most tribal people bear the pedigree of Sino-Tibetan groups along with distinctive Mongoloid attributes. Their dialects is Tibeto-Burman languages. They are residing both in the Chittagong Hill Tracts and in the plain regions of Mymensingh, Sylhet, and Rajshahi. According to the population census of 2011 around 27 tribal groups reside in Bangladesh and they constitute about one percent of the national population.

Few individual Tribals are dispersed in the country's urban areas. They are largely migrants for livelihood purposes. The permanently settled tribal peoples in the urban areas are less than 1% of the total urban dwellers. The social assessment found tribal peoples in three selected ULBs namely, Comilla, Tangail and Madhabpur. These tribal groups speak national Bangla language to communicate with mainstream peoples and use their own language only among themselves. They wear dresses like other mainstream population but maintain their own style. They practice their own religious faith and culture. Most of them are involved in some menial works and

⁷ Bangladesh Constitution, 2011

business of traditional productions. The women are occasionally serving in the towns' beauty parlors and hospitals as support staff and some other manual works. Very few of them got primary level education under national curriculum.

The CHT districts are geographically distinct habitats of the tribal peoples with traditional access to the natural resources there (lands and forests). Their political and cultural institutions are separate from those of the mainstream population. They have their own traditional land rights and land administration system different from rest of the country.

Tribal peoples in the urban areas have legal ownership to their lands rather than the customary ownership and they are paying holding tax to the ULBs. The landless and temporarily migrant tribal households reside in rented houses.

B. Development Challenges in ULBs

Urbanization in Bangladesh has produced unplanned and uncontrolled urban growth, resulting in an acute shortage of infrastructure, poor housing and transport, inadequate drinking water, and lack of drainage and sewage. Urban residents, particularly low-income groups, suffer a lack of basic urban infrastructure and services. While 95% of the Bangladesh population reportedly has access to water, only 30% of urban households drink tap water and fewer than 20% have their own house connections. *Pourashavas* are also known for poor sanitation. According to the UGIIP assessment, at least 30% of urban residents have no access to sanitary latrines, and 40% of slum dwellers defecate in the open for lack of latrines. There are no sewage lines in most *pourashavas* and solid waste management is not a priority. Poor people who migrate to the towns in search of jobs and better living conditions usually end up in slums where amenities are virtually nonexistent. The *pourashavas* and the elected councils are struggling to provide the key services they are mandated to deliver.

As per the findings, there are gaps in existing basic infrastructure services in the ULB areas. Roads and foot paths, street lights, drainage, waste disposal, water supply system and sanitation, are mostly inadequate or absent in the municipal areas. Foot over bridges, overpass and underpasses are concentrated in large cities like Dhaka, Chittagong and Comilla. During the course of consultation, communities identified the need to improve traffic management, markets, city bus and truck terminals for better mobility.

C. Development Approach in ULBs

Development approach was centralized under the *Pourashava* Ordinance 1977 before enactment of the Municipal Act 2009. The ordinance of 1977 had no specific provision for encouraging the participation of community or citizens' groups in the planning and decision-making processes of municipalities. Instead, the municipality was governed by an elected chair and ward commissioners, who constituted the municipal council. However, since the ward commissioners were not directly given any powers under the ordinance, the chair was the supreme decision-making authority. Communities were not consulted during planning and implementation of projects and programs undertaken by the ULBs. Since 2009, ULB's have been authorized and empowered to regulate and promote urban infrastructure services, housing and other development projects. Recent investments to the ULBs by international development

financing institutions, like the World Bank and ADB, have supported the implementation of the provision of the law on inclusion, participation and accountability. The Municipal Services Project (MSP) funded by the World Bank and the Urban Governance and Infrastructure Project (UGIIP) funded by ADB are most recent examples. Town Level Coordination Committee (TLCC) is the official body at the Municipality responsible for development and administrative oversight on behalf of the community. UGIIP is promoting wider stakeholder participation in development process through facilitating establishment of Ward Level Coordination Committees (WLCC) and TLCC as well as encouraging citizen participation in development planning and operation and maintenance (O&M) of basic urban services through Community Based Organizations (CBO). Structure and responsibilities of TLCC, WLCC and CBO are discussed in Chapter IV.

D. Management of Social Safeguard in Municipal Services Project

The Municipal Services Project (MSP) supported ULBs with funds through BMDf in improvement of similar basic urban infrastructures as proposed under MGSP. In Phase I MSP, only a new bus/truck terminal under a subproject involved private land acquisition, which affected a small number of landowners. Expansion of a peripheral road in another subproject led to displacement of a small number of squatters and who were relocated on land provided by the Municipality Mayor. Other civil works included, repair and renovation of the existing infrastructure, such as roads and sidewalks, drainage facilities, kitchen markets, public toilets, and the like. Some of these works caused temporary inconveniences to the urban dwellers who were engaged in trading activities in the kitchen markets and petty business on the road sides.

In the second phase, selected municipalities implemented sub-projects of small scale infrastructure development with funding through the BMDf largely on the municipalities own land. None of the subprojects were implemented on private lands acquired under the law of the country. However, minimal impact was observed in two ULBs for road widening and in other two ULBs for market development. Both of these impacts on land and temporary relocation of market traders were addressed and mitigated by the ULBs under locally acceptable mechanism, which are:

Use of additional lands for road widening: Temporary extension of a local mosque (open veranda) was constructed on existing road reserve of BC Dhalir Ghat Road in Chandpur ULB. The mosque management committee removed it voluntarily without compensation to facilitate the road construction for their common interest. A small strip of land was required along the same alignment for which the boundary wall was shifted on the vacant land of Bangladesh Coast Guard (BCG). The Director General of BCG, with the request from the Mayor, the Deputy Commissioner and the Police Super of Chandpur district, allowed the construction on condition of replacement of the existing boundary wall. In Rangamati ULB, a strip of vacant private land was taken for a road widening through voluntary donation by the owner.

Temporary relocation of market traders: To develop the West Kancha Bazaar (kitchen market) in Maulavibazar ULB, a total of 248 existing shop keepers were relocated on an alternative temporary market site developed by the ULB. This enabled the affected to continue with their business during the construction of the existing market. The developed market center has

provisions for 262 shop corners. The previous 248 shop owners were reallocated the improved shop corners and the additional 14 shops were set aside for vulnerable groups which includes marginalized poor, disabled freedom fighter and distressed widows.

About 120 shops were temporarily relocated for improvement of three existing market centers in *Kishoreganj ULB*. The previous shop owners left the market sites voluntarily to allow civil works construction there. The temporarily displaced shop owners were allowed to continue their business around the market centers. The ULB reallocated the shops to the existing traders after construction.

E. Community Demand Driven Development under UGIIP

LGED has been implementing the UGIIP financed by ADB for urban infrastructure and improved governance in participating ULBs. Urban infrastructure improvement covers the improvement or expansion of roads and bridges, storm-water drainage, low-cost sanitation, solid waste management, municipal facilities (e.g., bus and truck terminals, kitchen markets, and slaughterhouses), and slum improvement. Urban governance improvement includes the implementation of the Urban Governance Improvement Action Program (UGIAP) in six key result areas: (i) citizen awareness and participation, (ii) urban planning, (iii) women's participation, (iv) integration of the urban poor, (v) financial accountability and sustainability, and (vi) administrative transparency. In each of these six areas, the ULB will need to achieve well-defined performance targets, which will be closely monitored and evaluated during the implementation.

A key component of project is the UGIAP, which is the core of the performance-based fund allocation strategy. The UGIAP is being implemented in three phases and there are performance criteria set for each phase. A participating ULB must fulfill the phase 1 performance criteria in order to move into phase 2, and so on. The performance criteria for phase 1 of second UGIIP (first 1.5 years) include the following:

- formation of a town-level coordination committee (TLCC);
- formation of a ward-level coordination committee (WLCC);
- formation of a community-based organization (CBO);
- formation of a gender committee with a woman councilor as the chairperson;
- establishment of an urban planning unit of the ULB;
- preparation of a municipal development plan including a gender action plan and a poverty action plan; and
- continuation of the program to fix the holding tax for an interim period.

F. Legal and Policy Framework

The social development objectives of inclusion, participation, transparency, and social accountability are addressed by the country's legal and policy framework. However, the

country's legal framework falls short of addressing involuntary resettlement as per Bank policy. The SMF is intended to benefit subprojects initiated by the ULBs through identification and appraisal within the legislative framework of the country and in compliance with the World Bank Operational Policies.

1. General Description Legislations in Bangladesh

National legislations guiding urban infrastructure development, urban governance and services are covered by the City Corporation Act 2009 and Municipality Act 2009 (amended in 2010). However, to use private and public lands for infrastructure development, the principal legal instrument governing land acquisition is the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982 including amendments up to 1994 - ARIPO 1982). The ARIPO 1982 is used all across the country except in Chittagong Hill Tracts (CHT) where The CHT Regulation 1900, the CHT (Land Acquisition) Regulation, 1958 and The CHT Regional Council Act, 1998 are applied. The East Bengal State Acquisition and Tenancy Act, 1950 (Revised 1994) is followed for acquisition of underwater/eroded land in rivers and estuaries. The active instruments under the legislative and regulatory framework in Bangladesh are discussed hereunder.

a) Pourashava Act 2009 and City Corporation Act 2009

These acts make provisions for Master Plan of infrastructure development in the ULB areas. The acts provide legal basis for the preparation and implementation of the ULB Master Plans. The Acts suggest on the content and structure, and other relevant issues, such as provision for water supply, waste management, roads, footpaths, building, constructing terminals and qualified Town Planner in the ULB staff. The City Corporation and Pourashava acts authorize the ULBs in collecting revenues from the residents in lieu of providing basic urban services. They are authorized to undertake development projects for improvement of governance and basic urban services. The ULBs are also mandated to regulate private investment on private property in a given municipality. The municipal act 2009 also recognizes public disclosure, inclusion, participation, and environmental protection in the development agenda. The municipal act has provisions of ward committees and township committees involving all stakeholders inclusive of women and the poorer communities for participatory development.

b) The Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982)

This Ordinance is the basic instrument governing land acquisition in Bangladesh. It is restricted to "legal" owners of property as supported by records of ownership such as deeds, title or agreements to compensating for land as well as any business, structure, trees and crops on the land. The owners of acquired land receive cash compensation at market value with a premium of 50 per cent on the assessed price. The law specifies methods for calculation of market value of property based on recorded prices obtained from relevant Government departments such as

Registrar (land), Public Works Department (structures), Department of Forest (trees), Department of Agriculture (crops) and Department of Fisheries (fish stock).

The Ministry of Land (MOL) is authorized to deal with land acquisition. The MOL delegates some of its authority to the Commissioner at Divisional level and to the Deputy Commissioner at the District level. The Deputy Commissioners (DCs) are empowered by the MOL to process land acquisition under the Ordinance and pay compensation to the legal owners of the acquired property. Khas (government owned land) lands should be acquired first when a project requires both khas and private land. If a project requires only khas land, the land will be transferred through an inter-ministerial meeting following the acquisition proposal submitted to DC or MOL as the case may be. The DC is empowered to acquire a maximum of 50 standard bigha (6.75 ha) of land without any litigation where the Divisional Commissioner is involved for approval. Acquisition of land more than 50 standard bigha is approved from the central land allocation committee (CLAC) headed by the chief executive of the Government of Bangladesh proposed by the MOL.

The land owner needs to establish ownership by producing record-of-rights in order to be eligible for compensation under the law. The record of rights prepared under Section 143 or 144 of the State Acquisition and Tenancy Act 1950 (revised 1994) are not always updated and as a result legal land owners have faced difficulties trying to "prove" ownership. The affected person has also to produce rent receipt or receipt of land development tax, but this does not assist in some situations as a person is exempted from payment of rent if the area of land is less than 25 bighas (3.37 ha).

**c) The East Bengal State Acquisition and Tenancy Act, 1950
(Revised 1994)**

The State Acquisition and Tenancy Act (Sections 86 & 87) also define the ownership and use right of alluvion (payosti or reformation in situ or original site) and diluvion land (nadi sikosti) in the country. In legal terms, eroded lands (sikosti) inside the alluvion-diluvion (AD) line (i.e. including submerged land or underwater land) are considered khas land once declared by concerned Deputy Commissioner (DC) demarcating the AD Line. However, the "original" owner(s) can claim the land if it reappears through natural process within 30 years. The original private owners cannot claim any eroded land if developed by the government through land filling for use in public purpose. The Act provides processes and documentation requirements on title rights and title updating by its owners.

d) The Chittagong Hill Tracts Regulation 1900

The Chittagong Hill Tracts Regulation, 1900 (Regulation I of 1900) is the regulatory framework for State sovereignty over the traditional rights of the tribal peoples living in the Chittagong Hill Tracts (CHTs) region. They are governed through Revenue Circle Chiefs who are local revenue collectors vide an amalnama (authorization by the Government). The Deputy Commissioner and the Commissioner from the Central Government reserve the authority to settle land to the hill-men or non-hill residents or lease out land (non-transferable) for rubber plantation or establishing industries in the CHTs. The regulation provides the right to possessing plough

cultivable land up to 5 acres (2 ha) by hill men or non-hill residents. The headman is responsible for the conservation of the resources of his mouza through exercising his authority to (i) prohibit the removal of forest produces by residents of respective mouzas other than for their domestic purposes or by non-residents for any purpose, (ii) exclude any area or areas in his mouzas from the jhuming (shifting cultivation), (iii) prevent new comers from cutting jhums in his mouza, and (iv) prevent a person from grazing cattle in his mouza.

e) The Chittagong Hill –Tracts (Land Acquisition) Regulation, 1958

The Chittagong Hill Tracts (CHT) region has been enjoying the status of a special region since British period. Most of the land in CHT belongs to the Government either as reserve forest or as unclassified state forest. The CHT Regulation I of 1900 was the sole legal instrument for the governance and administration of the Hill Tracts. Under the regulation, the DC could resume land even though settlement of the same might have been given earlier. The rule prescribed payment of compensation for various interests as in the case of land acquisition. It was expedient to provide for the acquisition of land in CHT the Government made the Chittagong Hill-Tracts (Land Acquisition) Regulation, 1958. This regulation has provision for payment of compensation for requisitioned property. The compensation may be fixed by agreement or by rules framed on this behalf.

f) The CHT Regional Council Act, 1998

The National Parliament of Bangladesh in 24 May 1998 passed the Peach Accord 1997 as the “Chittagong Hill Tracts Regional Council Act, 1998 (Act 12 of 1998). In addition to re-establishing peace, the Accord recognized the ethnic people’s right to land, culture, language, and religion. The Accord set out detailed provisions for strengthening the system of self-governance in the CHT, and redressing the most urgent land-related problems including resolution of land disputes by a commission on land, the transfer of authority for land administration to the hill district councils (HDCs), the cancellation of lease granted to non-residents during the conflict period, the distribution of land to ethnic or “tribal” villages, and the strengthening of customary land rights.

Within the meaning of the Act XII of 1998, no lands, hills and forests within the control and jurisdiction of the HDCs shall be acquired or transferred by the government without consultation and consent of the Regional Council. No law will be executed in the region which is not developed and enacted in consultation and agreement with the tribal peoples in CHT. A ministry on CHT Affairs was established by appointing a Minister from among the tribal communities of hill districts. An Advisory Council from the CHT region assists this ministry. However, there is a demand for extending the scope of the CHT Affairs Ministry to include the tribal peoples in other areas of the country.

2. World Bank's Operational Policies on Social Safeguard

Bank's Operational Policies (OP) on social safeguards aim to promote inclusion of the most vulnerable groups and protect involuntarily displaced persons and indigenous peoples. OP 4.12 on Involuntary Resettlement and OP 4.10 on Indigenous People, applied to Bank investments have the objectives and scope as discussed hereunder.

a) Involuntary Resettlement (OP 4.12)

The WB's experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

The overall objectives of the Policy are given below.

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement,
 - resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.
 - displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

b) Indigenous People (OP 4.10)

This policy uses the term "Indigenous Peoples" in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;

- customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- an indigenous language, often different from the official language of the country or region.

The tribal peoples living in the Chittagong Hill Tract districts (Bandarban, Khagrachari and Rangamati) and rural areas of the plain districts can be defined under these characteristics. The OP defines the process to be followed if the tribal peoples are present in, or have collective attachment to, the project area.

3. Application of Legal and Policy Framework

The Pourashava Act provides the basis for community participation in project design and implementation commensurate to the Bank policy for inclusive development. However, the legislatives and regulatory framework (discussed above) is not adequate to deal with the adverse impacts associated with land acquisition and involuntary displacement of peoples for project purpose. The law does not cover project-affected persons without title and does not ensure replacement value of the property acquired. The law does not initiate any measure for restoration of livelihoods of the affected persons. As a result, land acquisition potentially diminishes productive base of affected farm families which is against the spirit of the Bank policy on involuntary resettlement (OP 4.12).

Specific to the project, no social safeguard compliance issues (land acquisition, resettlement and impact on tribal peoples) are involved in the first year construction. However, in subsequent construction phase(s), the ULBs may like to acquire private land and/or public land from private uses. The acts therefore, trigger the Bank OP 4.12 on involuntary resettlement. Tribal people are existent in some of the selected ULBs (component 1) and the BMDF may fund subprojects (component 2) from the CHT areas in the subsequent project phases. The Bank OP 4.10 on indigenous peoples is therefore, triggered to the project. However, collective attachment to the distinct habitats or ancestral territories of the tribal peoples will, in no way, be affected by any subproject.

Social impact assessment will be carried out for subprojects with social safeguard compliance issues (land acquisition, population displacement and impact on tribal peoples) and resettlement action plan (RAP) and tribal peoples plan (TPP) will be prepared by ULBs to include them with the subproject proposal for review and appraisal by LGED and BMDF respectively. The ULBs will be responsible to implement the RAPs and TPPs as per provision of the project.

G. Community Consultation

1. Consultation Process

Consultations with communities and other stakeholders have been used as a two-way communication to provide information about the project and obtain feedback from the communities on project approach, design and implementation. Consultations were carried out through open meetings, focused group discussions (FGD) and key informant interviews (KII). One open meeting with diverse stakeholders was carried out in each of the four sampled ULBs. Areas with distinct community groups were identified through open meetings and general observations and FGDs were carried out later in these areas. The four sampled ULBs for consultation include Comilla City Corporation, Tangail and Madhabpur A category Municipalities and Sherpur B category Municipality. The four sampled ULBs represent the selected ULBs in terms of population, size, revenue collection, and diversity of residents including tribal peoples. Tribal peoples were found in 3 of the 4 ULBs. Special consultation was carried out with tribal groups in the Comilla City Corporation.

The consultation process involved a total of 54 FGDs and 65 KIIs. FGDs were carried out with distinct groups at slum areas/tribal settlement; hospital areas; daily markets; bus / truck terminals, footpath-over bridges; wholesale markets; low income areas; temple/mosque areas; high income areas; Eidgahs; new bridge areas; solid waste disposal areas; housing estates; sweeper colony; school area and the like.

Key informants were ULB Mayors, Ward Commissioners (both male and female), Engineers, Health and Sanitation Department, Water Supply Engineer, Chamber of Commerce, Bus/ Truck owner/operator, Businessmen, Local Land Administration offices, Law Enforcing Agency, Journalists, Slum Dwellers and Town Planner.

2. Results from Community Consultation

The consultation process enabled to identify different issues relating to urban infrastructure development and management. The pertinent issues are need for infrastructures, development approach, methods of obtaining additional lands for infrastructure development from voluntary donation to involuntary acquisition, involuntary resettlement, and participation and inclusion of all community groups with special attention to marginal groups especially women, very poor and tribal groups in development process. Communities also talked about possible impacts of infrastructure development and their management to be included in the subproject design and implementation. Community concerns and expectations voiced through the consultation process are the following:

- Informed urban planning
- Participatory identification of infrastructures
- Participatory review of design
- Inclusion of communities from all groups

- Social accountability of development process
- Sufficient allocation for infrastructure maintenance
- Rational taxation and proper use of tax revenue in urban development
- Voluntary donation of land for infrastructure development in special cases
- Avoid acquisition of land to the extent feasible in all cases
- Compensate affected property at replacement value
- Assist relocation of affected households and persons
- Avoid displacement of people from the tribal communities
- Mainstream tribal people with equitable education and other services
- Ensure healthy environment and road safety

3. Community Consultation during Project Execution

Community consultation will be a major tool to mainstream social development agenda in identification, design and implementation of subprojects. Annex-2 details the consultation and participation process during project execution.

H. Social Impacts of the MGSP

1. Project Benefits

The social impacts of improved infrastructure in the City Corporations and Municipalities are expected to be highly contributing to improved governance and services as well as reduction in urban poverty. The project will make changes in communication networks and drainage, and improve access to health and education services, employment and resources, markets and growth centers. The changes will contribute to increase income of different beneficiary groups including the poor, the women and vulnerable populations living in the urban areas. The resultant impacts of these changes will facilitate promotion of trade and commerce, inclusive education and improved health, employment and social security.

The project will benefit approximately three million people in 26 selected ULBs and the urban dwellers in participating ULBs through improved services and infrastructure. The LGED, BMDF and the ULBs will benefit from capacity building activities under the project.

2. Social Concerns and Risks

Unlike the benefits of the project in participating ULBs, potential investments for infrastructure improvement can also result in adverse social impacts and exacerbate the existing social challenges, if the adverse social impacts are not well identified and managed or mitigated during identification, design and implementation of subprojects. The activities will largely remain limited to the lands already used for existing infrastructure and available ULB owned lands for new

constructions. No significant social impacts emanating from land acquisition is expected. The social assessment highlighted some existing social challenges and potential risks of social impact those are mainly subject to inclusive project design and participation. Major social challenges existing in the ULB areas are as follows:

- Poverty and population density;
- Land and resource rights issues;
- Gender disparity and social insecurity;
- Exclusion of minority groups and backward populations;
- Public health issues including HIV/AIDS;
- Street children and mobile populations;
- Unhygienic slum settlements;
- Inadequate communication networks;
- Poor governance and services.

Project activities in selected and participating ULBs may lead to involuntary resettlement impacts where expansion of existing land boundary of physical infrastructures is critical for ensuring expected results and existing land reserve is cleared from authorized or unauthorized current users for rehabilitation and improvement of infrastructure. Social assessment supports the approximation of potential impacts causing involuntary resettlement. Project interventions are not likely to affect any tribal people or their collective attachment to geographically distinct habitats or ancestral territories. However, subprojects may also be taken at the CHT areas and there is risks of coercion and impoverishment, if appropriate disclosure and negotiation process as per Bank guidelines is not followed for obtaining private lands through acquisition or voluntary donation.

III. SOCIAL MANAGEMENT FRAMEWORK

The Social Management Framework (SMF) for MGSP has been prepared for LGED, BMDF and the selected and participating ULBs in selection, design and implementation of subprojects for infrastructure rehabilitation and improvement inclusive of all beneficiaries irrespective of social and ethnic identity, poverty, gender and vulnerability. The SMF provides the principles, processes and guidelines for social screening, social impact assessment and preparation of RAPs and TPPs where necessary. It includes guidelines for inclusion and gender mainstreaming (Annex-1), consultation and participation framework (Annex-2), guidelines for social impact assessment and preparation of RAP (Annex-3), and guidelines for tribal people's management and preparation of TPP (Annex-4).

A. Objectives of the SMF

The SMF is designed to ensure that the social development principles are mainstreamed into the project design. The objectives of the SMF are the following:

- Enhance social development outcomes of the activities implemented under individual subprojects;
- Promote transparency through the use of extensive stakeholder consultation and disclosure procedures;
- Avoid, minimize, mitigate and manage adverse social impacts including loss of livelihood, which may result from the land-based basic infrastructure development, rehabilitation and improvement;
- Identify and compensate for unavoidable adverse social impacts that subprojects might cause on people, including protection against loss of livelihoods;
- Ensure compliance with the relevant GoB policies and those of the World Bank on social safeguards and other social issues including gender; and
- Strengthen social management capacity within LGED, BMDF and the ULBs.

The SMF contains policy principles and frameworks on mitigation organizational to plan and implement the mitigation measures, consultation and participation, gender, and grievance response mechanism for the communities and project affected persons. It also includes sub-project cycle to guide preparation, implementation and monitoring of social development

B. Social Management Principles

1. Inclusion

Subprojects will be designed to ensure that the vulnerable section of the communities including the very poor, women, tribal peoples, traditional minority communities, and marginalized, disabled etc., get access to benefits. The Municipality Act of 2009 (local government act) provides for community participation inclusive of social groups and vulnerabilities to give them

'voice' in decision making. Communities are consulted in development process at ward level with WLCC and at the central level with TLCC. WLCC invites community groups in open meetings to participate in development discussions and opinion sharing on administrative activities of the ULBs. The ULBs will ensure that inclusion is addressed from identification through design and implementation (Refer Annex 1).

2. Participation

In accordance with the local government acts 2009, the communities have been empowered with an opportunity to decide, implement and monitor the development programs. Accordingly, the focus will be to promote participatory processes through the sub-project cycles. The law enables communities to participate in activities for municipal development and urban poverty reduction through WLCCs and TLCCs. The elected municipal council is answerable to the TLCCs for effective municipal services (Refer Annex 2).

3. Transparency

The local government acts and the Right to Information Act (2009) recognize that stakeholders can exercise their rights to access information in context of development programs and the public institutions including the ULBs are obligated to place information in public domain. This creates an enabling environment to develop trust among implementing partners and builds in checks and balances to strengthen the system. Subproject information will be disclosed in public domain including the social screening/assessment report and resettlement action plan, where applicable.

4. Social Accountability

The project will implement social accountability tools to improve citizen participation and transparency. Strengthened transparency and accountability includes display of information of all activities including cost, at prominent and public places in the wards, participation of communities in monitoring and evaluation, and use simple formats for reporting findings at planning, implementation and post-implementation project stages. Specific measures will be designed on (i) consultation, feedback and grievance-redress mechanisms to alert project staff to problems identified by beneficiaries, affected people, and other stakeholders; (ii) participatory planning to ensure the project meets the needs of beneficiaries; and (iii) participatory monitoring and evaluation for identification of problems.

5. Social Safeguards

Legal and policy framework provides for acquisition of land and assets and compensation measures for the assets acquired. The project approach will be to avoid or minimize, to the extent feasible, the hardships and impoverishment that land acquisition or displacement associated with the implementation of subprojects under the project. The ULBs will prepare subproject proposals based on the following principles:

- Acquisition of private and public lands causing physical displacement of people will be avoided or minimized to the extent feasible.
- In unavoidable circumstances, if additional land is required need, the ULBs may seek voluntary contribution from the concerned land owners, and /or explore alternatives to voluntary contribution without coercion or threat of sanctions.
- ULBs may also opt to purchase the required lands directly through negotiation and get them in exchange of similar lands or on contribution against compensation.
- Lands owned by tribal peoples will be avoided in all circumstances and by any other vulnerable groups will be considered in exceptional circumstances, if no other feasible alternatives are available.
- Displaced people will be compensated and assisted for livelihood restoration, and demolished physical structures will be replaced or compensated commensurate to ground situations.

The above principles will be mainstreamed adopting appropriate process for social impact assessment and mitigation of impacts (Refer Annex 3).

C. Communication Strategy

Overall objective of MGSP is to improve governance and enhance delivery of basic urban services. Hence, to major extent, the success of the MGSP Program depends on effective and meaningful IEC (information, education and communication) and communication strategy. Strategic communications approach is a social process of dialogue, negotiation, and consensus building through the use of a variety of methods. Based on principles of inclusion, transparency and accountability, the IEC and Communication strategy aims to enhance the ability of stakeholders to engage, influence local level institutions and hold them accountable for their work. The communications model is a community owned communication strategy that encourages civic engagement, where the community is part of the planning and monitoring process of the schemes. This is a long term process of continued dialogue, clarifying issues under discussions and finding solutions to matters of common concern. Through engagement a space is created where issues can be openly discussed, compromises negotiated and solutions acceptable to the majority accepted and ratified. This strategy seeks to foster social, political, and institutional changes at different levels by building trust among implementers and the users, promoting a two-way communication, exchanging knowledge and skills for a sustainable change in both availability of services and behavior that is consistent with fact on the ground. It is worth mentioning that the best technically designed infrastructure projects can fail or have weak results if decision makers and the beneficiaries are not duly consulted, informed and mobilized.

D. Grievance Response

The project will establish a grievance response mechanism (GRM) to answer to queries, receive suggestions and address complaints and grievances about any irregularities in application of the guidelines adopted in this framework for inclusive project design, and assessment and mitigation of social and environmental impacts. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal action. The procedure will however not pre-empt a person's right to go to the courts of law. Grievance response focal points will be available at the ULBs and project level within LGED and BMDF. A Grievance Redress Committee (GRC) will be formed for each ULB. The WLCC at the ward level will be the first focal point on project GRM and the GRC at the ULB level will be authorized to deal with all suggestions and complaints at the subproject level (Refer Annex 5).

E. Approval and Disclosure

Appraisal of the social screening report of each subproject and SIA/RAP wherever required, will be subjected to review and clearance by the Bank. Whenever requested, LGED and BMDF will provide the Bank with copies of the filled out Social Screening Forms for all subprojects by ULBs and the consultants.

All safeguard documents including the SMF, RAPs, TPPs and other social plans will be translated into Bangla (local language) and disclosed locally and the English versions disclosed through the Bank's Info shop. LGED and BMDF and each of the ULBs will upload the SMF in their official websites along with a Bangla translation. The SMF in Bangla will be available in all selected and participating ULBs open to the public.

IV. SOCIAL MANAGEMENT PROCESSES

A. Institutions

The Local Government Engineering Department (LGED), under the Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives (MLGRDC), will be the primary GoB counterpart agency, and the main contact point with the Bank for all matters relating to project implementation. Physical components for urban infrastructure improvement under the project will be executed by the LGED and the Bangladesh Municipal Development Fund (BMDF) under the Bank and Financial Institutions Division (BFID) of the Ministry of Finance (MOF). BMDF is a non-bank financial intermediary established in 2002 for channelling funds to the ULBs for urban infrastructure development. LGED will execute component 1 for municipal governance and basic urban services improvement and the BMDF will execute component 2 for similar operations through credits to the ULBs. A Project Steering Committee headed by the Secretary, Local Government Division (LGD), will provide policy oversight and guidance in the implementation of the project.

MGSP will encourage adopting and practicing participatory process in subproject planning and implementation. The project will promote Community Based Organizations (CBO), and facilitate establishment of Ward Level Coordination Committees (WLCC) and Town Level Coordination Committees (TLCC) following good practices in on-going and earlier projects in line with the municipal act of 2009 (Section IV.C). CBOs will be piloted for promotion of participatory urban planning and O&M services management. The TLCCs and WLCCs will also serve as a platform for third party monitoring, to track progress in implementing civil works construction, quality of civil works and management of funds. Roles and responsibilities of the MGSP implementation partners and actors in project cycle have been discussed at Annex-6.

B. Project Management

1. LGED Project Management Office

A Project Management Office (PMO) headed by a Project Director (PD), will be established at LGED headquarters. The PMO will be responsible for management and administration of the performance-based grant program under Component 1 of the project, including: (i) preparation and execution of Partnership Agreements with the 26 selected ULBs before credit effectiveness; (ii) preparation of the first years' subprojects; (iii) selection and management of consultants to assist ULBs and LGED for subproject preparation, project management and monitoring, performance evaluation, O&M planning, social accountability/grievance redress and prepare subprojects for subsequent years; (iv) oversight of construction supervision and contract management, and supervision of social development and safeguards implementation; (v) joint measurement of works and confirmation of certificates of payments to contractors; (vi) approval of payment certificates from ULBs for works contracts and authorizations to LGD for payment; (vii) review and approval of performance evaluations, performance scores and disbursement of the performance-based allocation to best performing ULBs; (ix) review and approval of O&M

budgets and O&M grant support to ULBs, and monitoring compliance with performance indicators.

LGED will also be responsible for (i) Capacity Building through its oversight responsibility for the Municipal Support Unit (MSU), and the design, development and implementation of the capacity building program for ULBs; (ii) selection and management consultants to develop the National Municipal Performance Monitoring System, and maintain it on behalf of the LGD; and (iii) selection and management of consultants to develop the ULB land management and administration system, and develop the database for not less than five ULBs, as a pilot.

LGED will engage one senior and one junior Social Development Specialist at the PMO for assisting the PD on social development oversight, planning and implementation. Draft Terms of Reference of Social Development Specialists are appended at Annex-7.

2. BMDF Project Management Office

The Bangladesh Municipal Development Fund (BMDF) will be in charge of the overall management and implementation of Component 2, led by its Managing Director (MD). Under the MD, a dedicated Project Director will oversee the work under MGSP. BMDF will engage consultants (i) to support the transformation of BMDF into a financial intermediary with lending operations; (ii) to provide capacity building to BMDF staff; and (iii) assist BMDF with subproject appraisal and supervision. There will be a clear separation of functions between BMDF and the ULBs: the ULBs will prepare projects and BMDF will conduct subproject appraisals. The ULBs will engage consultant services and bear the cost of subproject proposal preparations from their own sources. BMDF will provide guidance to ULBs in selecting the consultants and the consultants will assist ULBs to prepare sub-project proposals which meet BMDF requirements including social development and safeguards.

BMDF will engage one senior and two junior Social Development Specialists at the PMO for assisting the PD on social development oversight, planning and implementation of subproject at the ULB level. Draft Terms of Reference of Social Development Specialists are appended at Annex-7.

3. Project Implementing Units (PIU)

At the ULB level, Project Implementation Units (PIUs) will be created to be staffed by existing municipal staff, with support from LGED field staff. The PIUs will be headed by the Chief Executive Officer (in case of city corporations) or Mayor (in case of municipalities) and will report to the PMO at LGED or BMDF as the case may. The PIU is expected to be the core unit for sustainable capacity improvement of ULBs after the Project concludes. Each PIU will prepare the Five Year Capital Investment Plan, including subproject plans, and ensure there are sufficient pipeline subprojects prepared for implementation in the first year of the project.

The ULBs will engage one junior Social Development Officer or assign one of the assistant engineers as Social Development Focal Point at each PIU for assisting the Head of PIU in social screening, social impact assessment and preparation and implementation of mitigation plans. Draft Terms of Reference of Social Development Officers are appended at Annex-7.

4. DSM Consultants

The Consultants to be engaged by LGED and BMDf for design supervision and management (DSM) of subprojects will have staff resources on social management. DSM Consultant team for LGED will include one Senior Social Management Specialist and one Junior Social Management Specialist. The consultant for BMDf will have one senior and two junior Social Management Specialists in the team. The consultant will assist the ULBs in preparation and design of subprojects and help BMDf in subproject appraisal and approval. DSM Consultant to LGED will also help ULBs in project preparation and will assist LGED in review and updating the subprojects submitted by the ULBs for financing from the project.

C. Participatory Development

The Project Directors at LGED and BMDf will ensure that subprojects prepared and implemented by ULBs are inclusive in design, socially compliant, and are identified and implemented with transparency and social accountability. The current laws governing the ULB operations and services and the Bank guidelines require community participation, transparency and accountability, participatory planning and access to information in development process. The laws have provisions of ward committees and town committees for involvement of wider communities in development process. The project will involve communities in the planning and implementation process and encourage them to participate in the after construction regular operation and maintenance (O&M) with the Municipalities. In the Municipality areas, the project will pilot community based organizations and encourage formation and operation of ward committees and town committees.

To enhance citizen awareness and participation, participatory and inclusive planning, women's participation and pro-poor urban development, all strengthening social accountability, the project will facilitate establishment of town level coordination committee and ward level coordination committee under the project. In addition to town level and ward level coordination committees, the project will promote participation of the beneficiary communities in operation and maintenance through community based organizations (CBO) on a pilot basis. The brief description of strengthening the institutions is given below and terms of references for CBO, TLCC and WLCC are in Annex 7.

1. Community-based organization (CBO)

In order to ensure citizen's participation especially women and poor in formulation of Capital Investment Plan (CIP) and assist Municipality in socio-economic development and infrastructure maintenance, ULBs will form Community Based Organizations (CBO) in pilot municipalities. CBOs have been formed and operated in ULBs under an ADB supported project. The selected ULBs under component 1 and the participating ULBs under component 2 are not likely to have any CBOs. The project will assist ULBs in social mobilization for formation of CBOs for participatory project management and operation and maintenance of urban basic infrastructures

like drainage, solid waste management, cleanliness and minor infrastructure management. Inclusive participation starts with the CBOs in the ULB area which usually comprises 200 to 300 families in a locality. The head of a family or a representative above 18 years is entitled to become a member of the CBO. The members elect a 12-member executive committee, one-third of which must be made up of women. There must also be representatives from the poor and vulnerable groups. The executive committee comprises five office bearers (President, Vice President, Secretary, Joint Secretary, and Treasurer) and seven members. Responsibilities are distributed among the members. The ward councillor in each ward advises the executive committee of the CBOs in that ward. The CBOs will be ratified by the Municipal Council through a council resolution.

Social mobilization and formation of CBOs: About 30 to 100 participants from 30 – 50 households from a cluster of settlement within a ward will site Court Yard Meetings (CYM) to discuss the objectives of citizen participation in urban governance and services improvement process. Following at least 5 such CYMs, a General Meeting with about 50 to 200 participants will be held to form the CBO. Several CBOs will be established in a ward comprising of 200-300 families. All the CBOs will form a Federation to work closely with the Municipalities for objective materialization of the community needs for urban governance and infrastructure services.

Members of CBO executive committees are specifically assigned for Drain and sanitation management, Household solid waste management, Clinical and Market waste management, Community Infrastructure supervision, Road cleaning and sweeping management, Street light management, Miscellaneous management.

Monitoring and Supervision of CBO activities: The CBOs will run under Mayor's directives. An 11 member Steering Committee may be formed involving councillors, respective officials of health, slum development and conservancy, engineering section and representatives from the CBOs in order to monitor the activities of the CBOs.

The municipalities will engage requisite number of Field Workers and Supervisors to supervise the activities of the CBOs. Budgetary allocation for running the CBOs will be provided from the Municipality. The Mayor will hold general meeting every after six months with the president and general secretaries of the CBOs to review the progress and bottlenecks. There will be allocation of funds for development of infrastructures as per the plan of CBOs. The CBOs will be given the responsibility of construction supervision and maintenance as per directives of the Municipality. Assistance will be provided for formation of a federation of CBOs in the Municipality.

2. Ward-level coordination committee (WLCC)

The project will form and make use of WLCCs in subproject management by ULBs. Headed by the local ward councillor, the WLCC is the middle rung on the community participation ladder. The WLCC is a forum where community members can raise their local development and social issues more intensely. The ward-level coordination committee (WLCC) meets every 3 months.

Formation and composition: Not exceeding 10 members committee headed by the concerned Ward Councillor, Female Ward Councillor as Vice President, Representatives of Slums, civil

societies (CBO, NGO), different professional organizations/citizen groups, Women, School teacher, Officials nominated by the Mayor as Member- Secretary. Total female member shall be 40%. WLCC shall be approved by the Municipality council. Women and the poor will be represented in the WLCC, which consists of not more than 10 members. Of these, four must be women and at least three members must be from the poor. A typical WLCC has the councillor of the local ward as its president, while the female councillor, who is elected from the seats reserved only for women, is its vice president. The members include representatives of civil society, professional groups, and the poor community. An assistant engineer or sub-assistant engineer (nominated by the mayor) is the member secretary for the WLCC. The WLCC will be ratified by the Municipal Council through a council resolution.

3. Town-level coordination committee (TLCC)

MGSP will engage local stakeholders for identification, design and implementation of subprojects at the ULB level through TLCC, the third and most important body. The TLCC is a unique entity because, unlike other local government bodies, its membership includes both government officials from the pourashava council and representatives of citizens' groups and other local stakeholders. This organization, which is headed by the mayor, is known as the parliament of the pourashava.

The TLCC draws a diverse membership from the public, ranging from the elite in the town to its slum dwellers. TLCC comprises of not exceeding 50 members headed by the Mayor and represented by all councillors and representatives of local stakeholders. Representatives of local stakeholders include public agencies like district administration, Local Government Engineering Department; Department of Public Health Engineering; Roads and Highways Department; Public Works Department; Ministry of Social Welfare; Department of Cooperatives; and Ministry of Posts and Telecommunications, and community representatives like different professionals, civil society/NGOs, women, urban poor and other vulnerable groups.

It is mandatory that one-third of TLCC members are women, while the poor in the community must be represented by at least seven members, including two women.

The Municipal Council – comprising the mayor and the councillors – is held accountable to the TLCC for their performance. However powerful and popular the mayor and the councillors may be, they are answerable to the people who elected them. The TLCC will be ratified by the Municipal Council through a council resolution.

4. Grievance Redress Committee (GRC)

Grievance Redress Committees (GRC) will be an instrument where the communities will exercise their basic rights of participation in the project cycle through suggestions and complains. GRCs will also be para-legal court of the project at the ULB level to address local problems and complaints related to social and environmental impacts and the procurement and construction quality issues. A GRC will be formed at each ULB headed by the Mayor and the

head of engineering section as its member secretary. Members will be taken to represent the communities and other stakeholders including local administration, school teachers, local NGOs, women and ward level elected representatives.

The structure of GRC and membership will be as follows:

Chairman	1. ULB Mayor
Member-Secretary	2. Head of Engineering Section of ULB
Member	3. Representative from local administration
	4. Teacher from a Local Educational Institution
	5. Representative of a Local NGO
	6. Representative of civil society
	7. Female ward councilor (respective) ⁸

Members of the GRC will be nominated by the Mayor who will seek advice from the local administration (UNO or DC) for members # 3, #4, #5, and #6. The ULB Mayor will form the GRC and forward to the Project Director, PMO, LGED or the Project Director, MGSP, BMDF for concurrence as per his/her funding window. GRCs and ward level GRM focal points will be established and disclosed to the community before award of civil works.

D. Social Management Plan for Subproject Cycle

1. Stages of Subproject Cycle

The LGED, the BMDF and the ULBs will be responsible for ensuring information dissemination, inclusion, participation, transparency, and social accountability in subproject selection, design and implementation. Subprojects for infrastructure improvement and construction will be identified at the ULB level through community engagement at the ward level through WLCCs and at the central level through TLCC and finalized after feasibility study for the five year Capital Investment Plan (CIP). Initial social screening will be carried out at the feasibility stage and as per results of social screening, social impact assessment (SIA) will be carried out at the preparation stage. Based on the findings of SIA, resettlement action plans (RAP) will be prepared and approved by LGED and BMDF for obtaining lands and resettlement of project affected persons prior to civil works construction, if required. The process is indicated in flow diagram in Figure 2. Social development principles in subproject cycle will be mainstreamed as follows:

⁸ Female Councilor of concerned ward will participate in the hearing when a complaint is produced from her ward. The Chairman of GRC may also call the concerned male Ward Councilor to attend the GRC hearing sessions.

1.1 Subproject Identification – Inclusion and participation will be ensured at the earliest stage of the project cycle. Information dissemination at national, Municipalities and Ward level will be carried out on the scope of the project, roles and responsibilities of all stakeholders and timeline of the project. Communities will participate in identification of ward level infrastructure problems and needs in community level open meetings. They will consolidate their proposals for infrastructure improvement ensuring benefits to all community groups including the vulnerable and excluded communities. The community problems will be discussed in the WLCC meeting to review and confirm inclusion and participation. The consolidated proposals from all wards of the ULB will be submitted to the TLCC for review and further consolidation considering availability of budget and benefits to the communities. The TLCC will short-list and the Municipal Council will approve the subprojects for investment proposals.

1.2 Subproject Planning – The ULB will conduct feasibility study of the short-listed subprojects along with social screening for adverse social consequences including need for additional public or private lands, methods of obtaining lands (voluntary donation, direct purchase or exchange or involuntary acquisition), involvement displacement of people and impact on tribal communities. Social Screening (Annex 8) The Municipal Council will review the feasibility studies and select subprojects for Capital Investment Plan (CIP). The five year CIP will be the municipal development plan drawing upon all available and committed resources for the ULB areas. Information of the CIP will be displayed at public places and shared with TLCC and WLCC members for consultation before its adoption in the council. First year subprojects: BMDf and LGED have received proposals from ULBs for first year investments those are selected in a way that there will be no social safeguard compliance issues. The social screening reports of these subprojects will be available before the final appraisal.

1.3 Detailed Subproject Preparation – The ULBs will verify the social screening results of subprojects and where required carry out SIA (Annex 3) including extensive stakeholder consultation to identify the subproject beneficiaries, affected people and other relevant stakeholders. The results of the SIA and community consultation will be a decisive element in selection of design, size and location of the subprojects. Based on results of SIA , ULBs will prepare a report including a RAP (where required) as part of subproject preparation. The SMF will be followed for SIA and preparation of RAP.

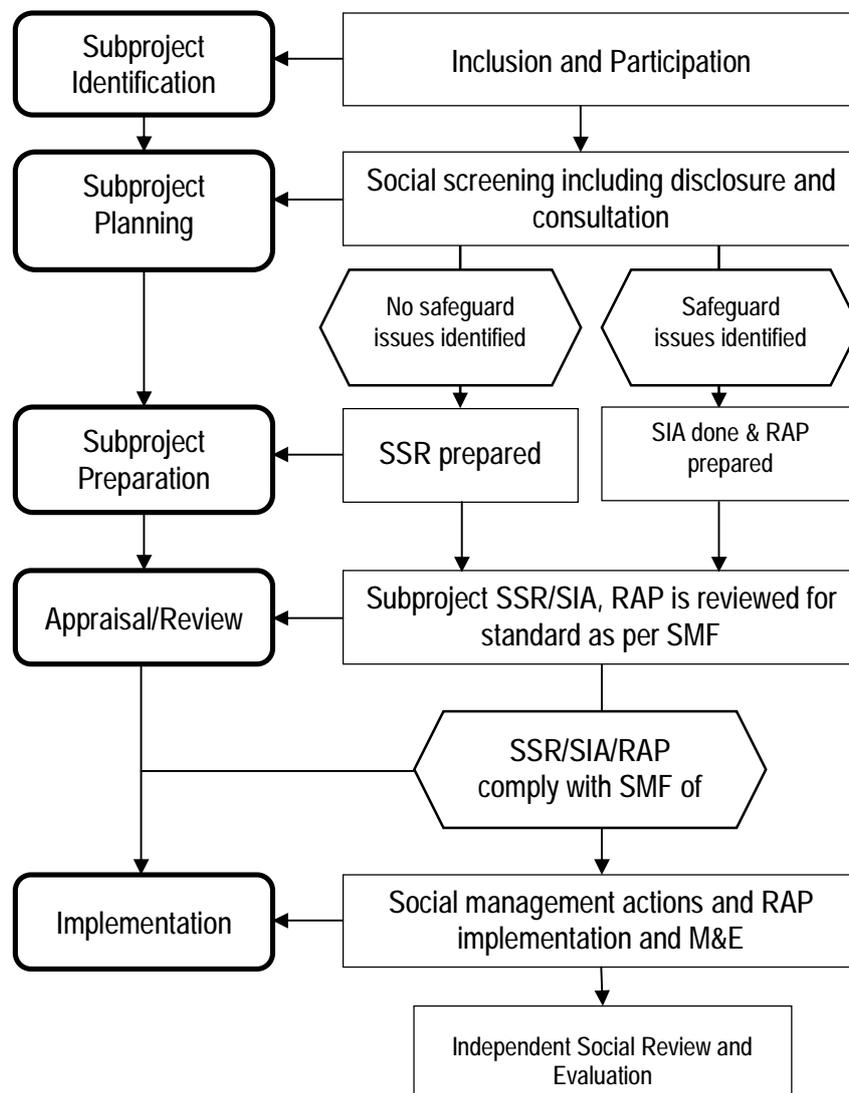
1.4 Subproject Appraisal – BMDf will appraise and LGED will review subproject proposals received from the participating and selected ULBs including the Social Screening Report and RAP, where required. With assistance from the consultants, LGED and BMDf will review compliance of subprojects along with other standards for approval. For unique observations, BMDf will advise ULBs to revise and resubmit subproject proposals, while LGED will revise the subprojects as per MGSP standard before approval for implementation. Based on the appraisal and, if needed, the field appraisal, the LGED and BMDf will approve the subprojects with conditions of implementation supervision of social management actions and social safeguard compliance.

1.5 Subproject Implementation – The compliance of social management requirements including social safeguards will be monitored and ensured by the ULBs during implementation

of subprojects as per appraisal conditions and the SMF. The DSM Consultants of LGED and BMDf will conduct oversight and assist LGED and BMDf in ensuring social compliance of subproject implementation.

1.6 Operation and Maintenances– In pilot ULBs, CBOs will be facilitated to take over feasible partnership responsibilities with the ULBs for operation and maintenance of drain and sanitation management, household solid waste disposal, cleanliness, water supply system, markets, etc.

Figure 2: Social Assessment and Management Flow Chart



2. Timelines of Subproject Cycle

From identification to completion of subprojects will take 10 to 28 months depending on the size of investments and will be followed by a one year operation and maintenance trial involving CBOs. Major activities in each stage of subproject cycle will be completed in the time indicated in Table 3.1

Table 3.1: Subproject Time Schedule (Indicative)

Sl. No.	Subproject phases	Indicative timescale (months)	Responsibility
1	Identification	1.0	ULB
2	Feasibility Study	0.5	ULB
3	Capital Investment Planning	1.0	ULB
4	Subproject Preparation	0.5	ULB
5	Appraisal/Review of Subproject	1.0	BMDF/LGED
6	Implementation	6.0-18.0	ULB
7	Operation and Maintenance	12.0	CBO/ULB

3. Detailed Timeline for Implementation of Subproject Cycle

The selected and participating ULBs will mobilize communities and consultants for all inclusive project planning and implementation. At the pre-planning stage, consultants and social development officer/focal point will be mobilized and CBOs, WLCCs and TLCC will be formed. Detailed timeline for social development actions have been suggested in Table 3.2

Table 3.2: Detailed Indicated Time Schedule of Subproject Cycle

Sl.No.	Social Development Actions	Timeline	Responsibility
A	Pre-Planning Phase	2 months	
1.	Hiring of consultant	1 st month	ULB
2.	Engaging social development officer or assigning social development focal point	1 st month	ULB
3.	Formation of TLCC and WLCCs, and CBOs (in case of pilot ULB)	1 st month	ULB
4.	Orientation to WLCCs and in case of pilot ULB, CBOs	2 nd month	ULB and Consultant
5.	Information dissemination and motivational campaigns at ward level	2 nd month	Consultant
B.	Identification Phase	1 month	
1.	Open meetings with communities at ward level and separate discussions with women and other vulnerable groups to identify local problems related to basic	2 nd month	Communities/ CBOs WLCCs

Table 3.2: Detailed Indicated Time Schedule of Subproject Cycle

Sl.No.	Social Development Actions	Timeline	Responsibility
	urban services and infrastructure gaps. Identification of Tribal groups, if any and consult with them to identify their priorities.		
2.	Meetings held at ward level to prioritize needs of women, and other vulnerable groups for infrastructure. Ward level proposed list of infrastructure prepared submitted to TLCC for its recommendation.	2 nd month	Communities/ CBOs WLCCs Consultant
3.	Review of ward level priorities of proposed subproject investments at TLCC meeting. Consolidate town level priorities and develop a final list of subprojects recommended for investments	2 nd month	TLCC, ULB, Consultant
4.	Finalization of subproject list for feasibility study.	2 nd month	Municipal council
5.	Disseminate information of the approved list at ward level and at other public places	2 nd month	ULB & Consultant
C.	Planning Phase	3 months	
1.	Social Screening, all inclusive consultation and feedback, and include results with the feasibility study	3 rd month	ULB, Consultant WLCC
2.	Review of feasibility study, approval of subproject and preparation of CIP	3 rd month	Municipal Council
3.	Expand social screening report, carry out SIA and preparation of RAP (where needed) and include with the subproject design/proposal for investment Subproject proposals produced to PMO (at BMDf or LGED)	4 th month	ULB & Consultant WLCC/CBO
4.	Establishment of GRM	4 th month	ULB
5.	Review/appraisal of subproject investment proposals for compliance with SMF Approval of subproject for implementation	5 th month	PMOs at BMDf and LGED DSM Consultants
6.	Review of social compliance of subproject design	5 th month	Bank task team
D.	Implementation Phase	6–18 months	
1.	Bidding	6 th month	ULB & Consultant
2.	Contract signing with civil works contractor	7 th month	ULB
3.	Subproject launch workshop, disclosure and orientation of WLCCs	7 th month	ULB, DSM Consultant, TLCC, WLCCs
4.	Civil works construction, supervision	8 th month	Contacto, ULB, DSM Consultant,
5.	GRM functions	6 th month	ULB
6.	Obtaining/acquiring lands and resettlement	4 th month	ULB

Table 3.2: Detailed Indicated Time Schedule of Subproject Cycle

Sl.No.	Social Development Actions	Timeline	Responsibility
6.	Periodic monitoring and quality audit	8 th month	ULB, DSM Consultant, WLCCs, CBOs
7.	Third party social review	Baseline, mid-term and end term	Third party M&E consultant
8.	Implementation completion report	At subproject completion	ULB & Consultants
E.	O&M Phase	12 months	
1.	Preparation of O&M Plan and Budget	13 th to 25 th months	ULB, TLCC, WLCC, CBOs
2.	Periodic monitoring of O&M	Periodic	
3.	Ensure design performance of municipal services and infrastructure	After construction	ULB, CBOs, WLCC
4.	Social review and evaluation	Periodic	Third party M&E consultant

E. Institutional Capacity Building

Project managements in LGED and BMDF will employ full time Social Development Specialists and will use external consultant services with the design, supervision and management (DSM) consultancy. The LGED and the BMDF will extend technical assistance to the ULBs in preparation and design of subprojects in compliance with the Bank guidelines in addition to the legal provisions of the country. However, a social development officer (SDO) will be engaged at each ULB or the existing staff will be assigned on the responsibility of SDO additionally for subproject period. The SDO will be trained on social development as per local system and the Bank policy on social issues and safeguards.

The DSM consultants will provide technical orientation to the councilors, ULB staff and the WLCC members on Social Management Framework including social accountability tools. The training program will be jointly developed by the LGED and BMDF consultants and shared with the Bank for concurrence before execution. The cost of training and capacity building is included in the project resources under component 3.

F. Monitoring and Evaluation

Monitoring and evaluation (M&E) of subprojects for social development and safeguard issues is a critical activity in order to identify implementation problems and develop solutions immediately. Monitoring is a periodic assessment of planned activities providing midway inputs, facilitating changes and giving necessary feedback on the activities and the directions on which they are going; whereas evaluation is a summing up activity at the end of the project assessing whether the activities have actually achieved their intended goals and purposes. The M&E mechanism will measure subproject performance and fulfillment of the objectives of inclusion, participation, transparency, social accountability and social safeguards compliance.

Given that the project will be implemented by the selected and participating ULBs and executed severally by LGED and BMDF in separate ULB areas, the project will be subject to oversight by a Project Steering Committee with the Local Government Division (LGD) under the MLGRDC. Although BMDF is under the Ministry of Finance, the LGD will monitor the project as counterpart to the Bank through LGED. Both LGED and BMDF will establish a monitoring system comprising of both internal and external monitoring systems. The Project Directors at LGED and at BMDF will prepare quarterly progress reports for the IDA, apart from one for the Implementation Monitoring and Evaluation Division (IMED) of the GOB.

Monitoring social management activities in subproject cycle will consist of an array of steps related to inclusive and participatory planning, land acquisition, and preparation and implementation of impact mitigation plans. In addition to other responsibilities, the consultants will set up and operate a computerized system to monitor and report progress and performance in social development, land acquisition (if required) and resettlement activities. An independent consultant (TOR at Annex 7) will be engaged by project proponents (LGED and BMDF) for social review and evaluation of subprojects with inputs from participatory social monitoring by the WLCCs (Refer Annex 9 for M&E framework).

G. Budget

The SMF provides for capacity development of the executing agencies and PIUs in social management in subproject cycle. Based on experience of MSP and UGIIP, it is likely that the project, during implementation, may need to procure lands (either direct purchase or through acquisition) and displace peoples permanently or temporarily. The project may also need to compensate for physical structure or replace them where affected to make available lands for infrastructure improvement works. The SMF, has therefore, includes a provision of USD 9.25 million for compulsory acquisition of land under component 1, and capacity building of ULBs and resettlement/livelihood restoration of affected persons under components 1 and 2 (Table 3.3). All ULBs, specifically under BMDF financing, will be responsible to make available lands for infrastructure development either owned by them or through voluntary donation, contribution against compensation, direct purchase or exchange.

Any physical losses or replacement of assets will be done by the ULBs themselves from their own resources. However, the project will provide financial support for social management capacity building by ULBs, relocation and livelihood restoration assistance to affected persons and compulsory land acquisition under component 1.

Table 3.3: Social Management Budget (Tentative)

Likely losses and impacts	Budget by Components (Million USD)		
	Component 1	Component 2	Total
Land - acquisition (LS)	6.25	-	6.25
Resettlement and livelihood restoration	0.60	1.00	1.60

Social Assessment Social Assessment a SMF)
Municipal Governance and Services Project (MGSP)

Capacity building training	0.15	0.50	0.65
Social mobilization, communication and social accountability	0.25	0.50	0.75
Total	7.25	2.00	9.25

INCLUSION AND GENDER MAINSTREAMING

Gender and Vulnerability Analysis

Gender and vulnerability analysis will be an integral part of the social impact assessment of subprojects. Social analysis will focus gender and vulnerability based on findings from specific queries during social screening and subsequently during social impact assessment including review of secondary data, community consultation and household surveys. The quantitative and qualitative analysis will bring out sex disaggregated data and issues related to discrimination by gender vulnerability, needs, constraints, and priorities; as well as understanding whether there is a potential for inequitable risks, benefits and opportunities relating to gender and vulnerability. Based on the social analysis, specific interventions will be designed and social management plan will be prepared. The project approach for inclusion and participation encourages gender mainstreaming in the project cycle. Gender equity and empowerment will be ensured through encouraging participation of men and women equitably in the project cycle.

Integrating Social and Gender Issues

The ULBs will ensure that subprojects for urban infrastructure development and improvement are socially inclusive and gender friendly. In preparation and design of subprojects, the ULBs will consider that

- The subproject proposals are inclusive of the existing socioeconomic and gender issues and concerns on the existing urban services.
- Key factors are identified that have caused or would cause discriminations in accessing basic urban services among the urban communities, in terms of location and socioeconomic characteristics, and between men and women.
- The subprojects are identified and implemented that would effectively address the social and gender issues, with a focus on equity in the distribution of benefits.
- In addition to those for the communities at large, feasibility of alternative measures are assessed that would help women and vulnerable groups to access the basic urban services improved under a subproject.
- Key stakeholders are identified including women, who could be mobilized to create a community based organizations participate in urban development and poverty reduction including operation and maintenance of urban infrastructures.

CONSULTATION AND PARTICIPATION

A. Objectives and Methodology

The objectives of consultation and participation process will be to inform, consult, engage, collaborate and empower the communities and other local stakeholders in the subproject cycle at the ULB level. Consultation and community participation will be undertaken to achieve the following specific objectives at subproject identification, planning, design, implementation and evaluation stages:

- Identification – to sensitize the community about the subproject and their role and identify inclusive ground needs;
- Planning – to ensure transparency of the planning process, reflect community expectations in project design, acceptable work schedule and procedures; ensure identification of adverse impacts and measures to mitigate them;
- Implementation – to ensure that benefit accrues to the targeted beneficiaries inclusive of all groups including the very poor and vulnerable groups and the quality of works are satisfactory to the communities.
- Review and evaluation – to evaluate the beneficiary satisfaction and outcomes of the subprojects for intended benefits to targeted beneficiaries.

Involvement of communities is not limited to interactions with them but also disclosing relevant information pertaining to the project tasks and targets. Consultation and participation involves communities and other stakeholders will take place through interpersonal communications, focused group discussions and small and large community meetings. Additionally, radio broadcast and other media forms may be used to further disseminate information. The WLCCs and TLCC will be the platforms for disclosure and consolidate feedback from beneficiary communities and other stakeholders.

Identification Stage

Subproject identification will start from the ward level. Dissemination of the project information to the community and relevant stakeholders is to be carried out by the Ward Councilors at the identification stage. The communities shall be made aware of the scope of subproject interventions including guiding principles and policies and participation in the project cycle through necessary feedbacks. This should include the process being followed for prioritization of the identified subprojects. Intended beneficiaries and other stakeholders should be involved in the decision making to the extent possible. The WLCCs will facilitate to inform and consult the communities for identification of subproject for added benefits to the diverse communities equitably. Information generated at this stage should be documented.

Subproject Planning and Design Stage

Subproject information will be disseminated amongst the beneficiaries towards increasing their awareness and their roles and responsibilities. Planning stage is intended to be an interactive process with the intended beneficiaries at least in two stages. Initially while carrying out feasibility study and second at the finalization of the subproject. This would be the joint responsibility of the WLCCs and the ULB engineering staffs facilitated by the ward councilor and the consultant.

In case of voluntary land donation, direct land purchase, displacement and involuntary land taking, consultation with the beneficiaries and affected persons and their profiling are mandatory as per the requirements of the SIA and preparation of RAP. This needs to be done as socioeconomic and census surveys as part of the RAP preparation. Consultation will respect to cultural aspects are to be carried out as part of the SA for the subprojects.

Implementation Stage

Consultations as part of the implementation stage would be direct interactions of the ULBs with the beneficiaries and affected persons, if any. These would comprise of consultations towards the role of beneficiaries in subproject implementation, establishments of CBOs (pilot), WLCCs and TLCCs, grievance mechanism, compensation for income or asset loss, relocation of project affected persons and/or cultural properties, and towards addressing impacts on common property resources.

B. Review and Evaluation Stage

Stakeholders will participate in the subproject workshops at mid-term and at the end of the subproject implementation through TLCC. The independent social reviewer will make use of the consultation and participation process and involve the communities in addition to the WLCCs and CBOs. Communities will be consulted for their views on implementation process, social management measures for inclusion, participation, transparency, and impacts of resettlement, livelihood restoration and grievance response.

C. Consultation Checklist

The following checklist will be the guiding tool for carrying out consultation and enhance participation of stakeholders in a subproject cycle.

INFORM	CONSULT	ENGAGE	COLLABORATE	EMPOWER
Goal:	Goal:	Goal:	Goal:	Goal:
Promote stakeholder understanding of issues, problems, alternatives, opportunities and solutions through balanced and objective information	Obtain feedback on analysis alternatives and decisions	Work directly with stakeholders to ensure that their concerns and aspirations are understood and considered	Stakeholders become partners in each aspect of the decision, including development of alternatives and identification of preferred solutions	Final decision-making in the hands of stakeholders
Commitment	Commitment	Commitment	Commitment	Commitment
Keep the stakeholders informed	Listen and acknowledge stakeholders concerns and expectations	Ensure stakeholders concerns/aspirations directly reflected in subproject design and appraise them how their input influenced the decision	Value stakeholders' advice and innovations in devising solutions and incorporate their advice and recommendations to the maximum extent	Implement the project as decided by the stakeholders
Techniques	Techniques	Techniques	Techniques	Techniques
<ul style="list-style-type: none"> ✓ Fact sheets ✓ Briefings ✓ Open meetings ✓ Websites 	<ul style="list-style-type: none"> ✓ Public comment ✓ Focus groups ✓ Surveys ✓ Public meetings 	<ul style="list-style-type: none"> ✓ Meetings with communities/CB Os ✓ Workshops 	<ul style="list-style-type: none"> ✓ Participatory decision making ✓ Citizen committees (TLCC, WLCC) 	<ul style="list-style-type: none"> ✓ Citizen juries ✓ Delegated decisions

SOCIAL IMPACT ASSESSMENT AND PREPARATION OF RAP

A. Methodology and Scope

The project approach discourages acquisition of private lands and displacement of people for project purpose. However, it may appear that a potential investment subproject requires land acquisition and population displacement when the specific locations of subproject activities are determined. Once it is determined through the social screening and social impact assessment that any of the planned investment subprojects will lead to land acquisition, population displacement or loss of livelihoods, the ULBs will prepare a Resettlement Action Plan (RAP).

Social Impact Assessment will be carried out during the subproject preparation stage when social screening at the planning stage will identify potential social safeguard issues. The principal opportunity of the SIA involves identifying viable alternatives; identifying potential social impacts, including direct or indirect; permanent or temporary; physical or economic, assessing their significance; designing least-cost mitigation measures; developing RAPs and monitoring requirements; formulating institutional arrangements; and ensuring meaningful public consultation and information disclosure procedures. To ensure that social concerns are adequately addressed, specific social analyses will include: (i) Socio-economic analysis; (ii) Stakeholder analysis and (iii) Involuntary resettlement (including temporary or permanent compensation for loss of livelihood). The assessment will identify and estimate impacts, risks and opportunities and suggest measures to avoiding or minimizing, mitigating and managing, and compensating adverse social impacts.

RAPs will be designed to ensure that impacts arising from land acquisition, displacement and relocation are mitigated, management and compensated and livelihoods of displaced persons are restored. The RAP focuses on people affected by land acquisition, relocation and restriction of access, and defines a strategy for formalizing arrangements and responsibilities for mitigating impacts caused due to physical and economic displacements.

B. Land Acquisition and Resettlement Issues

Involuntary resettlement issues are expected to arise where Subprojects require additional lands and where subproject activities induce permanent or temporary displacement of people. Where expansion of existing land boundary of any infrastructure is a critical part of development to materialize expected benefits, the ULBs will use the following guidelines to obtain public and private lands.

- Public Lands. Where they are in use by well-off persons and stoppage of further use would be socioeconomically inconsequential, the ULBs and communities may persuade the users to relinquish occupancy of the lands and look for alternative lands, if they refuse. Where these lands are currently used for living and/or livelihood by the poor and

vulnerable, the ULBs and beneficiaries can obtain them by offering socioeconomic rehabilitation measures acceptable to the affected persons. *However, the current users will have the option to refuse to relinquish occupation of the lands without the fear of any adverse consequences. RAP will be prepared and implemented for compensation and livelihood restoration of the affected persons.*

- Private Land on 'Voluntary Contribution'. If a small parcel or strip of land is required for a subproject intervention, the concerned land owner, if persuaded, may elect to contribute the lands without compensation. This method will be followed only for small amount of lands (less than one decimal) and the ULBs will ensure that,
 - The contributions are voluntary;
 - There are no encumbrances on the contributed lands;
 - The contributions do not affect the livelihood of vulnerable persons and, if it does, the ULB and community devise and implement mitigation measures acceptable to the affected persons;
 - The affected persons/contributors are made aware of the grievance redress mechanism described at Annex-5;
 - The contributors give up all claims on the lands and the titles are transferred to the recipient through the legal process in the country; and
 - The contributions are documented through an MOU (see *Annex3*)
- Private Land on 'Direct Purchase or Exchange or contribution against compensation'. Urban lands are valuable and contributory to livelihoods of urban population. Voluntary contributions are seen more feasible where the landowners are well-off and they are very few in number. Contributions for infrastructures like roads, drainage and sewerage system, etc., may involve a larger number of landowners -- some of whom might be quite marginal and vulnerable. In such cases, the ULBs can offer to purchase the lands on willing buyer and willing seller basis. Alternately, the owners may opt to provide the lands on contribution against compensation or in exchange of similar lands elsewhere. *The landowners, in any circumstances, will have the right to negotiate the price of the lands or refuse sale/contribution of the lands without the fear of any adverse consequences.*
- Private Land on 'Acquisition Using the Power of Eminent Domain'. In cases where voluntary contribution or direct purchase could not be initiated, but the land in question is a critical part of the construction for useful improvement of the infrastructure, the ULBs may go for acquisition of the land using legal system. The World Bank Operational Policy on Involuntary Resettlement (OP 4.12) will apply and RAP will be prepared and implemented. Land acquisition process will be initiated in advance for timely implementation of subprojects requiring acquisition of lands.

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- Existing Lands with formal Users. Certain infrastructure improvements works like market development may involve temporary relocation of existing market traders. Special measures will be included in RAPs to identify these displaced persons, allow them to continue their business at alternative locations arranged by the ULBs or compensated for the duration of the construction until when they will be returned to their previous sites. Open consultation will be conducted with general public and special consultation will be carried out with the market traders for identification of options for their relocation and livelihood restoration.

In cases of voluntary contribution the ULBs will (i) ensure that landowners and communities are made fully aware of their rights and obligations; (ii) verify that contributions are truly voluntary; and (iii) that the contributors are the legitimate owners of the lands being obtained and there are no outstanding issues of taxes or any dispute over ownership.

C. Impact Mitigation Objectives

The principles and guidelines provided in this framework are to avoid or minimize adverse impacts on private landowners and public land users, mitigate the impacts that are unavoidable, and assist to improve, or at least restore, their living standards and income earning or production capacity to pre-project levels. To achieve the objectives, ULBs will adhere to the following strategic guidelines.

- Avoid or minimize displacement of persons/households who may have been using public lands for residential and livelihood purposes;
- Establish guidelines and procedures to ensure that private land contributions are voluntary and sought and accepted in transparent manners without causing unacceptable adverse impacts on the owners.
- Collectively decide on impact mitigation measures (WLCC meeting with the affected persons) where private lands are required for critical infrastructure improvement works.

D. Impact Mitigation Principles

Where physical activities affect persons/households on public or private lands, ULBs will adhere to the following principles to avoid/minimize adverse impacts and adopt appropriate mitigation measures:

- As a first step toward mitigating adverse impacts, ULBs will always try to avoid adversely affecting persons/households who are socioeconomically vulnerable.
- Where adverse impacts are absolutely unavoidable, the ULBs will ensure that the affected persons / households are economically rehabilitated with measures acceptable to them.
- Where displacement of public land users is unavoidable, ULBs will assist the affected persons/households to relocate on available public lands in the vicinity.
- Where businesses are displaced, ULBs will assist them to relocate in the vicinity to ensure that they remain operational and do not lose income.

-
- Where private land is unavailable on voluntary contribution, direct purchase will be attempted and acquisition will be considered as the last resort, when all efforts fail.

RAP will be prepared following the guidelines and principles contained in this SMF in the case that use of private lands or public lands from private uses could not be avoided. The ULBs will implement the RAP once the subproject is accepted for finance and implemented before receiving the funds.

E. Eligibility for Compensation/Assistance

The persons/households affected directly and indirectly by the physical activities under a subproject are eligible for compensation and assistance. The most likely eligible groups are:

- Private Landowners: Persons who have legal rights to the affected lands and other assets, such as houses/structures, trees, etc. built and grown on them.

Compensation will be at replacement cost for loss of lands and additional transitional allowance when the loss is more than 20% of land holding or the remaining land is not economically viable for current use.

- Squatters: Persons/households who do not have legal rights to the affected lands, but use them for residential and livelihood purposes constructing structures on the lands.

Squatters will not be entitled for compensation for lands but the structures and assets developed on it. They will be entitled for relocation and livelihood restoration assistance in addition to compensation for structures following the entitlement matrix.

- Encroachers: Persons/households who do not have legal rights to the affected lands attached to their own titled land, but encroach them for agricultural or other productive purpose with or without any construction.

Like the squatters, the encroachers will not be entitled for compensation for lands but the structures and assets developed on it. They will be entitled for relocation and livelihood restoration assistance in addition to compensation for structures following the entitlement matrix.

- Tenants/Lease holder (public or private land): Persons/households who do not have legal title to the affected lands but rent or lease it in for agricultural, residential or commercial purposes.

Compensation will be replacement value of gross harvest for one year (for agriculture land) or the remaining lease period whichever is higher.

In case of commercial and residential lands, the compensation will be equivalent to three months' rent or for the remaining lease period, whichever is higher.

- Tenants of affected structures: Persons/households renting in affected structures for residential or commercial use.

Affected tenants of structures will be assisted with cash compensation equivalent to 3 months' rent of the affected structure, transfer/shifting allowance and in finding out alternative rental accommodation.

-
- Market traders: Affected shop owners and operators displaced due to undertaking of civil works for rehabilitation or improvement of a market center.

Compensation will be transition allowance for the permanent loss of business, incomes & wages equivalent to the loss of income/wages for a period of 6 months for each affected members of households.

In case of temporary relocation and temporary loss of business incomes, compensation will be wages equivalent to closure period OR alternative business site for continued income stream.

The displaced market traders will be re-allocated with the market corners or shops after construction.

F. Compensation/Assistance Principles

Depending on an affected person's preference, ULBs may consider using both financial and material forms of compensation and assistance. ULBs will ensure delivery of the agreed compensation/assistance in a timely and transparent manner. Compensation for the affected assets will be according to the following principles:

- Replacement cost for an equal amount of land of same productive quality.
- Replacement cost of houses/structures at the current prices of same building materials, plus the current cost of labor to build them. Depreciation and value of the salvageable building materials will not be deducted while computing the compensation.
- Current market prices of trees that are to be felled (owners will retain ownership of un-felled trees).
- Other acceptable in-kind compensation.
- Compensation in cash will be made in public.

In case of land acquisition, part of the replacement cost will be paid by the Deputy Commissioner (DC) as compensation under law. If compensation under law is less than the replacement cost determined by ULBs and approved by the project (LGD), the remaining amount will be directly paid by the ULBs to the affected land owners.

G. Consultation

Consultations will be inclusive of all stakeholders and used as a two- way communication strategy to provide information about the project and solicit support and agreements on the mitigations proposed. In addition to general consultation about the benefits and feasibility of specific physical activity, ULBs will make certain that the users of the required lands (with and without legal rights), are consulted very early in the subproject preparation process. Consultations will focus on the issue of land availability and the conditions under which they could be used for subprojects. In cases where the would-be affected persons are tribal or women, ULBs will arrange culturally appropriate or separate consultations. Community consultation process during project implementation is discussed in more detail at Annex-2.

ULBs will prepare consultations minutes, indicating dates, venues, compensation issues discussed, and the details of the agreements reached. The affected persons will be provided with copies of the minutes signed by the affected persons and the ULBs. Copies of all such signed minutes will be kept by ULBs and will be made available for review by LGED or BMDP and the World Bank.

H. Land Acquisition Process

The ULBs with the assistance of the consultant and in-house resources will prepare land acquisition proposals when exact ground locations of the required lands will be identified. The acquisition will be decided once the options for voluntary donation or direct purchase failed. The land acquisition proposal will include a land plan with layout of subproject design on cadaster maps, land schedule determining the amount of land, and other supporting documents as per requirement of the Deputy Commissioner's (DC) land acquisition (LA) section. The DC's LA section will process and complete land acquisition in favour of the requiring ULBs. The DC will assess the quantity of assets to be acquired and determine market price of the land and assets on it and prepare budget for compensation under law with 50% premium on the market prices. However, the ULBs will place funds with the DC within 60 days of fund request. The DC will make compensation payment in another 60 days to complete the land acquisition. The entire procedure may take about a year.

I. Preparation of Subproject RAP

The ULBs will carry out inventory of losses (IOL) and census of affected persons and establish cut-off date for recognition of structures for compensation and assistance. Temporary or permanent displacement of traders for civil works construction will be included in the census. The end date IOL/Census will be will be cut-off date for recognizing losses for resettlement assistance. In case of acquisition, the Deputy Commissioner will carry out joint on site verification of affected assets jointly with the ULBs and the date of service of notice under section 3 of the ARIPO 1982 will be the cut-off date for compensation for physical assets as per types recognized in the joint verification.

The ULBs, the WLCCs and the landowners will jointly determine the replacement costs of land based on the most recent transactions made in the same or adjacent localities, in view of the land type, productive quality and accessibility. Current prices of other assets, such as building materials, trees, etc., will be in accord with those in the local markets. The ULBs will review the rates in the TLCC meeting and approve through council resolution. The valuation process has been discussed in more detail at Annex-3.

Following the SIA, Census of affected persons and joint verification data available from the DC, the ULBs will prepare RAP for the subproject following this SMF. A typical RAP will contain information, on the amount of land required from private and public ownerships, details of the impacts/losses and the number of land owners and other being affected, the alternatives considered to minimize displacement, review of the application of legal and policy framework, mitigation measures and an entitlement matrix, detailed budget, time schedule, arrangement for implementation and monitoring and evaluation. The RAP preparation process will seek active

participation of the communities including the WLCC and where available the CBOs. An eligibility and entitlement matrixes and outlines of RAP are given at Annex-3.

ULBs will document the impacts and affected persons/households, mitigation measures agreed with them, and verifiable evidence that the agreed measures have been implemented.

The cases of voluntary private land contributions and direct purchase will also be documented with appropriate evidence and will remain open to verification by LGED or BMDF, the World Bank and others interested in the project.

J. Implementation of RAP

The ULBs will forward the subproject RAP (where required) for review and approval from their respective executing agencies (LGED or BMDF). LGED and BMDF will submit the RAP to the Bank for review and clearance before allowing ULBs to implement on site. ULBs upon approval from the Bank and LGED/BMDF, will implement the RAP with assistance from the consultants and the ULB staff including the Executive Engineer, Assistant Engineers, Surveyors and Overseers. Individual payment plan will be prepared for each affected persons and mitigation plans including replacement of affected physical structures by the ULB will be also be documented as a reference for future tracking. All declarations and agreements as per SMF will be executed before taking over land through voluntary contribution, direct purchase or exchange and disclosed for the public.

FORM 2: FORMAT FOR VOLUNTARY DONATION OF LAND

Voluntary Donation of Land

On a Tk. 300/- Stamp Paper

1. This deed of voluntary donation is made and executed on the day of between Mr/MsS/o W/o..... Age..... Occupation resident of herein after called the "Title holder" on one part. This expression shall mean and include his/her legal representatives, successors – in interest, heirs, assignees, nominees, and the like.

AND

Mr/Ms. S/o Aged..... Designation..... herein after called the "Recipient" which term denotes to "for and on behalf of the City Corporation/ Pourashava, Local Government of Division, Ministry of Local Government, Rural Development and Cooperatives" on the other part and shall mean and include his/her official successors –in-office, nominees and assignees, etc.

2. Whereas, the details of the Location of the, land are given below:

Location Details	
Mauza	
Mahalla	
Road	
ULB	
Title Holder	
Name of Title Holder	
Father/ Husband's Name of Title Holder	
Age occupation Residence	
Gender	
Schedule -Land Details/Structure	
Land in Question	
Area	
Location	
North Boundary	
East Boundary	
West Boundary	
South Boundary	

Note: Detailed Map to the scale is appended.

3. Whereas the Title Holder is presently holds the transferable right of the above mentioned piece of land at the location mentioned above.
4. Whereas the Title Holder testifies that the land is free of encumbrances and not subject to other claims/ claimants.
5. Whereas the Title Holder hereby voluntarily surrenders the land/structure without any type of pressure, influence or coercion what so ever directly or indirectly and hereby surrender all his/her subsisting rights in the said land with free will and intention. The title to the land so donated will be transferred to the ULB in due course before award of civil works contract.
6. Whereas the Recipient shall construct and develop urban infrastructure and take all possible precautions to avoid damage to adjacent land/structure/other assets and compensate any physical assets on the subject land at full replacement cost to the owner of the physical assets and take liability to rehabilitate the incumbent for livelihood restoration.
7. Whereas both the parties agree that the infrastructure so constructed/developed shall be for the public purpose.
8. Whereas the provisions of this agreement will come into force from the date of signing of this agreement.

Signature of Title Holder		Signature of Local Revenue Collector	
Name of Title Holder		Name of the Local Revenue Collector	
Date		Date	
Identified by			
1.			
2.	Witnesses		
Signature of WLCC President			
WLCC President Name			
Signature of Mayor			
Name of the Mayor			
Signature of Ward Councilor			
Name of Ward Councilor			
Signature of Local NGO Representative			
Name of the NGO Representative			

Suggested Methods for Market Price Surveys

In line with the proposed compensation principles, ULBs, assisted by the consultants, will conduct market price surveys to determine the replacement costs of acquired lands, houses/structures and other replaceable assets and market prices of irreplaceable assets by using the methods suggested below.

Lands of All Kinds

The surveys will explicitly take into account the quality of the lands under acquisition. Quality will take into account current uses, cropping intensity and value of crops produced, accessibility from the existing roads, and any other characteristics that influence the lands' market value. The survey will be conducted on the following three groups of respondents:

- A random sample of 10-15 landowners in the mouza in which a subproject is located and in those adjacent to it;
- As many of most recent buyers and sellers of similar lands can be found in the same and adjacent mouzas; and
- Deed writers, as many can be found and agree for interviews, at the land registration offices, who recently handled transactions in the same or adjacent mouzas (They will be asked about the actual prices, not those written in the deeds.)

Market value of the lands will be determined in the following manners:

- *If variations in average prices reported by the three respondent groups are insignificant (or, are 10% or less), current value of the land will be fixed at the average of the prices reported by the three groups.*
- *In cases of significant differences (more than 10%), the current price will be negotiated in open consultations with the affected and other landowners, community leaders, CBOs/NGOs and the like.*

Replacement cost will equal the market value, plus the registration cost or stamp duty. The registration cost will be calculated on the current market price.

Houses and Other Built Structures

Replacement costs will be based on the current prices of various building materials, labor and other cost items in the local markets. The costs of building materials, such as bricks, cement, steel, sand, bamboo, timber, GI sheet, roofing materials like straw, golpata, etc, and labor will be based on:

- Survey of current prices of different types of materials with five or so dealers/manufacturers in the local markets.
 - *The replacement cost of the house/structure will be based on the lowest quoted price*

for each type of material, plus their carrying costs to the sites.

- The current costs of labor with different skills will be determined by interviewing local contractors, LGED Upazila engineers, or local construction workers.

Replacement costs of any other items will be determined based on the current prices of materials, labor, etc. As and when required, ULBs will seek technical assistance of LGED Upazila engineers and the project consultants for estimates of materials and labor for particular structures.

Trees & Other Irreplaceable Assets

Current market price of trees will be determined based on (a) Net Present Value or (b) Current age, life span, productivity and current market price of output. Market prices of different varieties of trees will be determined by surveying the prevailing prices paid by five or so timber and fuel-wood traders in the local markets. *The compensation for trees will be fixed at the highest prices offered by a trader.*

Compensation for all other irreplaceable assets will also be based on survey of their prevailing prices with dealers/traders in the local markets.

Fruits and Other Crops

Compensation will be fixed at the harvest prices of the fruits and other crops. Harvest prices of different varieties of fruits and crops will be collected from a sample of 7-10 dealers in the local markets. *The compensation for each type of fruit and crop will be fixed at the highest price offered by trader.*

The market price surveys will begin as soon as locations of the required acquisitions (or lands obtained through other means) are identified on the ground. ULBs will document the replacement costs and market prices of various affected assets and make them available as and when asked for review by LGED/BMDF and IDA.

ANNEX-3.C**Compensation and Entitlement Matrixes**

Matrix No.	Type of Loss	Application	Entitled Person	Compensation
1.	Arable land (public and private)	Less than 20% of land holding ⁹ lost, the remaining land is economically viable	Titleholder (private)	<ul style="list-style-type: none"> Cash compensation for lost land at replacement cost.
		More than 20 percent of land holding lost OR where less than 20% holding lost but the remaining land becomes economically unviable	Titleholder (private)	<ul style="list-style-type: none"> Cash compensation at replacement cost. Transition allowance equivalent to one year's cash return from the land.
			Tenant/lease holder (private / public)	<ul style="list-style-type: none"> Cash compensation equivalent to the replacement value of gross harvest for one year or for the remaining period of tenancy agreement, whichever is greater.
			Agricultural labor (private/ public)	<ul style="list-style-type: none"> Cash compensation equivalent to 6 months' wage and assistance in getting alternative employment.
			<i>Squatter/ encroacher (private / public)</i>	<ul style="list-style-type: none"> Relocation assistance equivalent to one year's cash return from the land they occupy.
2.	Residential/ commercial land (public and private)	Less than 20% of land holding lost and remaining land viable for present use	Titleholder (private)	<ul style="list-style-type: none"> Compensation in cash at replacement cost. Relocation assistance as stipulated under matrix 3. Restoration of pre-acquisition basic utilities (water supply & sanitation, electricity, etc.)
		More than 20% holding affected OR where less than 20% holding lost and remaining land is not viable for present use	Titleholder (private)	<ul style="list-style-type: none"> Compensation at replacement cost. Transition allowance equivalent to one year's return from the land Relocation assistance as stipulated

⁹Land holding in an ULB area refers to the land plot directly impacted by the subproject and does not include any other land holdings that person may own at other locations.

Social Assessment Social Assessment a SMF)
Municipal Governance and Services Project (MGSP)

Matrix No.	Type of Loss	Application	Entitled Person	Compensation
		han20%holdin gaffected but the remaining area becomes smaller than minimally accepted under the zoning laws and unviable for continued use	Tenant/ leaseholders (private / public)	<ul style="list-style-type: none"> under matrix 3. Restoration of pre-acquisition basic utilities (water supply & sanitation, electricity, etc.) Cash compensation equivalent to the three months rent or for the remaining period of tenancy/lease agreement, whichever is greater.
3.	Structures on acquired land or affected on existing land vacated for project purpose (permanently or temporarily)	Structures partially affected but the remaining structure viable for continued use.	Owner with valid title to land or with valid lease deed for the land	<ul style="list-style-type: none"> Compensation in cash for affected portion of the structure and other fixed assets at replacement cost, and Assistance in restoration of the remaining structure Repair Allowance, minimum 20% of compensation
			Squatters	<ul style="list-style-type: none"> Compensation in cash for affected portion of the structure Transfer/shifting allowance. Transition allowance for three months' equivalent to the rent of similar structure in the same vicinity.
			Tenants	<ul style="list-style-type: none"> Cash compensation equivalent to 3 months' rental allowance Transfer/shifting allowance Assistance in alternate rental accommodation.
			Encroachers	<ul style="list-style-type: none"> Early notice on the demolition Technical advice in demolition, relocation and repairing of affected structure Payment for repairing only those damages to structure resulting from demolition, if required Transfer/shifting allowances, if required Transition allowance for three

Social Assessment Social Assessment a SMF)
Municipal Governance and Services Project (MGSP)

Matrix No.	Type of Loss	Application	Entitled Person	Compensation
				months' equivalent to the rent of similar structure in the same vicinity.
		Entire structure affected OR where structures partially affected such that the remaining structure is unviable for continued use.	Owner with valid title to land or with valid lease deed for the land	<ul style="list-style-type: none"> • Compensation in cash for entire affected structure and other fixed assets(wells, electric and water connections, etc.) at replacement cost, without depreciation. • Transfer/shifting allowance. • Transition allowance for three months' equivalent to the rent of similar structure in the same vicinity.
			Tenant	<ul style="list-style-type: none"> • Cash compensation equivalent to 3 months' rental allowance • Transfer/shifting allowance • Assistance in alternate rental accommodation.
			Squatters	<ul style="list-style-type: none"> • Compensation in cash for affected structure • Transfer/Shifting allowance • Transition allowance for three months' equivalent to the rent of similar structure in the same vicinity. • Early notice for eviction and demolition • Technical advice in demolition or repairing of affected structures
			Encroachers	<ul style="list-style-type: none"> • Early notice on the demolition before no less than 60 days. • Technical advice in demolition, relocation and repairing of affected structure • Payment for repairing only those damages to structure resulting from demolition, if required • Transfer/shifting allowances • Transition allowance for three

Social Assessment Social Assessment a SMF)
Municipal Governance and Services Project (MGSP)

Matrix No.	Type of Loss	Application	Entitled Person	Compensation
				months' equivalent to the rent of similar structure in the same vicinity.
		<i>Affected female headed households</i>	<i>Female head of household (titled or non-titled – squatters and encroachers)</i>	<ul style="list-style-type: none"> Female headed household affected with structures will be entitled for additional financial assistance equivalent to 3 months' subsistence cost for the incumbent household.
4.	Loss of business /income or employment due to displacement	Temporary or permanent loss of business/ incomes/ employment	Affected individuals (titled/non-titled)	<ul style="list-style-type: none"> Employment in reconstructed enterprise or package for re-employment or starting business for affected employee. Transition allowance for the permanent loss of business, incomes & wages equivalent to the loss of income/wages for a period of 6 months for each affected member of households. In case of temporary relocation and temporary loss of business incomes, compensation will be wages equivalent to closure period OR Alternative business site for continued income stream. Re-allocation of market corners or shops after construction to the original market trader.
5.	Standing crops on affected lands	Crops affected by land acquisition or temporary acquisition/ easement	<i>Owner of affected crops(titled/non-titled)</i>	<ul style="list-style-type: none"> Compensation in cash at market value.
6.	Trees on affected lands	Trees lost	<i>Owner of affected trees(titled/non-titled)</i>	<ul style="list-style-type: none"> Compensation in cash calculated on the basis of type, age and productive value of affected trees.
7.	Loss of public infrastructure	Infrastructure (electric water	Relevant agencies.	<ul style="list-style-type: none"> Compensation in cash at replacement cost to respective

Social Assessment Social Assessment a SMF)
Municipal Governance and Services Project (MGSP)

Matrix No.	Type of Loss	Application	Entitled Person	Compensation
		supply, sewerage & telephone lines; public health center; public water tanks)		<i>agencies or restoration of affected assets.</i>
8.	Unforeseen Losses	As identified	As identified	<ul style="list-style-type: none"> • Appropriate mitigation measures as determined to meet the objectives of this policy framework

ANNEX-3.D

Outline of RAP

Resettlement Action Plan (RAP)

Project Background	Brief introduction about the project, description of project interventions and areas of jurisdiction of ULB, description of project components causing land acquisition and resettlement, scope of land acquisition and resettlement, an account of the alternatives considered to avoid and/or minimize the adverse impacts
Census and Socioeconomic Surveys	Identify all categories of PAP and their vulnerability, identify all categories of impacts (loss of property and assets, loss of livelihood; impacts on groups and communities, impact on physical cultural resources) An account of impacts by gender and vulnerability due to project and the special assistance that is to be provided
Participation and Consultation	An account of the disclosure of SMF and consultations with the project affected people/households about the mitigation measures and implementation procedure;
Legal and policy framework	Analysis of the legal framework for compensation, applicable legal and administrative procedures, gaps between local laws and the Bank's resettlement policy, and the mechanisms to bridge such gaps;
Compensation Entitlements	Description of compensation and other resettlement assistance that will be provided according to the principles and guidelines adopted in this SMF;
Relocation and Livelihood Restoration	Description of resettlement sites and programs for improvement or restoration of livelihoods and standards of living
Grievance redress mechanism	Describe specific arrangement and procedure for receiving and resolution of complaints and grievances from the PAP and their community
Resettlement Budget	Resettlement budget with breakdowns by loss categories and the number of persons entitled to compensation/assistance Specific compensation rates and standard of entitlements and EPs/households for different types of losses Fund flow and disbursement procedures
Implementation	Institutional arrangement and management of preparation and

Arrangement	implementation of resettlement activities, grievance resolution, property assessment and valuation, and implementation time schedule
Monitoring and Evaluation	Describe monitoring arrangement involving PMO and ULBs and mechanism for independent review and evaluation as well as reporting

Abbreviated RAP

Project Background and Impacts	Description of project interventions, assessment of land needs (private and public lands, including ULB's own) for the civil works in each polder, screening of physical cultural resources, a census survey of PAP, and valuation of the affected assets;
Legal and policy framework	Analysis of the legal framework for compensation, applicable legal and administrative procedures, gaps between local laws and the Bank's resettlement policy, and the mechanisms to bridge such gaps;
Compensation Entitlements	Description of compensation and other resettlement assistance that will be provided according to the principles and guidelines adopted in this SMF;
Participation and Consultation	An account of the consultations with the displaced persons/households about acceptable alternatives;
Grievance redress mechanism	Describe specific arrangement and procedure for receiving and resolution of complaints and grievances from the PAP and their community
Budget and Implementation Schedule	A resettlement budget with breakdowns by loss categories and the number of persons entitled to compensation/assistance, and an implementation schedule;
Monitoring and Evaluation	Describe monitoring arrangement involving PMO and ULBs and mechanism for independent review and evaluation as well as reporting

ANNEX 4

GUIDELINES ON TRIBAL PEOPLES MANAGEMENT

I. Background

According to the social assessment, some of the selected and participating ULBs may have small concentration of tribal inhabitants. Some of ULBs may also be participating from the CHT districts. The project has taken the exclusion criteria to avoid any negative impact on the tribal communities due to undertaking of the project in ULBs. The project rather, intends to extend the benefits towards their welfare. However, to maximize benefits to the tribal peoples, the following guidelines will apply where subprojects will be proposed in areas inhabited by tribal peoples following the World Bank's Operational Policy on Indigenous Peoples (OP 4.10). A Tribal Peoples Plan (TPP) will be prepared for subprojects with beneficiaries from tribal communities.

II. Objectives of the Tribal Peoples Plan

Depending on the presence of tribal peoples (TP) in the subproject areas, ULBs will prepare their subprojects with the following strategic objectives:

- Select subproject interventions and determine their scopes to avoid impacts on tribal peoples.
- Ensure free, prior and informed consultation with the tribal peoples where subproject identifies tribal peoples among the beneficiaries.
- Ensure project benefits are accessible to the tribal community living in the subproject area.
- Ensure tribal peoples participation in the entire process of identification, planning, and implementation of subprojects.
- Wherever possible, adopt measures to reinforce and promote any available opportunities for socioeconomic development of the tribal communities.

III. Identifying the Tribal Peoples

Although the tribal peoples in Bangladesh are well recognized locally, ULBs will examine the following characteristics to make formal identification:

- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the subproject area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture; and

- An indigenous language, often different from the official language of the country or region.

IV. TP Consultation Strategy

That free, prior and informed consultation will be held, and as required for informed consultations, ULBs will provide TPs with all information related to the subproject interventions, need for lands, and intended benefits, including those on potential adverse impacts. ULBs will ensure that WLCCs include tribal representatives in wards with presence of tribal peoples. To facilitate consultations ULBs will,

- Prepare a time-table for TP consultations leading to selection, design and implementation of the subprojects, and consult them in manners so that they can express their views and preferences freely.
- In addition to the communities in general, consult TP organizations, community elders/leaders and others with adequate gender and generational representation; and civil society organizations like NGOs and groups knowledgeable of TP issues.

In addition to the choice of alternative subproject design and locations, consultations will concentrate on the adverse impacts, if any, perceived ways to avoid those impacts, as well as exploring additional development activities that could be promoted under the subproject. This will provide the inputs necessary to prepare and implement a TPP for a subproject in an area inhabited tribal peoples. ULBs will keep minutes of these consultation meetings and make them available for review by the World Bank and other interested groups and persons.

V. Preparation of a TPP

In order to prepare a TPP, the following steps will be taken:

- Social screening to establish the presence of tribes in the subproject area or have collective attachment to the subproject area
- Based on a detailed social assessment establish a socioeconomic baseline data on the tribal people in the subproject area
- Review laws and policy guidelines applicable to the tribal communities
- Demonstrate measures to avoid negative impacts to the tribal people
- Identify areas for improvement of tribal settlement and extending benefits of the subproject to them
- Disclose the TPP locally and in Bank Info shop before award of civil works contract.

The TPP will primarily aim at avoid potential adverse impacts, and reinforcing and promoting any existing opportunities. The TPP will basically consist of TP profile and baseline information, consultation and participation strategy, benefits enhancement measures, implementation

arrangement including institutional and financial and a monitoring and evaluation plan. The draft outline of the TPP is given below.

Outline of Tribal People's Plan

Baseline and TP Profile	Baseline data, including analysis of cultural characteristics, social structure and economic activities, land tenure, customary rights to common property resources, relationship with the local mainstream peoples, occupation, language skills, costumes, etc.
Participation Strategy	Process and timing of consultation and the participants such as TP community leaders, elders, community based TP organizations, NGOs, individuals, generational representatives, feedback
Subproject benefits and enhancement areas	Identify subproject benefits to the TP communities and the areas where the benefits can be enhanced
Enhancement measures and activities	Identify TP preferences and priorities, develop enhancement measures agreed with the communities
Implementation Arrangements	Describe responsibilities for implementation of the enhancement measures including ULBs, TP communities, consultants with time schedule, costing and sources of financing
Monitoring and evaluation	Design monitoring and evaluation plan involving the TP communities, the consultants and the ULBs

GRIEVANCE RESPONSE MECHANISM (GRM)

A. Background and Purpose

Infrastructure development and rehabilitation causes displacement of people from private and public lands, and change in land use and construction activities induce environmental concerns. Urban infrastructure development and improvement have a more complicated situation due to the density of settlement and rapid growth in urbanization and rural urban migration on livelihood searches. It is very likely that communities will have questions and complaints and in some cases suggestions on alternative options for infrastructure routes and locations. The likely affected persons due to acquisition of additional lands and vacating existing ULB lands for project purpose may have issues of recognition of losses and the compensation process applied for them. The current legislative framework has limitations in addressing such claims and complaints and there is no mechanism to hear and redress grievances of non-titled persons affected by land acquisition or displacement for project purpose. Considering the context, the project will establish a grievance response mechanism (GRM) to answer to queries, receive suggestions and address complaints and grievances about any irregularities in application of the guidelines adopted in this framework for inclusive project design, and assessment and mitigation of social and environmental impacts. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal action. The procedure will however not pre-empt a person's right to go to the courts of law.

B. Grievance Focal Points

Grievance response focal points will be available at the ULBs and at project level within LGED and BMDf. The WLCC at the ward level will be the first focal point on project GRM and the Grievance Redress Committee (GRC) at the ULB level will be authorized to deal with all suggestions and complaints at the subproject level. ULBs will ensure that communities are fully informed about the GRM and their rights to offer suggestions and make complaints, and the different mechanisms through which they can do so, including grievances related to the land acquisition process and physical displacement. The Secretariat for each GRC will be at the Mayoral office and each of the WLCC may sit on any grievance and suggestions from the communities at the ward level locally or in the office of the ward councilor. GRM focal points and the case record management are shown in flow diagram at Figure 3.

The membership of the GRCs will ensure proper presentation of complaints and grievances as well as impartial hearings and investigations, and transparent resolutions. Where tribal peoples are among the beneficiaries or affected persons, the membership composition of the GRCs will take into account any traditional conflict resolution arrangements that tribal communities may practice. The GRC Chairman will call the concerned Ward Councilor from which the complaint was received for hearing. If the aggrieved person is a female, ULBs will ask the concerned

female Ward Councilor to participate in the hearings. Structure and membership of GRC is given in Chapter IV.

To ensure that grievance redress decisions are made in formal hearings and in a transparent manner, the GRC Chairman will apply the following guidelines:

- Reject a grievance redress application with any recommendations written on it by a GRC member or others such as politicians and other influential persons.
- Remove a recommendation by any person that may separately accompany the grievance redress application.
- Disqualify a GRC member who has made a recommendation on the application or separately before the formal hearing:
- Where a GRC member is removed, appoint another person in consultation with the Project Director.
- The GRC Chairmen will also ensure strict adherence to the guidelines of social management and impact mitigation policies adopted in this framework and the mitigation standards, such as compensation rates established through market price surveys.

C. GRM Policy Guidelines

The GRM focal points at the ULB level will be established before approval of the subprojects at the BMDF and LGED level for financing. GRC at the ULB level will meet at least once before commencement of a project and have an orientation on their mandate, functions and working procedures. Within the context of the MGSP, for the proposed GRM to work effectively, the following issues will be taken into account.

1. Sensitization and Dissemination of GRM: The ULBs will disclose project related information including subproject interventions with location, provision of GRM with scope and procedures, and rights of the communities of accessing the GRM with limitations through subproject launching meeting. As part of the subproject launching program, a session with WLCCs, TLCC, GRC, ULB officer bearers and administrative and engineering staff is to be organized on the GRM provision including functions of GRC, TLCC, WLCCs, and rights and responsibility of the communities. Exact addresses for lodging complaining and providing suggestions to the project team will be disclosed in the meeting and subsequently in leaflets distributed among the beneficiaries.

2. Social Inclusion and Safeguards: ULBs must ensure effective implementation of OP4.01, 4.04, 4.11 and 4.12. LGED and BMDF will appoint designated Social Management Specialists and project level personnel helping the ULBs in social management including land acquisition and resettlement of project affected persons. Specifically, LGED and BMDF will ensure that ULBs implement project EMF and SSMF in their full meaning and requirements.

3. Setting up GRM Data Bank: LGED and BMDF will set up a central Data Bank on all complaints received and handled segregated by types of complaints. The data base should be accessible by all key project staff with the PMO, LGED and at BMDF. LGED and BMDF will send quarterly GRM report to the World Bank. This report will provide detailed information on

number and types of complaints received by districts followed by status of resolutions. The World Bank will have access to the GRM Data Bank, if required. The ULBs will be able to access their own data in the GRM Databank. The project Design, Supervision and Management Consultant will help the project to set up and maintain such databank. Setting up this databank will include developing and administering necessary computer software and networking with the project supported ULBs.

4. Independent M&E of GRM Implementation: An independent monitoring and evaluation (M&E) and associated sanction measures will ensure check and balance of the GRM of the project. The M&E report on GRM will be prepared against a set of indicators developed at the time of implementation and included in the RAP.

D. Scope of GRM

Suggestions and complaints to be addressed through GRM include, not limited to the following:

- Location/alignment of subproject interventions
- Access to improved infrastructure
- Use of additional private lands
- Temporary and permanent displacement of people
- Compensation and assistance issues against displacement of people
- Environmental concerns and construction safety
- Gender and vulnerability based discriminations
- Quality of works

All other complaints will be first dealt at the WLCC level. If a specific complaint cannot be resolved by the WLCCs, they will be referred to the GRCs.

There will be two primary channels for an aggrieved person for lodging a complaint or sending a suggestion related to a subproject.

- a) *Electronic submission:* The project will develop i) an interactive complaint mechanism in the ULB, LGED, and BMDF websites and ii) a valid email address of the ULBs to follow up complaints lodged. In the website, there will be draw-down buttons with pop-up windows to launch a complaint. A complainant will receive a unique Case Number for future tracking.
- b) *Paper-based submission:* This mechanism will provide a Drop Box, accept Postal mail and walk in submission to GRC secretariat or to the President, WLCC at the ward level. Each complaint received will be assigned a unique Case Number so that the status of cases can be tracked.

LGED and BMDF will operationalize the GRM channels at loan effect and the ULBs will establish GRM focal points, GRC and channels for accepting suggestions and complaints at least 30 days before bidding process.

E. Grievance Petition and Resolution Process

A GRM Information Leaflet will be developed in local Bangla language and distributed among the communities in the subproject beneficiary areas. BMDf and LGED consultants will assist in preparation and printing of this leaflet for the participating ULBs. The steps for submission of complaints and suggestions and their resolution at GRCs will be the following:

Step One: All complaints will first be received with the WLCC through the ward councilor. The WLCC will review and sort the cases in terms of nature of grievance and urgency of resolution. If the complaints are about any misconception or wrong understanding on policy and measures, the WLCC will clarify and if the aggrieved person is satisfied, will close the case at the entry level keeping a case record. The complaints and suggestions designated after scrutiny will be forwarded to the GRC at ULBs.

Step Two: The aggrieved persons may also lodge the complaints and send suggestions directly through postal mail, e-mail, websites or drop the written complaint in the ULB drop box. The ULBs will disclose the addresses of these portals to the communities before submission of their subprojects to BMDf/LGED for approval and financing.

Step Three: The complaints and suggestions received through various designated channels will be documented through paper based registers and in computerized Data Bank with unique Case Numbers. The Member Secretary of the GRC will scrutinize the merits and produce the cases to the GRC's Monthly Sessions. Attendants, minutes of the meeting and the decisions will be instantly noted in the resolution book and entered into the GRM Databank with a resolution ID number. All complaints will be resolved in a maximum of 4 weeks after receiving the cases.

Step Four: If the resolution attempt at the local level fails, the GRC will refer the complaint with the minutes of the hearings to the PMO, LGED and the Project Director, BMDf, as the case may be, for further review. With active assistance from the Social Management Specialist, the Project Directors will make a decision and communicate it to the concerned GRC. The decisions on unresolved cases at this stage will be communicated to the GRC within one week of the complaint receipt. If a decision at this level is again found unacceptable by the aggrieved person(s), the LGED and BMDf will advise the concerned ULB to drop the subproject or the concerned component from the investment.

A decision, agreed by the complainant at any stage of the GRM process, will be binding upon the ULBs concerned.

F. GRM Documentation

To ensure impartiality and transparency, hearings on complaints at the GRC level will remain open to the public. The GRCs will record the details of the complaints and their resolution in a register, including intake details, resolution process and the closing procedures. LGED and BMDf will maintain the following three GRM Books:

Registration Book: (1) Serial no., (2) Date of receipt, (3) Name of complainant, (4) Gender, (5) Father or husband, (6) Complete address, (7) Main objection (loss of land/property or

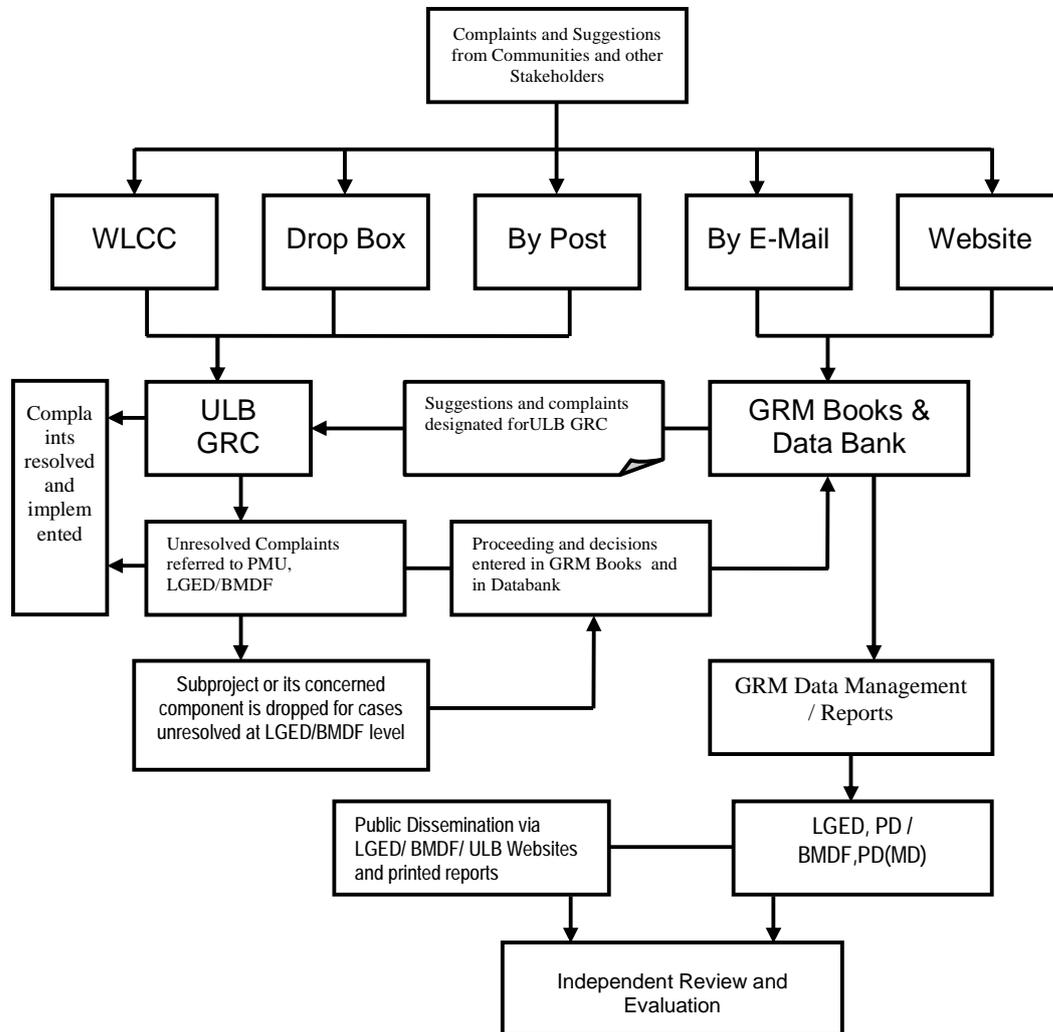
entitlements), (8) Complainants' story and expectation with evidence, and (8) Previous records of similar grievances.

Resolution Book: (1) Serial no., (2) Case no.,(3) Name of complainant, (4) Complainant's story and expectation, (5) Date of hearing, (6) Date of field investigation (if any), (7) Results of hearing and field investigation, (8) Decision of GRC, (9) Progress (pending, solved), and (10) Agreements or commitments.

Closing Book: (1) Serial no., (2) Case no., (3) Name of complainant, (4) Decisions and response to complainants, (5) Mode and medium of communication, (6) Date of closing, (7) Confirmation of complainants' satisfaction, and (8) Management actions to avoid recurrence.

Grievance resolution will be a continuous process during subproject implementation. The ULBs will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by IDA and any other interested persons/entities. The ULBs will also prepare periodic reports on the grievance resolution process and publish these on their websites. LGED and BMDf will consolidate reports from the ULBs on GRM and post in their websites.

Figure 3: GRM Institution and Focal Points



INSTITUTIONAL ROLES AND RESPONSIBILITIES IN PROJECT CYCLE

MGSP will utilize the WLCC and TLCC strength to promote inclusion, participation, transparency, and social accountability in subproject selection, design and implementation. The ULBs for financing under MGSP from LGED will sign a Partnership Agreement with LGED which will be endorsed by the WLCC and TLCC.

Stage One: Identification – A set of subprojects have already been identified through detailed feasibility studies during project formulation. A participatory process was followed for identification of these subprojects. Subprojects for implementation in the subsequent years in the project life will be identified in the following process:

(1) ULB will facilitate communities in the local level and the available CBOs in holding discussions on the development constraints and needs in the respective areas. They will approach the WLCCs in their respective ward and appraise them on the problems and potential interventions for infrastructure improvement. The WLCCs will check and ensure that the problems and the proposed interventions have been identified through participation of the communities from all social and economic groups and no distinct group is excluded.

(2) The WLCCs will review the problems and develop lists of potential interventions in consensus of the committee members in line with the eligible investments options under MGSP. The draft lists of interventions with background problems from all municipal wards will be produced in the TLCC for short listing.

(3) The TLCC will review the lists and consolidate them in a short-list of potential investments based on size and diversity of beneficiaries and the array of social and economic benefits to the communities inclusive of all groups including the poor, the ethnic minorities, the women and the occupational groups. The committee will also suggest indicators to cover inclusion, participation and transparency.

Stage Two: Feasibility Study – The ULB will conduct feasibility study of the short-listed subprojects including social screening for adverse social and environmental consequences in terms of availability of land (existing and available), need for additional public or private lands, methods of obtaining lands (voluntary donation, direct purchase or exchange or involuntary acquisition), involvement of involuntary displacement of people and impact on tribal communities. The ULB will also assess size of beneficiary population of the proposed interventions. The ULBs will use own resources in conducting the feasibility study. The Municipal Council will review the feasibility study and select subprojects for Capital Investment Plan.

Stage Three: Capital Investment Plan – The ULBs will include the subprojects into a Capital Investment Plan (CIP) drawing upon all available and committed resources for the municipal area including IDA under MGSP. The CIP will be consulted in TLCC and WLCC before adopted

in the council and made available to the public. A copy of the CIP will be submitted to BMDf or to LGED by each ULB as development program during the project period.

Stage Four: Subproject Preparation – The ULBs will prepare their subprojects picking from the CIPs and forward to the BMDf or LGED for financing under the MGSP allocations. BMDf and LGED for the first year subprojects will provide support to the ULBs (unique for BMDf and LGED) in preparing their subprojects with in-house capacity supplemented with external consultants. The consultant will assist ULBs to prepare proposals for subproject to meet MGSP requirements including social management and safeguard compliance issues.

From the second year onwards, the ULBs will engage consultant services and bear the costs of subproject proposal preparations from their own resources. The MGSP DSM Consultants with BMDf and LGED will assist the ULBs to prepare the subprojects meeting the standard requirements of MGSP including social development and safeguards compliance.

Stage Five: Subproject Appraisal – BMDf: BMDf will carry out appraisal of subproject proposals received from the ULBs in the second year and onwards. In addition to technical, economic and financial compliances, the BMDf will also review the social development and social safeguards issues and compliances. If any flaws are detected, BMDf will advise the ULBs to revise the subproject proposals and resubmit for consideration. Being satisfied with the proposal/revised proposals, BMDf will approve the subproject for bidding and implementation. The DSM Consultant will assist BMDf in the whole appraisal process.

Subproject Appraisal – LGED: In case of ULBs seeking funds under component 1, LGED will review and revise with subprojects using in-house capacity and the DSM Consultant. The social development and safeguards issues will similarly be looked into for compliance. If any flaws are detected, LGED will revise the subproject and approve for implementation. Being satisfied with the proposal/revised proposals, LGED will approve the subproject for bidding and implementation.

Stage Six: Implementation – The ULBs upon approval of their subprojects will float tender for civil works. Before award of civil works contract, the ULBs will complete mitigation and management of all social and safeguard compliance issues identified in the subproject design stage following the SMF and any other plan developed under this framework. Grievance Redress Committees (GRC) will be operational during implementation to manage complaints and suggestions from the communities. The ULBs will arrange a subproject launch meeting with a session on social management including grievance redress mechanism available under the project.

Supervision and management– LGED and BMDf will oversight implementation of the subprojects and the DSM consultants will assist them in the process. An independent Social Evaluation Consultant, appointed by each of the LGED and the BMDf, will review and evaluate implementation of SMF/RAPs, share findings in national level workshops and submit report to executing agencies and the World Bank with recommendations.

DRAFT TERMS OF REFERENCE FOR INSTITUTIONS AND STAFF

I. TORs FOR PARTICIPATORY INSTITUTIONS

A - Community Based Organization (CBO):

The CBOs will be responsible for the following tasks:

- To identify and mitigate, through discussion, problems within the community concerning drainage, sanitation, solid waste management, hospital waste, supervision of infrastructures, roads cleaning and sweeping management, street light management, etc.
- To identify the requirement of infrastructure and basic services of the community and place that demand in the WLCC;
- To coordinate and assist municipality in realizing taxes and water bills;
- To aware the residents of the community concerning social and natural environment condition and taking necessary steps;
- Assist municipality in supervision of any assigned works or matter;
- To take initiative and conduct cultural activities;
- To adopt special programs on socio-economic development such as health, education, social security and render basic services (sanitation, water supply, footpath, electricity connections, street light etc.) in the slums;
- To select one male and one female student as volunteers within the community for secretarial service.

B - Ward Level Coordination Committee (WLCC)

- To exercise the Ward vision and aware citizens in active participation in preparation of different phases of Capital Investment Plan (CIP);
- To conduct open meeting involving citizens of the ward to involve them in Municipality's administration and development activities;
- To conduct awareness about payment of taxes and user charges;
- To involve WLCC into the system of operation and management of some specific services, such as: water supply and waste disposal;
- To work on environment, health & hygiene, law & order, birth & death registration of the ward;
- To take active part in the formation of CBOs and supervise their activities;

C - Town Level Coordination Committee (TLCC)

- To aware citizens in active participation in preparation of different phases of Capital Investment Plan (CIP);
- To monitor progress, supervision, and co-ordination of CIP preparation;
- To form core group and sector wise groups among TLCC in selecting priority and identification;
- Discuss and approve any social action plans prepared by the Municipality;
- Discuss and recommend the CBOs;
- At least 3 meetings to be held in preparation of CIP.

II. STAFF

Social Development Specialist at PMO for LGED and BMDF

A. Qualifications and Experience

- Should possess Master's degree in Social Sciences preferably in Social Work / Economics/ Sociology / Anthropology/ Regional Planning / Development Studies / Management;
- Should have at least 10 years of professional experience in the areas of Consultation and Participation, Socio-economic Surveys, Land Acquisition, Involuntary Resettlement, Livelihood Restoration, Community Management of Social Infrastructure, Monitoring and Evaluation of Social Development Activities, Grievance Redress, etc.;
- Should have knowledge of computer applications to manage database and generation of reports is essential;
- Should possess skills in using participatory rural/rapid approaches in planning, implementation and monitoring and evaluation;
- Should have good documentation skills, especially in documenting social management process, success/ failure stories and lessons learnt; and
- Should have experience of working on similar or related projects financed by the external / multilateral agencies is an added advantage.

B. Duties and responsibilities

The duties and responsibilities include but not limited to the following:

- Will report to the Project Director and work under her/his overall direction;
- Assist the Project Director in the review and approval of various screening report related to social issues in accordance with agreed Social Management Framework for the Project;
- Responsible for overseeing and coordination of the implementation of social development, livelihood restoration, grievance response, community management of water and sanitation infrastructure (pilot) and other social development activities in provision of water and sanitation services piloted by the Project;
- Responsible for ensuring compliance with respect to social management rules and procedures particularly the preparation and implementation of subproject Social Management Plans;
- Manage the social issues and coordinate preparation of relevant RAPs to implement them with community participation.

- Facilitate community and WLCCs participation in planning and implementation of social management activities and introduce participatory planning, implementation and operation and maintenance using PRA approaches;
- Coordinate with various implementing agencies/ULBs) for overseeing the implementation and monitoring of social management actions and other social/community development activities;
- Preparation of periodical progress report on social management action review and action;
- Maintain and upgrade the computerized database related to the social management actions, grievance redress and generation of periodical progress report.
- Liaise with concerned DC offices to monitor land acquisition and expedite payment of compensation;
- Facilitate and provide technical support to the ULBs in executing agreements of voluntary land donation, and contribution against compensation;
- Undertake field visits to impact areas as appropriate to monitoring the implementation of social management actions;
- Document the social management process, in particular highlight the selected success/failure stories and lessons learnt; and,
- Manage any other activities related to social development and safeguard as required.

Social Development Officer at PIUs

A. Qualifications and Experience

Master's in Social Sciences preferably in Social Work / Economics/ Sociology / Anthropology/ Regional Planning / Development Studies / Management including 3 years' of practical experience or a graduate in any discipline with at least 5 years of practical experience in the areas of social development, social safeguard management of infrastructure projects, consultation and participation, involuntary resettlement.

B. Roles and Responsibilities

- (1) Review and SMF of MGSP and assist ULB in identification, planning, preparation and implementation of subprojects on aspects of social management and safeguards.
- (2) Carry out social assessment of subprojects including social screening, community consultation and gather secondary data on ULB socioeconomic profile and existing infrastructure facilities and services, and prepare social management plan.

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- (3) Expand social assessment including social impacts assessment, census of affected persons, inventory of losses and consultation and preparation of social management plans and resettlement action plan.
 - (4) Assist ULBs in preparation of land acquisition proposal where required and follow up land acquisition by the DC offices.
 - (5) Assist ULBs in mobilization of WLCCs for obtaining lands through voluntary donation, contribution against compensation or direct purchase or exchange.
 - (6) Develop baseline of the beneficiary communities and project affected persons of subproject areas.
 - (7) Identify the categories of community groups and evaluate the level of participation and engagement in the planning and implementation of subprojects.
 - (8) Implementation of RAP for subprojects and collect data on indicators for RAP implementation.
 - (9) Prepare reports on implementation of RAP for subproject on a monthly basis and as and when required basis.
 - (10) Assist the independent monitoring and evaluation consultant in data collection and reporting.
 - (11) Any other tasks as required by the project manager/Mayor or CEO.

III. INDEPENDENT SOCIAL REVIEW AND EVALUATION CONSULTANT

A. Qualifications and Experience

Master's degree in Social Sciences preferably in Social Work / Economics/ Sociology / Anthropology/ Regional Planning / Development Studies / Management;

At least 10 years of professional experience in the areas of social development, social safeguard management of infrastructure projects, consultation and participation, land Acquisition, involuntary resettlement, livelihood restoration, participatory monitoring, and process and impact evaluation of social management measures;

Having skills in using participatory rural/rapid approaches in planning, implementation and monitoring and evaluation;

B. Scope of Social Review and Evaluation

The social evaluation will be carried out with semi-annual performance evaluation and the evaluation will be carried at mid-term and at end-term of the project. Social review and evaluation will cover the following tasks to review the SMF objectives and procedures:

- (1) Review specific monitoring indicators for undertaking monitoring for SMF, Resettlement action plans (RAP) and Tribal peoples plan (TPP).
- (2) Review and verify the progress in land acquisition/resettlement implementation under the project at the ULB level.
- (3) Identify the strengths and weaknesses of the preparation and implementation of land acquisition and RAP/TPP approaches and implementation strategies.
- (4) Assess the quality, timeliness and sufficiency of delivery of different categories of entitlements (compensation and rehabilitation measures).
- (5) Review the results of internal monitoring and verify claims through sampling checks at the field level, involving affected people and community groups, to assess whether RAP/TPP targets and objectives are generally being met.
- (6) Monitor and assess the adequacy and effectiveness of the consultative process with community groups and affected persons, particularly vulnerable groups and women, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.
- (7) Provide a summary of whether land acquisition and involuntary resettlement is being implemented (a) in accordance with the RAPs/TPPs, and (b) in accordance with the stated policy.
- (8) Describe any outstanding actions that are required to bring the social management and resettlement activities in line with the policy and the RAP/TPP.

The social evaluation consultant will carry out evaluation of the process and impact of the social management including safeguards at mid-term and at end of project covering a 10% sample subprojects. The tasks for impact evaluation will be the following:

- Develop baseline of the beneficiary communities and project affected persons of sample subprojects. Review the policies and procedures for social management, land acquisition and involuntary resettlement under MGSP, and the monitoring processes and their outputs, and summarize the results based on the available monitoring data.
- Evaluate and assess if compensation given to the PAPs and the livelihood opportunities offered are in line with SMF, including for vulnerable women and TPs, and the effects on incomes as well as the quality of life of PAPs of project-induced changes.
- Identify the categories of community groups and evaluate the level of participation and engagement in the planning and implementation of subprojects.
- Review the results of internal monitoring and evaluate the claims through checks at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups, including vulnerable women and TPs, in assessing the impact of land acquisition.
- Evaluate the adequacy and effectiveness of the participatory and consultative process with communities and PAPs, particularly vulnerable groups and women, including the adequacy

and effectiveness of grievance procedures and legal redress available to the aggrieved persons, and dissemination of information about these.

- Assess the adequacy of budget for social management and resettlement activities.
- Evaluate whether social actions, land acquisition and involuntary resettlement were implemented (a) in accordance with the SMF/RAPs/TPPs and assess whether the project social development goals were achieved and adverse impacts avoided.
- Identify the strengths and weaknesses of the land acquisition/resettlement implementation process, and lessons for future projects.

SOCIAL SCREENING PROCEDURE

Once a subproject investment is identified, social screening will be carried out for assessing feasibility of the options. The Screening process will determine the level of assessment that should be undertaken with regard to a specific defined potential investment, as initially identified in the MGSP preparation studies. The social screening will provide a rapid assessment of the project characteristics, its beneficiaries, the socioeconomic dimensions of the area, and its potential impacts and risks. It will also identify potential need for additional lands and the methods of obtaining those lands. Results of the social screening will determine whether or not an individual proposal requires Social Impact Assessment (SIA). Subprojects without social safeguard issues will be considered for detailed preparation in line with the menu of investment options and standards. A social screening report (SSR) will be prepared. A format for social screening (Annex-8.A) and a checklist for consultation (Annex-2) are used to identify potential impacts, and describe mitigation measures.

Subproject Exclusion Criteria: To ensure that the subprojects meet the main objectives of the project, legal requirements and safeguards, a set of exclusion criteria will be applied during social screening including the following:

- Subprojects requiring land acquisition or population displacement that cannot be compensated for or resettled;
- Subproject affecting mosques, temples, graveyards and cremation grounds, and other places/objects of religious, cultural and historical significance;
- Subprojects threatening cultural tradition and way of life of tribal peoples; severely restrict their access to common property resources and livelihood activities;
- Subproject interventions with objections from communities on social and environmental issues that cannot be resolved through design alternatives.

In addition to the planning level social screening for exclusion factors, a subproject will be dropped from investment at implementation level, if any social and environmental grievances raised from the community cannot be resolved to the satisfaction of the aggrieved persons or community groups.

FORM 1: SOCIAL SAFEGUARDS SCREENING OF SUBPROJECTS

REVIEW and EVALUATION

Name of Subproject: Name of District:
Village/Mauza: Upazila:

I. Checklist for Exclusion

- 1) Subproject requires land acquisition and/or population displacement that cannot be compensated for or resettled Yes No
- 2) Subproject affects mosques, temples, graveyards and cremation grounds, and other places/objects of religious, cultural and historical significance Yes No
- 3) Subproject threatens cultural tradition and way of life of tribal peoples; severely restrict their access to common property resources and livelihood activities Yes No
- Communities have objections on subproject interventions on social and environmental issues those cannot be resolved through design alternatives. Yes No

II. Resettlement Impacts

In respect of the social impacts and community concerns, is there a need to,

- Undertake an in-depth social impact assessment study? Yes No
- Prepare a Resettlement Action Plan? Yes No

III. Impacts on Tribal Peoples

In respect of the social impacts on tribal peoples and their concerns, is there a need to,

- Undertake an in-depth impact assessment study? Yes No
- Prepare a Tribal Peoples Plan? Yes No

On behalf of the DSM Consultant, the attached filled out format has been reviewed and evaluated by:

Decision on selection: [1] recommended for selection [2] recommended for exclusion

Name: Designation:

Signature: Date:

A social screening report will be prepared for each subproject covering methodology, participants' analysis, community agreements & their concerns/suggestions, & summary of impacts and mitigation requirements.

FORM 1: SCREENING FORM FOR SOCIAL SAFEGUARDS ISSUES

SCREENING

A. Identification

1. *Name of subproject:* *Name of District:*
Village/Mauza: *Upazila:*
2. *Road section/spot screened:*
.....
3. *Project component:*
4. *Brief description of the physical works:*
.....
.....
5. **Screening Date(s):**

B. Participation in Screening

6. *Names of Consultants' representatives who screened the subproject.*
7. *Names of ULB officials participated in screening:*
8. *WLCC members, NGOs, community groups/CBOs participated in screening: List them in separate pages with names and addresses, in terms of road sections/spots and any other information to identify them during preparation of impact mitigation plans.*
9. *Would-be affected persons participated in screening: List them in separate pages with names, addresses in terms of road sections/spots where they would be affected, and any other information to identify them during preparation of impact mitigation plans.*

C. Land Requirements & Ownership

10. Will there be a need for additional lands¹⁰ to carry out the intended works under this contract?

Yes No

11. If 'Yes', what will the additional lands be used for? (Indicate all that apply):

road widening curve correction construction/expansion of physical structure
 strengthening narrow eroding road section between high and low lands Others (Mention):
.....
.....

12. If 'Yes', the required lands presently belong to (Indicate all that apply):

ULB Government – khas & other GOB agencies Private citizens
 Others (Mention):

D. Current Land Use & Potential Impacts

13. If the required lands belong to Private Citizens, they are currently used for (Indicate all that apply):

Agriculture Number of households using the lands:
 Residential purposes Number of households using them:
 Commercial purposes Number of persons using them: No. of shops:
 Other Uses (Mention): No. of users:

14. If the required lands belong to ULB and/or other Government agencies, they are currently used for (Indicate all that apply):

Agriculture Number of persons/households using the lands:
 Residential purposes Number of households living on them:
 Commercial purposes Number of persons using them: No. of shops:
 Other Uses (Mention): No. of users:

15. How many of the present users have lease agreements with any government agencies?
.....

16. Number of private homesteads that would be affected on private lands:

Entirely, requiring relocation: Partially, but can still live on present homestead:

¹⁰Additional lands' mean lands beyond the carriageways and shoulders in case of roads and outside currently used space for GCM and Ghats

17. Number of business premises/buildings that would be affected on private lands:

Entirely and will require relocation: # of businesses housed in them:

Partially, but can still use the premises: # of businesses housed in them:

18. Residential households will be affected on ULB's own and & public lands:

Entirely affected and will require relocation: No. of these structures:

No. of structures built with brick, RCC, & other expensive and durable materials:

No. of structures built with inexpensive salvageable materials (bamboo, GI sheets, etc):

Partially affected, but can still live on the present homestead: No. of structures:

No. of structures built with brick, RCC, & other expensive and durable materials:

No. of structures built with inexpensive salvageable materials (bamboo, GI sheets, etc):

19. No. of business premises that would be affected on ULB's own & other public lands:

Entirely affected and will require relocation: No. of these structures:

No. of businesses housed in these structures:

No. of persons presently employed in the above businesses:

No. of these structures built with brick, RCC, & other durable materials:

No. of structure built with inexpensive salvageable materials (bamboo, GI sheets, etc):

Partially affected, but can still stay in the present premises: No. of these structures:

No. of businesses housed in these structures:

No. of persons presently employed in these businesses:

No. of these structures built with brick, RCC, & other durable materials:

No. of structure built with inexpensive salvageable materials (bamboo, GI sheets, etc):

20. No. of businesses/trading activities that would be displaced from make-shift structures on the road, and other areas/spots:

21. Do the proposed subproject works affect any community groups' access to any resources that are used for livelihood purposes?

Yes

No

22. If 'Yes', description of the resources:

.....

.....

.....

.....

23. Do the proposed works affect community facilities like school, cemetery, mosque, temple, or others that are of religious, cultural and historical significance?

Yes No

24. If 'Yes', description of the facilities:

.....

.....

.....

.....

.....

25. Describe any other impacts that have not been covered in this questionnaire?

.....

.....

.....

.....

26. Describe alternatives, if any, to avoid or minimize use of additional lands:

.....

.....

.....

.....

.....

E. ADDITIONAL INFORMATION ON TRIBAL PEOPLES

(This section must be filled in if subprojects are located in areas that are also inhabited by tribal peoples)

27. Names of tribal community members and organizations who participated in screening:

.....

.....

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

28. *Have the tribal community and the would-be affected TPs been made aware of the potential positive and negative impacts and consulted for their feedback and inputs?*

Yes No

Has there been a broad-based community consensus on the proposed works?

Yes No

29. *Total number of would-be affected tribal households:*

30. *The would-be affected tribal households have the following forms of rights to the required lands:*

Legal: No. of households:

Customary: No. of households:

Lease agreements with any GOB agencies: No. of households:

Others (Mention): No. of households:

31. *Does the subproject affect any objects that are of religious and cultural significance to the IPs?*

Yes No

32. *If 'Yes', description of the objects:*

.....
.....

33. *The following are the three main economic activities of the would-be affected tribal households:*

a.

b.

c.

34. *Social concerns expressed by tribal communities/organizations*

about the works proposed under the subproject:

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

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

35. *The tribal community and organizations perceive the social outcomes of the subproject:*

Positive Negative Neither positive nor negative

On behalf of the DSM Consultant, this Screening Form has been filled in by:

Name: Designation:

Signature: Date:

MONITORING AND EVALUATION FRAMEWORK

A. Internal Monitoring

Both LGED and BMDF will carry out internal monitoring with assistance from their respective DSM Consultant and the Social Development (SD) Specialists. The Executive Engineers of the ULBs will be responsible for internal monitoring of the social management actions and RAP preparation and implementation. The SD Specialist will develop monitoring formats which will be filled in by the social development officer (SDO) at ULB. The SDOs will be thoroughly briefed about the SMF and any RAP and the Bank's Policy on social safeguards. The SDOs will visit the subproject areas routinely at both planning and implementation stages. The internal monitoring will broadly involve:

- Administrative monitoring: daily planning, implementation, trouble shooting, feedback and trouble shooting, progress and performance.
- Social management issues: inclusion, participation, transparency, accountability and social safeguard compliance.
- Impact evaluation: living standards, access to basic urban services, empowerment of women, vulnerable groups and tribal peoples.

B. External Review and Evaluation

External review and evaluation will be carried out to assess how effectively and efficiently social development and social safeguards issues have been identified, management and mitigation measures planned and implemented. An independent consultant (individual expert or an organization) will be employed by both LGED and BMDF for carrying out independent evaluation. A draft Terms of Reference of the independent social evaluation consultant is given at Annex-6. The external review and evaluation will specifically assess

- Whether the broader social management objectives of the subproject are met, what difficulties are there and suggest corrective measures.
- Whether the subproject impacts on key social, economic and environmental indicators show positive trend, what difficulties are there and suggest corrective measures.
- Whether the project strategy of inclusiveness, participation, transparency, social accountability and equity are followed specifically in rehabilitation and improvement of urban infrastructures.

The independent evaluation consultant will develop a baseline in the beginning of project implementation in 10% of the subproject areas by ULBs under LGED and BMDF funding windows. A mid-term review will be carried out by the consultant halfway of the project implementation period. An end term evaluation will be carried out on sample subprojects funded through LGED and BMDF.

C. Monitoring Strategy

Monitoring in the MGSP will be done in a participatory manner and will be a bottom up process. The participants in monitoring and evaluation particularly in reporting the grassroots level activities on social management in subproject planning and implementation will be the beneficiary communities including the residents of ULBs, traders, marketers, pedestrians and visitors in the ULB areas. Self-monitoring by communities through WLCCs will be a main input to both internal and external monitoring.

A set of measurable social development and safeguard compliance indicators will be developed jointly by LGED and BMDF for collection of information on changes from the subproject areas. These indicators will be identified in grassroots level workshops and fine-tuned in the TLCC meetings. The consultant will facilitate the process of identification of indicators on process, output and impacts of the project interventions in ULBs.

D. Indicators for Social Management

1. Social Development Process

Social development processes have several intricacies. Social development will be monitored using following indicators. Data regarding these indicators will be collected periodically and will be analyzed to find the outcomes of the processes. However, these indicators will be reviewed at the subproject preparation stage and customized for specific subprojects.

Inclusiveness	<ol style="list-style-type: none"> 1. Access to vulnerable communities considered in subproject identification for improved urban infrastructure services 2. Subproject budget and components, construction time table and contractors information are discussed in TLCC meetings
Participation	<ol style="list-style-type: none"> 3. Representation of women and vulnerable groups in WLCCs and (pilot) CBOs 4. Representation of women and vulnerable groups in GRCs 5. Representation of women, tribal and vulnerable groups, occupational groups, men and women in consultation process, 6. Beneficiary options reflected in subproject design and implementation
Transparency	<ol style="list-style-type: none"> 7. Disclosure of project information SMF/RAP 8. Community awareness about the subproject and the social management issues and policies
Social accountability	<ol style="list-style-type: none"> 9. Feedback from communities carried for design and

	implementation support by ULBs
	10. Grievance petitions received at WLCCs and at GRCs
	11. Grievance cases resolved at the entry level at WLCC
	12. Representation of community peoples in monitoring process

2. Indicators for Monitoring Land Acquisition

The following indicators will be used to monitor status of major tasks involved in land acquisition (if an ULB intends), and preparation and implementation of resettlement activities. Engineering designs are pre-requisite to starting the land acquisition activities. Once they are finalized determining the acquisition needs and their locations on the ground, the following tasks will be monitored to assess progress:

Land Acquisition	<ol style="list-style-type: none"> 1. Date of finalization of land acquisition proposals (LAPs) 2. Date LAPs submitted to the Deputy Commissioners (DCs) 3. Date Notice-3 issued by DCs 4. Date Notice-6 issued by DCs 5. Date Compensation Estimates submitted by DCs to ULBs 6. Date BMDF reviewed the Compensation Estimates 7. Date ULBs placed the compensation funds with DCs 8. Date Notice-7 issued by DCs 9. Date the DCs start CUL payment 10. % of land paid compensation for 11. % of affected persons compensated
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3. Indicators for Monitoring RAP

Preparation process for impact mitigation plans will begin on finalization of the engineering designs indicating the amount and ground locations of the acquisitions. The following tasks will be monitored to assess progress:

Resettlement	<ol style="list-style-type: none"> 2. Census of project affected persons and assets, and fixing of the cut-off dates for squatters 3. Survey of replacement costs and market prices of affected lands and other assets 4. Disclosure and consultation process 5. Formation of the Grievance Redress Committees (GRCs) 6. Preparation of Compensation Budgets for squatters and others (displaced business and other activities) and top-up for titleholders 7. Preparation and submission of RAPs for IDA review and clearance
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	<p>8. Preparation of the individual entitlement files for different PAP groups</p> <p>9. Approval of the Compensation Budget by ULBs</p> <p>10. Development of relocation plan</p> <p>11. Payment of resettlement assistance and relocation</p> <p>12. Continuing monitoring and reporting progress in payment</p>
<i>Voluntary land donation</i>	13. Voluntary donations executed with proper documentation
<i>Contribution against compensation/Direct Purchase</i>	14. Legal process is followed and documented in obtaining additional private lands through these process as per the SMF

Any other tasks that may have remained unknown will be included in the monitoring system. Progress in land acquisition and resettlement planning and implementation activities will be reported in appropriate tabular formats and matrices.

E. Reporting

The ULBs will provide monthly progress reports to the PMUs at LGED and BMDF on progress and achievements in social management and resettlement of project affected persons. The PMUs at LGED and BMDF will provide IDA with the following information for review of performance and compliance with the SMF and the Bank's OP 4.12 and other requirements.

- Quarterly Progress Report indicating progress on social development issues, and social safeguards including land acquisition and implementation of any impact mitigation plans (with and without land acquisition) adopted by the individual ULB;
- ULB-wise updates on compensation payment for land acquisition (where ULBs decide to acquire) and other impacts as and when the Bank requests them for work-package clearance and disbursement; and
- Updates for formal supervision missions, if the report produced for the current quarter is deemed not sufficiently informative.

The independent social review and evaluation consultant will produce a baseline, a mid-term review and an end-term evaluation report.