

Resettlement Framework

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CURRENCY EQUIVALENTS

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\$1.00 = Tk83.83

ABBREVIATIONS

ADB	—	Asian Development Bank
ARIPA	—	Acquisition and Requisition of Immovable Property Act, 2017
BPL	—	below poverty line
CRDP	—	City Region Development Project
DOE	—	Department of Environment
DDR	—	due diligence report
EMP	—	environmental management plan
GRC	—	grievance redress committee
GRM	—	grievance redress mechanism
LGED	—	Local Government Engineering Department
MOL	—	Ministry of Land
NGO	—	nongovernmental organization
NRS	—	national resettlement specialist
PDSC	—	preparation, design and supervision consultant
PIU	—	project implementation unit
PMCU	—	project management and coordination unit
PVAC	—	Property Valuation Advisory Committee
ROW	—	right-of-way
SPS	—	Safeguard Policy Statement
TOR	—	terms of reference

NOTE

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

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I. INTRODUCTION

A. Project Description

1. The Second City Region Development Project (Second CRDP) will support development in the city regions of Dhaka and Khulna by building upon infrastructure and capacity building initiatives implemented during the first City Region Development Project (CRDP)¹ funded by the Asian Development Bank (ADB). The project will finance additional crucial infrastructure in urban and peri-urban areas needed to stimulate growth and improve livability in Dhaka and Khulna, two densely populated rapidly growing city regions of Bangladesh. The project will also continue strengthening capacity for project development, sustainable service delivery, and community awareness. The Local Government Engineering Department (LGED) under the Ministry of Local Government, Rural Development and Cooperatives is the executing agency of the project.

B. Overview of the Project Investments

2. The project is being formulated as a loan using the sector approach to be implemented over a five-year period. Specifically, the project will support the (i) construction, upgrade and rehabilitation of selected Dhaka city region roads, bridges and culverts, including drainage; (ii) construction, upgrade and rehabilitation of drainage in Khulna city region; and (iii) development of a Khulna city corporation comprehensive solid waste management plan and small works.

3. The following sample subprojects (Table 1) represent the various sectors of investment under the sector loan approach.

Table 1: Sample Subprojects - Land Acquisition and Resettlement Impacts

No.	Components	Subproject Components/ Road Clusters	Need Private Land Acquisition	Remarks
1	Roads + associated drainage in Dhaka city region (validated by PPTA Team)	1a Outer ring roads cluster	Yes	
		1b Middle ring roads cluster		
		1c Gazipur link roads cluster		
		1d Upazila link roads cluster (Savar, Rupganj and Araihaazar)		
2	Khulna solid waste management	2a Primary waste collection	No	No involuntary resettlement impact anticipated
		2b Transfer stations and waste transport		
		2c Garage and workshop		
		2d Composting plant		

^a The PPTA has categorized the 72 candidate roads in the Dhaka city region into four “road clusters” based on the following verifiable criteria: (i) similarities in prevailing physical and socio-economic conditions in the road area; (ii) comparable nature and scale of infrastructure needs, constraints, and requirements; and (iii) similar interventions/ activities being proposed for the roads belonging to each cluster. PPTA due diligence reports will be organized along said clusters, thus enabling a more practical (do-able) and systematic study and presentation of results. Organizing the PPTA Component 1 report by cluster will also enhance readability, review, and eventually, decision-making. The road cluster concept and approach could help facilitate project implementation, for example, in procurement, and in monitoring and evaluation.

¹ ADB. 2010. *People's Republic of Bangladesh: City Region Development Project*. Manila.

II. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

A. Objectives

4. The basic objectives of the resettlement framework are to (i) guide the executing agency and implementing agencies in properly compensating project displaced persons;² (ii) serve as binding document to ensure displaced persons will be assisted and paid compensation; and (iii) provide direction in preparing, implementing and monitoring subproject resettlement plans. The executing agency is the LGED and the implementing agencies are the LGED district offices, city corporations and *pourashavas* (municipalities), who will be responsible for ensuring that the preparation and implementation of resettlement plans is consistent with this resettlement framework. The resettlement framework is a formally agreed document between the Government of Bangladesh and ADB. No changes shall be made to the resettlement framework without prior approval from ADB.

B. Government of Bangladesh Laws

5. **The Constitution of the People's Republic of Bangladesh.** The basic principles for the compensation of property in Bangladesh are founded in Articles 42 and 47 of the Constitution:

- (i) Article 42 (1) provides that subject to any restrictions imposed by law, every citizen shall have the right to acquire, hold, transfer or otherwise dispose of property, and no property shall be compulsorily acquired, nationalized or requisitioned save by authority of law.
- (ii) Article 42 (2) provides that a law made under clause (1) of this article shall provide for the acquisition, nationalization or requisition with compensation and shall fix the amount of compensation or specify the principles on which, and the manner in which, the compensation is to be assessed and paid; but no such law shall be called in question in any court on the ground that any provision of the law in respect of such compensation is not adequate.
- (iii) Article 47 (1) provides that no law providing for any of the following matters shall be deemed to be void on the ground that it is inconsistent with, or takes away or abridges, any of the rights guaranteed by this Part – (a) the compulsory acquisition, nationalization or requisition of any property, or the control or management thereof whether temporarily or permanently.

6. **The Acquisition and Requisition of Immovable Property Act (ARIPA) of 2017.** The Act requires that compensation be paid for (i) land and assets permanently acquired (including standing crops, trees, houses); and (ii) any other damages caused by such acquisition. The Act provides for the acquisition of properties belonging to religious organizations like mosques, temples, pagodas and graveyards if they are acquired for public interest. The following are the relevant sections on compensation:

- (i) Section 4 (1) provides that whenever it appears to the Deputy Commissioner that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, he shall cause a notice to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired;

² Project displaced persons are either physically displaced (relocation, loss of residential land, or loss of shelter) or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of involuntary acquisition of land, or involuntary restrictions on land use or on access to legally designated parks and protected areas.

- (ii) Section 4 (2) provides that in case of acquisition of immovable property for any non-governmental person or organization, whatever be the amount of the immovable property, sanction of the government must be taken before the initiation of acquisition proceeding;
- (iii) Section 4 (3) provides that the Deputy Commissioner, under sub-section (1)-(a) before the publication of notice, in the prescribed manner and form, shall record the real nature, condition and infrastructures built therein, crops and trees of the proposed immovable property in video or still picture or any other technology and thereafter prepare a report accordingly;
- (iv) Section 4 (9) provides that the Commissioner, in the prescribed manner, shall hear the appeal under sub-section 8 and shall provide with the decision within next 15 working days and in case of a nationally important project, shall provide with the decision within the next 10 working days;
- (v) Section 4 (13) provides that generally religious places, graves or crematoriums can be taken into acquisition. Provided that, if it essential in public purpose or public interest, by relocation and rebuilding, in the own money of the requiring persons or organizations, it may be taken into acquisition;
- (vi) Section 5 (3) provides that the Deputy Commissioner-(a) if the property exceeds 50 standard bighas (or 16.5 acre) of land, submit the record of the proceedings held by him, together with his opinion, for the decision of the Ministry of Land; and (b) if the property does not exceed 50 standard bighas (or 16.5 acre) of land, submit the record of the proceedings held by him, together with his opinion, for the decision of the Commissioner;
- (vii) Section 7 (1) provides that when the Government, the Divisional Commissioner or the Deputy Commissioner has decided for acquisition of any property under section 5 or the proviso to section 6 the Deputy Commissioner shall cause public notice to be given in the prescribed manner at convenient places on or near such property stating that the Deputy Commissioner, has decided to acquire the property and intends to take possession thereof;
- (viii) Section 8 (1) provides that on the date so fixed, or on any other date to which the enquiry has been adjourned, the Deputy Commissioner shall proceed to enquire into the statement, if any, which any person has made pursuant to a notice given under section 7 and into the value of the property at the date of the publication of the notice under section 4, and into the respective interests of the persons claiming the compensation and shall make an award of (a) the compensation which, in his opinion, shall be allowed for the property; and (b) the apportionment of the said compensation among all the persons known or believed to be interested in the property, of whom, or of whose claims, he has information from the latest record of the proposed *mouja* for acquisition;
- (ix) Section 9 (1) provides that in determining the amount of compensation to be awarded for any property to be acquired under this Part, the Deputy Commissioner shall take into consideration-(a) the market value of the property at the date of publication of the notice under section 4; (b) the damage that may be sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the property at the time of the making of the joint list; (c) the damage that may be sustained by the person interested by reason of severing such property from his other property; (d) the damage that may be sustained by the person interested by reason of the acquisition injuriously affecting his other properties, movable or immovable, in any other manner, or his earnings; and (e) if in consequence of the acquisition of the property, the person interested is likely to

- be compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change;
- (x) Section 9 (2) provides that while the government is acquiring land, it shall provide the persons interested with compensation of 200 per centum of the market price as defined in sub-section 1(a): Provided that if the government acquires the land for any non-government person then the amount of compensation shall be 300 per centum;
 - (xi) Section 9 (3) provides that in cases of injuries made under sub-section 1(b), (c), (d) and (e), additional 100 per centum compensation shall be provided; and
 - (xii) Section 9 (4) provides that notwithstanding any compensation provided under this section, necessary steps may be taken to rehabilitate evicted persons due to acquisition in the prescribed form.

C. ADB's Safeguard Policy Statement, 2009

7. The objectives of ADB's SPS with regard to involuntary resettlement are (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

8. ADB's SPS covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers displaced persons whether such losses and involuntary restrictions are full or partial, permanent or temporary.

9. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, considering the following basic principles:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks;
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups,³ especially those below the poverty line, the landless, the elderly, women and children, and tribes, minor races,

³ Vulnerable persons/groups include those below the poverty line, the landless, the elderly, women and children, and tribes, minor races, ethnic sects and communities (Indigenous Peoples in the context of ADB SPS,2009), those without legal title to land, female-headed households, elderly-headed households, disabled-headed households. In the absence of both national and regional benchmark of BPL, Second CRDP calculates the upper poverty from 2010 upper poverty line determined by Bangladesh Bureau of Statistic with inflation rate added. The upper poverty line (per capita/month) is thus determined for the year 2018 as follows: Dhaka Urban (Tk3,156) and Khulna Urban (Tk1,909). Department of Social Service of Ministry of Social Welfare uses 65 years old for man and 62 years old for woman to define elderly people.

ethnic sects and communities,⁴ and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase;

- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (a) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (b) prompt replacement of assets with access to assets of equal or higher value, (c) prompt compensation at full replacement cost for assets that cannot be restored, and (d) additional revenues and services through benefit sharing schemes where possible;
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (a) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (b) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (c) civic infrastructure and community services, as required;
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing;
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status;
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets;
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule;
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders;
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.

⁴ Groups or population identified as Indigenous Peoples within the context of ADB's Safeguards Policy Statement, 2009 will be referred to as *tribes, minor races, ethnic sects and communities*, in accordance with Government of Bangladesh directive.

- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation; and
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by considering the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

D. Negotiated Land Acquisition or Negotiated Settlement

10. Negotiated land acquisition or negotiated settlement is normally achieved by providing fair and appropriate compensation and other incentives to the willing seller, negotiated through meaningful and well documented consultations. In line with ADB SPS, 2009, this framework does not apply to negotiated land acquisition. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible based on consultation⁵ with affected persons including those without title to assets, in line with state government policy. In accordance with State policy, involuntary or forcible land acquisition is avoided through negotiated settlement. Also, in case of negotiated land acquisition, in line with ADB requirements, an independent external party will be engaged by the implementing agency to document the negotiation and settlement processes. The principles of this framework with regard to meaningful consultation processes, mechanisms for calculating the replacement cost of land and other assets affected and record- keeping requirements will be followed during the negotiated settlement.

11. The process of negotiation involves the following steps: (i) negotiation will take place when there is a willing buyer – willing seller; (ii) consultation with the affected person has to be carried out and documented; (iii) the minimum negotiated price to start negotiations will be not below the valuation of land based on the market value of land; (iv) all the safeguards as mentioned in the resettlement framework has to be followed (v) all negotiations has to be carried out in a transparent manner and validated by a Third Party (eminent citizen/any party without any interest in the process, appointed by the PMU); (vi) in case of failure of negotiations compensation will be paid as outlined in the entitlement matrix of the resettlement framework and (viii) the entire process has to be documented. The third party will have to submit reports during and on conclusion of negotiations; costs related to third party certification will be borne by the project proponent.⁶ The land transfer and updated records of the purchased lands will have to be completed prior to the start of civil works. Negotiated purchase from vulnerable households shall be avoided unless the purchase will significantly improve the social and economic status of the land owners.

12. Executing agency will develop the procedures that are transparent, consistent, and equitable manner to ensure that persons who enter into a negotiated settlement in land acquisition will maintain the same or better income and livelihood status. Executing agency will ensure that the negotiating process will not adversely affect the marginality and vulnerability of any affected persons due to the inherent powers of the participating government agencies. The documents pertaining to the settlements, such as maps, land registries, sales records, consultation records,

⁵ A process that (i) begins early in the project preparation stage and is carried out throughout the project cycle; (ii) provides timely disclosure of information that is understandable and accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design and mitigation measures.

⁶ The sample TOR of third independent external party is in the Appendix 7 of this document.

decision records, laws and policies pertaining to the negotiations, and development plans are to be disclosed to the affected persons who are involved in the negotiated settlements.

13. In cases where the failure of negotiations will result in expropriation through eminent domain or the buyer (project municipalities) could acquire the property regardless of its owner's decision to sell it or not, will trigger ADB SPS, 2009 and Safeguard Requirements 2 will apply in such cases, including preparing a resettlement plan.

E. Voluntary Land Donation

14. Voluntary donation of land involves the contribution by individuals of land for a project that has community benefits. In the case of voluntary land donation, eminent domain or other powers of the state should not be involved in the acquisition. An independent external party will have to be engaged to ensure and certify these requirements: (i) the impacts are marginal⁷ (based on percentage of loss and minimum size of remaining assets) and the donation will not cause significant impacts⁸ on the livelihood of the donor(s); (ii) the donor fully understands the value of their donated land(s); (iii) land thus donated is free from any dispute on ownership or any other encumbrances; (iv) the donation does not come from the land owner categorized as poor or vulnerable; (v) the donation will not cause any economic or physical displacement (legal or illegal) of the current land users; (vi) the land donor(s) will get direct benefits from the proposed project activities; (vii) meaningful consultations are conducted with the land owner(s) in a free and transparent manner, and proper documentation of consultation meetings, grievances and actions taken to address such grievances is maintained; and (viii) the land donation(s) does not come from coercion or asymmetrical power relation between the land owner(s) and the government. The above information has to be included in a due diligence report to be prepared by the external party, preferably from reputed and qualified NGO, for ADB review and approval. The project will provide the estimated value based on the views of qualified and experienced experts. Findings will be timely shared with donors for their full understanding of the land value. For all lands donated, the government shall bear all transaction and transfer costs. The land transfer and updated records of the donated lands will have to be completed prior to the start of civil works. The no objection certificate (NOC) to be obtained from donors and the land records showing transfer to recipient department or DC's certification letter acknowledging the donation are required to be appended to the resettlement plans. Voluntary land donation has not been assessed in the sample subprojects. For other subprojects, likelihood of voluntary land donation will be assessed as soon as other subprojects are identified.

15. ADB, supported by the independent external party report/certification will (i) conduct due diligence to avoid adverse impacts on affected persons and possible reputational risks to ADB; (ii) verify that the donation is in fact voluntary and did not result from coercion, using verbal and written records; and (iii) ensure that voluntary donations do not severely affect the living standards of affected persons and benefit them directly.

⁷ Marginal impact is defined as loss of less than 10% of the concerned asset. Remaining asset, whether land or structure, should remain viable after donation of said portion.

⁸ Significant impact means (i) being physically displaced from housing or (ii) losing 10% or more of the concerned productive asset (income generating).

F. Involuntary Resettlement in Anticipation of ADB Support⁹

16. ADB SPS, 2009 also applies when the land acquisition process has begun or been completed and/or population has already been moved in anticipation of ADB support.¹⁰ In such cases ADB's due diligence at an early stage of project preparation should identify if there are any outstanding grievance or resettlement actions in non-compliance with ADB's SPS, 2009 requirements. If such outstanding issues are identified, ADB will work with the executing agency and concerned agency to ensure appropriate mitigation measures are developed and implemented with an agreed timeline. It is also important for ADB's due diligence to assess potential risks associated with the project, even if the government's previous resettlement actions are not done in anticipation of ADB support. No involuntary resettlement in anticipation of ADB support has been assessed in the sample subprojects. For other subprojects, the likelihood of such involuntary resettlement will be assessed once the other subprojects are identified.

17. A tracer study will be conducted by PMCU with support by preparation, design and supervision consultant (PDSC) national and regional resettlement specialists for any households/persons displaced in anticipation of ADB support. The principal objective of the tracer study is to locate all affected households/persons and to find out their present socioeconomic situation. A set of guide questions that focused on the following will be used:

- (i) when was the structure set up, when was it dismantled;
- (ii) was this the first time that the affected household/person dismantled its structure on orders by local authorities;
- (iii) who carried out the dismantling and rebuilding, if any of the structures;
- (iv) how much did the affected household/persons spend on the dismantling and rebuilding of its structures;
- (v) where has the affected household/person relocated;
- (vi) what are the livelihood activities and level of daily income of the affected household before and after relocation; and
- (vii) identify the economic loss and structures (or other opportunities) experiences by the affected people due to their displacement.

18. A corrective action plan will be developed to include specific assistance and timing of provision of assistance set out in the resettlement plans will be provided to all affected households/persons. Displaced households/persons in anticipation of ADB support will also be entitled as per resettlement framework to (i) compensation for loss of land at the replacement cost; (ii) compensation for loss of structure (residential/commercial) and other immovable assets at their replacement cost (without counting the depreciation value); (iii) compensation for loss of business/wage income; (iv) assistance for shifting of structure; (v) rebuilding and/or restoration of community resources/facilities; (vi) livelihood/ transitional cash assistance for 6 months for all physically displaced persons at official minimum wage of the appropriate affected persons occupation for each head of the affected family.

G. Comparison of Resettlement Policies of ADB and the Government

19. A comparison of policies of the government and ADB is given in Appendix 1. The government's policy through the Act does not cover project-affected persons without titles or ownership record, such as informal settler/squatters, occupiers, and informal tenants and leaseholders (without document) and does not ensure replacement value of the property acquired. The

⁹ Involuntary resettlement actions in anticipation of ADB support generally refer to actions that preceded ADB support.

¹⁰ Any land acquisition notification or clearance of encroachment, or any other involuntary resettlement impact after 15 December 2016 (date of TA approval) will be considered in anticipation of ADB funding.

Act has no provision of resettlement assistance for restoration of livelihoods of affected persons except for the legal compensation. Gaps between national law and ADB policy are identified and bridging measures are included in the entitlement matrix for the project, described in Table 2. A subproject specific entitlement matrix is prepared for each resettlement plan. ADB will not finance the project if it does not comply with its SPS nor will it finance the project if it does not comply with its host country's social and environmental laws. Where discrepancy between the ADB and government policies exist, ADB's policy will prevail. Moreover, the SPS applies to all ADB-financed and/or ADB-administered sovereign projects, and their components regardless of the source of financing, including investment projects funded by a loan; and/or a grant; and/or other means.

20. The project will recognize three types of displaced persons including (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. Various involuntary resettlement requirements apply to all three types of displaced persons.

H. Eligibility and Entitlement

1. Eligibility

21. All displaced persons who are identified in the project-impacted areas on the cut-off date¹¹ will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.

2. Entitlements

22. The entitlement matrix (Table 2) below summarizes the main types of losses and the corresponding nature and scope of entitlements in accordance with the Government and ADB policies. Where the entitlement matrix does not cover a particular impact, it can be enhanced in the resettlement plans based on the findings of the socio-economic assessment and detailed census survey. Standards described will not be lowered but can be enhanced in the subproject resettlement plans as required.

¹¹ The cut-off date for title holders is based according to the formal government notification, and for non-titleholders the date of the census survey during the detailed design stage. Those who encroach into the subproject area after the cut-off date will not be entitled to compensation or any other assistance. The project implementation unit (PIU) will take video and photo documentation to ensure documentation of entitled persons on the cut-off date.

Table 2: Entitlement Matrix^a

Types of Loss	Specification	Eligibility	Entitlements
1. Land			
Agricultural (including crop land, pastures, wasteland, ponds, etc.)	Partial loss of plot (<50%)	Owner (titleholder, legalizable user)	<ul style="list-style-type: none"> • Cash compensation at replacement cost,^c including all transaction costs, such as applicable fees and taxes • Provision of title for remaining land to legalizable user • Subsistence cash allowance based on income from lost plot: (a) for a period of 6 months if residual land unviable; (b) for a period of 3 months if residual land viable.
		Lessee	<ul style="list-style-type: none"> • Cash refund of the lease money for the lessee for duration of remaining lease period to be deducted from the owner • Assistance to find alternative land • Subsistence cash allowance based on 3 months' income from lost plot, for a period of 3 months.
		Sharecrop tenant (registered, informal)	<ul style="list-style-type: none"> • 60 days advance notice to harvest standing seasonal crops, if harvest is not possible, compensation for share of crops • Assistance to find alternative land • Subsistence cash allowance based on 3 months' income from lost plot, for a period of 3 months.
		Non-titled user (squatter/ informal land users)	<ul style="list-style-type: none"> • No compensation for land loss • 60 days advance notice to shift from occupied land • Provision to use the remaining land as titled or rental/lease land • Subsistence cash allowance based on 3 months' income from lost plot.
	Full loss of plot (≥ 50 %)	Owner (titleholder, legalizable user)	<ul style="list-style-type: none"> • Cash compensation at replacement cost, including all transaction costs, such as applicable fees and taxes • Unaffected portions of a plot that become unviable as a result of impact will also be compensated • Subsistence cash allowance based on income from lost plot: (a) for a period of 6 months if residual land unviable; (b) for a period of 3 months if residual land viable.
		Lessee	<ul style="list-style-type: none"> • Cash refund at rate of rental fee proportionate to size of lost plot for 6 months • Cash refund of the lease money for the lessee for duration of remaining lease period, to be deducted from the owner assistance to find alternative land for rent/lease
		Sharecrop tenant (registered, informal)	<ul style="list-style-type: none"> • 60 days advance notice to harvest standing seasonal crops, if harvest is not possible, compensation for share of crops • Cash compensation equal to current market value of share of 1 year of harvests for entire lost plot • Assistance to find alternative land
		Non-titled user (squatters/ informal land users)	<ul style="list-style-type: none"> • No compensation for land loss • 60 days advance notice to shift from occupied land • Assistance for finding alternative land as titled or rental/lease land

Types of Loss	Specification	Eligibility	Entitlements
			<ul style="list-style-type: none">Subsistence cash allowance based on 3 months' income from lost plot, for a period of 3 months
Residential, commercial, community	Partial loss of plot (<50%)	Owner (titleholder, legalizable user)	<ul style="list-style-type: none">Cash compensation at replacement cost including all transaction costs, such as applicable fees and taxesProvision of title for remaining land to legalizable user
		Lessee, tenant	<ul style="list-style-type: none">Cash refund of the lease money for the lessee for duration of remaining lease period to be deducted from the ownerProvision of cash compensation for 6 months rental value of similar level of structure
		Non-titled user (squatter, encroacher)	<ul style="list-style-type: none">No compensation for land loss60 days advance notice to shift from occupied landProvision to use the remaining land or alternative land as titled or rental/lease land
	Full loss of plot (≥50%)	Owner (titleholder, legalizable user)	The affected person may choose between the following alternatives: <ul style="list-style-type: none">Land-for-land compensation through provision of fully titled and registered replacement plot of comparable value and location as lost plot (possibly at relocation site for displaced community), including payment of all transaction costs, such as applicable fees and taxesORCash compensation at replacement cost, including all transaction costs, such as applicable fees and taxes
		Lessee, tenant	<ul style="list-style-type: none">Cash refund of the lease money for the lessee for duration of remaining lease period to be deducted from the ownerAssistance to find alternative place for lease/rent
		Non-titled user (squatter, encroacher)	<ul style="list-style-type: none">No compensation for land loss60 days advance notice to shift from occupied landAssistance to find alternative land as titled or rental/lease landAllowed to construct temporary structure on land identified through some lease/rent system
Temporary land acquisition	Land required temporarily during civil works	Owner, lessee, tenant	<ul style="list-style-type: none">Rental fee payment for period of occupation of landRestoration of land to original stateGuarantee of access to land and structures located on remaining land
		Non-titled user	<ul style="list-style-type: none">Restoration of land to original stateGuarantee of access to land and structures located on remaining land
2. Structures			
Residential, agricultural, commercial, community	Partial loss (<30%) and alteration of structure	Owner (including non-titled land user)	<ul style="list-style-type: none">Cash compensation for lost parts of structure at replacement cost and repair of remaining structure at market rate for materials, labor, transport, and other incidental costs, without deduction of depreciation for ageShifting allowance based on actual cost of moving (e.g., truck hire, equipment, etc.)Right to salvage materials from lost structureAllowed to construct temporary structure on unused part of project land after completion of civil work, through some lease/rent system

Types of Loss	Specification	Eligibility	Entitlements
			<ul style="list-style-type: none"> In case of loss of toilet rendering structure unlivable, replacement with safe sanitation facilities at adjacent or nearby location, or, compensation for the entire structure at the discretion of the owner.
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund of the lease money for the lessee for duration of remaining lease period (to be deducted from the owner)
	Full loss of structure ($\geq 30\%$) and relocation	Owner (including non-titled land user)	<p>The Affected Person may choose between the following alternatives:</p> <ul style="list-style-type: none"> Compensation through provision of fully titled and registered replacement structure of comparable quality and value, including payment of all transaction costs, such as applicable fees and taxes, at a relocation site or a location agreeable to the Affected Person <ul style="list-style-type: none"> If the current market value of the replacement structure is below that of the lost structure, cash compensation for the difference in value without deduction of depreciation for age If the current market value of the replacement structure is above that of the lost structure, no further deductions <p>OR</p> <ul style="list-style-type: none"> Cash compensation at replacement cost, including all transaction costs, such as applicable fees and taxes, without deduction of depreciation for age, for self-relocation <p>IN EITHER CASE</p> <ul style="list-style-type: none"> Right to salvage materials from lost structure Shifting allowance based on actual cost of moving (e.g., truck hire, equipment, etc.)
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund at rate of rental fee proportionate to size of lost plot for 6 months The lease money for the lessee for duration of remaining lease period will be deducted from the owner
	Moving of minor structures (fences, sheds, kitchens, latrines, etc.)	Owner, lessee, tenant	<p>The affected person may choose between the following alternatives:</p> <ul style="list-style-type: none"> Cash compensation for self-reconstruction of structure at market rate (labor, materials, transport, and other incidental costs) <p>OR</p> <ul style="list-style-type: none"> Relocation/reconstruction of the structure by the project <p>IN EITHER CASE</p> <ul style="list-style-type: none"> Access to the affected facility should be restored
	Stalls, kiosks	Vendors (including titled and non-titled land users)	<ul style="list-style-type: none"> Assistance for finding alternative land to continue business Allowed to construct temporary structure/continue business through some lease/rent system as vendor, at alternative location comparable to lost location Cash compensation for self-relocation of stall/kiosk at market rate (labor, materials, transport, and other incidental costs)
	Fixed assets attached to affected structures (water supply, telephone lines)	Owner, lessee, tenant	<ul style="list-style-type: none"> Cash compensation for reinstallation and connection charges

Types of Loss	Specification	Eligibility	Entitlements
3. Income Restoration			
Crops/fish stocks	Affected crops/ fish stocks	Cultivator	<ul style="list-style-type: none"> • 60 days advance notice • Cash compensation at current market rate proportionate to size of lost plot for 1 year's future harvests, based on crop/fish stocks type and highest average yield over past 3 years • For seasonal crops: if notice for harvest of standing seasonal crops cannot be given then value of lost standing crop at market value will be made; Department of Agriculture will determine the valuation of seasonal crops • For perennial crops: value will be calculated as annual net product value multiplied by number of productive years remaining • Residual harvest can be taken away without any deduction • If land is permanently lost add another year of loss income from crops (net income) to cover the loss during the preparation of new agricultural land
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> • Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
Trees	Affected trees	Cultivator	<ul style="list-style-type: none"> • 60 days advance notice • Value of timber bearing trees will be based on the market price of timber and will be determined by the Forest Department. Cash compensation for timber trees at current market rate of timber value, plus cost of purchase of seedlings/sapling and required inputs to replace trees. • Value of fruit-bearing/perennial crop trees will be based on value of products multiplied by number of productive years remaining. Cash compensation for fruit-bearing/perennial crop trees at current market rate of crop type and average yield multiplied, (i) for immature non-bearing trees, by the years required to grow tree to productivity; or (ii) for mature crop-bearing trees, by 5 years average crops (the grafted/tissue cultured plant usually starts fruiting within 2-3 years), plus cost of purchase of grafted/tissue cultured plant and required inputs to replace trees. Department of Horticulture will determine the valuation of fruit-bearing trees.
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> • Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
Permanent loss of agriculture-based livelihood	Partial loss of agricultural land with viable land remaining	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> • 60 days advance notice • Provision of support for investments in productivity enhancing inputs, such as land levelling, terracing, erosion control, and agricultural extension, as feasible and applicable • Additional financial supports/grants if land/crop compensation is insufficient for additional income-generating investments to maintain livelihood @ Tk85,000/HH
	Full loss of viable agricultural land without availability of alternative land	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> • 60 days advance notice • Provision of retraining, job placement • Included in the project livelihood restoration and rehabilitation program • Financial grants and/or microcredit access for livelihood investment as well as organizational/logistical support to establish an alternative income generation activity @ Tk100,000/HH

Types of Loss	Specification	Eligibility	Entitlements
Loss of income from agricultural labor		Wage laborers in WTP, septage management areas or any other affected agricultural land	<ul style="list-style-type: none"> 60 days advance notice Cash assistance for loss of income up to 7 days at TK 400 per day Preferential selection for work at project site during civil works
Maintenance of access to means of livelihood	Obstruction by subproject facilities	All Affected Persons	<ul style="list-style-type: none"> Accessibility of agricultural fields, community/social facilities, business premises, and residences of persons in the project area ensured Accessibility to the original/alternative fishing ground
Businesses (CBE)	Temporary business loss due to LAR or construction activities of project	Owner of business (registered, informal)	<ul style="list-style-type: none"> 60 days advance notice Cash compensation equal to lost income during period of business interruption based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records
	Permanent business loss due to LAR without possibility of establishing alternative business	Owner of business (registered, informal)	<ul style="list-style-type: none"> 60 days advance notice Cash compensation equal to lost income for 1 year, based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records Provision of retraining, job placement, additional financial grants and microcredit for equipment and buildings, as well as organizational/logistical support to establish Affected Person in alternative income generation activity Included in the project livelihood restoration and rehabilitation program
Employment	Temporary employment loss due to LAR or construction activities	All laid-off employees of affected businesses	<ul style="list-style-type: none"> 60 days advance notice Cash compensation equal to lost wages during period of employment interruption up to 6 months, based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type As applicable by labor code, compensation will be paid to the employer to enable him/her to fulfill legal obligations to provide compensation payments to laid-off employees, to be verified by government labor inspector
	Permanent employment loss due to LAR without possibility of re-employment in similar sector and position in or near area of lost employment/ daily wage	All laid-off employees of affected businesses	<ul style="list-style-type: none"> 60 days advance notice Cash compensation equal to lost wages for 6 months, based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type If required by the applicable labor code, compensation will be paid to employer to enable him/her to fulfill legal obligations to provide severance payments to laid-off employees, to be verified by government labor inspector Provision of retraining, job placement, additional financial grants, and microcredit for equipment and buildings, as well as organizational/logistical support to establish Affected Person in alternative income generation activity Included in the project livelihood restoration and rehabilitation program
4. Common Property Resources and Public Facilities			
Loss of common property resources and public facilities	footbridges, roads, footpaths, culverts, places of worship,	Service provider	<ul style="list-style-type: none"> Full restoration at original site or reestablishment at relocation site of lost common resources, public services and facilities, including replacement of related land and

Types of Loss	Specification	Eligibility	Entitlements
	schools, hospitals, canal water by downstream users, common water points/connections, public/community toilets, community spaces, playgrounds etc.		<ul style="list-style-type: none"> relocation of structures according to provisions under Sections 1 and 2 of this entitlement matrix. One-time grant fund for the CPR committee and management
Loss of access	Legally designated parks, market, place of worship, schools, hospitals, municipal hall and other government facilities.	Service provider	<ul style="list-style-type: none"> Provision of safe alternative road or detour (included in the TOR of the contractor/service provider) is ensured.
5. Special Provisions			
Vulnerable Affected Persons such as but not limited to women-headed household, elderly-headed household, poor household with person with disability, etc. ^d	Loss of land, structure, and/or employment	All vulnerable Affected Persons (in all project locations)	<ul style="list-style-type: none"> Assistance in identification and purchase or rental of new plot/structure through microcredit scheme Assistance with administrative process of land transfer, property title, cadastral mapping, and preparation of compensation agreements Provision of livelihood training, job placement Included in the project livelihood restoration and rehabilitation program Financial grants and/or microcredit access for livelihood investment as well as organizational/logistical support to establish an alternative income generation activity Subsistence allowance of minimum of 12 months of official minimum wage Preferential selection for project-related employment
Social/ religious minorities, poor households	Loss of land and structures	Titled or recognized owners of land and structures	<ul style="list-style-type: none"> Titling of replacement land and structures in female owner's/minority/ elderly household head's name (as applicable) Cash compensation paid directly to female owners and head of minority HHs
Other impacts	Unanticipated impacts	All Affected Persons	<p>Unanticipated involuntary resettlement impacts shall be documented and mitigated based on the principles provided in the Resettlement Framework/resettlement plan and with compliance with the policy of the Government and ADB.</p> <ul style="list-style-type: none"> Standards of the entitlement matrix will not to be lowered

^a The executing and implementing agencies will receive guidance and assistance from the resettlement specialists of the consultant team to ensure all compensation is provided before displacement occurs and that other entitlements are provided in a timely manner. Construction activity can begin on sections where compensation is paid and which are ready to be constructed. The compensation to displaced persons is to be confirmed through written letter to ADB.

^b All Taka values will be adjusted for inflation until the year of compensation payment.

^c The rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any, including settlement of encumbrances. Where market conditions are absent or in a formative stage, the borrower/client will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. The borrower/client will also collect baseline data on housing,

house types, and construction materials. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets is not to be considered. The additional 200% is based on the Acquisition and Requisition of Immovable Property Act, 2017 passed by Parliament in September 2017.

- ^d Vulnerable households/displaced persons include those below the poverty line, the landless, the elderly, women and children, and tribes, minor races, ethnic sects and communities (Indigenous Peoples in the context of ADB SPS, 2009), those without legal title to land, female-headed households, elderly-headed households, disabled-headed households.

3. Assessment of Compensation Unit Values

23. **Land.** All lands proposed to be acquired under Second CRDP will be compensated as per replacement cost consistent with both government policy and ADB's SPS. The design consultants will prepare site plan overlays (based on detailed designs) on the cadastral map to define the area and parcels to be acquired. This is to form part of the application to the Ministry of Land (MOL).¹² A Property Valuation Advisory Committee (PVAC)¹³ will be established to provide guidance for the valuation of properties at replacement cost. In arriving at the proper replacement cost, the PVAC will review and verify the market value of land and consider other costs, including the cost for tax and stamp duties. Following the Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA), affected persons will also get additional compensation equivalent to 200% of the present market price of land in case it is acquired for any government organization and 100% compensation against damages to crops, trees or any other damage. The PVAC will submit the recommended replacement cost to the Project Management Coordination Unit (PMCU). If the PVAC finds the valuation as per ARIPA equal to or higher than market value, it will provide a certificate to that effect, for inclusion in the social safeguards document prepared for the package. If on the other hand, the PVAC finds the valuation as per ARIPA lower than market value, it will recommend the difference or top-up amount to be paid to the affected persons by the PMCU from counterpart funding, and such recommendation will be included in the Resettlement Plan for the concerned package.

24. **Private Building and Structure.** The compensation for houses, buildings and other immovable properties will be determined on the basis of replacement cost as on date without depreciation. The PIU with assistance from the Public Works Department (PWD) will determine the replacement cost of structures. PIU will engage experts from PWD and the experts will carry out on the field assessment of each property and will submit the report to the Deputy Commissioner office. PIU will ensure that the assessment is done keeping in consideration the market price and consultation with the owners by assessing sources, types and cost of materials, usage of the building and the cost related to labor and transportation, etc.

25. **Community and Government Building and Structure.** Full restoration at original site or reestablishment at relocation site of lost common resources, public services and facilities is required, including replacement of related land and relocation of structures. A one-time grant fund for the community property resource committee and management will also be provided.

26. **Trees and Crops.** The PIU will conduct the survey on unit prices of trees and crops affected by temporary or permanent land acquisition, in consultation with agriculture/horticulture experts. The compensation for crops will be calculated based the current market rate. The PIU will collect data on crops in the project area from the local department of agricultural extension. Subsequently, the unit/market rate for each crop will be determined in consultation with the department of agricultural extension. The unit prices for compensation of different species of fruit trees will be based on the market values of their fruits. For trees producing timber their unit prices will be based on species type, age, and quality. The cost for such trees will be collected after consultation with the divisional forest office.

27. **Business or Sources of Income.** The PIU will conduct a detailed census survey which is to include actual monthly income of the displaced persons followed by a verification of the

¹² The application to MOL includes a detailed statement specifying whether the land mentioned in the application is needed for public or private purpose, the area of the land, sketch-map, and purpose for which it could be used.

¹³ Under the Project, a representative from the displaced persons is required to be a member of the property valuation advisory committee to ensure compensation for assets is at replacement value.

income data based on the tax payment (for titled business owners). In the absence of the authentic income proof, the unit price will be collected from the displaced persons during the survey.

III. SOCIOECONOMIC INFORMATION

A. Initial Screening and Categorization

28. The initial step of resettlement planning is to carry out a screening survey to identify the intensity of land acquisition and resettlement impact of the subproject. Subsequently, the subproject will be categorized for involuntary resettlement impacts as per ADB's SPS, 2009 and using ADB's standard involuntary resettlement impact categorization checklist form (Appendix 2). A project's involuntary resettlement category is determined by the category of its most sensitive component in terms of involuntary resettlement impacts. The involuntary resettlement impacts of an ADB-supported project are considered significant (Category A) if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). The level of detail and comprehensiveness of the resettlement plan are commensurate with the significance of the potential impacts and risks.

B. Census Survey and Social Impact Assessment

29. The PIU will conduct a detailed census survey and inventory of all losses based on detailed engineering design. The details on the scope and methods of carrying out the census survey are given in Appendix 3. As part of the social impact assessment (SIA), the PIU will identify individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status through a census of the affected persons. Where such individuals and groups are identified, the PIUs will propose and implement targeted measures so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in relation to sharing the benefits and opportunities resulting from development. The SIA will identify the intensity of the land acquisition and resettlement impact in the subproject.

C. Preparation of Resettlement Plan

30. Resettlement plans will be prepared by the PIU with assistance from the design consultant. An outline of a resettlement plan is presented in Appendix 4. Work will be reviewed by the resettlement officer of the project management and coordination unit (PMCU) with the assistance of consultants. The resettlement plan will be brought to the notice of displaced persons and host communities and comments will be addressed in subsequent revisions of the resettlement plan. The resettlement plan will be prepared in English, a summary translated in local language, and notified to the public (this can include posters and/or resettlement booklets). The draft resettlement plan will include the census of displaced persons, their entitlements based on the entitlement matrix (Section II above) which includes methods for determining replacement costs of acquired assets, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanism, and participatory results monitoring mechanism. All draft resettlement plans must be submitted to ADB for clearance prior to award of contracts. The final resettlement plan will incorporate all comments from ADB and be considered final after ADB notifies the PMCU. The PMCU can then implement the final resettlement plan.

D. Gender Considerations

31. Negative impacts of project activities on female-headed households will be taken up on a case-to-case basis and assistance to these households will be prioritized under the subprojects. The resettlement plan will formulate measures to ensure that socioeconomic needs and priorities of women are identified, and the process of land acquisition and resettlement does not disadvantage them. Specific gender activities include women's focus group discussions to be conducted to address specific women's issues. During disbursement of assistance and compensation, priority will be given to female-headed households. Joint ownership in the name of husband and wife will be offered where the asset was acquired during their marriage. In addition to the measures provided for addressing the gender concerns of the affected households, the resettlement plan will be implemented in accordance with the Gender Action Plan prepared for the project.

IV. CONSULTATION, PARTICIPATION, AND DISCLOSURE

32. The PIU will conduct meaningful consultation with displaced persons, their host communities, and civil society for every subproject identified as having involuntary resettlement impacts. Meaningful consultation is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. Consultation will be carried out in a manner commensurate with the impacts on affected communities. The executing agency will pay particular attention to the need of disadvantaged or vulnerable groups, especially those below the poverty line, the landless, the elderly, female headed households, women and children, tribes, minor races, ethnic sects and communities, and those without legal title to land.

33. The executing agency will submit the following documents to ADB for disclosure on ADB's website:

- (i) A draft resettlement plan and/or resettlement framework endorsed by the executing agency before project appraisal;
- (ii) The final resettlement plan endorsed by the executing agency after the census of affected persons has been completed;
- (iii) A new resettlement plan or an updated resettlement plan, and a corrective action plan prepared during project implementation, if any; and
- (iv) The resettlement monitoring reports.

34. The executing agency will provide relevant resettlement information, including information from the above-mentioned documents in a timely manner, in an accessible place and in a form and language(s) understandable to displaced persons and other stakeholders. For illiterate people, suitable other communication methods will be used. The details on consultation process and disclosure at various phases of project development including the responsible agency are described in Table 3. A suggested resettlement information leaflet is in Appendix 5.

Table 3: Consultation and Disclosure Roles and Responsibilities

Project Phase	Activities	Details	Responsible Agency
Project Initiation Stage	<ul style="list-style-type: none"> (i) Subproject information dissemination on various components. (ii) Disclosure of preliminary plans for proposed land acquisition. (iii) Preliminary Information sharing about the tentative alignment/sites with the displaced persons in case of temporary impact on business, income and livelihood. 	<ul style="list-style-type: none"> (i) Leaflets posted/distributed containing information on the subproject in subproject area. (ii) Public notice issued in public places including newspapers and direct consultation with displaced persons. 	PIU/PMCU
Resettlement Plan Preparation Phase	Stakeholder consultations.	<ul style="list-style-type: none"> (i) Further consultations with displaced persons and households, titled and non-titled. (ii) Summary resettlement framework made available to all displaced persons at the convenient place which is easily accessible and should be in local language. 	PIU/PMCU
	Disclosure of final entitlements and rehabilitation packages and disclosure of draft resettlement plan.	resettlement plans disclosed to all displaced persons in local language	PIU/PMCU
	Finalization of resettlement plan.	<ul style="list-style-type: none"> (i) Review and approval of resettlement plan by executing agency. (ii) Review and clearance of resettlement plan by ADB (prior to award of contract). (iii) Web disclosure of the resettlement plan. (iv) Disclosure of the Final resettlement plan to displaced persons 	PIU/PMCU
Resettlement Plan Implementation Stage	Ongoing consultation with displaced persons during resettlement plan implementation.	<ul style="list-style-type: none"> (i) Continued discussions and information disclosure to displaced persons; (ii) Payment of entitlements (all compensation must be paid before displacement occurs). (iii) Grievance Redress Mechanism activated. (iv) Written notification from PMCU to ADB that all compensation paid before displacement occurs. Construction can begin on sections where compensation is paid and community notified of start date of civil works. Displaced persons with unresolved grievances or disputes over land ownership, compensation amounts, etc. 	PIU/PMCU/GRC

Project Phase	Activities	Details	Responsible Agency
		are notified of any compensation payments set aside by PIU in separate escrow accounts to be paid when disputes are resolved.	

ADB = Asian Development Bank, GRC = grievance redress committee, PIU = project implementation unit, PMCU = project management and coordination unit.

V. INCOME RESTORATION AND RELOCATION

35. Income restoration assistance to the displaced persons includes both short and medium-term strategies. Short term income restoration strategies are for immediate assistance during relocation and include the following:

- (i) Compensation for land, structures, crops, fruit bearing trees, and all other lost assets is paid in full before displacement occurs;
- (ii) Assistance in finding replacement land or alternate location for continuation of livelihood/living arrangements;
- (iii) Where provision of alternative sites is not feasible (for temporary impacts), compensation of lost income for period of disruption (if less than three months) or lump sum for three months lost income (at replacement cost) or minimum wage rates (whichever is higher);
- (iv) Shifting allowance for reestablishing business elsewhere based on actual cost of moving/unloading;
- (v) 60 days' advance notice to shift business or harvest standing seasonal crops (if harvest is not possible, compensation for share of standing crops at market rates);
- (vi) One-time assistance for lost income based on three months lost income (at replacement cost) or minimum wage rates (whichever is higher);
- (vii) Consideration for project employment;
- (viii) For vulnerable households, additional subsistence allowance equivalent to minimum of 12 months of official minimum wage plus financial grants and/or microcredit access will be given for restoring or enhancing their livelihood. Vulnerable households will be included in the project livelihood restoration and rehabilitation program, and prioritized in project-related employment;
- (ix) Provision of temporary access where possible to continue business; and
- (x) Restoration of affected land, structure, utilities, common property resource for continuation of business after construction is completed.

36. Medium-term income restoration activities will include skill development training based on need. The PIU will identify suitable local training institutes and pay fees directly to the training institution with names of entitled person(s).

37. Where necessary, training may include (i) capacity building, enterprise training, and facilitating economic activities to landowners; and (ii) training for self-employment to agricultural laborers. Training for self-employment and skill development which may include but not limited to (i) plumbing, (ii) electrical, (iii) automobile repair, and (iv) electronic repair and service, etc. Training will be imparted to any willing displaced person losing income or livelihood.

38. During the construction stage the displaced persons, especially vulnerable displaced persons, will be given preference over others in being engaged in project activities suitable to their skills. In order to make the displaced persons employable, the PIU will identify the required

skills for the construction activities prior to the commencement of the construction and provide the required training to the displaced persons.

VI. GRIEVANCE REDRESS MECHANISM

A. Grievance Redress Mechanism Process and Outline

39. Second CRDP will adopt the grievance redress mechanism (GRM) outline of the first CRDP. The GRM shall be set up to register grievances of the people regarding technical, social and environmental aspects. Also, the GRM welcomes all kinds of technical and safeguards-related queries, comments, suggestions and complaints from anyone. The process will be designed to be transparent, gender responsive, culturally appropriate and commensurate to the risks and adverse impacts of the project, as well as readily accessible to all segments of the affected people. The project GRM will not supersede any legal government grievance procedures.

40. Affected people are to be informed about the mechanism through information caravan and orientation to be conducted by the project officers and staff in the community, printing of pamphlets and brochures, media, and public outlets. To ensure wider coverage, complaints or grievances can be reported through but not limited to: letters, e-mails, text messages, verbal narration from walk-in complainants, phone calls, fax, online grievance form through the project website, installation of Grievance Intake Box at the project area and other mode of filing that the affected people have access to. For those affected people who cannot read and write, a community leader/volunteer will be identified in every project area. The community leader/volunteer will serve as the focal person who will assist the affected people in filing the complaints. This participatory process shall ensure that all views of the people are adequately reviewed and suitably incorporated in the design and implementation process. The GRM will be implemented in three levels. Figure 1 shows the outline of GRM.

41. **First Level.** The first level and most accessible and immediate venue for the fastest resolve of grievances is the PIU, chiefly through the Environment and/or Social Safeguard Officers and Project Manager (or equivalent), with assistance from the environmental and social safeguard specialists of the preparation, design and supervision consultants (PDSCs). The contact phone number will be posted in the project areas and at PMCU and PIU websites and notice boards. Grievances will be resolved through continuous interactions with affected persons and the PIU will answer queries and resolve grievances regarding various issues including environmental management plan (EMP) implementation, land acquisition, structures acquisition, livelihood impacts, entitlements, and assistance. Corrective measures will be undertaken at the field-level itself within five days and feedback provided to the complainant on actions taken for resolution. All grievances will be documented with full information of the person and issue. A sample grievance form that may be used and the suggested format for record-keeping of grievance is in Appendix 6.

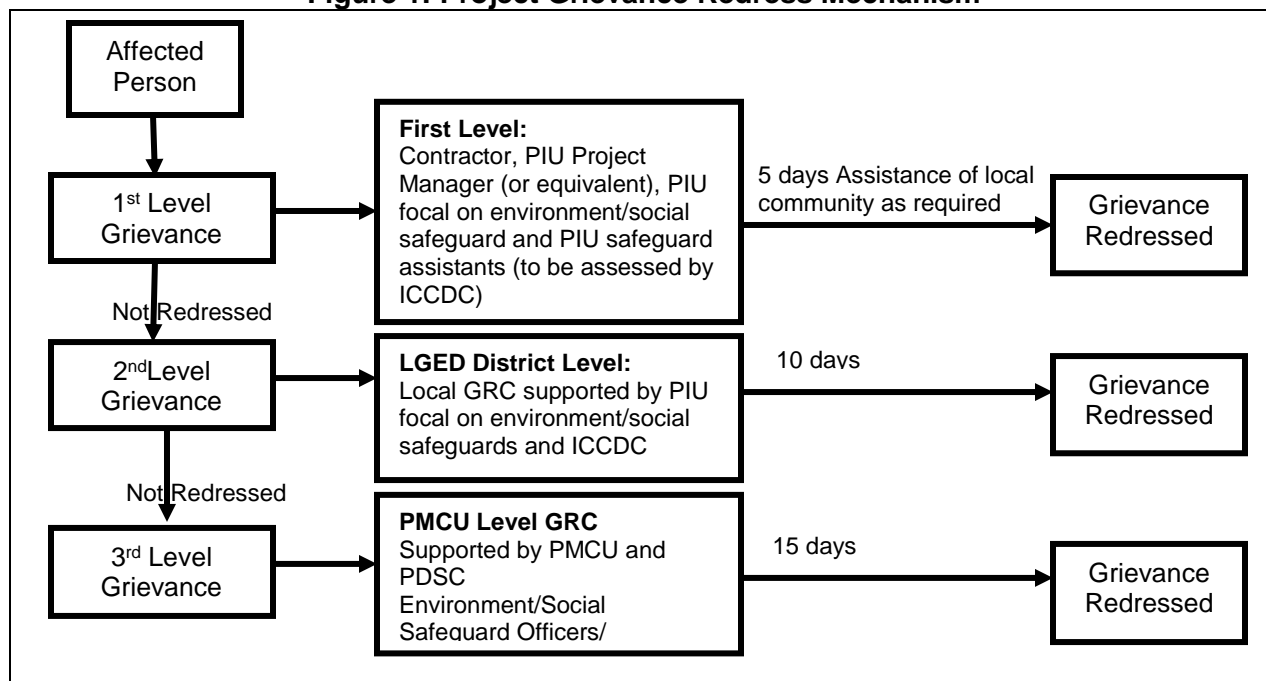
42. **Second Level.** Should the grievance remain unresolved, the PIU project manager (or equivalent), will activate the second level of the GRM by referring the issue (with written documentation) to the local grievance redress committee (GRC) of the *pourashava* or city corporation, who will, based on review of the grievances, address them in consultation with the Safeguards Focal of the PIU and PMCU, and affected persons. A hearing will be called, if necessary, where the affected person can present his/her concern/issues. The process will promote conflict resolution through mediation. The PIU project manager will be responsible for processing and placing all papers before the GRC, recording decisions, issuing minutes of the meetings, providing feedback to complainants and taking follow up actions so that formal orders

are issued, and decisions are carried out. The local GRC will consist of the following persons: (i) Chief Executive Officer or Secretary of the *pourashava* or city corporation (GRC Chair); (ii) representative of the mayor of the *pourashava* or city corporation; (iii) representative of the affected persons; (iv) official of the land registry department; (v) official of the Department of Environment (DOE) divisional office; (vi) urban planner of the *pourashava* or city corporation; and (vii) environmental and/or social safeguard focal of the PIU. The local GRC shall meet weekly, unless the Head of the PIU informs that there are no grievances to address, or they shall meet as needed as per the severity of the grievance. The local GRC will suggest corrective measures at the field level and assign responsibilities for implementing its decisions.

43. The functions of the local GRC are as follows: (i) provide support to affected persons on problems arising from land acquisition (temporary or permanent), asset acquisition and eligibility for entitlements, compensation and assistance, and other environmental or social safeguard issues unresolved at the first level of GRM; (ii) record grievances of affected persons, categorize and prioritize them and provide solutions within 10 days from receipt of grievance from the first level; and (iii) report to the aggrieved parties about developments regarding their grievances and decisions of the GRC.

44. **Third Level.** Should the grievance still remain unresolved, the PIU Head will activate the third level of the GRM by informing the PMCU project director who will, based on review of the local GRC minutes and consultation with the local GRC Chair, activate the PMCU level GRC. This committee shall comprise the following representatives: (i) project director, PMCU, (ii) deputy project director, PMCU; (iii) environmental/resettlement safeguards officer of the PMCU; (iv) representative from Land Ministry, (v) representative from DOE; (vi) representative of the affected persons; and (vii) environmental and/or social safeguards focal of the PIU. The project director will sign off on all grievances received by the PMCU.

45. The GRC at the PMCU level shall meet based on the receipt of grievances, and the meeting shall be convened, and grievance redressed within 15 days of receipt of the grievance by the PMCU. The environmental and/or social safeguards officer of the PMCU will be responsible for processing and placing all papers before the PMCU GRC, recording decisions, issuing minutes of the meetings and taking follow up action to see that formal orders are issued, and the decisions carried out, and final decision conveyed to the complainant.

Figure 1: Project Grievance Redress Mechanism^a

GRC = Grievance Redress Committee; ICCDC = institutional capacity and community development consultant, LGED = Local Government Engineering Department; PDSC = preparation, design and supervision consultant; PIU = project implementation unit; PMCU = project management coordination unit.

^a Outline adopted from GRM of the first CRDP and revised to conform with new arrangements and nomenclatures of Second CRDP.

46. The GRM notwithstanding, an aggrieved person shall have access to the country's legal system at any stage. This can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

47. In the event that the established GRM is not in a position to resolve the issue, the affected persons can also use the ADB Accountability Mechanism through directly contacting (in writing) the Complaint Receiving Officer at ADB headquarters. The complaint can be submitted in any of the official languages of ADB's Developing Member Countries. The ADB Accountability Mechanism information will be included in the project information document to be distributed to the affected communities, as part of the project GRM.

VII. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION MECHANISM

A. Project Management Coordination Unit

48. The LGED will be the executing agency responsible for overall guidance and project implementation. A PMCU headed by a project director will implement the project investments and will be responsible for overall planning, management, coordination, supervision and progress monitoring of the Second CRDP in the two city regions.

49. The PMCU will ensure compliance with assurances, including safeguards and preparing and submitting reports, resettlement plan monitoring updates. To ensure effective implementation of the land acquisition and resettlement aspects, one full time PMCU social safeguard officer will be recruited, who will be primarily responsible for compliance with legal requirements of the government and the loan covenants pertaining to social safeguards, and for overseeing PIU

preparation of the resettlement plan for subprojects. The PMCU will review monthly reports submitted by PIUs and will consolidate them into semi-annual reports to ADB. PMCU will advise PIUs on corrective actions to be taken when necessary based on close monitoring and results of grievance redress process. Roles and responsibilities of the social safeguards officer include:

- (i) Ensure subprojects conform to the agreed subproject selection criteria for the project;
- (ii) review and finalize subproject involuntary resettlement category;
- (iii) oversee preparation of resettlement plans, DDRs, confirm existing resettlement plans, DDRs are updated based on detailed designs, and that new subproject resettlement plans, DDRs are prepared in accordance with the resettlement framework prepared for the project;
- (iv) issue the public notice for acquiring a particular land or property for the subproject along with project information and details as well as the project cut-off date;
- (v) ensure that resettlement plans and DDRs are included in the bidding documents and civil works contracts;
- (vi) provide oversight on social safeguard management aspects of subprojects and ensure that PIU and contractors implement resettlement plans, and the impact avoidance measures outlined in the resettlement framework, environmental management plan, resettlement plans, and/or DDR;
- (vii) facilitate and ensure compliance with all government rules and regulations regarding no objection certificates, third party certificates for negotiated settlement or donation, land ownership, and transfer details for each site, as relevant;
- (viii) supervise and guide the PIUs to properly carry out the social safeguard monitoring;
- (ix) review, monitor, and evaluate the effectiveness with which the resettlement plans and provisions of DDRs are implemented, and recommend corrective actions to be taken as necessary;
- (x) consolidate monthly social safeguard and gender monitoring reports from PIUs and submit semi-annual social safeguard monitoring reports to ADB;
- (xi) ensure timely disclosure of final resettlement plans, DDRs in locations and form accessible to the public and affected persons;
- (xii) address any grievances brought about through the grievance redress mechanism promptly;
- (xiii) oversee the assessment of training needs of affected persons and vulnerable persons by PIUs and/or PDSCs, coordinate training activities and convergence with the livelihood programs of the government;
- (xiv) identify training needs and coordinate training activities for the PIUs, contractors for capacity building to implement the resettlement plans, impact avoidance measures in DDRs, and grievance redress mechanism (GRM);
- (xv) coordinate database management for social safeguards implementation and monitoring; and
- (xvi) coordinate public awareness campaigns by the PIUs including resettlement provisions with the help of print and electronic media.

B. Project Implementation Unit

50. The PIUs shall be established at selected city corporations and *pourashavas*. The PIUs will be responsible for carrying out the detailed design of the subprojects and updating resettlement plans/DDR for the sample subprojects and prepare new resettlement plans/DDR for future subprojects under the sector approach. The PIU will ensure compliance with safeguards requirements of the government and ADB. The PIU will be responsible for day-to-day monitoring of the project progress, including the implementation of the resettlement provisions in the project.

Each PIU will prepare monitoring reports on all aspects concerning to resettlement planning and implementation of the land acquisition and resettlement issues and report to the PMCU on a monthly basis. Roles and responsibilities of the social safeguards and gender officer in each PIU include:

- (i) Engage in ongoing meaningful consultations with stakeholders and affected persons particularly through consultation and participation;
- (ii) Update the resettlement plans upon the completion of detailed design and submit to PMCU for onward submission to ADB for review, approval and disclosure;
- (iii) Prepare resettlement plans or DDRs for new subprojects, as needed, with support from the social safeguards specialist of PDSCs;
- (iv) Translate and disclose the final resettlement plans/ DDRs into proper language and forms that are accessible to the affected communities/ people;
- (v) Ensure provision of timely compensation payment and resettlement assistance to the affected persons before displacement/impact occurs in sections ready for construction;
- (vi) Identify independent third party in case of any negotiated settlement/land donation and ensure third party certifications as required for each subproject are obtained (Sample Terms of Reference of independent third party is in Appendix 7);
- (vii) Inform PMCU and ADB of any unanticipated impacts identified during project implementation, prepare the required corrective action plan and implement it;
- (viii) Undertake meaningful and continuous consultations with affected persons;
- (ix) Ensure implementation of project GRM and all grievances are properly addressed in a timely manner;
- (x) Conduct regular monitoring and site visits for safeguard compliance of all subprojects during civil works activities;
- (xi) Implement activities assigned to PIUs in the Gender Action Plan (GAP);
- (xii) Monitor the work of contractors on resettlement and GAP activities;
- (xiii) Submit quarterly social safeguards and GAP monitoring reports to PMCU;
- (xiv) Maintain safeguard database, GRM records, key gender results and good practices.
- (xv) At present, the capacity to implement safeguards planning and implementation at PIU level is still not adequate. Therefore, it is proposed that resettlement support staff (or facilitators) at the PIU level will be recruited. There will be at least three full-time national social safeguard consultants who will support the PIU. All PIU and PMCU safeguards staff will undergo training conducted by the consultant team's resettlement specialists. Each PIU will prepare monitoring reports on all aspects concerning to resettlement planning and implementation of the land acquisition and resettlement issues and report to the PMCU on a monthly basis.

C. Preparation, Design and Supervision Consultants

51. The PDSC will have two national resettlement specialists (NRS). They will be responsible for updating/finalizing the resettlement plans of sample subprojects in accordance with the Resettlement Framework and based on the detailed engineering design. These specialists will also prepare new resettlement plans for future subprojects under the sector approach consistent with the resettlement framework. This will be done in close coordination with PIU resettlement support staff and PMCU resettlement officers. The NRS will assist in the overall supervision of the subprojects and ensure all plans are implemented in a smooth and timely manner in accordance with the provisions of the resettlement plan. They will also prepare and implement training and capacity development programs for resettlement planning for the PIU and PMCU safeguards staff. They will also closely work with the PMCU and PIUs to ensure displaced persons

are compensated before displacement occurs, including ongoing rehabilitation measures. The NRS will be responsible for the following tasks:

- (i) Update existing resettlement plans for sample sub-projects during detailed design stage in accordance with resettlement framework;
- (ii) Prepare a new resettlement plan in accordance with resettlement framework for future subprojects with detailed census surveys of affected persons using existing resettlement plans as a guide for developing new resettlement plans;
- (iii) Establish dialogue with the affected communities and ensure that their concerns and suggestions are incorporated and implemented in the project;
- (iv) Submit all draft resettlement plans to ADB for review and clearance before contract award;
- (v) Work closely with the PMCU and PIU resettlement officer to implement the resettlement plans. (for resettlement plan implementation, the consultant will be specifically responsible for implementation of proposed compensation, rehabilitation, and income restoration measures, consultations with affected persons during rehabilitation activities, and assisting in grievance redress);
- (vi) Coordinate valuation of land by the valuation committees with close consultation with affected persons at Local Land Registry Office level to finalize the compensation packages;
- (vii) Guide PIU resettlement officers in providing ID cards to affected persons;
- (viii) Ensure smooth provision of entitlements under each resettlement plan to affected persons;
- (ix) Provide required training (in-house and on-the-job) to the enumerators and surveyors to carry out the census survey and work closely with the PMCU/PIU resettlement officer to involve them in the project planning from the initial period;
- (x) Ensure compliance with all government rules and regulations and ensure the resettlement plan is in compliance with ADB SPS, 2009;
- (xi) Lead community consultation during design phase of components and as part of the preparation of the resettlement plan;
- (xii) Coordinate monitoring of resettlement plan implementation including reporting;
- (xiii) Prepare resettlement training programs and workshops for the staff of the PIU and contractors and in accordance to the Capacity Building Program;
- (xiv) Prepare monthly resettlement monitoring reports in collaboration with PIU social officer and submit to PMCU;
- (xv) Facilitate in responding to any public grievances and keep the record of all the grievance; and
- (xvi) Assist in any other task assigned by the Team Leader/Deputy Team Leader in relevance to effective project implementation.

52. An indicative terms of reference (TORs) along with the specific tasks are attached in Appendix 8. Further details on agencies responsible for resettlement plan activities are in Table 4 and the organization chart for resettlement plan implementation is depicted in Figure 2.

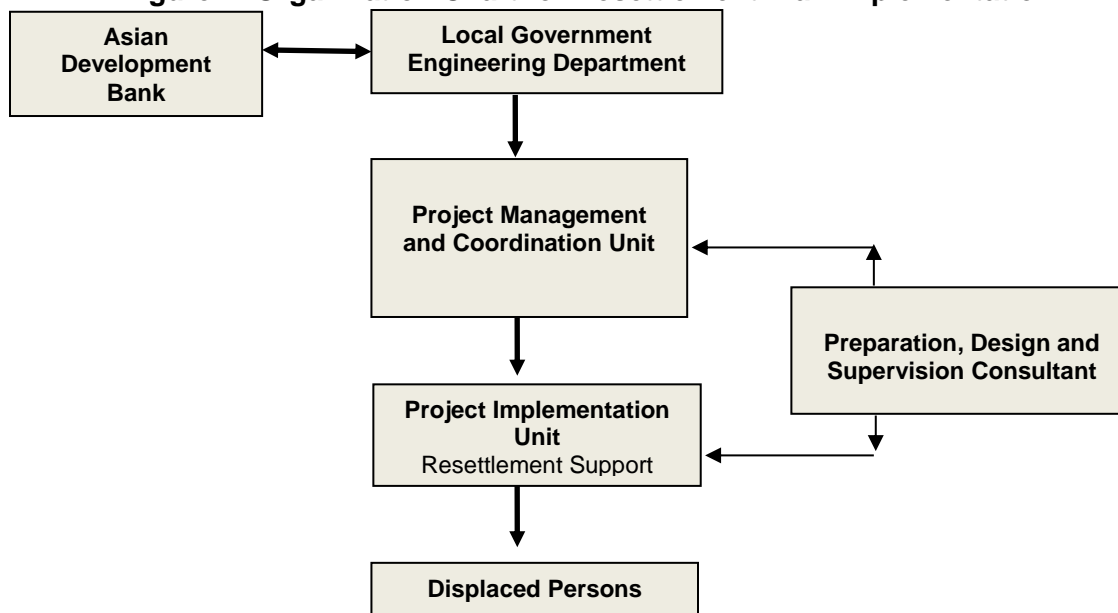
Table 4: Institutional Roles and Responsibilities

Activity	Responsible Agency
A. Subproject Initiation Stage and Institutional Setup	
Formation of PMCU.	LGED
Formation of PIU.	LGED
Finalization of sites for subprojects.	PMCU/PIU/PDSC
Disclosure of proposed land acquisition and subproject details by issuing Public Notice.	PIU/PMCU
Meetings at community/household level with displaced persons.	PIU

Activity	Responsible Agency
Capacity Building training.	PDSC/international resettlement specialist
B. Resettlement Plan Preparation/Updating Stage	
Resettlement screening and categorization form and submission to ADB for each subproject.	PIU/PMCU
ADB to confirm resettlement categorization.	ADB
Census of 100% displaced persons and socioeconomic survey.	PIU/PMCU
Screening of vulnerable displaced persons.	PIU/PMCU
Survey on unit prices for computing replacement costs.	PIU/PMCU
Calculation of compensation and entitlements.	PIU/PMCU
Update of sample subproject resettlement plans and preparing new resettlement plans in accordance with Resettlement Framework.	PIU/PMCU
Consultations with displaced persons on entitlements. Compliance with disclosure requirements.	PIU/PMCU
Finalize resettlement plans and submit to ADB. All draft resettlement plans must be submitted to ADB for clearance prior to award of contracts.	PIU/PMCU
Incorporate all comments and suggestions to resettlement plans.	PIU/PMCU
Web disclosure	ADB/PMCU
C. Resettlement Plan Implementation Stage	
Issuance of identification cards to displaced persons	PIU/PMCU
Detailed schedule for compensation	PIU/PMCU
Distribution of relocation notices to displaced persons	PIU/PMCU
Award of checks for land compensation	PIU/PMCU
Award of checks for other compensation and assistance/ rehabilitation	PIU/PMCU
Confirm with ADB in writing when payment of entitled compensation to displaced persons has been completed. Permission to contractor to begin works once compensation to displaced persons is confirmed (note: other income rehabilitation to continue after civil works commence).	PMCU/PIU
Notice to proceed for civil works is issued on sections where compensation is paid.	PIU/PMCU
Demolishing/ relocation of affected structures/assets	PIU/PMCU
Income restoration program and training	PIU/PMCU
Grievances redress mechanism	PIU/PMCU/GRC
Internal monitoring	PIU/PMCU
Review of resettlement plan implementation by external expert through a compliance report for projects with significant impacts	External Expert

ADB = Asian Development Bank, GRC = grievance redress committee, LGED = Local Government Engineering Department, PDSC = preparation, design and supervision consultant, PIU = project implementation unit, PMCU = project management and coordination unit.

Figure 2: Organization Chart for Resettlement Plan Implementation



D. Training and Capacity Building

53. For effective execution of all involuntary resettlement related tasks, capacity development at both the executing agency and implementing agency level is needed. The PDSCs' safeguards experts (environmental and social) will be responsible for training the (i) PMCU's safeguards officers (environmental and social), and (ii) PIUs' engineers, environmental and social safeguard focals. Training modules will need to cover safeguards awareness and management in accordance with both ADB and government requirements as specified below:

- (i) sensitization on ADB's policies on involuntary resettlement and tribes, minor races, ethnic sects and communities;
- (ii) introduction to social safeguard assessment and document requirements;
- (iii) consultation and participations requirements;
- (iv) project GRM and ADB's Accountability Mechanism; and
- (v) monitoring and reporting system.

E. Implementation Schedule

54. Land acquisition, compensation and relocation of displaced persons cannot commence until the resettlement plan has been reviewed and cleared by ADB. All entitlements are to be paid prior to displacement. Written confirmation is required by the PMCU to ADB stating that all compensation has been paid to displaced persons. Construction works can then begin on sections where compensation has been paid.¹⁴ The project will be implemented over five years (2019 to 2024). The implementation of the resettlement plan will include: (i) identification of cut-off date and notification; (ii) verification of losses and extent of impacts; (iii) finalization of entitlements and distribution of identity cards (sample copy of ID card is attached in Appendix 9); (iv) consultations with displaced persons on their needs and priorities; and (v) resettlement, provision of compensation and assistance, and income restoration for displaced persons. The expected implementation schedule for a subproject is given in Table 5.

¹⁴ Civil works may commence on project-related lands where no resettlement issues exist, however, no works shall commence on land where compensation for land acquisition, resettlement, and related compensation has not been completed. For example, works for solid waste management transfer stations in right of way (ROWs) may proceed (if no resettlement issues are pending), but if compensation to landowners and affected persons at the site of the landfill is not complete, then civil works cannot commence at the landfill site. The PMCU is to confirm with ADB in writing when payment to affected persons have been made, and a separate work order shall be issued for such lands after compensation is confirmed. If in the case of pending legal cases/disputes regarding land acquisition exist, these should be clearly documented by the PIU/PMCU and notified in writing to ADB. In such cases, the PMCU is to transfer the allotted money as per the resettlement plan, including money for land and extra allowances, to an escrow account designated for the affected persons and managed by the PIU or local authority. The PIU is to notify by written letter to displaced persons when such funds are transferred to the local government and pending release after disputes or legal cases are resolved. ADB is to make a judgment on how to proceed with civil works on a case-by-case basis where such situations arise.

Table 5: Implementation Schedule

Activity	Months																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Establishment of PMCU and PIU.	♦																	
Appointment of safeguards staff in PMCU and PIUs.		♦																
Appointment of international and national resettlement specialists on consultant team.		♦																
Formation of GRC at PIU and PMCU level.			♦															
Census surveys (issuance of ID cards).		♦	♦	♦	♦													
Send screening and categorization form for subprojects to ADB.			♦															
Consultations and disclosure.		♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Confirmation of government land to be used and transfer from other departments.				♦	♦													
Resettlement plan preparation.				♦	♦	♦	♦	♦										
Resettlement plan review and approval (PMCU and ADB). All draft resettlement plans must be submitted to ADB for clearance prior to award of contracts.									♦									
Issue notice to displaced persons.										♦								
Compensation prior to displacement and income rehabilitation ongoing.											♦	♦	♦					
Written confirmation from PMCU to ADB that all compensation paid in sections ready for construction. Permission to contractor to begin works once compensation to displaced persons is confirmed.													♦					
Relocation as required													♦	♦	♦			
Takeover possession of acquired property													♦	♦	♦			
Handover land to contractors															♦			
Start of civil works																♦		
Skills training as required for income restoration													♦	♦	♦	♦	♦	♦
Grievance Redress Mechanism		♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Internal monitoring				♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Monthly monitoring reports (PIU to PMCU)				♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Quarterly monitoring reports (PMCU to ADB)				♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Rehabilitation of temporarily occupied lands															Immediately after construction			

ADB = Asian Development Bank, GRC = grievance redress committee, PIU = project implementation unit, PMCU = project management and coordination unit.

Note: The resettlement plan will be updated based on final detailed design and displaced person census and surveys. Endorsement and disclosure of finalized resettlement plans consistent with the resettlement framework to be undertaken.

VIII. BUDGET AND FINANCING

55. All land acquisition and resettlement funds will be provided by the Government of Bangladesh and compensation to affected persons is to occur before displacement occurs. Detailed budget estimates for each resettlement plan will be prepared by the PIU with assistance from consultants which will be included in the overall project estimate. The budget shall include: (i) detailed costs of land acquisition, relocation, and livelihood and income restoration and improvement; (ii) source of funding; (iii) administrative costs; (iv) monitoring cost; and (v) arrangement for approval, and the flow of funds and contingency arrangements.

56. The executing agency and implementing agencies will be responsible for the timely allocation of the funds needed to implement the resettlement plans. All land acquisition, compensation, relocation and rehabilitation, administrative expenses, monitoring and consultant cost, income and livelihood restoration cost will be considered as an integral component of project costs.

IX. MONITORING AND REPORTING

57. The extent of monitoring activities will be commensurate with the project's risks and impacts. Monthly monitoring reports to be submitted by PIU to PMCU. PMCU to consolidate monthly reports into semi-annual monitoring reports to ADB (or quarterly reports if Category A project). These reports should form a part of the project progress reports submitted by PMCU to ADB.

58. The objectives of monitoring are to: (i) ensure that the standard of living of displaced persons are restored or improved; (ii) ascertain whether activities are progressing as per schedule and the timelines are being met; (iii) assess if compensation, rehabilitation measures are sufficient; (iv) identify problems or potential issues; and (v) identify methods to rapidly mitigate problems. The above information will be collected by executing and implementing agencies through its PMCU and respective PIU which is responsible for monitoring the day-to-day resettlement activities of the project through the following instruments:

- (i) Review of census information for all displaced persons;
- (ii) Consultation and informal interviews with displaced persons;
- (iii) In-depth case studies;
- (iv) Sample survey of displaced persons;
- (v) Key informant interviews; and
- (vi) Community public meetings.

A. Internal Monitoring

59. The internal monitoring by PMCU/PIU will include (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socioeconomic monitoring during and after the relocation process to ensure that people are settled and recovering. See Appendix 10 for a sample monitoring report template. This will utilize the baseline information established by the socio-economic survey of displaced persons undertaken during subproject preparation; and (iii) overall monitoring whether recovery has taken place successfully and on time. Monitoring will also include the following:

- (i) Communication with and documentation of reactions from displaced persons;
- (ii) Information from displaced persons on entitlements, options, alternative developments, etc.;
- (iii) Valuation of properties;

- (iv) Usages of grievance redress mechanism;
- (v) Disbursement of compensation amounts and all assistance; and
- (vi) Physical progress of the resettlement plan implementation which will include relocation of displaced persons and affected community properties.

60. The indicators for achievement of objectives during resettlement plan implementation are of two kinds such as (i) process indicators (indicating project inputs, expenditure, staff deployment, etc.); and (ii) output indicators (indicating results in terms of numbers of displaced persons compensated, area of temporarily occupied lands restored with topsoil and other pre-project features), number of displaced persons provided with skills training, etc. Input and output indicators related to physical progress of the work will include items such as:

- (i) Training of executing and implementing agencies and other staff completed;
- (ii) Census, assets inventories, assessments and socio-economic studies completed;
- (iii) Grievance redress procedures in-place and functionality;
- (iv) Compensation payments disbursed;
- (v) Relocation of displaced persons completed;
- (vi) Project employment provided to displaced persons;
- (vii) Infrastructure rehabilitated or constructed;
- (viii) Income restoration activities initiated;
- (ix) Skills training of displaced persons initiated;
- (x) Number of households displaced and resettled; and
- (xi) Monitoring and evaluation reports submitted.

B. Verification of Internal Monitoring by External Expert¹⁵

61. For projects with significant (Category A) impacts, the executing and implementing agencies are required to engage qualified and experienced external experts to verify the monitoring information of the executing and implementing agencies. The external experts will advise the executing and implementing agencies on safeguard compliance issues. If they identify any significant involuntary resettlement issues, the executing agency is required to prepare a corrective action plan to address such issues. The external expert with prior experience in resettlement implementation and monitoring will be engaged by the executing agency. The expert will document (i) restoration of income levels; (ii) changes and shifts in occupation patterns; (iii) changes in displaced person type of housing and asset ownership; (iv) assessment of displaced persons access to amenities, such as water, electricity, and transportation; and (v) performance of the PIU, and PMCU in resettlement implementation. The expert will monitor the project twice a year and submit reports directly to the executing and implementing agencies. The executing and implementing agencies will submit all external monitoring reports to ADB. The broad scope of the external expert is as follows: (i) assess whether displaced persons have improved living standards, in terms of income, housing, access to basic amenities, ownership of land and material assets; (ii) monitor schedules and achievement of targets; and (iii) assess whether social development objectives of the project are achieved.

62. The executing agency will report results of the internal monitoring findings to ADB. A social safeguard monitoring template is in Appendix 11. The executing agency is also to prepare a project completion report that assesses whether the objective and desired outcomes of the safeguard plans have been achieved, considering the baseline conditions and the results of monitoring reports.

¹⁵ Requirement for external expert applies only to projects with significant impacts (Category A).

COMPARISON BETWEEN THE POLICIES OF THE GOVERNMENT OF BANGLADESH AND ASIAN DEVELOPMENT BANK

S. No.	ADB Safeguard Policy Statement, 2009	Acquisition and Requisition of Immovable Property Act, 2017	Action Taken to Bridge the Gaps
1	Involuntary resettlement should be avoided wherever possible.	Not defined	Principle has been considered in the preparation of the Project and is applied during project design and implementation.
2	Minimize involuntary resettlement by exploring project and design alternatives	Not explicitly stated but Section 20 provides that “save in the case of emergency requirement for the purpose of maintenance of transport or communication system, no property which is bona fide used by the owner thereof as the residence of himself or his family or which is used either for religious worship by the public or as an educational institution or orphanage or as a hospital, public library, graveyard or cremation ground shall be requisitioned.”	Resettlement plan defines procedures on how to minimize involuntary resettlement through proper engineering design and adequate consultation with stakeholders.
3	Conducting census of displaced persons and resettlement planning	Section 4 of the Act provides that whenever it appears that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, a notice shall be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired. Before the publication of such notice, the real nature, condition and infrastructures built therein, crops and trees of the proposed immovable property shall be recorded in video or still picture or any other technology and a report on it shall be prepared accordingly.	The resettlement plan has been prepared based on the data collected through conducting a census, a socioeconomic survey for the displaced persons, and an inventory of losses.
4	Carry out meaningful consultation with displaced persons and ensure their participation in planning, implementation, and monitoring of resettlement program.	Section 4 of the Act provides that whenever it appears to the Deputy Commissioner that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, he shall cause a notice to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired.	The resettlement plan for the project has been prepared following a consultation process which involves all stakeholders (affected persons, government department/line agencies, local community, nongovernment organization, etc.), and the consultation will be a continuous process at all stages of the project development such as project formulation, feasibility study, design, implementation, and post-implementation, including the monitoring phase.
5	Establish grievance redress mechanism.	Section 5 provides for a grievance redress mechanism such that any person concerned may file an objection against the acquisition proceeding to the Deputy Commissioner within 15 working days. The Deputy Commissioner shall, speedily hear the objection filed in the presence of the appellant or an agent, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, prepare a report within thirty working days, and in case of a nationally important	The resettlement plan has a special provision for grievance procedures, which includes formation of a grievance redress committee, appointment of an arbitrator, and publication of the notice of hearings and the scope of proceedings.

S. No.	ADB Safeguard Policy Statement, 2009	Acquisition and Requisition of Immovable Property Act, 2017	Action Taken to Bridge the Gaps
		project within 15 working days, following the expiry of the period specified containing his opinion on the objections. The Deputy Commissioner (i) if the property exceeds 50 [fifty] standard bighas (or 16.5 acre) of land, submit the record of the proceedings held by him, together with his opinion, for the decision of the Ministry of Land; and (ii) if the property does not exceed 50 [fifty] standard bighas (or 16.5 acre) of land, submit the record of the proceedings held by him, together with his opinion, for the decision of the Commissioner: If no objection is raised within the period specified, the Deputy Commissioner shall, instead of submitting the records of the proceedings to the Divisional Commissioner, make a decision within ten days of the expiry of the aforesaid period, or within such further period but not exceeding thirty days, as the Divisional Commissioner permits on the request of the Deputy Commissioner in writing] and in case of a national important project within 15 days, about the acquisition of the property and such decision of the Deputy Commissioner shall be final.	
6	Improve or at least restore the livelihoods of all displaced persons.	The Act does not address the issues related to income loss, livelihood, or loss of the non-titleholders. It only deals with the compensation for loss of land, structures, buildings, crops and trees, etc. for the legal titleholders.	The resettlement plan for this project keeps the provision for a census survey that will have the data on the loss of income and livelihood, and the same will be compensated as per the entitlement matrix for both physically and economically displaced persons.
7	Land-based resettlement strategy	The Act does not address these issues.	Though this option may be a difficult proposition, given the lack of government land and the difficulties associated with the acquisition of private lands, the resettlement plan proposes land-for-land compensation as its priority, if feasible. Attempt will be made to find alternate land for the loss of land, in case it is available and if it is feasible, looking at the concurrence of host community and land value.
8	All compensation should be based on the principle of replacement cost.	The Act provides that the matters to be considered in determining compensation are the following: (i) the market value of the property at the date of publication of the notice with consideration of the average value, to be calculated in the prescribed manner, of the properties of similar description and with similar advantages in the vicinity during the twelve months preceding the date of publication of the notice;	The resettlement plan addresses all these issues and spells out a mechanism to fix the replacement cost by having an independent evaluator (committee) who will be responsible for deciding the replacement costs.

S. No.	ADB Safeguard Policy Statement, 2009	Acquisition and Requisition of Immovable Property Act, 2017	Action Taken to Bridge the Gaps
		<p>(ii) the damage that may be sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the property at the time of the making of the joint list;</p> <p>(iii) the damage that may be sustained by the person interested by reason of severing such property from his other property;</p> <p>(iv) the damage that may be sustained by the person interested by reason of the acquisition injuriously affecting his other properties, movable or immovable, in any other manner, or his earnings; and</p> <p>(v) if in consequence of the acquisition of the property, the person interested is likely to be compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.</p> <p>The most notable change from Acquisition and Requisition of Immovable Ordinance (ARIPO) 1982 is that while the government is acquiring land, it shall provide the persons interested with compensation of 200 per centum of the market price. If the government acquires the land for any nongovernment person then the amount of compensation shall be 300 per centum. In cases of injuries made under items (ii), (iii), (iv) and (v) above, additional 100 per centum compensation shall be provided. Necessary steps may be taken to rehabilitate evicted persons due to acquisition in the prescribed form.</p>	
9	Provide relocation assistance to displaced persons.	Relocation is only available if religious places, graves or crematoriums are to be acquired.	The resettlement plan provides for the eligibility and entitlement for relocation of the affected persons, in the form of relocation assistance which includes shifting allowances, right to salvage materials, and additional transitional assistance for the loss of business and employment.
10	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	The Act does not have this provision.	The resettlement plan ensures compensation and assistance to all affected persons, whether physically displaced or economically displaced, irrespective of their legal status. The end of the census survey will be considered the cut-off date, and affected persons listed before the cutoff date will be eligible for assistance.
11	Disclose the resettlement plan, including documentation of the	The Act only provides for the publication of a preliminary notice of acquisition of immovable property and of a	The SPS ensures that the resettlement plan, along with the necessary eligibility and entitlement, will be disclosed

S. No.	ADB Safeguard Policy Statement, 2009	Acquisition and Requisition of Immovable Property Act, 2017	Action Taken to Bridge the Gaps
	consultation in an accessible place and a form and language understandable to affected persons and other stakeholders.	notice to persons interested when the government, the Divisional Commissioner or the Deputy Commissioner has made a decision for acquisition of any property stating that a decision has been made to acquire the property, the possession of which shall be taken.	to the affected persons in the local language (Bengali) in the relevant project locations and concerned government offices, and the same resettlement plan will also be disclosed on the executing agency's website and on the website of ADB.
12	Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	The Act considers not only the value of the property but also other damages that the owner may suffer from, such as, (i) loss of any standing crops or trees, (ii) damage resulting from severing such property from his other property; (iii) acquisition injuriously affecting his other properties, movable or immovable, in any other manner, or his earnings; and (iv) reasonable expenses, if any, incidental to the owner being compelled change residence or place of business.	The resettlement plan provides eligibility to both titleholders and non-titleholders with compensation and various kinds of assistances as part of the resettlement packages, and the entire cost will be part of the project cost.
13	Pay compensation and provide other resettlement entitlements before physical or economic displacement.	Section 13 states that the property shall stand acquired and vest absolutely in the government free from all encumbrances, and the Deputy Commissioner shall thereupon take possession of the property when the compensation has been paid or is deemed to have been paid.	No gap in the policies but resettlement plan nonetheless emphasizes that compensation and assistance to affected persons must be made prior to displacement.
14	Monitor and assess resettlement outcomes, and their impacts on the standards of living of displaced persons.	Not defined in the Act	The resettlement plan has a detailed provision for a monitoring system within the executing agency. The executing agency will be responsible for proper monitoring of resettlement plan implementation, and the monitoring will be verified by an external expert.

INVOLUNTARY RESETTLEMENT IMPACT SCREENING AND CATEGORIZATION CHECKLIST

(To be completed for each subproject and submitted to ADB)

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing right of way (ROW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?				
11. If land use is changed, will it have an adverse impact on social and economic activities?				
12. Will access to land and resources owned communally or by the state be restricted?				
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Project? [] No [] Yes				
If yes, approximately how many? _____				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? [] No [] Yes				
Are any displaced persons from indigenous or ethnic minority groups? [] No [] Yes				

CENSUS SURVEY GUIDELINES

A. Census Requirement and Contents

1. Census of households and individuals located within the subproject has to be undertaken to register and document the status of potentially affected population within the subproject impact area. It will provide a demographic overview of the population covered by the resettlement plan and profiles of household assets and main sources of livelihood. It will cover 100% of the potentially affected population within the subproject impact area.

- (i) **Resource Base.** The resource base including land, water, and forest, etc., with an assessment of its development and ecological potential in the pre-project conditions. During the conduct of the census, legal boundaries of affected properties and the right-of-way (ROW) are to be verified. Structures, trees and other assets are to be recorded.
- (ii) **Economy Base.** The economy base of the affected people including the modes and magnitude of production, consumption pattern, related economic institutions.
- (iii) **Household Census.** Household census covering immovable property owned by the displaced persons and other resources in their possession/use. These surveys would be carried out in association with local and host communities as well as with the local representatives.
- (iv) **Social Structures.** The social structure, norms, customs, cultural centers, traditions, patterns of leadership and institutions of social network.
- (v) **Displaced Persons.** The census will identify tenants, leaseholders, sharecroppers, encroachers, squatters, and agricultural workers. During such census, those displaced persons dependent on the existing infrastructure link for their livelihood, shall also be identified and listed along with their identified income. Besides this, the census will also identify displaced persons who are from vulnerable groups.

B. Census Procedures

2. The following procedure is to be adopted in carrying out the census:

- (i) Preliminary screening to provide initial information on social impacts;
- (ii) Verification of legal boundaries of the subproject area, to document existing structures, land plots, and others physical assets. This involves:
 - (a) Identification of suitable resettlement sites, in close proximity to the affected area if required;
 - (b) All encroachments, private land holdings and other assets in the sub-project area is to be documented;
 - (c) Assets, structures, land holdings, trees, etc. to be recorded; and
 - (d) All information is to be computerized; photography to be used to document existing structures.
- (iii) The baseline socio-economic survey shall cover information on the various categories of losses and other adverse impacts likely under the sub-project;
- (iv) The census will identify potentially affected populations with special attention to vulnerable groups; and
- (v) Assessment on the value of various assets to be made.

C. Database Management

- (i) **Data Sources.** As a pre-requisite for conducting the primary household surveys, relevant information is to be collected from secondary sources. These include:
 - (a) Revenue records maintained, with regard to land particulars for facilitating acquisition of properties and resettlement of displaced;
 - (b) Census records for demographic information;
 - (c) Development agencies to get information on various development programs for special sections of population like those living below poverty line, scheduled tribes, schedule castes, etc.; and
 - (d) Local organizations including nongovernment organizations (NGOs) in order to involve them and integrate their activities in the economic development programs of the displaced population.
- (ii) **Data Collection.** Household level contacts and interviews with each affected family for completing the household socioeconomic profile. Each of the households surveyed and the structure/land likely to be affected by the subproject has to be numbered, documented and photographed. Public consultation exercises in different subproject areas to be conducted with the involvement of Displaced Persons. In these exercises, women among the displaced persons are to be involved to elicit their views and options on the overall planning of resettlement activities. Discussions with a cross-section of displaced persons will help towards understanding the problems and preference of the displaced persons.
- (i) **Data Analysis.** The analysis would cover the following: population, population density, age, sex ratio, literacy rates/education, gender issues, tribal issues, religious groups, income, occupation and poverty line.
- (ii) **Data Update.** Since there is generally a time gap between the census and land acquisition procedure, it implies that actual physical relocation of displaced persons may be delayed. Therefore, it is suggested that PIU responsible for implementation of resettlement plan along with PMCU, should conduct a rapid appraisal to continuously update information.

OUTLINE OF RESETTLEMENT PLAN

1. The comprehensiveness of a resettlement plan would be according to the potential involuntary resettlement impacts/risks and size of the project. The resettlement plan must adequately address all involuntary resettlement issues pertaining to the project, describes specific mitigation measures that will be taken to address the issues and outlines institutional requirement and resources required to implementation of the resettlement plan. The following outline of resettlement plan is suggested for the present project.

A. Executive Summary

2. This section provides a concise statement of project scope, key survey findings, entitlements and recommended actions.

B. Project Description

3. This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

C. Scope of Land Acquisition and Resettlement

4. This section:
- (i) discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
 - (ii) describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project;
 - (iii) summarizes the key effects in terms of assets acquired and displaced persons; and
 - (iv) provide details of any common property resources that will be acquired.

D. Socioeconomic Information and Profile

5. This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:

- (i) define, identify, and enumerate the people and communities to be affected;
- (ii) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account;
- (iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
- (iv) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation, and Participation

6. This section:
- (i) identifies project stakeholders, especially primary stakeholders;

- (ii) describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
- (iii) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
- (iv) summarizes the results of consultations with affected persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
- (v) confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and
- (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project implementation.

F. Grievance Redress Mechanisms

7. This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

G. Legal Framework

8. This section:
- (i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed;
 - (ii) describes the legal and policy commitments from the executing agency for all types of displaced persons;
 - (iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided; and
 - (iv) describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

H. Entitlements, Assistance and Benefits

9. This section:
- (i) defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix);
 - (ii) specifies all assistance to vulnerable groups, including women, and other special groups; and
 - (iii) outlines opportunities for affected persons to derive appropriate development benefits from the project.

I. Relocation of Housing and Settlements

10. This section:
- (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);

- (ii) describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
- (iii) provides timetables for site preparation and transfer;
- (iv) describes the legal arrangements to regularize tenure and transfer titles to resettled persons;
- (v) outlines measures to assist displaced persons with their transfer and establishment at new sites;
- (vi) describes plans to provide civic infrastructure; and
- (vii) explains how integration with host populations will be carried out.

J. Income Restoration and Rehabilitation

11. This section:
- (i) identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources;
 - (ii) describes income restoration programs, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets);
 - (iii) outlines measures to provide social safety net through social insurance and/or project special funds;
 - (iv) describes special measures to support vulnerable groups;
 - (iv) explains gender considerations; and
 - (v) describes training programs.

K. Resettlement Budget and Financing Plan

12. This section:
- (i) provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation;
 - (ii) describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items);
 - (iii) includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs; and
 - (iv) includes information about the source of funding for the resettlement plan budget.

L. Institutional Arrangements

13. This section:
- (i) describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;
 - (ii) includes institutional capacity building program, including technical assistance, if required;
 - (iii) describes role of NGOs, if involved, and organizations of affected persons in resettlement planning and management; and
 - (iv) describes how women's groups will be involved in resettlement planning and management.

M. Implementation Schedule

14. This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

N. Monitoring and Reporting

15. This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.

SUGGESTED RESETTLEMENT INFORMATION LEAFLET

I. Background

1. Local Government Engineering Department (LGED) with the financial assistance of Asian Development Bank (ADB) is implementing Second City Region Development Project (Second CRDP) in selected city corporations, *pourashavas*, and urban centers in *upazilas* (districts) over a period of five years (2019 to 2024).

2. The Second City Region Development Project (Second CRDP) will support development in the city regions of Dhaka and Khulna by continuing and building upon infrastructure and capacity building initiatives implemented during the first City Region Development Project¹ funded by the ADB. The project will finance crucial infrastructure in urban and peri-urban areas needed to stimulate growth and improve livability in two densely populated rapidly growing city regions of Bangladesh. The project will also strengthen capacity for effective and sustainable project development, sustainable service delivery, and community awareness. The project will be implemented over a five-year period. Specifically, the project will support the (i) construction, upgrade and rehabilitation of selected Dhaka city region roads, bridges and culverts, including drainage; (ii) construction, upgrade and rehabilitation of drainage in Khulna city region, and (iii) development of a Khulna city corporation comprehensive solid waste management plan and small works.

II. Executing and Implementing Agencies

3. LGED is the executing agency of the project. The participating city corporations and *pourashavas* are the implementing agencies.

III. Project Safeguard Category as per ADB Safeguard Policy Statement, 2009

4. During project preparation stage, alignment and sites of proposed subprojects were assessed and results indicate that the Second CRPD is considered safeguard category B for involuntary resettlement, B for environment and C for tribes, minor races, ethnic sects and communities,².

5. Involuntary resettlement impacts due to the subproject are addressed in the resettlement plans prepared for each project municipality as per Government of Bangladesh's Acquisition and Requisition of Immovable Property Act, 2017 and ADB Safeguard Policy Statement (SPS), 2009. The resettlement plans will be updated during detailed design stage and will be disclosed to affected persons. In case of any discrepancy between the policies of ADB and the government, ADB SPS, 2009 will prevail.

6. A resettlement framework has been prepared to provide guidance in the updating the resettlement plans, and for preparation of new resettlement plans for subprojects to be identified after ADB board approval. The basic objectives of the resettlement framework are to: (i) guide the executing agency and implementing agencies in properly compensating project-displaced persons; (ii) serve as binding document to ensure displaced persons will be assisted and paid

¹ ADB. 2010. *People's Republic of Bangladesh: City Region Development Project*. Manila.

² Groups or population identified as Indigenous Peoples within the context of ADB's Safeguards Policy Statement will be referred to as *tribes, minor races, ethnic sects and communities*, in accordance with Government of Bangladesh directive.

compensation; and (iii) provide direction in preparing, implementing, and monitoring the resettlement plans. The executing agency and the implementing agencies will be responsible for ensuring the preparation and implementation of resettlement plans is consistent with this resettlement framework. The resettlement framework is a formally agreed document between Government of Bangladesh and ADB.

IV. Involuntary Resettlement Impacts

7. The Second CRPD considers involuntary resettlement³ due to physical and economic displacement as a result of (i) involuntary acquisition of land, or involuntary restrictions on land use or on access to legally designated parks and protected areas; (ii) permanent or temporary displacement; (iii) full or partial displacement; (iv) all affected persons with land to be affected permanently or temporarily due to any project activity, including purchase and temporary use during construction.

V. Eligibility

8. Affected persons are those who are physically relocated, or lose residential land, or shelter and/or economically displaced (with loss of structure, assets, access to assets, income sources, or means of livelihood). The absence of formal and legal title to the land should not prevent the AP to receive compensation and resettlement assistance from the project.

9. The Second CRPD will recognize three types of displaced persons, including: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The budgetary provision of will specified in each resettlement plan.

VI. Entitlement

10. The entitlement matrix (Table 2 of the resettlement framework and also included in each resettlement plan) summarizes the main types of losses and the corresponding nature and scope of entitlements in accordance with government and ADB policies. Where the entitlement matrix does not cover a particular impact, it can be enhanced in the resettlement plans based on the findings of the socioeconomic assessment and detailed census survey. Standards described will not be lowered but can be enhanced in the subproject resettlement plans as required.

11. The entitlement matrix specifies that any displaced person will be entitled to (i) compensation for loss of land at the replacement cost; (ii) compensation for loss of structure (residential/commercial) and other immovable assets at their replacement cost (without counting the depreciation value); (iii) compensation for loss of business/wage income; (iv) assistance for shifting of structure; (v) rebuilding and/or restoration of community resources/facilities; and (vi) livelihood/ transitional cash assistance.

³ ADB SPS, 2009 considers resettlement involuntary when the displaced persons have no right to refuse the land acquisition by the state that result in their displacement. This occurs when land is acquired through (i) expropriation by invoking the eminent domain power of the state, or (ii) land is acquired through negotiated settlement when the pricing is negotiated in a process where expropriation will be the consequence of a failure in the negotiation.

VII. Institutional Arrangement

12. A project management coordination unit (PMCU) has been established in LGED headed by a project director from LGED. The PMCU will be staffed by a safeguard officer to oversee safeguards implementation and monitoring of the project. The PMCU will be responsible for implementing and monitoring safeguards compliance activities, public relations activities, gender mainstreaming activities, and community participation activities. The participating city corporation/*pourashava* will establish a project implementation unit (PIU) within the city corporation/*pourashava* structure. The PIUs will each designate a safeguard focal person. Consultant teams (preparation, design and supervision consultants [PDSC] and institutional and community capacity development consultants [ICCDC]) have been engaged to provide assistance to PMCU and PIUs. PDSC will have two national resettlement specialists.

13. The contractor/s will be required to designate a resettlement supervisor to (i) ensure compliance with resettlement plan and resettlement framework during civil works, and to (ii) carry out all mitigation and monitoring measures outlined in the environmental management plan and their contract. Contractor/s will be required to repair/ rehabilitate damaged properties to pre-work condition or compensate properties which cannot be repaired/ rehabilitated.

VIII. Grievance Redress Mechanism

14. A project-specific grievance redress mechanism (GRM) will be established in each PIU to receive, evaluate, and facilitate the resolution of AP's concerns, complaints, and grievances about the social and environmental performance at the level of the project. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project.

15. City corporation/*pourashava*-wide public awareness campaigns will ensure that awareness on grievance redress procedures is generated through the campaign. The PIU designated safeguard focal person will conduct awareness campaigns to ensure that poor and vulnerable households are made aware of grievance redress procedures and entitlements and will work with the PMCU and PDSC to help ensure that their grievances are addressed.

16. Affected persons will have the flexibility of conveying grievances/suggestions by dropping grievance redress/suggestion forms in complaints/suggestion boxes that have already been installed by city corporations/*pourashavas* or through telephone hotlines at accessible locations, by e-mail, by post, or by writing in a complaint register in city corporations/*pourashavas* offices.

17. In the event that the established GRM is not in a position to resolve the issue, the affected person also can use the ADB Accountability Mechanism through directly contacting (in writing) the Complaint Receiving Officer at ADB headquarters or the ADB Bangladesh Resident Mission. The complaint can be submitted in any of the official languages of ADB's Developing Member Countries. The ADB Accountability Mechanism information will be included in the Project Information Document to be distributed to the affected communities, as part of the project GRM.

IX. Disclosure

18. The project resettlement framework and other relevant documents will be made available at public locations in the city corporation/*pourashava* and posted on the websites of LGED and ADB. The consultation process will be continued and expanded during the project implementation

to ensure stakeholders participate fully in project execution, as well as to implement comprehensive information, education, and communication plan.

19. Public consultation and disclosure with all interested and affected parties will remain a continuous process throughout the project implementation, and shall include the following:

- (i) consultations during detailed design stage: (a) public meetings with affected communities to present final design and alignment of the components; (b) smaller-scale meetings with affected persons to discuss involuntary resettlement impacts and resettlement plan implementation;
- (ii) consultations during construction phase: (a) public meetings with affected communities to discuss and plan work programs and allow issues to be raised and addressed once construction has started; and (b) smaller-scale meetings to discuss and plan construction work with individual communities to reduce disturbance and other impacts, and to provide a mechanism through which stakeholders can participate in project monitoring and evaluation; and
- (iii) project disclosure: (a) public information campaigns (via flyers, billboards, and local media) to explain the project to the wider city population and prepare them for disruptions they may experience once construction is underway; (b) public disclosure meetings at key project stages to inform the public of progress and future plans, and to provide copies of summary documents in local language; (c) formal disclosure of completed project reports by making copies available at convenient locations in the study areas, and informing the public of their availability; and (d) providing a mechanism through which comments can be made.

20. A consultation and participation plan is prepared for the project. Consultation activities will be coordinated by the PMU, PIU and consultant teams to ensure that the communities are fully aware of the activities at all stages of the project implementation.

21. To provide for more transparency in planning and for further active involvement of affected persons and other stakeholders, relevant information from this resettlement plan will be translated to Bangla made available at (i) offices of LGED and city corporations/*pourashavas*; (ii) area offices; (iii) consultant teams' offices; and (iv) contractor's campsites. It will be ensured that the hard copies of this resettlement plan are kept at places which are conveniently accessible to people, as a means to disclose the document and at the same time creating wider public awareness. An electronic version of this resettlement plan will be placed in the official website of LGED and city corporation/*pourashava*, and ADB's website after approval of the resettlement plan by ADB.

X. Monitoring and Reporting

22. **Internal monitoring.** The internal monitoring by PMCU and PIUs will include: (i) administrative monitoring to ensure that all compensation as per resettlement plan is paid, implementation is on schedule, and problems/grievances are dealt with on a timely basis; (ii) socioeconomic monitoring during and after the relocation process to ensure that people are settled and are better off at the new locations; and (iii) overall monitoring as to whether recovery has taken place successfully and on time.

23. **External monitoring.** ADB requires that the borrower retain qualified and experienced external experts to verify monitoring information for projects with significant impacts and risks. An external resettlement monitoring expert will be engaged by the PMU to undertake resettlement monitoring and evaluation during resettlement plan implementation.

24. **Reporting.** The PIUs will submit monthly progress reports to PMCU. The PMCU will review and send semi-annual monitoring reports to ADB during the project implementation period.

SAMPLE GRIEVANCE REGISTRATION FORM

(To be available in Bangla and Other Local Language, if any)

The _____ Project welcomes complaints, suggestions, queries and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback.

Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing ***(CONFIDENTIAL)*** above your name. Thank you.

Date	Place of registration				
Contact Information/Personal Details					
Name		Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female	Age	
Home Address					
Village/ Town					
District					
Phone no.					
E-mail					
Complaint/Suggestion/Comment/Question Please provide the details (who, what, where and how) of your grievance below: If included as attachment/note/letter, please tick here:					
How do you want us to reach you for feedback or update on your comment/grievance?					

FOR OFFICIAL USE ONLY

Registered by: (Name of Official registering grievance)	
Mode of Communication: <input type="checkbox"/> Note/Letter <input type="checkbox"/> E-mail <input type="checkbox"/> Verbal/Telephonic	
Reviewed by: (Names/Positions of Official(s) reviewing grievance)	
Action Taken:	
Whether Action Taken Disclosed:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Means of Disclosure:	

Suggested Format for Record Keeping of Grievances

S. No.	Date of Receipt of Grievance	Name and Contact Details of Complainant	Description of Complaint	Nature of Complaint	Decisions Taken	Response Given to Complainant and Date	Whether Closed

TERMS OF REFERENCE FOR INDEPENDENT THIRD PARTY FOR NEGOTIATED PURCHASE OR VOLUNTARY LAND DONATION

1. For any voluntary donation of land, an external independent entity will supervise and document the consultation process and validate the negotiated purchase/land donation process as per legal requirement.

A. Terms of Reference for Independent Third-Party Witness

2. An independent third party is sought to be appointed to oversee and certify the process of negotiated purchase/land donation. The third party shall be briefed about his/her expected role and deliverables by the concerned project implementation unit (PIU).

3. **Eligibility.** The third party shall be a representative of the community (for example, a leader of the community with formal/legal standing, a representative of a local nongovernment organization (NGO)/community-based organization (CBO) with formal and legal standing) or an institution, without any direct interest in the negotiation process or subproject activity, who is acceptable to each of the concerned parties (PIU/project management unit or PMU and concerned land owner/donor).

4. **Scope of work.** The role of the third party shall be to ensure a fair and transparent process of negotiation/donation. The envisaged scope: of work shall entail the following:

- (i) witness and keep a record of meetings held with the concerned parties;
- (ii) ensure there is no coercion involved in the process of negotiated purchase/land donation;
- (iii) ensure that the donor(s) are not coming from vulnerable groups/poor families;
- (iv) ensure that the preferences and concerns of the land owner/donor related to access, selection of site within lands held, etc. are recorded and any stipulated conditions met;
- (v) ensure that the negotiated purchase/land donation agreement is drafted in a fair and transparent manner;
- (vi) confirm that the offered/agreed price is fair and meet the market price of the land with similar value and condition in the area;
- (vii) ensure the negotiated purchase/donation does not result any negative impacts to the third party associated with the purchase/donation activity;
- (viii) identify and recommend mitigation measures to land owner/donor/affected third party, if required;
- (ix) ensure that taxes, stamp duties and registration fees for purchased/donated land are borne by government; and
- (x) submit a report and signed certificate as witness to the purchase/donation and transfer process.

5. **Deliverables.** The details of the meetings, socioeconomic background of the land/assets owner(s) and a certificate/reports as witness to the purchase/donation process and mitigation measures to owner/donor, if any, shall be submitted by the third party to PMU, PIU and owner/donor in the local language and share with ADB for review.

INDICATIVE TERMS OF REFERENCE FOR RESETTLEMENT SPECIALISTS

A. Preparation, Design and Supervision Consultants

1. Resettlement Specialists (National)

1. **Experience.** Master's in Planning/Social Sciences with at least eight years' experience in design of resettlement plans and framework and experience in implementing resettlement plans as part of donor supported projects, preferably with the ADB. The specialist should be conversant with laws relating to land acquisition, state procedures in implementation of resettlement packages and ADB procedures.

2. Detailed Tasks.

- (i) Update existing resettlement plans for sample subprojects during detailed design stage in accordance with resettlement framework;
- (ii) Prepare a new resettlement plan in accordance with resettlement framework for future subprojects under sector loan approach under the Second City Region Development Project (Second CRDP) with detailed census surveys of affected persons. Use existing resettlement plans as a guide for developing new resettlement plans;
- (iii) Establish dialogue with the affected communities and ensure that their concerns and suggestions are incorporated and implemented in the project;
- (iv) Submit all draft resettlement plans to ADB for review and clearance before contract award;
- (v) Work closely with the project management and coordination unit (PMCU) and project implementation unit (PIU) resettlement officer to implement the resettlement plans. For resettlement plan implementation, the consultant will be specifically responsible for implementation of proposed compensation, rehabilitation, and income restoration measures, consultations with displaced persons during rehabilitation activities, and assisting in grievance redress;
- (vi) Coordinate valuation by the valuation committees in close consultation with displaced persons at Local Land Registry Office level to finalize the compensation packages;
- (vii) Guide PIU resettlement officers in providing identification cards to affected persons. Ensure smooth provision of entitlements under each resettlement plan to affected persons;
- (viii) Provide required training (in-house and on-the-job) to the enumerators and surveyors to carry out the census survey and work closely with the PMCU/PIU resettlement officer to involve them in the project planning from the initial period.
- (ix) Ensure compliance with all Government rules and regulations and ensure the resettlement plan is in compliance with ADB's Safeguard Policy Statement (SPS), 2009;
- (x) Lead community consultation during design phase of components and as part of the preparation of the resettlement plan;
- (xi) Coordinate monitoring of resettlement plan implementation including reporting.
- (xii) Assist PMCU/PIU and international resettlement consultant prepare monthly, quarterly, and semi-annual (or quarterly if Category A) environmental and social compliance reports for all works in accordance with the resettlement plan for each of the subprojects and the overall Project;

- (xiii) Assist the international Resettlement Specialist in resettlement training programs and workshops for the staff of the PIU and contractors and in accordance to the capacity building program; and
- (xiv) Facilitate in responding to any public grievances and keep the record of all grievances.

B. Resettlement Officer in Project Management and Coordination Unit and Project Implementation Unit Support Staff

1. Resettlement Officer – Project Management and Coordination Unit

3. The rehabilitation and resettlement specialist should have a master's degree in social science or equivalent and should have minimum ten years of relevant work experiences which include up-to-date knowledge of various social safeguards policies of Government of Bangladesh and ADB with specific importance to Land Acquisition and Resettlement. Experience in implementation of land acquisition procedure and resettlement activities will be preferred with specific experience in ADB funded project implementation or any other donor agency funded project will be desirable. Experience in similar activities in Bangladesh will be an added advantage.

4. Specific tasks and responsibilities of the Rehabilitation and Resettlement Officer will include the following:

- (i) responsible for overall planning, coordination and implementation of social safeguards and resettlement activities including land acquisition;
- (ii) Overall coordination in all social issues in the PMCU and ensuring that all subprojects comply with the Government and ADB social safeguards policy;
- (iii) Assist the PMCU in review of updated resettlement plans and new resettlement plans from the PIUs;
- (iv) Ensure the implementation of resettlement plans is consistent with the Government and ADB policies, and the Resettlement Framework agreed upon by the Government and ADB for all subprojects;
- (v) Provide necessary guidance in the classification, and development of all social safeguards documents to PIUs, including the provision of training in the development and implementation of resettlement plans;
- (vi) Coordinate valuation by the valuation committees and finalization of compensation packages;
- (vii) Review all classifications documents (resettlement plans) developed by PIUs and ensure comments from ADB are integrated in finalized documents;
- (viii) Coordinate monitoring of resettlement plan implementation including reporting.
- (ix) Supervise the preparation and updating of resettlement plans and Land Acquisition Plans for the additional subprojects;
- (x) Endorsement of resettlement plans and obtaining the approval from ADB.
- (xi) Responsible for internal project monitoring with review and finalization of monthly progress reports;
- (xii) Liaison with funding agency, executing agency for smooth functioning and implementation of social safeguards issues, i.e., land acquisition, resettlement, etc.;
- (xiii) Help the PMCU to make the necessary budgetary arrangements available in advance for the preparation, updating and implementation of resettlement plan; and
- (xiv) Will be responsible for addressing the grievance on a timely manner.

2. Resettlement Support Staff – Project Implementation Unit

5. The resettlement support staff should have a degree in Social science or equivalent and should have minimum five years of relevant work experience which include knowledge of various social safeguards policies of Government of Bangladesh with specific importance to land acquisition and resettlement. Experience in implementation of land acquisition procedure and resettlement activities will be preferred.

6. Specific tasks include the following:

- (i) Support the rehabilitation and resettlement officer at PMCU towards ensuring the conformance of the subproject to the social safeguards requirements including preparation and updating of required document (resettlement plan);
- (ii) Work closely with the engineering team at PIU as well as the PDSC engineer in minimizing the land acquisition and involuntary resettlement in the subproject and select the subproject site based on the standard selection criteria as mentioned in the resettlement framework for Second CRDP;
- (iii) Carry out close consultation with affected people and ensure that all the stakeholders are involved in the project activities, such as planning and implementation of the project;
- (iv) Work with the PDSC Social Development and resettlement Specialists in the preparation of the social safeguards documents;
- (v) Collect necessary data related to land status and work closely with the PDSC national expert for carrying out the Detailed Measurement Survey and census survey;
- (vi) Preparation and updating of resettlement Plans and Land Acquisition Plans for sub projects;
- (vii) Work closely with all the stakeholders including the displaced persons to address all the grievance on time and keep the records of all the grievance;
- (viii) Liaise with the local relevant government departments for finding alternate site for relocation (where needed);
- (ix) Provide input to the PMCU officer on progress of the implementation of resettlement plan and internal project monitoring progress report;
- (x) Responsible for smooth functioning of resettlement and rehabilitation (R&R) activities and implementation of resettlement plan;
- (xi) Liaise with funding agency, executing agency for smooth functioning and implementation of social safeguards issues, i.e., land acquisition, resettlement, etc.;
- (xii) Work closely with the PIU resettlement specialist, with the DMSC's safeguards specialist and with relevant government organization to set the compensation option;
- (xiii) Carry out close consultation with the affected people and be responsible for disclosure of the resettlement plans at various project locations;
- (xiv) Will be responsible for all the field level activities required for updating, preparation, and implementation and monitoring of resettlement plans in all the subprojects; and
- (xv) Will be responsible for addressing the grievance at subproject level and keeping the records of the grievance. Responsibility will include promptly making the PMCU aware about the grievance and helping the stakeholders participate in the grievance redress mechanism.

MONITORING INDICATORS AND SAMPLE STATUS REPORT

S. No.	Resettlement and Rehabilitation Activities	Progress	Remarks
Pre-Construction Activities and R&R Activities			
1	Assessment of Resettlement impacts due to changes in project design (If required)		
2	Preparation/ updating of resettlement plan based on changes in project design		
3	Approval of updated resettlement plan from ADB		
4	Disclosure of updated resettlement plan		
5	Establishment of Grievance Redress Committee		
6	Capacity building of PIU		
	Verification of displaced persons Census list; assessment on compensation and assistance, and readjustment		
7	Land Acquisition		
Resettlement plan Implementation			
1	Payment of Compensation as per replacement value of land and assets to displaced persons		
2	Disbursement of assistance to title holders		
3	Disbursement of assistance to non-title holders		
4	Disbursement of special assistance to Vulnerable groups		
5	Replacement/ shifting of community property resources		
6	Reinstallation of public utilities		
7	Records of Grievance Redressal		
8	Temporary Relocation of Hawkers and Vendors		
9	Income Restoration Measures through training		
Social Measures during Construction as per Contract Provisions			
1	Prohibition of employment or use of children as labor		
2	Prohibition of Forced or Compulsory Labor		
3	Ensure equal pay for equal work to both men and women		
4	Implementation of all statutory provisions on labor like health, safety, welfare, sanitation, and working conditions		
5	Maintenance of employment records of workers		

ADB = Asian Development Bank, PIU = project implementation unit, R&R = resettlement and rehabilitation.

OUTLINE OF SOCIAL SAFEGUARDS MONITORING REPORT DURING PROJECT IMPLEMENTATION PERIOD

1. Following the requirements of the ADB Safeguard Policy Statement (2009) and the Operations Manual section on safeguard policy (OM F1), borrowers/clients are required to establish and maintain procedures to monitor the status of implementation of safeguard plans and ensure progress is made toward the desired outcomes. For projects categorized as A or B in Involuntary Resettlement and/or Indigenous People, the Borrowers/clients are required to submit semiannual monitoring reports for ADB review. The level of detail and comprehensiveness of a monitoring report is commensurate with the complexity and significance of social safeguards impacts (involuntary resettlement and tribes, minor races, ethnic sects and communities,¹) and with the current status of project implementation phase.

2. This outline can be used for periodic monitoring report (semiannual) and resettlement plan/IPP completion report to start the civil works in the impacted areas. A safeguard monitoring report may include the following elements:

A. Executive Summary

3. This section provides a concise statement of project scope and impacts, key findings and recommended actions.

B. Background of the Report and Project Description

4. This section provides a general description of the project, including:
- (i) Background/context of the monitoring report which includes the information on the project, project components, safeguards categorizations and general scope of the social safeguards impacts;
 - (ii) Information on the implementation progress of the project activities, scope of monitoring report and requirements, reporting period, including frequency of submission and changes in project scope and adjusted safeguard measures, if applicable; and
 - (iii) Summary table of identified impacts and the mitigation actions.

C. Scope of Impacts

5. This section outlines the detail of:
- (i) Scale and scopes of the project's safeguards impacts;
 - (ii) Vulnerability status of the affected people/communities; and
 - (iii) Entitlements matrix and other rehabilitation measures, as applicable, as described in the approved final resettlement plan(s) /IPP(s).

D. Compensation and Rehabilitation²

6. This section describes the process and progress of the implementation of the safeguards plan and other required activities as determined in the plan. This includes:

¹ Groups or population identified as Indigenous Peoples within the context of ADB's Safeguards Policy Statement will be referred to as *tribes, minor races, ethnic sects and communities*, in accordance with Government of Bangladesh directive.

² Depending on the status of the final detail design during the submission of the report this activity might not yet started. Provide the information on the expected date the activity to be conducted instead.

- (i) Payment of the affected assets compensation, allowances, loss of incomes, etc. to the entitled persons; and
- (ii) Provisions of other types of entitlement as described in the matrix and implementation of livelihood rehabilitation activities as determined in the plan. Quantitative as well as qualitative results of the monitoring parameters, as agreed in the plan, should be provided.

E. Public participation and consultation

7. This section describes public participation and consultations activities during the project implementation as agreed in the plan. This includes final consultations with affected persons during resettlement plan finalization after the completion of detail design; the numbers of activities conducted; issues raised during consultations and responses provided by the project team, implementing NGOs, project supervision consultants, contractors, etc.

F. Grievance Redress Mechanism

8. This section described the implementation of project grievance redress mechanism (GRM) as design in the approved resettlement plan. This includes evaluations of its effectiveness, procedures, complaints receive, timeliness to resolve issues/complaints and resources provided to solve the complaints. Special attentions should be given if there are complaints received from the affected people or communities.

G. Institutional Arrangement

9. This section describes the actual implementation, or any adjustment made to the institutional arrangement for managing the social safeguards issues in the projects. This includes the establishment of safeguards unit/ team and appointment of staff in the executive agency/implementation agency; implementation of the GRM and its committee; supervision and coordination between institutions involved in the management and monitoring of safeguards issues, the roles of NGO and women's groups in the monitoring and implementation of the plan, if any.

H. Monitoring Results – Findings

10. This section describes the summary and key findings of the monitoring activities. The results are compared against previously established benchmarks and compliance status (e.g., adequacy of involuntary resettlement compensation rates and timeliness of payments, adequacy and timeliness of involuntary resettlement rehabilitation measures including serviced housing sites, house reconstruction, livelihood support measures, and training; budget for implementing environmental management plan (EMP), resettlement plan, or IPP, timeliness and adequacy of capacity building, etc.). It also compared against the objectives of safeguards or desired outcomes documented (e.g., involuntary resettlement impacts avoided or minimized; livelihood restored or enhanced; tribes, minor races, ethnic sects and communities' (Indigenous People's) identity, human right, livelihood systems and cultural uniqueness fully respected; tribes, minor races, ethnic sects and communities not suffer adverse impacts, environmental impacts avoided or minimized, etc.). For FI projects this includes the effectiveness of the Environmental and Social Management System (ESMS) managed by the FI and its participating institutions.³ If

³ Specific for the FI projects, external agency may be required to conduct an audit of the project ESMS.

noncompliance or any major gaps identified, include the recommendation of corrective action plan.

I. Compliance Status

11. This section will summarize the compliance status of the project activities with the loan covenants, ADB SPS, 2009 on Safeguard Requirement 2 and the approved final resettlement plan(s).

J. Follow up Actions, Recommendation and Disclosure

12. This section describes recommendations and further actions or items to focus on for the remaining monitoring period. It also includes lesson learned for improvement for future safeguards monitoring activities. Disclosure dates of the monitoring report to the affected communities should also be included. A time-bound summary table for required actions should be included.