

**Resilient Infrastructure for Adaptation and Vulnerability Reduction (RIVER)**

# **RESETTLEMENT POLICY FRAMEWORK (RPF)**

**(DRAFT)**

**Local Government Engineering Department (LGED)**

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## ABBREVIATIONS

AP	Affected Person
ARAP	Abbreviated Resettlement Action Plan
ARIPA 2017	Acquisition and Requisition of Immovable Property Act, 2017
CBO	Community Based Organization
CCL	Cash Compensation under Law
CIO	Chief Implementation Officer
CPD	Continuous Professional Development
CPR	Common Property Resources
DDR	Due Diligence Report
EA	Executing Agency
ED	Executive Director
EHS	Environmental Health and Safety
ESS	Environmental and Social Standards
ESF	Environmental and Social Framework
ESMP	Environmental and Social Management Plan
EP	Entitled Person
FGD	Focus Group Discussion
GoB	Government of Bangladesh
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GRS	Grievance Redress System
GBV	Gender Based Violence
IA	Implementing Agency
IoL	Inventory of Losses
IP	Indigenous Peoples
IPP	Indigenous People Plan
IPDP	Indigenous Peoples Development Plan
IPPF	Indigenous Peoples Planning Framework
IPF	Investment Project Financing
IVC	Inventory Verification Committee
IQAC	Institutional Quality Assurance Cell
LMP	Labor Management Plan
M&E	Monitoring and Evaluation
NGO	Non-Governmental Organizations
PAH	Project Affected Households
PAP	Project Affected Persons
PAI	Project Area of Influence
PAVC	Property Assessment and Valuation Committee
PD	Project Director
PIU	Project Implementation Unit
PMO	Project Management Office
PMU	Project Management Unit
PPR	Public Procurement Rule
PSC	Project Steering Committee
PVAC	Property Valuation Advisory Committee
RAC	Relocation Advisory Committee
RAP	Resettlement Action Plan
RCS	Replacement Cost Study
RPF	Resettlement Policy Framework
ROW	Right of Way
RV	Replacement Value
SES	Socio-economic survey
SEP	Stakeholder Engagement Plan
TOR	Terms of Reference
TTO	Technology Transfer Offices
VLD	Voluntary Land Donation
WB	World Bank
WBG	World Bank Group

## Glossary

**“Associated Facilities”** means facilities or activities that are not funded as part of the project but are: (a) directly and significantly related to the project; and (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist.

**“Census”** is a complete count of the population affected by a project activity including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

**“Cut-off date”** is the date by which PAPs and their affected assets, as relevant, have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.

**“Involuntary resettlement”** means the involuntary taking of land resulting in direct economic and social impacts caused by the involuntary taking of land resulting in relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether or not the PAP has moved to another location and causes adverse impacts on the livelihoods of the displaced persons due to Involuntary restriction of access to legally designated parks and protected areas.

**“Land acquisition”** refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.

**“Livelihood”** refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

**“Negotiated settlements”** refers to situations where the Borrower needs to acquire specific land or restrict its use for project purposes, but rather than doing so through an expropriation proceeding, the Borrower first tries to arrive at a mutually agreeable negotiated settlement with the landowner/user.

**“Project affected persons” (PAPs)** means persons who are impacted by involuntary resettlement as defined below.

**“Replacement cost (RC)”** is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for

determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

**“Resettlement Action Plan (RAP)”** is a resettlement instrument (document) to be prepared when subproject locations are identified. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.

**“Resettlement Assistance”** means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.

**“Restrictions on land use”** refers to limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones.

**“Security of tenure”** means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

**“Voluntary Land Donation”** means communities or individuals may agree to voluntarily provide land for sub-projects for desired community benefits with “informed consent and power of choice”.

**Informed consent** means the people involved are fully knowledgeable about the project and its implications and consequences and freely agree to participate in the project. Power of choice refers to the people involved have option to agree or disagree, without adverse consequences imposed formally or informally by others.

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# Executive Summary

## Introduction

This Resettlement Policy Framework (RPF) is prepared for the Resilient Infrastructure for Adaptation and Vulnerability Reduction (RIVER) by Local Government Engineering Division (LGED) of the Ministry of Local Government, Rural Development and Co-operatives (MoLGRDC) in accordance with Government of Bangladesh's (GoB) legal policy and World Bank's Environmental and Social Framework, specifically ESS-5 on Land Acquisition, Restrictions on Land and Involuntary Resettlement.

The purpose of this RPF is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects and/or project components to be prepared during project implementation. All the major and minor construction related activities is expected to be conducted within the boundary of public land. Land acquisition cases will be screened out through a negative list. However, there may be cases of presence of informal settlers in public land. The RPF address these impacts on informal settlers to guide the Implementing Agency (IA) prepare Resettlement Action Plan (RAP), if required. For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions. Locations of specific civil works/ sites for flood shelters are not known yet. Once the individual civil works locations are defined and the necessary information becomes available, this framework will be expanded into one or more specific Resettlement Action Plan/s (RAP/s) proportionate to potential risks and impacts. No physical and/or economic displacement will occur until plans required by ESS5 have been finalized and approved by the Bank.

## Land Related Risk and Impacts

No private land will be acquired for the project. However, the following risks may materialize in the project:

Informal settlers may be present in the public land who needs to be resettled. They will not be compensated for land but their structures and corps on public land. Forced eviction of informal settlers must be avoided.

Temporary land may be required for labor rest areas, keeping construction materials etc. For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.

## Legal and policy principles governing land acquisition and requisition

The project will only include use of public land and hence laws and regulations for temporary land requisition, and those that address informal settler issues will be cited.

**Land Acquisition and Requisition.** The Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing eminent domain for land acquisition and requisition in Bangladesh. ARIPA 2017, detailed the land acquisition process from section 4 to section 19 and **land requisition** process from section 20 to section 28. World Bank's ESS5 also address the issue of temporary land requisition.



**Informal Settlers.** ESS5 covers the resettlement of informal settlers and their compensation for assets other than land. ARIPA 2017 does not cover issues of informal settlers.

### **Entitlement and eligibility criteria**

All PAPs including non-titled or informal settlers will be compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income. For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.

The informal settlers and other PAPs who are entitled to compensation under the Project include:

- Whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

### **Grievance Redress Mechanism**

A GRM to address the issues of informal settlers must be in place to redress grievances of people who may be harmed due to project land requisition or resettlement. As experienced in past projects, complaints and grievances may range from disputes over ownership and assets missed by censuses, the valuation of affected assets, compensation entitlements, complains against noise, pollution, accident, GBV/SEA/SH etc. In view of this, the IA has established a procedure to deal with and resolve any queries as well as address complaints and grievances about any irregularities in the application of the guidelines adopted in this RPF through grievance redress mechanism (GRM). The GRM will deal with complaints and grievances related to land issues. Grievance redress committees (GRC) will be formed to receive and resolve complaints as well as grievances from aggrieved persons from the local stakeholders including the project-affected persons.

### **Institutional and implementation arrangements**

The overall responsibility for the Project implementation would lie with the Local Government Engineering Department (LGED) of MoLGRDC. LGED will be the project holder and responsible for managing the E&S risks of the project, including implementation of the RPF and GRM.

The Deputy Project Director at Head Office will function as the Chief Resettlement Officer (CRO). The CRO will have overall responsibility relating to informal settlers' resettlement and rehabilitation policy guidance, coordination, planning, monitoring and reporting. Secretarial Staffs at Head Office will assist the CRO. At the field level, the CRO will be assisted by local committees.

Besides, an NGO will be appointed for the implementation of resettlement plan. An external monitor will be also hired for the project to ensure proper monitoring of environmental and social management plan implementation.

## **Tentative Budget**

A tentative budget is proposed below, which may be changed/updated once the RAP is being prepared. This budget does not include the cost of informal settler resettlement, if any.

Items	Man-month	Total (in USD)	
		Project budget	Main
Senior Social Development with resettlement experience	24		
Consulting firm for RAP preparation, if required	Lump-sum	20,000	
RAP Implementing Agency (NGO/consulting firm)	Lump-sum	30,000	
External Monitor	24 months over the period of 5 years	10,000	
Capacity Building for PSC, PIU, NGO/consulting firm and relevant government agencies	Lump-sum	10,000	
Grievance handling cost	Lump-sum	10,000	
Cost of land informal settler resettlement	Unknown at this stage as land impact yet to be identified		

## **Monitoring**

The IA will be responsible for the overall coordination and supervision of the land issues and for reporting the results and the process followed for implementation of project activities to the Bank. The IA will also appoint a Monitoring and Evaluation (M&E) Consultancy Firm who will provide support in monitoring project progress and associated impacts in the project areas. In addition to that, the implementation of the social and environmental management plans, including RPF and RAP will also be supervised by the firm. Affected persons will be consulted during the monitoring process. Periodic monitoring reports will be prepared, and affected persons will be informed about monitoring results in a timely manner.

# Chapter 1: Introduction and Project Description

## 1.1 Introduction

This Resettlement Policy Framework (RPF) is prepared for the Resilient Infrastructure for Adaptation and Vulnerability Reduction (RIVER) by Local Government Engineering Division (LGED) of the Ministry of Local Government, Rural Development and Co-operatives (MoLGRDC) in accordance with Government of Bangladesh's (GoB) legal policy and World Bank's Environmental and Social Framework, specifically ESS-5 on Land Acquisition, Restrictions on Land and Involuntary Resettlement.

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The RPF provides policies and procedures to determine requirements of the World Bank's ESS 5 to assess potential risks and impacts, to identify detailed steps to develop appropriate mitigation measures, including mitigation and compensation for the impact caused under the project. Specifically, the RPF covers the following:

- Reviews the existing national legal and regulatory framework of Bangladesh (ARIPA 2017) and compares it with World Bank's ESS 5 on informal settlers' compensation and resettlement.
- Describes and defines the process for preparing RAP/s, cut-off dates valuation process of impacted assets/ properties etc.
- Provides the principles and methods to be used in valuation of loses, and a description of eligibility and entitlements.
- Identifies the consultation mechanism and approaches to be adopted while preparing and implementing RAPs including public disclosure.
- Describes and defines monitoring and evaluation arrangement and roles and responsibilities of different stakeholders.
- Outlines the legal framework, eligibility criteria of displaced population, valuation methodology, compensation provision, and entitlement matrix and implementation process.
- Outlines implementation arrangement including schedule and grievance redress mechanism
- Outlines principles and objectives governing resettlement preparation and implementation

- Capacity development of the related stakeholders including MoLGRDC, LGED, other related government agencies and local industries to identify the impacts and manage the related risks in accordance with ESS 5.

## 1.2 Project description and components

The project development objective (PDO) is to reduce the vulnerability of people in targeted communities to riverine and flash floods, improve the country's capacity in disaster preparedness and response, and respond promptly in the event of an eligible crisis or emergency. The Project has four components. The project components and sub-components as summarized at **Table 01** to understand the potential impacts recognized under ESS5 of the World Bank.

Table 01: Key Activities of Component/Subcomponent

Component/Sub-component	Key Activities	Implication for the Project
<b>COMPONENT 1: Resilient Flood Shelters and Community Infrastructure</b>		
<b>1.A: Resilient Flood Shelters</b>	Following the successful experience of cyclone shelters in the coast, flood shelters will be built to replace existing primary school buildings in poor condition in flood prone areas, avoiding the need for land acquisition or resettlement to provide a safe haven from floods. The flood shelters will be multipurpose, functioning primarily as primary schools. Additionally, the open land area of the school will be raised above the flood level by filling with suitable earth and compacting mechanically.	Will require minor scale civil constructions within the public land. Locations are unknown and may foresee implication of ESS5. Land acquisition will be screened out and may need informal settler resettlement
<b>1.B: Resilient Community Infrastructure</b>	This sub-component options include (i) rehabilitation and construction of all-weather climate resilient community access and evacuation roads to increase readiness and resilience to natural hazard events, including associated storm-water drainage network and slope protective works to reduce the risk of wave action during flood; (ii) construction of climate resilient culverts and bridges (aligned with the storm water drainage network) to drain the increased surface run-off from extreme precipitation and flooding; (iii) repair, rehabilitation and construction of climate resilient rural markets including elevated platform above flood level and resilient superstructure to withstand the impact of high wind; (iv) repair and rehabilitation of existing landing stages (river jetties) to provide anchorage to fishing and other boats during floods and high winds; (v) installation of solar powered street lights to improve energy efficiency, and increase public safety, particularly for woman and children; (vi) installation of lightning protection systems to reduce vulnerability to lightning strikes resulting from extreme hydro-metrological events; and (vii) supporting social afforestation activities to reduce the effects of climate change including nature-based solutions such as planting trees, plants and grass to reinforce soil and reduce surface run-off.	Will require minor scale civil constructions within the public land. Locations are unknown and may foresee implication of ESS5. Land acquisition will be screened out and may need informal settler resettlement.
<b>COMPONENT 2: Strengthening Capacity for Disaster Preparedness and Response and Technical Assistance</b>		
<b>2.A: Strengthening LGED's Capacity for Disaster</b>	This subcomponent will contribute to build LGED's capacity to systematically respond to climate vulnerabilities and natural disasters by investing in personnel, facilities, equipment and	Currently this sub-component does not

Component/Sub-component	Key Activities	Implication for the Project
<b>Preparedness and Response</b>	information technology to enhance emergency preparedness and response systems.	foresee any implication for ESS5
<b>2.B: Technical Assistance for Long-Term Community Flood Resilience</b>	This subcomponent will finance goods and services to improve the capacity of communities to prepare for, withstand, and recover from floods. It seeks to support communities with enhanced risk understanding and knowledge of short-term preparedness measures for self-protection, which carry the potential to significantly reduce disaster response time and establish awareness necessary to build resilience. This will involve Community-Based Disaster Risk Management (CBDRM) interventions with organizations that work at the community level, such as UDMCs.	Currently this sub-component does not foresee any implication for ESS5
<b>COMPONENT 3: Project Management, Design and Supervision, Monitoring and Evaluation</b> This component will support the Government in implementing the project, and in coordinating all project related activities, monitoring, technical assistance, and training. It will include: (i) establishment of a Project Implementation Unit (PIU) within the Local Government Engineering Department, and consultancy and technical assistance for construction detailed design, procurement support, and construction supervision, preparation and implementation of safeguard instruments; (ii) capacity development of the PIU and communities in participatory planning and investment; (iii) monitoring and evaluation; and (iv) technical assistance and training in such areas as disaster management and preparedness, climate change adaptation and mitigation, construction, contract management, financial management, preparation of environmental and social assessments, and preparation of safeguard instruments. <b>Currently this sub- component does not foresee any implication for ESS5.</b>		
<b>Component 4: Contingent Emergency Response Component (CERC)</b> This contingent emergency response component is included under the project for situations requiring urgent need for assistance. A zero-value component has been included to ensure that these funds can be deployed through the project. <b>Currently this sub- component does not foresee any implication for ESS5.</b>		

### 1.3 Project Location

The project area covers the most highly flood-prone districts in the Teesta-Brahmaputra-Jamuna (Nilpamari, Lalmonirhat, Kurigram, Rangpur, Gaibandha, Bogura, Pabna, Sirajganj), Padma (Rajbari, Faridpur, Gopalganj, Madaripur), and Surma-Meghna river systems in the North East (Sunamganj, Habiganj). The project area is spread over fourteen districts of Bangladesh, which fall in four different administrative Divisions of the country. All the project districts under Rangpur division fall in Tista floodplain, with high to medium high land coverage. All the districts in Dhaka Division are physiographically the part of Ganges floodplain, while the two districts in Sylhet Division falls in Sylhet Basin and partly in Old Meghan Estuarine Floodplain. Among the districts, Rangpur is crisscrossed by the river Donai, Ghagat, Tista, and Brahmaputra-Jamuna, while Karatoya flows through the district Bogura, and the hydrology of Faridpur district is largely dependent on the flows of river-Padma, Kumar, Arial Khan and Banar. Pabna sees the presence of two mighty river system-Ganges-Padma and Brahmaputra-Jamuna. All these rivers contribute in replenishing the groundwater reserves in the districts as well as maintaining the total water budgeting that has a tremendous effect on local agricultural yields. Sunamganj, among all the 14 project districts is very rich in terms of having presence of large number of standing water bodies, especially haors and Beels, including Tanguar Haor, Kahabil Matin Haor, Banuar Haor and Sanir Haor. Habiganj also has got many of such kind of water bodies. Among the 14 project districts, highest number of population live in Sirajgonj, and the population density is highest in Sirajgong as per Population Census of 2011. Madaripur, Nilphamari and Rangpur are the three major densely populated districts after Sirajgonj. However, Sunamgonj is the least densely populated district, followed by Kurigram. A large areas in Sunamgonj is occupied by a large numbers of haors, which narrows down the

habitable places in Sunamgonj. Sirajgonj, being located close to the capital and having large urban population across the district, gets top ranking in educational attainment among all 14 districts. However, Lalmonirhat and Gaibandha also have very high literacy rate, more than 60%; though Lalmonirhat got much lesser number of schools than many other districts. Sunamgonj got the lowest literacy rate, followed by Habiganj.

The civil and related physical works will include following activities, the locations of which are yet to be determined:

- Construction of flood shelters in existing primary schools. The shelters will be equipped with adequate community latrines to be usable throughout the year including during floods. The premises will also be equipped with other WASH facilities including water supply systems

- The open land area of the school will be raised above the flood level by filling with suitable earth and compacting mechanically

- Rehabilitation and construction of all-weather climate resilient community access and evacuation roads to increase readiness and resilience to natural hazard events

- Construction of climate resilient culverts and bridges to drain the increased surface run-off from extreme precipitation and flooding

- Repair, rehabilitation and construction of climate resilient rural markets including elevated platform above flood level and resilient superstructure to withstand the impact of high wind\

- Repair and rehabilitation of existing landing stages (river jetties) to provide anchorage to fishing and other boats during floods and high winds

- Installation of solar powered street lights to improve energy efficiency, and increase public safety, particularly for woman and children

- Installation of lightning protection systems to reduce vulnerability to lightning strikes resulting from extreme hydro-metrological events

- Supporting social afforestation activities to reduce the effects of climate change including nature-based solutions such as planting trees, plants and grass to reinforce soil and reduce surface run-off.

Figure 1: Location of Project Districts (in red crossed lines)



## 1.4 Land Issues for RIVER – Criteria and Principles

The project activities will include civil construction and will be implemented in public land only. However, the impacts on informal settlers will be considered in the RPF. The following criteria will be followed governing RAP preparation and implementation, if required.

- ✓ Acquisition of private land, and subsequent resettlement of people will be screened out by a negative list.
- ✓ Force eviction of informal settlers will be avoided.
- ✓ Temporarily affected land used for requisition and structures will be restored to pre-project conditions following the requisition procedures. For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.
- ✓ Affected informal settlers will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that discriminate against achievement of the resettlement objectives.
- ✓ No site clearing will be done in anticipation or before being considered for inclusion in the project site.
- ✓ Informal settlers residing, working, doing business and/or cultivating land within the impact area during the conduct of the census and in the detailed measurement survey (DMS), are entitled to be compensated for their lost assets, incomes and businesses at replacement cost, and will be provided with assistance to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.
- ✓ Affected households will be fully consulted and given the opportunity to participate in matters that will affect their lives during the design, implementation and operation.
- ✓ There will be effective mechanisms for hearing and resolving grievances during the planning and implementation of the component subprojects.
- ✓ Special measures will be incorporated in the RAP to complement mitigation and enhancement activities to protect socially and economically vulnerable groups at high risk of impoverishment. Appropriate assistance will be provided to help them improve their socioeconomic status.
- ✓ Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system.

- ✓ The RAP or its summary will be translated into local language (Bangla) and placed in district and sub-district offices for the reference of affected households and other interested groups.
- ✓ Civil works contractors will not be issued a notice of possession for any given geographic location in accordance with the approved RAP until (a) compensation payment at replacement cost have been satisfactorily completed for that area; (b) agreed rehabilitation program by the Implementing Agency (IA) and affected persons is in place; and (c) the area is free from all encumbrances. The RAP implementation consultant will submit the report with written consent of the affected individual/HH. This will be verified by the PIU and certified by the PSC.
- ✓ Cash compensation for affected households/ informal settlers will be made available well ahead of civil works to allow the affected households sufficient lead time for reconstruction and to re-establish the business. No demolition of assets and/or entry to properties will be done until the affected household is fully compensated and relocated.



## Chapter 2: RAP Preparation, Approval and Disclosure Process

### 2.1 Resettlement Planning Process

The components and subcomponents with physical works/interventions require screening. The social screening will occur during the project preparation stage as soon as a fairly accurate site location(s) is (are) known for the sub-project. The social screening will provide a preliminary assessment of the potential impacts of the sub-project on informal settlers. The IA will conduct the social screening which will help to identify issues which can be verified during field investigations and also provide a preliminary idea regarding the nature, extent, and timing of land related requirement and issues that would need to be handled during the subsequent stages. If further assessments and plans (such as RAP, ARAP, etc.) are deemed necessary, these plans will be prepared according to the guidelines provided in this RPF. Following resettlement planning procedures will be followed **Table 02**.

*Table 02: Resettlement Planning, responsibility and timing*

Screening and Preparation Step	Responsibility	Timing
<b>Identification of Sub-Project</b>	The Implementing Agency (IA), Social Specialist, Gender Specialist;	After identification of potential location(s) in consultations with the local people.
<b>Census, SES, IOL and Property Valuation Survey</b>	Once the project location is identified, IA with the support of RAP preparation agency will conduct relevant surveys. During the survey, Social Specialists and Gender Specialist will conduct consultation meetings with the local people and affected HHs.	After location is identified. Survey will screen out private land acquisition. The survey will confirm presence and status of informal settlers
<b>Preparation of specific plans and instruments (RAP, LAP)</b>	Based on the survey outcomes and qualitative data from the consultation and following the guideline of RPF, RAP will be prepared. The IA will also prepare land requisition plan with the support of implementing NGO/ firms and submit to DC office.	RAP/LAP will be prepared and approved before settlement of informal settlers.
<b>Implementation of RAP</b>	Once the RAP is approved by MoLGRDC and the World Bank, IA will implement the same with the support of NGO/Consulting firm and DC office. World Bank E&S team will review the status of implementation through supervision.	If informal settlers' resettlement are required

### 2.2 Detailed Assessment and Survey

The census and socio-economic survey will identify

- The scope and scale of land reacquisition and impacts on structures and other fixed assets;
- Identifying informal settlers, resettlement requirement and their assets that may be affected;

### 2.3 Preparation of RAP

RAP will be prepared after impact on informal settlers' issues are identified. The RAP will be based on the land requirement assessment and meaningful consultation with the affected persons. It will include the results and findings of the census of affected persons, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanisms, and results monitoring mechanisms.

RAPs will comply with the principles outlined in this agreed RPF. Disbursement of compensation payments and entitlements will be made prior to displacement. The resettlement plan will specify the income and livelihoods restoration strategy, the institutional arrangements, the monitoring and reporting framework, the budget, and the time-bound implementation schedule. Guideline to prepare a RAP is in **Appendix 2**.

It is expected that the number of affected people/ informal settlers under any single subproject will be less than 200 people. In such cases, an abbreviated RAP (A-RAP) can be prepared. If the number of affected people exceeds 200, a full RAP will be developed.

## 2.4 Disclosure and Approval

The following steps should be followed after full/ abbreviated RAP preparation:

- The draft RAP shall be subject to discussion with PAPs/ informal settlers who will receive a copy of the RAP a week before the discussion. Public consultations shall be attended by PAPs, IA, PSC representatives and RAP preparation firm's/NGO's representatives.
- After the discussion, comments and proposals shall be reflected in the RAP.
- The RAP shall include a section of the consultation process with the matrix of comments and proposals for the inclusion and implementation thereof.
- The Social Specialist of PIU shall submit the RAP to the MoLGRDC for approval.
- After inclusion of the comments received as a result of disclosure of the RAP and after approval thereof by the MoLGRDC, the RAP shall be officially sent to the WB for review and confirmation on the compliance with ESS5 and other applicable policies/procedures.
- Once the World Bank confirms the acceptability of the quality of each RAP, it shall be disclosed on the WB website, published as a final RAP on the LGED website and re-shared with all stakeholders. Private information about PAPs shall not be made publicly available.

No changes shall be made to the compensation entitlement matrix, eligibility criteria, compensation rates, or provisions for assistance without the prior consultation with the affected parties and the stakeholders.

## Chapter 3: Potential Impacts, Eligibility Criteria, and Procedures for Defining Various Categories of Affected People

### 3.1 Potential Impacts and Risks associated with Land in RIVER

The project will screen out land acquisition through a negative list. However, the project activities may require temporary land for keeping construction material and labor rest areas (which will be the responsibility of the Client/ Government). For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions. Informal settlers may also be present in government land who may need to resettle. All these eventualities have been addressed in the RPF. As most of the project sites are unknown, the physical displacement of informal settlers, temporary relocation of business enterprises etc will be known before implementation.

### 3.2 Project Principles

The project will screen out private land acquisition. However, informal settlers, and temporary land for labor camp and construction material storage (responsibility of the client) may materialize during project activities. For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions. A cutoff date will be established after which encroachers will not be considered for compensation. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All project affected persons irrespective of their status are eligible for some kind of assistance if they occupied the public land or had use of it, before the entitlement cut-off date.

### 3.3 Methods to Determine Cut-Off Date

Cut-off date is the date after which eligibility for compensation or resettlement assistance will not be considered. It will be established to identify the non-land assets that will qualify for compensation and discourage abuse of the mitigation policies by defrauding the project. Date of service of notice under Section 4 of Land Acquisition and Requisition of Property Act (ARIPA 2017) is considered as legal cut-off dates for the landowners. The day of the census survey to be the cut-off date for the informal settlers and recognized as social cut off dates.

### 3.4 Eligibility Criteria

The PAPs who are entitled to compensation under the Project include:

- Informal settlers/ owners whose land will be temporarily acquired and whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

If any Common Property Resources (CPR) are affected or unavoidable, according to section 4(13) and 20(1) of ARIPA 2017, CPRs can be acquired or requisitioned. However, before affecting any CPRs all compensation has to be paid and ensure that affected CPRs are reconstructed before dismantling or damaged. For example, if any schools are affected by the project, a new school has to be constructed before demolishing the affected school.

Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. **Table 03** below presents the Project's entitlement matrix, based on potential losses.

### 3.5 Entitlements matrix: Eligible PAPs, Assets and Compensation Guidelines

Table 03: Eligibility and Entitlement Matrix

Unit of Entitlement	Entitlements
<b>Impact category 1: Permanent Acquisition of agricultural, homestead, commercial, water bodies (ponds) land</b>	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	No private land will be acquired
<b>Impact category 2: Temporary Requisition of agricultural, homestead, commercial, water bodies (ponds) land</b>	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.
<b>Impact category 3: Loss of residential, commercial structures with title to land</b>	
Legal owner(s) as identified by DC in the process of CCL payment.	No private land will be acquired
<b>Impact category 4: Loss of residential, commercial structures without title to land (Informal Settlers /vendors/encroachers)</b>	
Non-titled persons owners, vendors and encroachers those own residential and commercial structures (shiftable and non-shiftable built on GoB land as found during census	<ul style="list-style-type: none"> <li>▪ <b>Replacement cost (RC)</b> for structures as determined by PAVC. <b>For the definition of RC, refer to the definition at page 3.</b></li> <li>▪ <b>Shiftable Structure</b> - Structure transfer grant (STG) for shiftable structures will be @ 10% (ten percent) of the replacement cost of structures and House construction grant (HCG) @ 10% (ten percent) of the replacement cost of structures;</li> <li>▪ <b>Non-Shiftable Structure</b> - STG only for non-shiftable structures @ 10% of the replacement cost of the structure.</li> <li>▪ HDA for Persons without title to the land@ BDT 50 per square feet of floor area of affected primary structure</li> <li>▪ Owners are allowed to take away all salvageable materials free of cost within the stipulated time given by the IA.</li> <li>▪ Assistance in securing new land/ structure to continue livelihood and economic activities</li> </ul>
<b>Impact category 5: Loss of common property resources (CPR) with or without title to land</b>	
<ul style="list-style-type: none"> <li>• Legal owners (Structures, trees <b>or any other assets</b>) identified by DC in the process of CCL payment.</li> <li>• Socially recognized owners/ non-titled (structures, trees <b>or any other assets</b>) affected on the ROW as</li> </ul>	<ul style="list-style-type: none"> <li>• Cash compensation under law (CCL) which includes 200% premium for land (title holder)</li> <li>• If RV of land is higher than CCL, the difference will be paid by the IA as top-up.</li> <li>• Cash compensation under law (CCL) which includes 100% premium for assets other than land (tittle holder)</li> <li>• If RV of assets other than land is higher than CCL, the difference will be paid by the IA as top-up (tittle holder)</li> </ul>

Unit of Entitlement	Entitlements
identified by Census and verified by IVC.	<ul style="list-style-type: none"> <li>Replacement Value (RV) of structure, trees or any other assets other than land for non-titled holder</li> <li>Transfer Grant at actual cost which will include labor cost and transportation cost</li> <li>Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost</li> <li>Owner will be allowed to take away all salvageable materials free of cost.</li> <li>Dismantling cost for non-shift able structure will be determined by the PVAC based on the actual price and consultation with affected HHs.</li> </ul> <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> <li>Project will construct a new community property in consultation with community and / or managing committee</li> <li>No community property cannot be demolished until new one is constructed.</li> </ul>
<b>Impact category 6: Loss of timber and fruit bearing trees, bamboo and banana groves</b>	
<ul style="list-style-type: none"> <li>Owner(s) of trees as identified by the DC in the process of CCL payment.</li> <li>Socially recognized owners of trees grown on public or other land, as identified by Census and verified by PVAC.</li> </ul>	<ul style="list-style-type: none"> <li>Timber trees and bamboo: RV of trees and bamboo.</li> <li>Fruit-bearing trees without timber: if the tree is at or near fruit-bearing stage, the estimated current market value of the fruit.</li> <li>Fruit-bearing trees with timber: RV for the timber, and estimated current market value of fruit.</li> <li>Banana groves: RV of all trees and estimated current value of one-time crop of each full-grown tree.</li> <li>Owners will be allowed to fell trees and take the timber, free of cost after payment of CCL or RV as applicable.</li> </ul>
<b>Impact category 7: Loss of standing crops/fish stock</b>	
<ul style="list-style-type: none"> <li>Owner cultivators as identified in joint verification by DC and the IA.</li> <li>Socially recognized owners of crops/fish stock as identified by Census and verified by PVAC.</li> <li>Sharecroppers</li> </ul>	<ul style="list-style-type: none"> <li>Cash compensation under law (CCL) which includes 100% premium for title holder and sharecroppers</li> <li>100% top-up payment on DC's CCL for legal owners and sharecroppers</li> <li>Replacement value of crops if planted on GoB land by informal settler and /or sharecroppers</li> <li>1-month advance notice to be issued in time to harvest standing crops. If not possible, the value of standing crops at full harvest value will be paid.</li> <li>RV of existing standing crops/fish stock</li> <li>Owners will be allowed to harvest crops and fish stock.</li> </ul>
<b>Impact category 8: Temporary loss of income (wage earners in agriculture, commerce &amp; small business and industry)</b>	
<ul style="list-style-type: none"> <li>Regular wage earners affected.</li> <li>Also applicable for non-titled</li> </ul>	<ul style="list-style-type: none"> <li>Grant to cover temporary loss of regular wage income @ average wage/day in the locality for 30 days for wage labour or as determined by PVAC</li> <li>Income and livelihood restoration assistance, to be created by the Project.</li> </ul>

### 3.6 Voluntary Land Donation (VLD)

GoB ARIPA 2017 does not cover voluntary land donation and the project will not require any voluntary land donation.

## Chapter 4: Legal Framework and policies related to Land Requisition, and Informal Settlers

### 4.1 Land Acquisition and Requisition Policy of Bangladesh:

For acquisition and requisition of land for temporary purposes, the Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing land acquisition and requisition in Bangladesh. The Act requires compensation to be paid for: (i) vacating the requisitioned property (ii) reoccupying the property upon released from the requisition (iii) damaged the cost to the property during period of requisition including the expenses that may have to be incurred for restoring to the original condition

Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the requisitioned assets under section 22(1) and 22(2) with due consultation with the landowners. According to section 22(6), requisition is allowed only for 2 years. If land is required more than 2 years, a new contract is required with the landowners with an agreed compensation rate. Under section 23, DC will pay the compensation to the landowners. For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.

### 4.2 Voluntary Land Donation and Informal Settlers.

GoB laws (ARIPA 2017) do not recognize informal settlers and do not cover voluntary land donations. The project will not have any voluntary land donation.

### 4.3 The World Bank environment and social standards

Since October 2018, all World Bank funded Investment Project Financing (IPF) are required to follow the Environmental and Social Framework (ESF) consisting ten (10) Environment and Social Standards (ESS). These ESSs set out their requirement for the borrowers relating to the identification and assessment of environmental and social risks and impacts associated with any project. The ESSs support the borrowers in achieving good international practice relating to environmental and social sustainability, assist them in fulfilling their national and international environmental and social obligations, enhance transparency and accountability and ensure sustainable development outcome through ongoing stakeholder engagement. Among the 10 standards, ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. LGED has prepared this RPF following the guidelines suggested under ESS5.

#### 4.3.1 Objectives of ESS 5

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives; (the project will not require land acquisition and any scope of acquisition will be screened out)
- To avoid forced eviction;
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.



- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

#### 4.3.2 Applicability of ESS 5 for RIVER

The project will screen out any private land acquisition. Temporary land for labor rest area and construction material storage may be required and informal settler issues will be done through ESS5 requirements. This ESS5 will thus apply to impacts resulting from the following types of land issues for RIVER:

- (a) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
- (b) Restriction on access to land or use of other resources including communal property and natural resources;

For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.

**Forced eviction:** The project will not resort to forced evictions of affected persons/ informal settlers.

#### 4.4 Gaps between ESS5 and ARIPA 2017 and Gap filling measures

The following are the key gaps of the ARIPA, 2017 vis-a-vis the World Bank ESS5 are presented in **Table 04**. As a reference, the following table include both acquisition and requisition issues, though land acquisition will be screened out.

*Table 04: Gaps between GOB policies/act and ESS5*

Sl. No	Gaps between WB ESS 5 and GOB ARIPA 2017	Gap-filling measures/actions taken in this Project
1	Gaps with regard to avoidance and minimized project impacts	The project designs adopted aimed to minimize impacts and adjusted tracks and station design further to reduce impacts and risk.
2	ARIPA 2017 does not require the preparation of resettlement plan or resettlement action plan (RAP);	RAP/s will be prepared for all sub-project's interventions and without the approval of RAP/s by the bank, construction works will not be started.
3	ARIPA 2017 recognize title owners only; informal settlers are not covered. DC declare cut-off date only for title-holders	All affected persons including titled, non-titled, encroachers will be identified for the compensation and assistance at full replacement cost. Cut-off date for non-title holder will be consider the date of census survey.
4	Existing acts and methods of assessments do not ensure full replacement costs and transitional support	If the compensation according to the ARIPA 2017 do not meet the replacement cost, additional top-up payments will ensure replacement cost at current market price together with transitional support
5	Consultation with affected communities not legally required under ARIPA 2017	Extensive consultations will be carried out during all phases of the project. A separate SEP will be prepared.
6	The affected people can object to the requisition/acquisition in the beginning, but once hearing is done and settled,	There is a provision of multi-tier grievance redress mechanism in the project. Aggrieved person may go to court at any level of grievance mechanism for verdict.

Sl. No	Gaps between WB ESS 5 and GOB ARIPA 2017	Gap-filling measures/actions taken in this Project
	there is no scope of further complaint during the acquisition process.	
7	Relocation assistance or support allowed for title holders only under ARIPA 2017.No support is allowed for the informal settler	Affected households and businesses will receive relocation assistance and support from the project irrespective of titled, non-titled, encroachers etc.
8	Income and livelihood restoration assistance is restricted only to additional 100% compensation	The project benefits include income and livelihood restoration, including training for alternative incomes, and seed grants for small businesses. Vulnerable people will be also included livelihood restoration program
9	There is no policy against land restriction and force eviction	Force eviction and land restriction is not allowed in this project. However, the exercise of eminent domain, compulsory acquisition or similar powers by DC will not be considered to be forced eviction providing it complies with the requirements of ARIPA 2017 and the provisions of this ESS, and is conducted in a manner consistent with basic principles of due process
10	ARIPA 2017 do not consider / recognize impacts imposed by the associate facilities. The act even does not explicitly cover restriction of access as an impact that would require compensation or resettlement	A common approach will be taken and impact and risk assessment will be conducted for the associated facilities as well. Impact and risk assessment will be also conducted for any kind of “restriction of access” by the project.
11	ARIPA 2017 does not have any provision to give special attention to the vulnerable groups like women, disables, ultra-poor or disadvantaged group	Special attention will be taken by the project for the vulnerable groups for i.e. additional grant, livelihood training, job opportunities during construction etc.

## 4.5 ESS 5 Requirements:

**Project design:** Project will screen out any land acquisition, and will avoid temporary land requisition, voluntary land donation or restrictions on land use as much as possible. For this purpose, project will consider feasible alternative project designs to avoid land acquisition or restrictions on land use, especially where this would result in physical or economic displacement. The overall principle will be to balance the environmental, social, and financial costs and benefits, while paying particular attention to impacts on the women, poor and vulnerable.

**Compensation and benefits for affected persons:** For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions. Compensation standards will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

**Impacts on Temples, Mosques, Madrasahs and Grave:** It is expected that no community properties will be affected due to project interventions. However, if affected, project will provide compensation and relocation assistance to all community groups for respective community facilities. Project with the support of local government and implementing NGO/firm will provide all necessary assistance including finding out alternative sites for relocation of the establishments. Some of the CPRs are very sensitive on religious and social ground and will require consultation with the management committees and local people during relocation. Adequate funds for compensation will be kept in the budget for land acquisition and reconstruction, so that the committee may build new community structures.

### Measures for Relocation of the CPRs



As per land acquisition law of Bangladesh Common Property Resources such as mosque, school, graveyard, *madrasha*, temple cannot be acquired without obtaining a no-objection certificate from the Management Committee of the concerned CPR. Nevertheless, CPRs would be relocated for execution of such development project. For relocation of these CPRs the following points should be taken into consideration:

#### **i. Relocation of Mosques**

Each of the mosques has a management committee. The mosques are being maintained with financial assistance of the local people. This is a very sensitive religious institution in this almost exclusively Muslim community. Muslims go to the mosque to pray five times in a day. Therefore, it is critical that the management committee and the mosque users will be consulted before the acquisition of the mosque and during the relocation process. Before shifting of the existing mosque, a new one will have to be established so that people can continue praying without interruption. It should be ensured that the new mosque would be of better quality than the previous one.

#### **ii. Relocation of Temple/Church**

As per land acquisition law, these cannot be acquired. But due to greater interest of the Project, the temples and church may be purchased in consultation with the concerned community. In that case, the temple and church management committee will be consulted before relocation and will need to provide the Project owners with a no-objection statement for acquisition of the Temple/Church. A new temple and church will be established in the respective communities with easy accessibility. The compensation will be paid to the management committee in case of the community-operated temples and churches. In the case of a family-operated temple the project will pay compensation and reestablishment of such is the responsibility of the HH operating the temple after compensation is paid to them.

#### **iii. Relocation of Graveyard/mazar**

According to the GoB ARIPA 2017, graveyards cannot be acquired by the Project. But in many projects with an extensive RAP, graveyards have been relocated with the cooperation of the local people. The community and the management committee of the graveyard will be consulted in detail regarding the relocation. The religious leaders will be included in the decision-making process and all costs for relocation will be borne by the Project.

**Public services and facilities:** Public services and facilities interrupted and/ or relocated due to relocation will be fully restored and re-established at their original location or a relocation site. All compensation, relocation, restoration and rehabilitation provisions of this RPF are applicable to public services and facilities. These include but are not limited to schools, health centers, parks, community centers, local government administration, water supply, shrine and graveyards. However, for graveyard, the consent of the religious persons, local persons as well and local administration will be sought to mitigate the impact. Impacts on religious sites will be avoided as much as possible.

**Vulnerable PAPs:** All vulnerable PAPs including disabled-headed, elderly-headed and poor household etc are entitled to livelihood restoration/ improvement support in the form of cash, job-placement, and additional financial support in the form of grants for investments in business or re-employment related equipment and buildings, as well as organizational and logistical support to establish the PAP in an alternative income generation activity.

**Community engagement:** Project will engage with affected communities through the process of stakeholder engagement described in ESS10 on Stakeholder Engagement and Information Disclosure. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.

**Grievance mechanism:** The Project has developed a grievance mechanism in accordance with ESS10 to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. The project GRM will also address management of Gender Based Violence (GBV) and a separate labor GRM has been developed as well with the guidelines of ESS 2 and ESS 10.

**Planning and implementation :** Where informal settler resettlement are unavoidable, project will, as part of the environmental and social assessment, conduct census, inventory of losses (IOL) and socio-economic survey (SES) to identify the persons who will be affected by the project, to establish an inventory of assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits. The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, the project will establish a cutoff date for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal.

## Chapter 5: Methods of Valuing Affected Assets

### 5.1 Type of Compensation Payment

Compensation for all assets in kind or cash as guided by the entitlement matrix will be required for the following:

- ✓ Affected trees and crops
- ✓ Residential buildings, structures and fixtures;
- ✓ Affected Business
- ✓ Informal settlers
- ✓ Community Resource Properties
- ✓ Construction Induced Impacts

In addition, disturbance allowance, storage of goods, replacement of lost services and other assistance will be given, as outlined in the Entitlement Matrix. However, this is for guidance only and it is essential that at the time of detailed RAP preparation current market values and replacement cost values are used to establish actual compensation. All cash amounts will be adjusted to reflect any economic changes and buying power of currency since the preparation of this RPF. The PAVC will evaluate the compensation amounts recommended in the RAP and ensure that they reflect market reality and that it is consistent with Bangladesh laws as long as it meets the requirements of WB ESS5.

### 5.2 Compensation payment method

#### 5.2.1 Valuation method for land

No land will be acquired for this project and any requirement will be screened out. For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.

#### 5.2.2 Valuation method for structure

Structures' replacement values will be based on:

- ✓ Depreciation of the structures are not allowed.
- ✓ Transition allowance will be provided, if a place needs to be rented before new house construction
- ✓ Measurements of structures and detail of materials used.
- ✓ Average replacement costs of different types of household buildings.
- ✓ Structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors etc.). Prices of these items collected in different local markets.
- ✓ Costs for transportation and delivery of these items to the acquired/ replacement land or building site.
- ✓ Estimates of construction of new buildings including labor required.
- ✓ Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household, or (ii) directly damaged by subproject activities.

### 5.2.3 Valuation method for trees and crops

The current prices for the crops will be determined taking into account the forest and agricultural department recommended rate and the highest market price, whichever is higher. Where land is rented, 2 seasons or annual crop estimate, depending on the crop will be compensated. Where land is owned, aside from the replacement land or cash compensation for land, the owner will also get compensation for 2 seasons or annual crop estimates depending on the crop. The crops used will be the ones that are currently or have most recently been cultivated on that land. In addition, PAPs will be encouraged to harvest their produce before loss of land. In order to ensure that this is possible, and that appropriate market prices are received for yields, there needs to be consultation beforehand so that harvesting can be properly planned. The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation should be updated to reflect values at the time compensation is paid.

All the affected trees within the RoW will be identified through census and IOL. For perennial trees, cash compensation at replacement cost is equivalent to current market value given the type, age, and productive value (future production) at the time of compensation. Timber trees will be based on diameter at four feet height at current market value.

Fruit trees will be compensated to the owner based on the price of a replacement sapling along with the annual value of the fruit produced by that tree for the number of years it will take the sapling to reach full maturity, using Government or highest market price, whichever is higher.

### 5.3 Determination and Payment of Top-up

Where anyone loses assets in more than one mouza or land administration unit, the person will be counted once, and his/her top-up will be paid as a single amount. The amount of top-up payment to be received by the affected person will be determined by comparing the total amount of CCL paid by the DCs for lands and other assets acquired in all mouzas with the total replacement costs and/or market prices thereof. Top-up payment will be counted in a manner that positive differences will be counted as positive but negative differences will be calculated as zero. But if any PAP produces more than one CCL together (for one category of loss such as structure) before the NGO for top-up payment where one CCL carries positive difference between CCL and RV and another carries negative difference, the top-up amount will be calculated considering both CCL and if there is additional payment found from the calculation arrangement for payment will be made.

Compensations/entitlements due to the PAPs, including those who are not covered by the ARIPA 2017, but eligible according to this RAP and ESS 5, will be paid in full before they are resettled lands.

## Chapter 6: Consultation and Participation

### 6.1 Purpose of stakeholder's engagement:

Consultation will be carried out with:

Informal settlers who occupy project land and need to be resettled.

Other stakeholders who will be impacted due to land issues for the project

For this purpose, the IA and other stakeholders will ensure the following engagement procedures:

- ✓ Project will engage meaningful consultations with all affected parties due to resettlement of informal settlers as early as possible in the project development process and in a timeframe that enables meaningful consultations with stakeholders on project design. The nature, scope and frequency of stakeholder engagement will be proportionate to the nature and scale of the project and its potential risks and impacts.
- ✓ The process of consultation engagement will involve the following: (i) affected party identification and analysis; (ii) planning how the engagement with stakeholders will take place; (iii) disclosure of information; (iv) consultation with PAP; (v) addressing and responding to grievances; and (vi) reporting to PAP.
- ✓ Project will maintain and disclose as part of the environmental and social assessment, a documented record of stakeholder engagement, including a description of the stakeholders consulted, a summary of the feedback received and a brief explanation of how the feedback was taken into account, or the reasons why it was not.

### 6.2 Project Stakeholders as regards to Land issues

The affected stakeholders include all directly affected persons such as informal settlers that need to resettle. A summary of potential stakeholders for RPF are given below.

*Table 05: Project stakeholder analysis for RPF*

Stakeholder group	Interest/cause in engagement
Informal Settlers living in public land	Project sites are yet to be confirmed. People living informally in public land may need to be resettled
Local businessmen and entrepreneurs with business in public land	May need to resettle for project activities
People whose land will be temporarily required	For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.
Local community leaders	Represents interests of affected communities (land users, local businessmen etc.) and vulnerable groups
Administrative body of various Ministries	Legislative and executive authorities. Functions of supervision and monitoring
Local government and administrative bodies	Due to the development and construction works, local administrative permissions are required
LGED and MoLGRDC	Main implementation body of the Project
NGOs and Women organizations in the area	Represents the interests of different interested parties and vulnerable groups, different women organizations in the project will be highly interested with the project as during the implementation and operational

Stakeholder group	Interest/cause in engagement
	stage, there may be issues of GBV and employment of local women in the project.
Mass media (Print and Electronic)	They are intermediaries for informing the general public about the planned activities of the project developer and for information disclosure in connection with the proposed Project.

### 6.3 Stakeholder Engagement at COVID-19 outbreak

Ongoing COVID-19 pandemic situation, managing public consultation and stakeholder engagement in the Project needs to adhere to national requirements and any updated guidance issued by WHO. The alternative ways of managing consultations and stakeholder engagement will be in accordance with the local applicable laws and policies, especially those related to media and communication. The suggestions set out below are subject to confirmation that they are in accordance with existing laws and regulations applying to the project. With growing concern about the risk of virus spread, there was an urgent need to adjust the approach and methodology for continuing stakeholder consultation and engagement. Taking into account the importance of complying with national law requirements, below are some suggestions for stakeholder consultation amidst COVID-19 outbreak:

- Identify and review planned activities under the project requiring stakeholder engagement and public consultations.
- Assess the level of proposed direct engagement with stakeholders, including location and size of proposed gatherings, frequency of engagement, and categories of stakeholders.
- Assess the level of risks of the virus transmission for these engagements, and how restrictions that are in effect in the country / project area would affect these engagements.
- Identify project activities for which consultation/engagement is critical and cannot be postponed without having significant impact on project timelines.
- Assess the level of ICT penetration among key stakeholder groups, to identify the type of communication channels that can be effectively used in the project context.

Based on the above, specific channels of communication that will be used while conducting further stakeholder consultation and engagement activities need additional considerations. The following are some considerations while selecting channels of communication, in light of the current COVID-19 situation:

- Avoid public gatherings (taking into account national restrictions), including public hearings, workshops and community meetings;
- If smaller meetings are permitted, conduct consultations in small-group sessions, such as focus group meetings; If not permitted, make all reasonable efforts to conduct meetings through online channels, including WebEx, Zoom and Skype;
- Be sure that everyone involved in stakeholder planning articulate and express their understandings on social behavior and good hygiene practices, and that any stakeholder engagement events be preceded with the procedure of articulating such hygienic practices.
- Diversify means of communication and rely more on social media and online channels. Where possible and appropriate, create dedicated online platforms and chat groups appropriate for the purpose, based on the type and category of stakeholders;

- Employ traditional channels of communications (TV, newspaper, radio, dedicated phone-lines, and mail) when stakeholders do not have access to online channels or do not use them frequently. Traditional channels can also be highly effective in conveying relevant information to stakeholders, and allow them to provide their feedback and suggestions;
- Where direct engagement with project affected people or beneficiaries is necessary, identify channels for direct communication with each affected household via a context specific combination of email messages, mail, online platforms, dedicated phone lines with knowledgeable operators;
- Each of the proposed channels of engagement should clearly specify how feedback and suggestions can be provided by stakeholders;
- However, in situations where none of the above means of communication are considered adequate for required consultations with stakeholders, the IA should discuss whether the project activity can be rescheduled to a later time. Where it is not possible to postpone the activity or where the postponement is likely to be for more than a few weeks, IA should consult WB Teams to obtain advice and guidance.

## 6.4 Engagement plan for project implementation

The stakeholder/PAP will be identified as soon as exact locations of the project activities will be known. Stakeholder engagement activities will need to provide stakeholder groups with relevant information and opportunities to voice their views on issues that matter to them. The activity types and their frequency are adapted to the three main project stages: project preparation (including design, procurement of contractors and supplies), construction, and operation and maintenance.

Table 06: Future stakeholder engagement activities

Target stakeholders	Topic(s) of engagement	Method(s) used	Responsibilities
<b>PREPARATORY</b>			
<ul style="list-style-type: none"> <li>• Informal Settlers</li> <li>• People whose land may be temporarily required</li> <li>• Vulnerable households</li> <li>• Local government</li> <li>• Media</li> <li>• Transport workers</li> <li>• Local businessmen</li> </ul>	<ul style="list-style-type: none"> <li>• All the social management planning documents will be disclosed</li> <li>• Willing seller, willing buyer process</li> <li>• Compensation rates, methodology</li> <li>• Project scope and rationale</li> <li>• Resettlement principles</li> <li>• Resettlement and livelihood restoration options</li> <li>• Grievance mechanism process</li> <li>• Future consultation</li> </ul>	<ul style="list-style-type: none"> <li>• Public meetings, separate FGD for women and vulnerable</li> <li>• Face-to-face meetings</li> <li>• Disclosure of written information: brochures, posters, flyers, website</li> <li>• Information boards or desks in local language</li> <li>• Grievance procedures through consultation, information brochures</li> </ul> <p>The following modes to be adopted specifically for the vulnerable groups:</p> <ul style="list-style-type: none"> <li>• Robust engagement with local community-based organizations.</li> <li>• The project would arrange separate consultation sessions for different target groups</li> <li>• Resources allocation towards local administration representatives and councilors.</li> <li>• Engagement of local CBO's who work with vulnerable people at the community level to help disseminate information and organize consultations</li> <li>• Manageable and gendered FGD to be arranged so that women can speak freely</li> <li>• The project must have adequate means to</li> </ul>	<ul style="list-style-type: none"> <li>• LGED, PSC, PIU</li> <li>• Specialists responsible for land requisition</li> <li>• Environmental and Social consultants</li> </ul>



		reach the disabled ones in the community. If need be, teams must visit the disabled ones in their habitat <ul style="list-style-type: none"> <li>• Notice board for employment recruitment</li> <li>• Training/workshop</li> </ul>	
<b>Construction Phase</b>			
<ul style="list-style-type: none"> <li>• Informal Settlers</li> <li>• People whose land may be temporarily requisitioned</li> <li>• Vulnerable households</li> <li>• Local government</li> <li>• Media</li> <li>• Transport workers</li> <li>• Local businessmen</li> </ul>	<ul style="list-style-type: none"> <li>• Grievance mechanism</li> <li>• Health and safety impacts (RAP, community H&amp;S, community concerns)</li> <li>• Employment opportunities</li> <li>• Project status</li> </ul>	<ul style="list-style-type: none"> <li>• Public meetings, open houses, trainings/workshops</li> <li>• Separate meetings as needed for women and vulnerable</li> <li>• Individual outreach to PAPs as needed</li> <li>• Disclosure of written information: brochures, posters, flyers, website</li> <li>• Information boards in LGED local offices</li> <li>• Notice board(s) at construction sites</li> <li>• Grievance mechanism</li> </ul> <p>The following modes to be adopted specifically for the vulnerable groups:</p> <ul style="list-style-type: none"> <li>• Robust engagement with local community-based organizations.</li> <li>• The project would arrange separate consultation sessions for different target groups</li> <li>• Resources allocation towards local administration representatives and councilors.</li> </ul>	<ul style="list-style-type: none"> <li>• LGED, PSC, PIU</li> <li>• Specialists responsible for land requisition</li> <li>• Environmental and social consultants</li> <li>• Contractor</li> <li>• NGO</li> <li>• External Monitor</li> </ul>

## 6.5 Description of Information Disclosure Methods

As a standard practice, the Project environmental and social management planning documents including RPF and RAP released for disclosure are accompanied by making available the registers of comments and suggestions from the public that are subsequently documented by the IA in a formal manner. The IA will continue applying the similar approach to disclosure for any additional social appraisal materials that will be prepared as part of the project development. The PD will continue applying the similar approach to disclosure for any additional E&S appraisal materials that will be prepared as part of the project development. The RPF and RAP in Bangla, and English will be made available for public review in accordance with the World Bank. The RPF will be released in the public domain simultaneously with the E&S documents and will be available for stakeholder review during the same period of time

Distribution of the disclosure materials will be through making them available at venues and locations frequented by the community and places to which public have unhindered access. Free printed copies of the social management planning documents in Bangla and English will be made accessible for the general public at the following locations:

- LGED Headquarters, Agargaon and affected District and Upazila LGED Offices;
- The District Administration office of the project districts;
- The Project and Sub-Project Offices;
- Affected Upazila Headquarters;
- Affected Union Porisad Offices;
- Local NGO Offices;



- Other designated public locations to ensure wide dissemination of project related information;
- Newspapers, posters, radio, television and social media platform;
- Information centers and exhibitions or other visual displays; banners and billboards at relevant places;
- Brochures, leaflets, posters, nontechnical summary documents and reports;
- Official correspondence, meetings;
- At times, Miking by District/UZ/Union local administration, Disaster Management Committee volunteers and NGO workers have more impact on the elderly and vision impaired ones and women in particular;
- Communicate using Community Organizer and Integrated Flood Resilience Program (IFRP) team members; and
- Social Media/ Facebook.

Electronic copies of the social management planning documents will be placed on the project website (<http://www.lged.gov.bd>). This will allow stakeholders with access to Internet to view information about the planned development and to initiate their involvement in the public consultation process. The mechanisms which will be used for facilitating input from stakeholders will include press releases and announcements in the media, notifications of the aforementioned disclosed materials to local, regional and national NGOs as well as other interested parties.

Stakeholders will be consulted on a continuous basis and their inputs will be included in future RPF/RAPs. Feedback loop will be completed through informing stakeholders how their inputs have been incorporated in design and implementation.

Disclosure of external and internal monitoring report in public domain will also be made for the public to see and provide their inputs.

## Chapter 7: Grievance Redress Mechanism

### 7.1 Introduction

The RIVER Project GRM will be used to address informal settler resettlement issues. The ARIPA 2017 allows objections by the PAPs at the beginning of the legal process. Once the objections are heard and disposed of, there is virtually no provision to address grievances and complaints that PAPs bring up in the later stages of the process. Since the act does not recognize them, there is no mechanism to hear and redress grievances of people who do not have legal titles to the acquired lands. As experienced in past projects, complaints and grievances may range from disputes to affected persons and assets missed by censuses, the valuation of affected assets, compensation entitlements etc. In view of this, the IA has developed a procedure to address and resolve any queries as well as address complaints and grievances about any irregularities in the application of the guidelines adopted in this RAP for assessment and mitigation of social and environmental impacts through grievance redress mechanism (GRM). The GRM will deal with complaints and grievances related to informal settler issues. The GRM is intended to address issues and complaints in an efficient, timely, and cost-effective manner.

### 7.2 Objectives of GRM

The fundamental objectives of the GRM, implemented through the GRC serving as a para-legal body, are to resolve any land-related grievances locally in consultation with the aggrieved party to facilitate smooth implementation of the social and environmental action plans. Another important objective is to democratize the development process at the local level and to establish accountability to the affected people. The procedures will however not a person's right to go to the courts of law pre-empt.

### 7.3 Grievance Redress Committees (GRC)

Grievance redress committees (GRC) will be formed to receive and resolve complaints as well as grievances from aggrieved persons from the local stakeholders including the project-affected persons. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal actions. The procedure will, however, not pre-empt a person's right to go to the courts of law.

### 7.4 Composition of GRC

#### **Composition of Local GRC**

A Grievance Redress Committee (GRC) formed for each affected upazila where LGED will develop rural road/growth center to ensure easy accessibility by the affected persons. This GRC will also address informal settler complaints. The Secretariat for local GRC will be at the office of the Upazila Engineer. The GRC will ensure proper presentation of complaints and grievances as well as impartial hearings and investigations, and transparent resolutions. Where grievances are among the affected persons, the membership composition of the GRCs will take into account any traditional conflict resolution arrangements that communities may practice. If the aggrieved person is a female, LGED will ask the concerned female UP Member or Municipal Ward Councilor to participate in the hearings. Members of the GRCs will be nominated by the Upazila Engineer and approved by the Project Director.

### GRC membership at Local level

1. Upazila Engineer (Upazila LGED Office)	Convener
2. Representatives of local community, Boatmen and businessmen Association	Member
3. Local UP Member/Ward Councilor	Member
4. An SMC member from Govt. Primary School	Member
5. Representative of Local NGO	Member
6. Representative from Local Women's Group	Member
7. Community Leader representing the PAP Group and the VG	Member
8. Representative from the Tribal Community, whenever available	Member
9. Community Organizer (Upazila LGED Office)	Member-Secretary

All complaints will be received at the Office of the Upazila Engineer/project site through the Community Organizer/ NGO. A complaint Box may also be kept at the Office of the Upazila Engineer for ease of submission of complaints. All cases at the local level will be heard within two weeks of their receipt. However, the District Sociologists and the Upazila Community Organizers will make periodic visit to the subproject sites, interact with the communities and affected persons, and pick up issues of concerns, complaints and suggestions to register with the GRM books. Grievances received through any channel will be registered and a notification of receipt with assurance of necessary review and resolution given in writing to the aggrieved persons. Areas of responsibility should be specific in every phase of GRC and List of the members of the committee could be reviewed further in view of the changed situation on ground.

### Composition of District GRC

If the resolution attempt at the local level fails, the GRC will refer the complaint with the minutes of the hearings to the district level for further review. With active assistance from the district Social staff of LGED, the committee will make a decision and communicate it to the concerned GRC. The decisions on unresolved cases will be communicated to the GRC within two weeks of the complaint received.

### GRC membership at District level

1. Executive Engineer	Convener
2. Representative of Upazila Chairman	Member
3. Representatives of local community, Boatmen and businessmen Association	Member
4. Representative of District Primary Education Officer	Member
5. Representative of Local NGO	Member
6. Representative from Local Women's Group	Member
7. A community leader representative the PAP Group	Member
8. Representative from Tribal Community/Association	Member
9. District Social staff	Member-Secretary

Areas of responsibility should be specific in every phase of GRC and List of the members of the committee could be reviewed further in view of the changed situation on ground.

### Composition at PIU level

If a decision at district level is again found unacceptable by the aggrieved person(s), LGED can refer the case to the PIU with the minutes of the hearings at local and District Headquarters levels. PD will be the convener and senior social safeguard specialist will be the secretary for the PIU level. At the PIU level, decisions on unresolved cases, if any, will be made in no more than two weeks by an official designated by the Secretary, MoLGRDC. A decision agreed with the aggrieved person(s) at any level of hearing will be binding upon LGED. There will be budgetary allocation for local and

district committee members for participating meetings and refreshments during meeting. To ensure that grievance redress decisions are made in formal hearings and in a transparent manner, the Convener will apply the following guidelines:

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

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

**Intake Register:** (1) Case number, (2) Date of receipt, (3) Name of complainant, (4) Gender, (5) Father or husband, (6) Complete address, (7) Main objection (loss of land/property or entitlements), (8) Complainants' story and expectation with evidence, and (8) Previous records of similar grievances.

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

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

Grievance resolution will be a continuous process in project level activities and implementation of those. The IA will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by Bank and any other interested persons/entities. The IA also prepares periodic reports on the grievance resolution process and publish these on the LGED website.

## Chapter 8: Institutional and Implementation Arrangements

### 8.1 Institutional arrangement

For efficient and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the RAP. Project Institutional arrangement consist of Project Steering Committee (PSC) and the Project Implementation Unit (PIU). Institutional arrangements required for implementation of Resettlement Plan includes capacity augmentation of IA, Deputy Commissioners offices, appointment of NGO/consulting firm, formation of various committees like: GRC, PAVC, RAC, etc. The PSC will be chaired by the Senior Secretary or Secretary of LGRD and will include the Director-General of LGED, Chief Engineer and Additional Chief Engineer (Planning) of LGED as members.

The PIU will be headed by Project Director (PD) who will be supported by a Deputy Project Director (DPD). The PD and DPD will also be supported by a number of experts (individual consultants) including Senior Technical Specialists, Senior Procurement Specialist (for initial 18 months of the project), a Senior Financial Management Specialist, a Senior Environment Specialist, a Social Specialist, a Communication Specialist, a Gender Specialist and a GIS specialist. The Deputy Project Director at Head Office will function as the Chief Resettlement Officer (CRO). The CRO will have overall responsibility relating to resettlement and rehabilitation policy guidance, coordination, planning, monitoring and reporting. Secretarial Staffs at Head Office will assist the CRO. At the field level, the CRO will be assisted by local committees. Besides, an NGO will be appointed for the implementation of resettlement plan. An external monitor will be also hired for the project to ensure proper monitoring of environmental and social management plan implementation.

### 8.2 Roles and Responsibilities

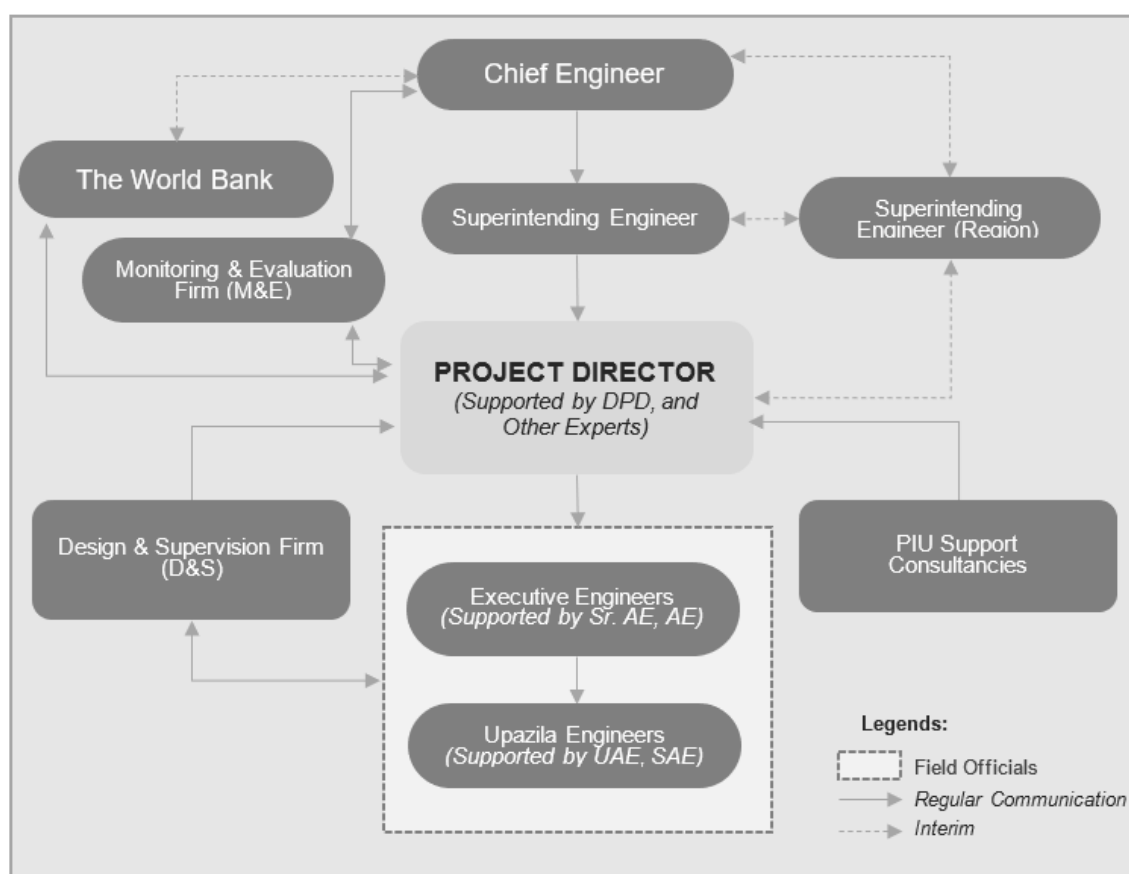
As most of the interventions will be executed in the remote locations of the districts, the field level district offices headed by Executive Engineers and Upazila offices, headed by Upazila Engineers will primarily facilitate the supervision work of the civil works having guided by PIU informal settler resettlement issues.

Table 07. Summary of the Roles of LGED's Key Personnel in Implementation Arrangements

Entity	Project Roles
Project Director	<ul style="list-style-type: none"><li>Oversee the informal settler resettlement issues.</li><li>Will ensure RAP preparation and implementation</li><li>Plan, monitor, and maintain budgetary control for all civil works and other consultancy services under the project</li></ul>
Deputy Project Director	<ul style="list-style-type: none"><li>Will act as the Chief Resettlement Officer (CRO)</li><li>Will coordinate with DC office, preparation of LAP, ensure survey and calculation of compensation</li></ul>
District <b>Executive Engineers</b> Supported by: Senior Assistant Engineer/ Assistant Engineer	<ul style="list-style-type: none"><li>Informal settler resettlement supervision and coordination with CRO, regional superintending engineer, and upazila engineer offices.</li><li>Address any field level issues/ grievances on behalf of the Project Director and agency</li></ul>

Entity	Project Roles
<b>Upazila Engineers</b> Supported by: Upazila Assistant Engineer/ Sub Assistant Engineer	<ul style="list-style-type: none"> <li>Survey works, cost-estimate preparation/ checking, contract supervision, quality control and reporting</li> <li>Monitoring compensation payment</li> <li>Address any field level issues/ grievances on behalf of the Project Director, Executive Engineer and agency</li> </ul>

The PIU experts will support LGED in a wide range of areas including coordination, reporting, monitoring of land related progress, and overall project management. The specialists will also oversee the budgetary and financial management and will review quality control and quality assurance. Notwithstanding that, the specialists will evaluate payment certification, if required, and will assist PIU in providing contractual advice as well as the settlement of any disputes. Also, the relevant specialists will undertake and guide the field personnel in the implementation and supervision of RASP, preparation of further documents as suggested/ required by PIU.



**Monitoring and Evaluation (M&E) Firm.** LGED will also appoint a Monitoring and Evaluation (M&E) Consultancy Firm. This firm will be entitled to provide support in monitoring project progress and associated impacts in the project areas in relation to informal settlers resettlement.

**Roles and responsibility of RAP preparation NGO/firm:** The IA will hire NGO/consulting firm to support the preparation of RAP. During RAP preparation regularly keep good coordination with PIU for alignment demarcation, census, socio-economic and IOL survey and RAP preparation.

**Roles and responsibility of RAP Implementing NGO/Consulting Firm:** NGO/Consulting Firm will support the PIU when and where required. An NGO/Consulting Firm will work closely with PIU. The role of NGO/Consulting Firm will be to facilitate sound implementation of the land related issues of the project. The NGO/Consulting Firm will work as a bridge between the Project Authority and the affected persons.

MoLGRDC approves the LAP and RAP of the project prepared by the PIU with the support of the consulting firm /INGO. MoLGRDC is also responsible for approving different committees like Grievance Redress Committee (GRC), Property Valuation Advisory Committee (PVAC) and Resettlement Advisory Committee (RAC) and Inventory Verification Committee (IVC) proposed in the RAP through gazette notification.

Implementation of RAP for affected persons will be carried out in eight (8) steps. The IA will ensure implementation of the RAP with the support of the NGO/Consulting Firm.

#### **Step-1: Formation and Preparation**

- Organize inception meeting with relevant stakeholders
- Provide social management orientation to the team according to ESS 5 and ARIPA
- Capacity building through organizing training and workshop
- Institutional Arrangements & Logistics
- Submit inception report and require approval from RAP verification survey

#### **Step-2: Develop Implementation Tools/Mechanism**

- Develop tools and materials for information campaign (i.e. Booklet, Leaflet, etc.)
- Develop monitoring tools for implementation progress
- Develop reporting format such as monthly/quarterly/semi-annual/annual
- Develop/update GRC application form
- Develop/update focus group meeting checklist
- Develop format of Entitled Persons file and Entitlement Card
- Develop format of payment debit voucher
- Develop ID card format for the EPs
- Develop computerized Management Information System (MIS)
- Develop internal server for data management, sharing and monitoring

#### **Step-3: Informal Settler Issues**

- Liaise with DC office in case of compensation payment
- Assist PAPs in updating record of rights and receiving compensation

#### **Step-4: Social Preparation and Information Dissemination**

- Formation of focused groups with various occupation groups at the field
- Information campaign
- Disclosure of RAP policy
- Regular meetings with affected people for updating record of rights and other documents for receiving compensation from DC office
- Consult the displaced people to get ready for relocation after getting compensation

- Develop ideas, script, and mechanism for organizing and executing awareness campaign outside the RAP implementation
- Organize, follow-up and recap various awareness campaign

#### **Step-5: Payment of Compensation for Informal Settlers**

- Devise ID number for each of the PAP (informal settlers that need resettlement)
- Preparation of EP file and EC
- Preparation indent (EP payment list)
- Opening Bank Account by the PAPs
- Prepare ID cards for the EPs using photograph
- Calculate Individual entitlement based on category of losses and policy of the RAP
- Prepare Debit voucher and other necessary documents for making payment of additional compensation and other benefits
- Payment of additional grants and resettlement benefits
- Assist PAPs in producing Grievances, if any

#### **Step-6: Relocation/Resettlement for Informal Settlers**

- Payment of resettlement benefits to informal settlers
- Assess relocation options and provide facilities in relocation choices
- Assist informal settlers in relocation and resettlement
- Implement Income and Livelihood Restoration Program (ILRP)
- Develop training need assessment report & training materials for ILRP
- Assist to relocate common public property
- Give moral support to affected person in terms of resettlement

#### **Step-7: Establishment of Grievance Mechanism**

- Development/finalization of format for grievance cases including
- Assist PAPs in producing grievances
- Conduct meetings on GRM
- Disclose GRM process among the people
- Resolve grievances and report on monthly basis

#### **Step-8: Submission of Progress Report**

- Generate progress reports for real-time monitoring of RAP implementation progress using user-friendly menu driven software
- Share the draft report with project authority and relevant stakeholders
- Incorporate feedback and response
- Submission of final reports.



Table 8: RPF related activities, responsibility and approval authority

Actions	Responsibility	Approval authority
RAP preparation stage		
Census, SES, IoL and Property Valuation Survey (PVS) for RAP preparation	PIU with the support of implementing NGO/firm	PSC
Consultation with affected HHs and relevant Stakeholders	PIU with the support of implementing NGO/firm	PSC
Preparation of RAP/s	PIU with the support of implementing NGO/firm	PSC, MoLGRDC and World Bank
RAP Implementation stage		
Land required for temporary use	Contractors	
Compensation for non-titleholder	PIU with the support of implementing NGO/firm	MoLGRDC and World Bank
Top-up payment	PIU with the support of implementing NGO/firm	MoLGRDC and World Bank
PVAC formation	PIU	MoLGRDC
GRC formation	PIU	MoLGRDC
RAC formation	PIU	MoLGRDC
Implementation of RAP and quarterly implementation report	PIU with the support of implementing NGO/firm	PSC and World Bank
Monitoring		
Internal monitoring report	PIU with the support of LGED	PSC and World Bank
External monitoring report	External monitor	PSC and World Bank

## 8.4 Capacity Building

The IA will develop a comprehensive course plan and materials to train staffs and consultants which will contribute in the long-term capacity building in environmental and social management. Environmental and social management training will help ensure that the requirements of the ESS and subsequent social management are clearly understood and followed by all project personnel throughout the project period. The PIU will ensure, in collaboration with the PSC that these training are provided to all required Project personnel. The social training program will be finalized before the commencement of the project. The training will be provided to the PSC, PIU staffs and representatives, construction contractors, and other staff engaged in the Project. Training will cover all staff levels, ranging from the management and supervisory to the skilled and unskilled categories. The scope of the training will cover general environmental and social awareness and the requirements of the ESS5 and other ESSs, with special emphasis on sensitizing the project staff to the social and genders aspects of the area. Different raining programs will be initiated which can be realigned based on the needs.

Table 09: Training

Contents	Participants	Responsibility	Schedule
Introduction to World Bank ESF	PSC, PIU, local government staffs and contractors	MoLGRDC, LGED, PIU	Prior to the start of the Project activities.
ESF guidelines and RPF	PSC, PIU, local government staffs and contractors	MoLGRDC, LGED, PIU	Prior to the start of the Project activities.
Screening method, social survey procedures, RAP and LAP preparation	PSC, PIU, local government staffs and contractors	MoLGRDC, LGED, PIU	Prior to the start of the Project activities.

Contents	Participants	Responsibility	Schedule
Training on ESS5 and ARIPA 2017	PSC, PIU, local government staffs and contractors	MoLGRDC, LGED, PIU	Prior to the start of the field activities.
Preparation and review of RPF, RAP, and IPP	PSC, PIU, Design, Monitoring and supervision consultant	MoLGRDC, LGED, PIU	Prior to the start of the field activities.
Grievance Mechanism and handling procedures	Contractors, PIU, consulting firms/NGO, Construction crew	MoLGRDC, LGED, PIU	Prior to the start of the construction activities. (To be repeated as needed)
Internal and External Monitoring procedures and reporting	PSC, PIU and INGO/consulting firms, contractors	<b>MoLGRDC, LGED, PIU</b>	Before and during the construction activities. (To be repeated as needed)

## 8.5 Budget

A tentative budget is proposed below, which may be changed/updated once the RAP is being prepared. This budget does not include the cost of resettlement, if any. The budget will be provisioned in the Client DPP.

Table 10: A tentative budget

Items	Man-month	Total (in USD)	
Senior Social Development with resettlement experience	24	Project budget	Main
Consulting firm for RAP preparation	Lump-sum	20,000	
RAP Implementing Agency (NGO/consulting firm)	Lump-sum	30,000	
External Monitor	24 months over the period of 5 years	10,000	
Capacity Building for PSC, PIU, NGO/consulting firm and relevant government agencies	Lump-sum	10,000	
Grievance handling cost	Lump-sum	10,000	
Cost of informal settler resettlement	Unknown at this stage as land acquisition and resettlement impact to be identified		

## Chapter 9: MONITORING

The IA will be responsible for the overall coordination and supervision of the land issues and for reporting the results and the process followed for implementation of project activities to the Bank. The IA will also appoint a Monitoring and Evaluation (M&E) Consultancy Firm who will provide support in monitoring project progress and associated impacts in the project areas. In addition to that, the implementation of the social and environmental management plans, including RPF and RAP will also be supervised by the firm. In the time of reporting, the M&E firm will report to the Chief Engineer and PD of the IA. M&E Firm will be responsible for: (i) collecting updated data from the relevant agencies, institutions and units of the project to produce RPF/RAP implementation progress reports; (ii) conducting physical inspections for RAP implementation; (iii) support M&E at the subproject level.

The IA will establish procedures to monitor and evaluate the implementation of the plans under the RPF and will take corrective actions as necessary during implementation to achieve the objectives of this RPF. The extent of monitoring activities will be proportionate to the project's risks and impacts. If required, the IA will retain competent resettlement professionals to monitor the implementation of resettlement plans, design corrective actions as necessary, provide advice on compliance with this RPF and produce periodic monitoring reports. Affected persons will be consulted during the monitoring process. Periodic monitoring reports will be prepared, and affected persons will be informed about monitoring results in a timely manner.

### **Internal and External monitoring**

The PIU will conduct regular monitoring and evaluation of the updating and implementation of the RAP. Monitoring and evaluation are intended to help ensure that the resettlement action plan (RAP) is prepared and implemented according to the resettlement policy framework (RPF). Moreover, external monitor of the project will review all the RAP/s prepared for this project. External M&E Firm will establish dialogue with the affected communities and ensure that their concerns and suggestions are incorporated and implemented in the project. The M&E Firm will work closely with the PIU and internal monitoring team to implement the RAP and specifically responsible for implementation of proposed compensation, rehabilitation, and income restoration measures, consultations with affected persons (APs) during rehabilitation activities and assisting in grievance redress. He or she will prepare resettlement training programs and workshops for the staff of the PIU and contractors.

During project preparation, and as part of the RAP, the PIU will develop a monitoring and reporting framework for resettlement activities. Central to this framework are the census of PAPs and the inventory of assets that constituted the basis for the agreed RAP. The PIU is responsible for overseeing the progress in resettlement preparation and implementation through regular progress reports, submitted through normal channels, monitoring key indicators of finance, inputs and activities. The PIU will submit RAP implementation progress report to PSC and MoLGRDC on a regular basis

In addition to internal monitoring, the M&E Firm will be engaged to provide an independent periodic assessment of RAP implementation and impacts, to verify internal reporting and monitoring, and to suggest adjustment of delivery mechanisms and procedures as required. A social and economic assessment of the results of delivered entitlements and a measurement of the income and standards of living of the PAPs before and after resettlement are integral

components of this monitoring activity. To function effectively, the firm responsible for external monitoring should be independent of the governmental agencies involved in resettlement implementation. Regular external monitoring should begin along with implementation activities and continue until the end of the project.

The following activities are the standard functions of the M&E Firm:

- Verification of internal reports, by field check
  - Interview a random sample of PAPs in open-ended discussions to assess their knowledge and concerns regarding resettlement of informal settlers process, their entitlements and rehabilitation measures.
  - Participate as an observer in public consultations for PAPs at the project level. (Organizing these meetings is the responsibility of the implementing agency)
  - Observe the functioning of resettlement operation at all levels to assess its effectiveness and compliance with the RAP.
  - Check the type of grievance issues and the functioning of grievance redress mechanisms by reviewing processing of appeals at all levels and interviewing aggrieved PAPs.
  - Survey the standards of living of the PAPs (and that of an unaffected control group where feasible) before and after implementation of resettlement to assess the whether the standards of living of the PAPs have improved or been maintained.
  - Advise project management unit regarding possible improvements in the implementation of the RAP.

The PIU will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of the ESS. The extent of monitoring activities will be proportionate to the project's risks and impacts. For this the PIU will ensure competent professionals to monitor the implementation of RAP/s, design corrective actions as necessary, provide advice to PIU, and NGO/consulting firms on compliance with ESS and periodic monitoring reports will be prepared and affected persons will be informed about monitoring results in a timely manner.

*Table 11: Monitoring process of key indicators*

Monitoring Aspects	Potential Indicators
<b>Delivery of Entitlements</b>	<ul style="list-style-type: none"> <li>• Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix.</li> <li>• Disbursements against timelines.</li> <li>• Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors' camps, been included.</li> <li>• Timely disbursements of the agreed transport costs, relocation costs, income substitution support, and any resettlement allowances, according to schedule.</li> <li>• Percentage of compensation paid for informal settler resettlement</li> <li>• Percentages of compensation paid for the affected structures/assets/crops/trees</li> <li>• Restoration of social infrastructure and services.</li> </ul>
<b>Consultation</b>	<ul style="list-style-type: none"> <li>• Strategy for consultation and information disclosure is prepared</li> <li>• Consultations organized as scheduled</li> <li>• Project information's are disclosed</li> <li>• Affected, interested, disadvantage and vulnerable groups are identified</li> <li>• Views of disadvantage and vulnerable groups are considered during designing the entitlement and special measures are taken</li> <li>• Schedules are planned for the various stakeholder engagement activities</li> <li>• If ethnic people are affected, separate consultation has to be conducted with them</li> </ul>
<b>Grievances</b>	<ul style="list-style-type: none"> <li>• Operationalization of the grievance redress mechanism proposed with RPF.</li> </ul>

Monitoring Aspects	Potential Indicators
	<ul style="list-style-type: none"> <li>Operationalization of the GRM for labor and GBV</li> <li>Information on the resolution of the grievances</li> <li>Process by which people affected by the project can voice their grievances and concerns</li> <li>Process to document complaints and concerns</li> <li>Grievance recording (e.g. MIS, grievance log book)</li> <li>Stipulated timeframes for acknowledgement and resolution of complaints</li> <li>Awareness raising, or communications efforts to inform stakeholders about the GRM and appeals process to analyze complaints and share feedback with management</li> <li>Grievance reports published and frequency</li> </ul>
<b>Communications and Participation</b>	<ul style="list-style-type: none"> <li>Number of general meetings (for both men and women).</li> <li>Percentage of women out of total participants.</li> <li>Number of meetings exclusively with women.</li> <li>Number of meetings exclusively with vulnerable groups.</li> <li>Number of meetings at new sites.</li> <li>Level of participation in meetings (of women, men, and vulnerable groups).</li> <li>Level of information communicated—adequate or inadequate.</li> <li>Information disclosure.</li> <li>Translation of information disclosure in the local languages.</li> </ul>
<b>Budget and Time Frame</b>	<ul style="list-style-type: none"> <li>Social Specialist/expert appointed and mobilized on schedule for the field and office work.</li> <li>Capacity building and training activities completed on schedule.</li> <li>Funds allocation for resettlement to implementing agencies on time.</li> <li>Receipt of scheduled funds by resettlement offices.</li> <li>Funds disbursement according to the resettlement action plan.</li> <li>Social preparation phase as per schedule.</li> </ul>
<b>Livelihood and Income Restoration</b>	<ul style="list-style-type: none"> <li>Types of training and number of participants in each.</li> <li>Number of displaced persons who have restored their income and livelihood patterns (women, men, and vulnerable groups).</li> <li>Number of new employment activities.</li> <li>Extent of participation in rehabilitation programs.</li> <li>Degree of satisfaction with support received for livelihood programs/activities.</li> <li>Percentage of displaced persons who improved their income (women, men, and vulnerable groups)</li> </ul>
<b>Voluntary land Donation</b>	<ul style="list-style-type: none"> <li>There will not be any land donation for the project</li> </ul>

The PIU will prepare a monthly report to be submitted to the PSC. These reports will summarize the following:

- Progress in implementing this RAP and subsequent other social planning documents, etc.;
- Findings of the monitoring programs, with emphasis on any breaches of the control standards, action levels or standards of general site management;
- Summary of any complaints by external bodies and actions taken / to be taken; and
- Relevant changes or possible changes in legislation, regulations and international practices.

Monitoring of and reporting on the project must be complemented by an effective GRM proposed in RPF in order to address issues arising from project implementation. GRM will help to detect unanticipated or recurring problems, and to manage them. The project implementing agency sets up and supports the GRM, in a manner satisfactory to the World Bank, to receive, manage and facilitate resolution of stakeholders' concerns and grievances in a timely manner. It is important that the GRM is designed to accommodate all issues raised, including issues related to labor influx. The way to make complaints needs to be simple and well publicized. The GRM is usually scaled to

the risks and potential adverse impacts of the project. The following factors will be considered in the project for the effective GRM:

(i) their publicity and accessibility, (ii) the transparency of their operation, (iii) the credibility of their decision-making process and structure, (iv) their confidentiality and hence protection from any potential retaliation, and (v) the effectiveness of the associated business processes to resolve grievances where appropriate.

*Table 12: Reporting Requirements*

Report/Document	Description	Prepared By	Submitted To	When
<b>Training Records</b>	Register of all Trainings and Capacity Building activities conducted under the project	PIU with the support of consultants.	PD	Within 3 weeks of any training/capacity building activity
<b>Completed Social Screening Forms</b>	Identifies Potential Environmental and Social Issues	PIU	PD	After completing forms
<b>GRM Records</b>	Register of grievances received and actions taken	GRC or Consultants during construction phase and then Implementing Agency officer thereafter	PD	Monthly
<b>Preparation of RAP</b>	Site specific RAP will be prepared	PIU with the support of NGO/consulting firm	PD	Within 3 months of deployment
<b>Internal Monitoring</b>	Monitoring data as defined in the RPF	PIU and/or Consultants	PD	Monthly
<b>External Monitor</b>	Monitoring data as defined in the RPF	External monitor	World Bank	Every quarter

## Appendix 1: Social Screening Form

This form will be filled up at the direction of the PIU with support from the community members at Union and Upazila Level and must be submitted to PD and PIU. **Screening will be monitored in the field for verification.**

### General Information

Title of the project: .....

Complete address of screening locations including coordinates.....

Screening Date: .....

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
-				
<b>Land Acquisition/ Requisition</b>				
Will the project require land acquisition for the proposed intervention. (If YES, the land acquisition will be screened out. The project will not allow land acquisition)				.
Is there any presence of informal settlers within the project ROW? If yes, please provide detail information at remarks column.				
Will there be any temporary land requisition? <i>For temporary land required for labor rest area and storage of material contractor will pay rent to landowners on a willing buyer-willing seller basis on a mutually agreed conditions.</i>				
Will there be losses of trees, and fixed assets due to informal settler's resettlement? If yes, please provide detail information at remarks column.				
Will there be loss of businesses or enterprises? If yes, please provide detail information at remarks column.				
Will there be loss of income sources and means of livelihoods? If yes, please provide detail information at remarks column.				
<b>Involuntary restrictions on land use or on access to legally designated parks and protected areas</b>				
Will people lose access to natural resources, communal facilities and services due to project interventions? If yes, please provide detail information at remarks column.				

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Will there be any voluntary land donation? (no land donation will be in the project)				
Will there be any impact on SEC Land?				
<b>Information on Displaced Persons:</b>				
Any estimate of the likely number of persons that will be displaced by the Project? <input type="checkbox"/> No <input type="checkbox"/> Yes				
If yes, approximately how many?				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? <input type="checkbox"/> No <input type="checkbox"/> Yes				
Are any displaced persons from indigenous or ethnic minority groups? <input type="checkbox"/> No <input type="checkbox"/> Yes				
During Screening, project authority will conduct consultation with the primary and secondary stakeholders and provide their observations in the following sections (13 to 18 )				
13: Who are the stakeholders of the project?				
Answer:				
14: What social and cultural factors affect the ability of stakeholders to participate or benefit from the proposed policy or project?				
Answer:				
15: Are project objectives consistent with their needs, interests and capacity?				
Answer:				
16: What will be the impact of the project or sub-project on the various stakeholders, especially women and vulnerable groups?				
Answer:				
17: What social risks might affect project or sub-project success?				
Answer:				
18: Has the project authority or any other organizations conducted any consultations with the affected community or people? If yes. Please provide a summary.				
Answer:				

<b>1. Prepared by (Name):</b> ..... <b>Signature:</b> ..... <b>Date:</b> .....
<b>2. Project Implementation Unit</b> District: ..... Upazila: ..... 01. Names of Members participated in Screening 02.
<b>3. name of the Participants from local Government</b> 01..... 02.....





## Appendix 2: Guideline to prepare a Resettlement Action Plan

1. **Description of the project.** General description of the project and identification of the project area.
2. **Potential impacts:** Identification of (a)the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;(b)the zone of impact of such components or activities;(c)the scope and scale of land acquisition and impacts on structures and other fixed assets;(d)any project-imposed restrictions on use of, or access to, land or natural resources;(e)alternatives considered to avoid or minimize displacement and why those were rejected; and(f )the mechanisms established to minimize displacement, to the extent possible, during project implementation
3. **Objectives:** The main objectives of the resettlement program.
4. **Census survey and baseline socioeconomic studies:** The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project .The census survey also serves other essential functions: (a)identifying characteristics of displaced house-holds, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;(b)information on vulnerable groups or persons for whom special provisions may have to be made; (c)identifying public or community infrastructure, property or services that may be affected; (d)providing a basis for the design of, and budgeting for, the resettlement program;(e)in conjunction with establishment of a cutoff date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and (f )establishing baseline conditions for monitoring and evaluation purposes .As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:(g)land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;(h)the patterns of social interaction in the affected communities, including social net-works and social support systems, and how they will be affected by the project; and(i)social and cultural characteristics of displaced communities, including a description of for-mal and informal institutions (e .g ., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities
5. **Legal framework:** The findings of an analysis of the legal framework, covering:(a)the scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;(b)the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project;(c)laws and regulations relating to the agencies responsible for implementing resettlement activities; and(d)gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps .
6. **Institutional framework.** The findings of an analysis of the institutional framework covering:(a) the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;(b)an assessment of the institutional capacity of such agencies and NGOs/CSOs; and(c)any steps that are proposed to enhance

the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation

7. **Eligibility.** Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates.
8. **Valuation of and compensation for losses.** The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
9. **Community participation.** Involvement of displaced persons (including host communities, where relevant):(a)a description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;(b)a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;(c)a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and(d)institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented .
10. **Implementation schedule.** An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. **Costs and budget.** Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.
12. **Grievance redress mechanism.** The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
13. **Monitoring and evaluation.** Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation .
14. **Arrangements for adaptive management.** The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.

### Appendix 3: Quarterly grievance report

Period from..... to.....20.....

Project

Phase:.....

Case No.	Complainant's name, gender and location	Nature of complaints and expectation of complainant	Date of Petition submitted	Method of resolution with dates	Decisions and date of communication to the complainant	Agreement with and commitment to complainant	Progress (solved/pending)	Reason, if pending

## Appendix 4: Terms of Reference for External M&E Firm

### PROJECT BACKGROUND

*(This will be reflected from PAD or the Introduction Chapter)*

### KEY OBJECTIVE OF EXTERNAL MONITORING

The primary objective for engaging an independent M&E Firm is to review the efficacy of internal monitoring, design and conduct periodic third party monitoring and provide feedback to PIU and MoLGRDC on policy improvement and enhancement of RAP implementation process. The M&E Firm will review implementation process as per set policies in the RAP and assess the achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the affected people, the effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning.

### SCOPE OF WORK

The scope of work of the M&E Firm will include the following tasks:

1. To develop specific monitoring indicators for undertaking monitoring of all aspects of Resettlement Action Plan (RAP)
2. To review and verify the progress in land acquisition/resettlement implementation of the Project.
3. Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches, implementation strategies.
4. Evaluate and assess the adequacy of compensation given to the APs and the livelihood opportunities and incomes as well as the quality of life of PAPs of project-induced changes.
5. Identification of the categories of impacts and evaluation of the quality and timeliness of delivering entitlements (compensation and rehabilitation measures) for each category and how the entitlements were used and their impact and adequacy to meet the specified objectives of the Plans. The quality and timeliness of delivering entitlements, and the sufficiency of entitlements as per approved policy.
6. To analyze the pre-and post-project socio-economic conditions of the affected people. In the absence of baseline socio-economic data on income and living standards and given the difficulty of APs having accurate recollection of their pre-project income and living standards, develop some quality checks on the information to be obtained from the APs. Such quality checks could include verification by neighbors and local village leaders. The methodology for assessment should be very explicit, noting any qualifications.
7. Review results of internal monitoring and verify claims through sampling check at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impact of land acquisition for monitoring and evaluation purposes.
8. To monitor and assess the adequacy and effectiveness of the consultative process with affected APs, particularly those vulnerable, including the adequacy and effectiveness of

grievance procedures and legal redress available to the affected parties, and dissemination of information about these.

9. Identify, quantify, and qualify the types of conflicts and grievances reported and resolved and the consultation and participation procedures.
10. Provide a summary of whether involuntary resettlement was implemented (a) in accordance with the RAP, and (b) in accordance with the stated policy.
11. To review the quality and suitability of the relocation sites from the perspective of the both affected and host communities.
12. Verify expenditure & adequacy of budget for resettlement activities.
13. Describe any outstanding actions that are required to bring the resettlement activities in line with the policy and the RAP. Describe further mitigation measures needed to meet the needs of any affected person or families judged and/or perceiving themselves to be worse off as a result of the Project. Provide a timetable and define budget requirements for these supplementary mitigation measures.
14. Describe any lessons learned that might be useful in developing the new national resettlement policy and legal/institutional framework for involuntary resettlement.

## **METHODOLOGY AND APPROACH**

The general approach to be used is to monitor activities and evaluate impacts ensuring participation of all stakeholders especially women and vulnerable groups. Monitoring tools should include both quantitative and qualitative methods. The external monitor should reach out to cover:

- 100% APs who had property, assets, incomes and activities severely affected by Project works and had to relocate either to resettlement sites or who chose to self-relocate, or whose source of income was severely affected.
- 10% of persons who had property, assets, incomes and activities marginally affected by Project works and did not have to relocate;
- 10% of those affected by off-site project activities by contractors and sub-contractors, including employment, use of land for contractor's camps, pollution, public health etc.;

The monitoring should be supplemented by focus group discussions (FGD) which would allow the monitors to consult a range of stakeholders (local government, resettlement field staff, NGOs, community leaders, and, most importantly, APs) and community public meetings which are open public meetings at the resettlement sites to elicit information about performance of various resettlement activities.

## **TEAM COMPOSITION OF THE EXTERNAL M&E FIRM**

The Firm should focus on field-based research on institutional arrangement, implementation strategy, policy objectives and the targets. In addition, data collection, processing and analysis should be performed to pinpoint problem areas and weaknesses and to highlight corrective measures, if needed, to achieve the objectives on schedule. Thus, there is a need for a dedicated monitoring team with adequate gender representation. Further, it is essential that the central team or field level coordinators responsible for monitoring, are skilled and trained in data base management, interview technique as well as social and economic/finance. Keeping in mind these criteria, the team should ideally include:

Position/expertise	Qualification and experience
1. Team Leader/ Implementation Specialist	Masters in social science/science with 15 years working background in planning, implementation and monitoring of involuntary resettlement for infrastructure projects. Experience in institutional capacity analysis and implementation arrangement for preparation and implementation of resettlement plans, and knowledge in WB ESF and latest social policies of the international development financing institutions in Bangladesh are preferred.
2. Social Impact Specialist	Master's in social science/science with 15 years working experience in social impact assessment including census and socioeconomic surveys, stakeholders' consultation, and analyzing social impacts to identify mitigation measures in compliance with social compliance policies of the international development financing institutions and national legislations. Experience of preparing resettlement framework and action plans and implementation of plans for externally financed projects is essential.
3. Gender Specialist	Master's in social science with 15 years working experience in relevant field; Thorough knowledge of gender issues and their implications in development projects; research and work experience relating to gender issues; and knowledge of techniques and their applications in mobilizing community participation in development programs.
4. Data Analyst	Graduate with working experience and knowledge of software, those are most commonly used in Bangladesh; demonstrated ability to design and implement automated MIS(s) for monitoring progress, comparing targets with achieved progress and the procedural steps.

## TIME FRAME AND REPORTING

The EMA will be employed initially for a year which may be extended till the end of the project depending on performance.

Quarterly and annual monitoring reports should be submitted to the PIU with copies to the World Bank. An evaluation report at the end of the Project should be submitted to the PIU with critical analysis of the achievement of the projects and the performance of PIU and NGO.

The external monitors will provide monitoring and evaluation report covering the following aspects:

- Whether the resettlement activities have been completed as planned and budgeted
- The extent to which the specific objectives and the expected outcomes/results have been achieved and the factors affecting their achievement or non achievement
- The extent to which the overall objective of the Resettlement Plan, pre project or improved social and economic status, livelihood status, have been achieved and the reasons for achievement / non achievement
- Major areas of improvement and key risk factors
- Major lessons learnt and
- Recommendations.

Formats for collection and presentation of monitoring data will be designed in consultation with PIU, consultants and panel of experts.

## **QUALIFICATION OF THE EXTERNAL M&E FIRM**

The M&E Firm will have at least 10 years of experience in resettlement policy analysis and implementation of resettlement plans. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. NGOs, Consulting Firms or University Departments (consultant organization) having requisite capacity and experience as follows can qualify for services of and external monitor for the Project.

- NGOs registered with the Social Welfare Department of the GOB, Consulting Firms registered with the Joint Stock Company or Departments of any recognized university.
- The applicant should have prior experience in social surveys in land-based infrastructure projects and preparation of resettlement plans (RAP) as per guidelines on involuntary resettlement of World Bank.
- The applicant should have extensive experience in implementation and monitoring of resettlement plans, preparation of implementation tools, and development and operation of automated MIS for monitoring.
- The applicant should be able to produce evidences of monitoring using structured instruments and computerized MIS with set criteria for measuring achievement.
- The applicant should have adequate manpower with capacity and expertise in the field of planning, implementation and monitoring of involuntary resettlement projects as per donor's guidelines.

Interested agencies should submit proposal for the work with a brief statement of the approach, methodology, and relevant information concerning previous experience on monitoring of resettlement implementation and preparation of reports.

The profile of consultant agency, along with full CVs of the team to be engaged, must be submitted along with the proposal.

## **BUDGET AND LOGISTICS**

The budget should include all expenses such as staff salary, office accommodation, training, computer / software, transport, field expenses and other logistics necessary for field activities, data collection, processing and analysis for monitoring and evaluation work. Additional expense claims whatsoever outside the proposed and negotiated budget will not be entertained. VAT, Income Tax and other charges admissible will be deducted at source as per GOB laws.