



Government of the People's Republic of Bangladesh

**Western Economic Corridor & Regional Enhancement Program
(WeCARE Program)**

**Hatikumrul-Bonpara –Jhenaidah Road
Phase 1 (Khustia-Jhenaidah-66.7 km)**

Resettlement Policy Framework (RPF)

**Roads and Highways Department (RHD)
October 2020**

ABBREVIATIONS

AP	Affected Person
ARIPA	Acquisition and Requisition of Immovable Property Act
AIIB	Asian Infrastructure Investment Bank
CCL	Cash Compensation under Law
CPR	Common Property Resources
DDR	Due Diligence Report
ESS	Environmental and Social Standards
ESF	Environmental and Social Framework
EP	Entitled Person
FGD	Focus Group Discussion
GoB	Government of Bangladesh
GRM	Grievance Redress Mechanism
GRC	Grievance Redress Committee
GBV	Gender based Violence
IoL	Inventory of Losses
IP	Indigenous Peoples
IPP	Indigenous People Plan
IVC	Inventory Verification Committee
LMP	Labor Management Plan
M&E	Monitoring and Evaluation
MOE	Ministry of Environment
MoRTB	Ministry of Road Transport and Bridges
NGO	Non-Governmental Organizations
OFC	Optical Fiber Cable
PAH	Project Affected Households
PAP	Project Affected Persons
PAVC	Property Assessment and Valuation Committee
PIC	Project Implementation Committee
PIU	Project Implementation Unit
PMO	Project Management Office
PMU	Project Management Unit
PSC	Project Steering committee
PVAC	Property Valuation Advisory Committee
RP	Resettlement Plan
RCS	Replacement Cost Study
RHD	Roads and Highways Department
RPF	Resettlement Policy Framework
ROW	Right of Way
RSEC	Social and Environmental Circle of RHD
RV	Replacement Value
SES	Socio-economic survey
SEP	Stakeholder Engagement Plan
TOR	Terms of Reference
VLD	Voluntary Land Donation
WeCARE	Western Economic Corridor & Regional Enhancement Program

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.

Forced eviction is defined as the permanent or temporary removal, against the will of individuals, families and/or communities, from homes or land (or both) which they occupy, without the provision of, or access to, appropriate forms of legal or other protection. The exercise of eminent domain, compulsory acquisition or similar powers, is not considered to be forced eviction, providing it complies with the requirements of national law, and is conducted in a manner consistent with basic principles of due process (including provision of adequate advance notice, meaningful opportunities to lodge grievances and appeal, and avoidance of the use of unnecessary, disproportionate or excessive force).

Involuntary resettlement covers physical displacement (relocation, loss of residential land or loss of shelter) and economic displacement (loss of land or access to land loss of assets or access to assets, or loss of income sources or means of livelihood) as a result of: (a) involuntary acquisition of land; or (b) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers such displacement whether such losses and involuntary restrictions are full or partial, permanent or temporary.

“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” is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. 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 Plan. 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 Plan (RP)” is a resettlement instrument (document) to be prepared when subproject locations are identified. RPs 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.

Vulnerable groups or individuals refers to people who, by virtue of factors beyond their control, (a) may be more likely to be adversely affected by the Project’s environmental and social impacts; and (b) may be more limited than others in their ability to claim or take advantage of Project benefits. Such an individual or group is also more likely to be excluded from or unable to participate fully in the mainstream consultation process and may require specific measures or assistance (or both) to do so.

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.

Table of Contents

ABBREVIATIONS	1
Glossary.....	2
List of Tables	5
Executive Summary	6
Chapter 1: Introduction and Project Description.....	14
1.1 Introduction	14
1.2 Program components.....	15
1.3 Project location	15
1.4 RHD program principles	18
1.5 Objective of the RPF.....	20
Chapter 2: Summary of Baseline information, potential impacts and risks	21
2.1 Baseline Information and impact assessment procedure	21
2.2 Potential Impacts and Risks	21
2.3 Impacts with the Associated Facilities	24
Chapter 3: Policy, Legal and Principles Governing Resettlement.....	25
3.1 Introduction	25
3.2 GoB and AIIB Policy	25
3.2.1 Land Acquisition policy of Bangladesh Government	25
3.2.2 Land Requisition Policy of Bangladesh:	29
3.2.3 Voluntary Land Donation (VLD)	29
3.2.4 AIIB Policy.....	29
3.3 Gaps between AIIB ESS2 and ARIPA 2017 and Gap filling measures	31
Chapter 4: Resettlement planning procedures.....	44
4.1 Resettlement and Relocation Process	44
4.2 Detailed Assessment and Survey	44
4.3 Valuation method	45
4.3.1 Valuation method for land.....	45
4.3.2 Valuation method for structure	46
4.3.3 Valuation method for trees and crops.....	46
4.4 Preparation of RP	47
Chapter 5: Entitlement and Eligibility Criteria	48

5.1 Principle	48
5.2 Methods to Determine Cut-Off Date	48
5.3 Eligibility Criteria	48
5.4 Determination and Payment of Top-up.....	49
5.5 Entitlements matrix: Eligible PAPs, Assets and Compensation Guidelines.....	50
Appendix 1: Social Screening Form.....	54
Appendix 2: Outline of a Resettlement Plan.....	57

List of Tables

Table 2.1: Project Impact and Baseline Assessment Methodology	21
Table 2.2: Socio-economic baseline of the project area.....	Error! Bookmark not defined.
Table 2.3: Summary project impacts under feasibility study	Error! Bookmark not defined.
Table 2.4: Potential land Acquisition and Resettlement Impacts and Risks	22
Table 3.1: Land Acquisition Process under ARIPA, 2017	26
Table 3.2: Gaps between GOB policies/act and AIIB ESS2.....	35
Table 4.1: Resettlement Planning, responsibility and timing	44
Table 5.1: Eligibility and Entitlement Matrix.....	50
Table 6.1: Project stakeholder analysis.....	Error! Bookmark not defined.
Table 6.2: Summary of Consultation Meetings and FGDs	Error! Bookmark not defined.
Table 6.3: summary of consultation outcomes	Error! Bookmark not defined.
Table 6.4: Future stakeholder engagement activities	Error! Bookmark not defined.
Table 8.1: RPF related activities, responsibility and approval authority	Error! Bookmark not defined.
Table 8.2: Training.....	Error! Bookmark not defined.
Table 8.3: A tentative RP implementation budget	Error! Bookmark not defined.
Table 9.1: Monitoring process of key indicators.....	Error! Bookmark not defined.
Table 9.2: Reporting Requirements	Error! Bookmark not defined.

List of Figures

Figure 1.1: Location of WeCARE program corridor with AIIB and World Bank parts	15
Figure 1.2: Location of Kustia to Jhenaidah Road Corridor	16
Figure 1.3: Location of Lalon Shah Bridge to Jhenaidah Road	18
Figure 7.1 : The Structure of Grievance Mechanism	Error! Bookmark not defined.

Executive Summary

Introduction and Project description

The Asian Infrastructure Investment Bank (AIIB) is considering financing the Hatikumrul-Bonpara-Jhenaida Road Improvement Project (the Project). The project is divided into two phases and this RPF is being prepared for phase 1. As the Project consists of activities whose details are not yet to be identified, all potential livelihood impacts and mitigation measure will be guided by this Resettlement Planning Framework (RPF), which will serve as a manual for RHD, consultants, contractors and their subcontractors working for the Project. The RPF is an integral part of the Environmental and Social Management of the Project and governs the mitigation of potential negative impact on livelihoods by Road and Highways Department (RHD). The RPF is prepared by RHD, under Ministry of Road Transport and Bridges (MoRTB) in accordance with Government of Bangladesh's (GoB) legal policy and Asian Infrastructure Investment Bank (AIIB)'s Environmental and Social Policy (ESP), specifically ESS 2: Involuntary Resettlement (ESS 2).

The Project will upgrade a 66.7 km section (Kushtia - Jhenaidah) of existing two-lane road from Bonpara - Jhenaida to four lanes, add slow- moving vehicle traffic lanes on both sides of the main carriageway, and provide optical fiber cable (OFC) to expand the country's broadband connectivity and enable "smart highways" along the project alignment. The Project will finance road construction, OFC, consulting services, training and capacity building, equipment purchase, and ITS systems.

The RPF sets out the principles and objectives governing the resettlement process and related mitigation measures in accordance with the ESS2 requirements. Specifically, this RPF is prepared to guide land acquisition, involuntary resettlement, economic displacement and the consequent preparation and implementation of Resettlement Plans (RPs) by RHD under the Project. The aim is to ensure that adverse socio-economic impacts of the Project on Project Affected Persons (PAPs) are adequately mitigated and the PAPs are not worst off as a result of project interventions.

RHD has conducted census, Socio-economic survey (SES) and Inventory of Losses IOL in 2019 for the project, which was considered for financing from the Asian Development Bank (ADB). RHD has also prepared a Resettlement Plan in 2019 in line with the guidelines of ADB Safeguard Policy Statement (SPS) 2009. The social risk and impacts identified in that RP were considered during preparation of this RPF which is prepared in line with AIIB ESP and ESS 2, as ADB is no longer considering this project for financing. Currently RHD is updating the road design and once the detailed design are completed, a new RP will be prepared in line with the ESP, ESS 2 and the guidelines of this RPF.

Currently, the COVID-19 pandemic is negatively impacting Bangladesh and is expected to also affect the Project. Appropriate mitigation measures in line with GoB recommendations and best international practices shall be mainstreamed in the preparation of subsequent RPs.

Based on Project's Social Impact Assessment (SIA) conducted for Kushtia-Jhenaidah road, the social risk and impacts are categorized as "A". The key social risks and impacts that are anticipated to occur largely during the construction phase and within existing footprints include: (i) cutting of about 80,000 trees lining along the feasibility Right of Way (ROW); (ii) health & safety of workers and communities within the corridor and along the transport routes of construction supplies, materials and equipment, in project areas and around construction areas; (iii) exposure of population in urban and semi-urban centers along

the ROW and transport routes to noise, vibrations, air pollution and traffic-related risks; (iv) significant land acquisition along the feasibility ROW; (vi) around 1700 partial or full physical displacement of houses and some mosques, temples, madrasah and graves; (vii) temporary economic displacement of some vendors and businesses along the ROW and in market areas where some rural roads and logistics and market infrastructure will be constructed and/or rehabilitated; and, (viii) increased risk of GBV and road accidents related to the construction works. The Project will mainly employ local labor for unskilled labor requirements, but skilled laborers may come from other areas of the country; thus, risks deriving from labor influx are expected to be moderate to substantial.

Project components

The Project components are as follows:

Component 1 Civil Works: Roadway improvements and OFC civil works (ducts, handholes, manholes) along a 66.7-kilometer section of the Bonpara-Jhenaida which is Lalon Shah Bridge, Kushtia to Bonpara)

Component 2 – Construction Supervision and Project Management. Consulting services for review and approval of construction drawings and for full-time construction supervision.

Component 3 – Equipment Purchase. Purchase of key O&M equipment and Intelligent Transportation System (ITS) equipment to enhance RHD’s asset management capacity and capabilities at the district and national level.

Summary of Baseline information, potential impacts and risks

The project impacts, risks, socio-economic and baseline conditions will be assessed based on a Census, socio-economic survey and consultations with all directly and indirectly affected HHs. The impact and socio-economic conditions will be carried out both at household and community levels through various field surveys and stakeholder’s consultation meetings. The questionnaires will contain an inventory of losses of each affected household, which will include details of potentially affected structures (i.e. houses), agricultural land, trees and other assets belonging to each household. The survey will also include inventory of businesses/commercial structures as well as public and community structure on the Project right-of-way.

With the support of ADB TA fund, RHD has conducted census, socio-economic survey (SES) and inventory of losses (IOL) along the same road section in 2019 based on the feasibility design. During preparation of the RPF, RHD has considered the outcomes of the 2019 social studies and together with its consultants visited selected sample sites to identify the initial impacts and risks. During screening and the consultations with different stakeholders, community people opined that construction of RHD roads will dramatically improve the living standards and livelihood opportunities lifestyle of local people with local economy and socio-cultural environments, trade and commerce, transport development, infrastructure expansion, establishment of small and medium scale industries and urbanization.

RHD is yet to finalize the detailed design. Once RHD will finalize the sub-project selection based on the community needs and assessment, actual project impacts will be identified based on Census, Inventory of Losses (IOL) and Socio-Economic Survey (SES). However, the social risks and impacts of the proposed RHD program may be fully ascertained largely during the construction phase. The potential risks and impacts may include: (i) land acquisition, requisition, and voluntary land donation along the expanded right-of-Way (ROW); (ii) permanent and/or temporary physical displacement of residential and commercial HHs including the Common Property Resources (CPR); (iii) temporary economic displacement of some vendors and businesses along the ROW and in market areas where some rural roads will be constructed and/or rehabilitated; (iv) Loss of trees and crops (iv) Increased risk of GBV and road accidents. However, during the operation & maintenance phase, impacts to the economy from improved roads and connectivity and road safety are expected to be positive.

The World Bank-financed section of the Program Corridor is considered an Associated Facility of the AIIB Program. E&S assessments, instruments and documents will be prepared in accordance with the ESF and the World Bank will conduct due diligence of these instruments and documents. During implementation, the Government will supervise and monitor E&S risks and impacts of the entire Program Corridor in accordance with the ESF and will ensure that all supervision records and project sites are accessible to both the AIIB and World Bank. The AIIB and World Bank may also conduct joint supervision missions.

Policy, legal and principles governing resettlement

The Project will be implemented in compliance with the ESP of the AIIB including Environmental and Social Standard 2 (ESS2): Involuntary Resettlement, Environmental, Health and Safety (EHS) Guidelines of the World Bank Group and relevant GoB legislation. This RPF applies to all components of the Project causing involuntary resettlement, regardless of the source of Project component funding. It further applies to activities that cause involuntary resettlement, which are directly and materially related to the Project, carried/planned to be carried out with the Project, necessary for the Project to be viable and would not be undertaken if the Project did not exist.

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. According to ARIPA 2017, compensation to be paid for affected land, structures, trees, crops and any other damages caused by such acquisition. Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the acquired assets as at the date of issuing the notice of acquisition under section 4(1). The DCs there after enhance the assessed value by 200% and another 100% premium for loss of standing crops, structures and income due to compulsory nature of the acquisition. The compensation such determined is called the Cash Compensation under Law (CCL). If the land acquired has standing crops cultivated by a tenant (Bargadar) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. ARIPA 2017 under section 4 (13) permits the acquisition of the community properties if it is for a public purpose provided that project for which the land is acquired provides for similar types of assets in some other appropriate place or reconstruct the community properties.

AIIB's "Environmental and Social Standards (ESS)" for the purpose of addressing issues relating to environmental and social sustainability as AIIB considers it as a fundamental aspect of achieving outcomes consistent with its mandate to support infrastructure development and enhance interconnectivity in Asia. The objective of this overarching policy is to facilitate achievement of these development outcomes, through a system that integrates sound environmental and social management into Projects. AIIB has three associated environmental and social standards (ESSs), which set out more detailed mandatory environmental and social requirements relating to the following:

ESS 1: Environmental and Social Assessment and Management (ESS 1);

ESS 2: Involuntary Resettlement (ESS 2);

ESS 3: Indigenous Peoples (ESS 3)

ESS 2 acknowledges that there are cases where no alternatives can be found to avoid involuntary resettlement. In such cases, AIIB requires the client to ensure that resettlement activities are conceived and carried out as sustainable development programs. The Client is required to provide sufficient resources to ensure that the people who are made to face involuntary resettlement share the benefits of the project.

In case of any involuntary resettlement, the Client is required to prepare a Resettlement Planning Framework and/or Resettlement Plan (RP) that it is proportionate to the extent and degree of impacts of a project. The degree of impacts is determined by (a) the overall scope of displacement – both from economical and physical standpoint, and (b) the extent of vulnerability of the PAPs. A wider analysis of social risks associated with the project and their impacts is complemented by the RP for a comprehensive Social Impact Assessment (SIA) of the project. The RPF as well as the RP for a project set put the principles to be followed to ensure that impacts associated with involuntary resettlement, including but, not limited to – any land acquisition from, the land use rights changes of, any displacement of, and the need for livelihood restoration of the PDPs are mitigated so as to ensure Project Affected Peoples (PAPs) are no worse off and where possible their lives are improved as a result of the resettlement. Additionally, the ESS2 requires the Client to include these people in the resettlement consultation process.

Resettlement planning procedures

The components and subcomponents with physical works/interventions require screening. The social screening will occur during the project preparation stage as a soon as fairly accurate site location(s) is (are) known for the sub-projects. The social screening will provide a preliminary assessment of the potential impacts of the sub-project. The screening 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 social issues that would need to be handled during the subsequent stages. It will also help to identify opportunities for avoidance or minimization early in the project cycle so that the design process can be informed appropriately. The screening will also help to identify the scope of further assessments and timeframe required for obtaining the regulatory clearances (if any). If further assessments and plans (such as RP, ARAP, etc.) are deemed necessary, these plans will be prepared according to the guidelines provided in this RPF

Entitlement, eligibility criteria and Entitlement Matrix

The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers 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.

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

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project activities;
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project activities;
- 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.

Other than PAPs any entities affected by the project within the RoW are entitled for the compensation. 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. For sensitive structures and CPRs like the mosques, temples, churches and graveyards, RHD and its consultants will work with the communities and the management committees of these CPRs to decide appropriate measures and relocation. According to the GoB ARIPA 2017, some of these socially sensitive CPRs (churches, temples and graveyards) cannot be acquired by the Project. Only with community consultations and consent, these can be purchased and relocated. If these are not possible, the Project will have to by-pass these structures and choose an alternative RoW.

Consultation and participation

Consultations with affected people and communities are the starting point for all resettlement related activities. Experience indicates that involuntary resettlement generally leads the affected population to facing severe problems in the socio-economic life making them apprehensive towards the Project. Project aims to provide a two-way communication channel between the stakeholders and the scheme proponents. In keeping with the same, the process of public consultation and participation in the project was initiated in the year 2019 and has been an integral part since all studies and assessments are undertaken. During this period, RHD has conducted 02 consultation meetings and 10 FGD's with different stakeholders as the farmers, businessmen, residential structure loser, roadside shop owners and employees, transport owners and operators, industrial owner and employees, vulnerably poor community people, female group etc. Also organized community level open consultation meetings in key strategic places (UP Office, Market Centres etc.) along the road alignment. The RHD representatives,

officials of local government (UP/Upazila/District level), community leaders were also interviewed on individual basis. Detailed are described with the project's Social Impact Assessment (SIA) report.

Notwithstanding these consultations, for the purpose of disclosing this RPF and soliciting feedback, a new round of public consultations will be undertaken. They will inform people of the applicability of AIB ESP, present the final scope of the Project, description of temporary and permanent impacts, entitlements of PAPs to compensation and assistance, grievance procedures, schedule of land acquisition activities, role of various agencies, opportunities to participate in the finalization of this RPF and other related or requested information. To ensure that PAPs and other key stakeholders are informed of these consultations, schedule and venues of consultations will be announced publicly before the activities. Individual notifications of potential PAPs will also be made. In line with COVID-19 restrictions, consultations for this RPF will be undertaken both remotely and in person to ensure mitigation of transmission risks.

Copies of the draft and final RPF in English and Bangla language are available at the Project area at the following locations and made available online at:

1. Local RHD office
2. Local Union chairmen's office
3. RHD project office
4. Concerned Deputy Commissioners office
5. RAP Implementing NGO/firm's office
6. AIB's Project webpage
7. RHD's Project webpage.

Public feedback for the overall Project or this RPF can be shared through:

1. Website: <http://www.rhd.gov.bd>
2. Email: pd.wecare@rhd.gov.bd
3. Telephone number: 02-48322657; +8801730782912
4. Address: 132/4 New Baily Road, Dhaka - 1000

Consultation section is described in details with SIA of this project. Project will follow the guidance provided in the SIA through the project cycle.

Grievance Redress Mechanism

The ARIPA 2017 allows objections by the landowners to acquisitions 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 individual landowners may 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 over ownership and inheritance of the acquired lands to affected persons and assets missed by censuses, the valuation of affected assets, compensation entitlements, complains against noise, pollution, accident, GBV and other social and environmental issues.

In view of this, RHD will establish 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 RAP

for assessment and mitigation of social and environmental impacts through grievance redress mechanism (GRM). RHD is also planning to hire a consultant to set up a cloud based multi-channeled ways to accept feedback on the draft E&S instruments. The system will be also linked with the GRM.

The GRM will deal with complaints and grievances related to both social/resettlement and environmental issues in this Project. 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. RHD will provide sufficient onboarding and training for the members of the GRCs to ensure their ability to resolve grievances in an effective and efficient manner. 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. There will be four-tier grievance redress mechanism; 1st at local level (upazila), 2nd district level, 3rd PIU level and final one is for ministry level.

GRM section is described in details with SIA of this project. Project will follow the guidance provided in the SIA through the project cycle.

Institutional and implementation arrangements

Roads and Highways Department (RHD) under the Ministry of Road Transport and Bridges (MoRTB) is representing the Government of Bangladesh as the Executing Agency (EA) of the WeCARE RHD Program. RHD is responsible for undertaking all studies, design, and construction of this Project. It will also be responsible for operation and maintenance (O&M) of the project after its completion. RHD is mandated to undertake steps, as per guidelines of the MoRTB and advice of the Government, to secure required funds both from external and internal sources for the implementation of the Project. For efficient and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the RAP and other relevant safeguard document. WeCARE-RHD Institutional arrangement consist of Program Steering Committee (PSC) at ministry level; Project Implementation Unit (PIU) at project level; and project Implementation Committee (PIC) at RHD field level. An external monitor will be also hired for the program to ensure proper monitoring of safeguard implementation. Institutional Arrangement section is described in details with SIA of this project. Project will follow the guidance provided in the SIA through the project cycle.

Tentative Resettlement Budget:

The Project will use the budget based on the SES and IOL conducted in 2019 for the Project, inclusive of a 15% increase, as a guiding point to ensure GoB availability of earmarked funds to cover the resettlement activities. A tentative resettlement budget is proposed in the SIA which will be changed/updated once the RP is being prepared based on the final detailed design.

Monitoring

RHD will conduct rigorous and regular monitoring and evaluation of the updating and implementation of the resettlement plan. Monitoring and evaluation are intended to help ensure that the resettlement plan

is prepared and implemented according to the resettlement policy framework. Moreover, external monitor of the project will review all the social safeguard Due-Diligence Reports (DDR) prepared for this project. RHD will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation of the RP. The extent of monitoring activities will be proportionate to the project's risks and impacts. For all projects with significant involuntary resettlement impacts, the RHD will retain competent resettlement professionals to monitor the implementation of resettlement plans, design corrective actions as necessary, provide advice on compliance with this ESS 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.

RHD will regularly coordinate with WeCARE-World Bank project officials and if necessary, conduct joint field visits to ensure RPF compliances as WB components are the associate facilities for AIIB-WeCARE program. Monitoring section is described in details with SIA of this project. Project will follow the guidance provided in the SIA through the project cycle.

Chapter 1: Introduction and Project Description

1.1 Introduction

This Resettlement Policy Framework (RPF) is prepared by Road and Highways Department (RHD) under Ministry of Road Transport and Bridges (MoRTB) in accordance with Government of Bangladesh's (GoB) legal policy and Asian Infrastructure Investment Bank (AIIB) Environmental and Social Framework, specifically ESS-2 which is the standard 2 "Involuntary Resettlement". This RPF is for Western Economic Corridor Regional Enhancement Program –RHD (WeCARE-RHD) financed by the AIIB. This RPF is prepared for phase 1 section of Bonpara- Jhenaidah (66.7 km) road.

The WeCARE-RHD program is located in the Western Region of Bangladesh along the 260-km (1) Jhenaidah – Bonpara – Hatikumrul (160 km); (2) Jashore – Jhenaidah (48 KM) and (3) Navaron – Satkhira -Bhomra (approx. 52 km) –corridors respectively where AIIB will finance for 160 km of national High ways (Jhenaidah – Bonpara – Hatikumrul) under RHD. This program is planned to be implemented in two phases over ten years. The anticipated time for Phase-1 is five years while the duration of phase 2 is expected to be five years. Each phase will include investments in primary, secondary, and tertiary road infrastructure, complementary logistics infrastructure and services, and technical assistance for institutional capacity building and transport sector modernization. This RPF is prepared for RHD component/s of phase -1 (Kustia –Jhenaidah road -67 km). During phase 2 (Hatikumrul-Bonpara-Ishwardi road) this RPF will be updated and/or new RPF will be prepared.

This RPF will guide to land acquisition and resettlement and the consequent preparation and implementation of Resettlement Action Plans (RAPs) by RHD under the program. WeCARE sets out the principles and objectives governing preparation and implementation of this social risks and impacts, mitigation measures in accordance with the ESS2 requirements. The aim is to ensure that adverse socio-economic impacts of the programs on Project Affected Persons (PAPs) are adequately mitigated and the PAPs are not worst off as a result of project interventions.

As the detailed design and Right of Way (RoW) of the proposed four lane road is not finalized yet, this RPF is prepared to guide land acquisition and resettlement and the consequent preparation and implementation of Resettlement Action Plans (RPs) by RHD under the program. WeCARE sets out the principles and objectives governing preparation and implementation of this social risks and impacts, mitigation measures in accordance with the ESS2 requirements. The aim is to ensure that adverse socio-economic impacts of the programs on Project Affected Persons (PAPs) are adequately mitigated and the PAPs are not worst off as a result of project interventions.

The program will be jointed financed by the World Bank for 100 km of national highway (Jashore – Jhenaidah and Navaron – Satkhira -Bhomra) under RHD considered as associate facilities and thus, an assessment of World Bank part project interventions has been taken in this RPF to meet the requirements of ESF and AIIB's due-diligence under AIIB-ESS2 for all involuntary resettlement related activities.

As part of the safeguard due diligence, World Bank has prepared Resettlement Policy Framework (RPF), Environmental and Social Management Framework (ESMF), Environmental and Social Impact Assessment (ESIA) and Stakeholders Engagement Plan (SEP) based on the World Bank's ESS 1-10. RHD-AIIB project

team has reviewed the WB documents and found in-line with the AIIB ESF. A detailed assessment is provided with Social Impact assessment (SIA) prepared for AIIB-WeCARE program.

1.2 Program components

The Project components are as follows:

Component 1 – Civil Works. Roadway improvements and OFC civil works (ducts, handholes, manholes) along a 66.7-kilometer section of the Bonpara-Jhenaida

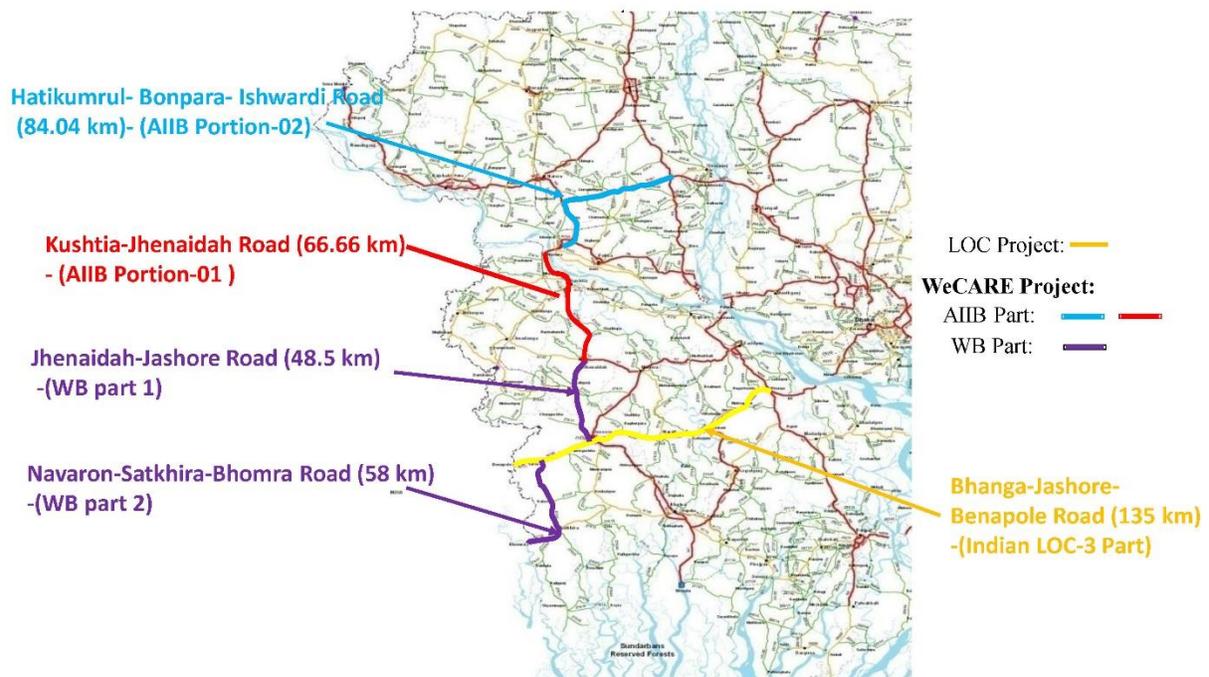
Component 2 – Construction Supervision and Project Management. Consulting services for review and approval of construction drawings and for full-time construction supervision.

Component 3 – Equipment Purchase. Purchase of key O&M equipment and Intelligent Transportation System (ITS) equipment to enhance RHD’s asset management capacity and capabilities at the district and national level.

1.3 Project location

The overall program will include Ten (10) Districts namely Jashore, Jhenaidah, Magura, Satkhira, Kushtia, Pabna, Natore, Chuadanga, Meherpur and Sirajganj. However, Phase I funded by AIIB will only cover the Jhenaidah-Kushtia segment. WeCARE program corridor with AIIB and World Bank parts are shown below with Figure 1.1.

Figure 1.1: Location of WeCARE program corridor with AIIB and World Bank parts



The phase 1 of AIIB funded program will be around 67 km starts from the Lalonshah Bridge (West side), Kushtia to Jhenaidah road corridor. The Kushtia-Jhenaidah Road, starts from Lalonshah Bridge (West Side) and ends at Jhenaidah 4-leg intersection of Jhenaidah-Jessore road with Jhenaidah-Magura road. The Lalon Shah Bridge over the Padma River is connecting the Pabna district on the east and Kushtia district on west side of the river. The road from Kushtia to Jhenaidah is a part of national highway (N704). The bridges on the roads are: (i) Bheramara (near rail crossing), (ii) Baliapara Bridge, Kushtia, (iii) Laxmipur Bridge, Kushtia; (iv) Taragonj Bridge and (v) Bhte Bazar Bridge, Shailkupa, Jhenaidah. The Kushtia-Jhenaidah Road connects Kushtia & Jhenaidah districts with Dhaka, the capital of Bangladesh through the greater national road network. Ruppur Nuclear Power Plant is situated at east end of Lalon Shah bridge. Details are shown with figure below.

Figure 1.2: Location of Kushtia to Jhenaidah Road Corridor (phase 1)

development of the road will enhance the facilitation of faster and safer movements of passenger and cargo.

Figure 1.3: Location of Lalon Shah Bridge to Jhenaidah Road



Further economic benefits could be expected from the increased use of the road corridor by commercial traffic travelling from/to other parts of Bangladesh and cross-border traffic travelling, in due course, from India to Dhaka, Khulna, Barishal, Mongla and Payra.

1.4 RHD program principles

The following principles will be followed for the RHD components during resettlement planning, implementation and monitoring of RPs prepared for components and sub-components.

- ✓ Affected households 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. Lack of legal rights to lost assets or tenure status and social or

economic status will not bar the affected households from entitlements to compensation and assistance.

- ✓ Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operation and engineering solutions that have the least impact on populations in the project area.
- ✓ No site clearing will be done in anticipation or before being considered for inclusion in the project site.
- ✓ Affected households 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. Moreover, plans for the acquisition and use of assets will be carried out in consultation with the affected households who will receive prior information of the compensation and other assistance available to them.
- ✓ Any acquisition of, or restriction on access to, resources owned or managed by the affected households as a common property such as pasture area will be mitigated by arrangements that will ensure they have access to equivalent resources.
- ✓ There will be no deductions in compensation payments for structures or other affected assets for salvage value, depreciation, taxes, stamp duties, fees or other payments.
- ✓ There will be effective mechanisms for hearing and resolving grievances during the planning and implementation of the component subprojects.
- ✓ If ownership over any affected asset is under dispute, the case will be handled in accordance with the grievance redress mechanism agreed with the EA.
- ✓ Temporarily affected land and structures will be restored to pre-project conditions following the requisition procedures.
- ✓ Existing social, cultural and religious practices will be respected.
- ✓ Special measures will be incorporated in the RP 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.
- ✓ Particular attention will be paid to the needs of vulnerable and disadvantaged groups as those individuals or groups who, by virtue of, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits] and ensure their participation in consultations.
- ✓ Adequate resources will be identified and committed during the preparation of the RP. This includes adequate budgetary support fully committed and made available to cover the costs of compensation, resettlement and rehabilitation within the agreed implementation period for the project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.
- ✓ 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 RHD and affected persons is in place; and (c) the area is free from all encumbrances. The RP implementation consultant will submit the report with written consent of the affected individual/HH. This will be verified by the PMC and certified by the PIU.

- ✓ Cash compensation for affected households losing commercial structures 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.
- ✓ These principles will be also applied to the 66.8km of RHD roads which will be connected with AIIB funded RHD roads. This 160 km road will be funded by the Asian Infrastructure Improvement Bank (AIIB) and will be considered as associated facility to the project.

1.5 Objective of the RPF

The RPF provides policies and procedures to determine requirements of the AIIB's ESS 2 on Involuntary Resettlement, 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 and compares it with AIIB's ESS 2 on Involuntary Resettlement for identifying gaps and providing gap filling measures.
- Describes and defines the process for preparing RP/s, cut-off dates for title and non-title holders, valuation process of impacted assets/ properties etc.
- Provides the principles and methods to be used in valuation of losses, and a description of eligibility and entitlements.
- Identifies the consultation mechanism and approaches to be adopted while preparing and implementing RPs 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
- Explains the due diligence procedures in case of project interventions linked to activities financed by AIIB.
- Capacity development of the existing RHD Social and Environmental Circle (RSEC), other related government agencies and local industries to identify the impacts and manage the related risks in accordance with ESS 2.

Chapter 2: Summary of Baseline information, potential impacts and risks

2.1 Baseline Information and impact assessment procedure

The potential project impacts, socio-economic and baseline conditions will be assessed based on a Census, socio-economic survey and consultations with all directly and indirectly affected HHs. The extent and magnitude of impacts and data on socio-economic conditions will be collected both at household and community levels through various field surveys and stakeholder's consultation meetings. The survey questionnaires will contain an inventory of losses of each affected household, which will include details of potentially affected structures (i.e. houses), agricultural land, trees and other assets belonging to each household. The survey will also include inventory of businesses/commercial structures as well as public and community structure on the Project right-of-way. Table 2.1 below presents the methodology to be adopted in the surveys/census for data collection for impact assessment and preparation of the Resettlement Plan.

Table 2.1: Project Impact and Baseline Assessment Methodology

Unit Level	Data Collection Tools and Techniques
Household Level	<ul style="list-style-type: none"> • Households census/interviews • Inventory of losses survey (structures, trees and other assets) • Inventory of businesses/commercial units • Affected agricultural plots survey • Livelihood assessment survey • Gender assessment survey • Communication needs assessment survey • Impacts of road intersections survey
Community Level	<ul style="list-style-type: none"> • Inventory of community structures • Village profiles for livelihood impact assessment survey • Stakeholders and community consultation meetings • Focus group discussion • Stakeholders meetings with Upazila administration

During preparation of the RPF, RHD together with its consultants visited selected sample sites to identify the initial impacts and risks. During screening and the consultations with different stakeholders, community people opined that construction of RHD roads will dramatically improve the living standards and livelihood opportunities lifestyle of local people with local economy and socio-cultural environs, trade and commerce, transport development, infrastructure expansion, establishment of small and medium scale industries and urbanization.

2.2 Potential Impacts and Risks

The potential risk and impacts are analyzed based on the census and SES carried out by RHD in 2019 for same proposed AIIB financed Kushtia to Jhenaidah 67 km road. However, the study was conducted based on the feasibility design which RHD is currently updating and the width of the RoW may be increased. Transforming the 2-lane road to 4-lane road will cause many positive and negative impacts. Aside from the positive impacts of the project, land acquisition and consequential displacement of people from their residence, places of work or from means of livelihood might give rise to various physical, economic, social

and environmental problems. Displacement may also affect production systems, de-link income sources and productive assets, reduce access to employment opportunities in a new socio-economic environment, etc.; resulting in long-term hardship, impoverishment and environmental damages unless the resettlement and rehabilitation plan is carefully drawn with appropriate mitigating measures and properly implemented with. A huge number of migrant labors will be engaged during the road construction which may cause labor influx.

The project impacts will include private land acquisition, affecting both title holders and non-title holders, Common Property Resources, both public and private, residential and commercial structures and privately owned trees.

Due to the nature and scale of the program, the project is classified as 'A' for environmental and social risks and as defined under bank ESF-ESS1. The risk categorization also takes into account the limited capacity of RHD on E&S risk management, in particular with regard to the provisions of Bank's ESF and specifically, the ESS2.

Upgrading existing RHD two lane road to four lane road may traverse through small- and large-scale business, few residential settlements, CPRs, and agriculture land which may involve substantial social negative impacts and risks at various level during construction and operations. During laying of Optical Fiber Cable (OFC)/utility duct alongside the road corridor to enhance digital connectivity any additional land will not be required as it will be laid within in the ROW in the four-lane road. This program will, in general, discourage land acquisition and will do so only when no alternative are available and adequate mitigation and compensation measures have been put into place for the PAPs. RHD will also try to avoid voluntary land donation, but in cases when this happens, it will be subject to strict scrutiny, legal documentation and prior approval by the AIIB will be required. In all cases, land acquisition, requisition and donation cannot result in a person or household being worse off than pre-project levels and adequate measures will be put into place to compensate the PAPs.

Table 2.4: Potential land Acquisition and Resettlement Impacts and Risks

Type of Probable Losses	Potential Impacts and Risks
<p>Privately Owned Land</p> <ul style="list-style-type: none"> ✓ Loss of plot or frontage of structures due to acquisition of additional land ✓ Loss of agricultural land/water bodies for natural and cultured fisheries due to additional area for RoW and temporary/permanent working area ✓ Loss of perennial crops, such as fruit trees 	<ul style="list-style-type: none"> ✓ Loss of income from agricultural and commercial activities, including fisheries and fruit trees ✓ Disruptions on existing landholdings and resource use ✓ Reduce the farm holding to uneconomic size ✓ Non-availability of similar land for resettlement of the displaced person/households exposing them to the risk of dispersion from own community and also misuse of the compensation money for other purposes ✓ Sufferings due to reduced homestead size ✓ Homestead to the relocated place takes long time to reach the previous standard/facilities

Type of Probable Losses	Potential Impacts and Risks
Structure – Commercial ✓ Loss of permanent/temporary business establishments/entities due to expanded RoW and work area acquisition ✓ Loss of structures and/or frontage of business enterprises/establishments	✓ Non-availability of suitable alternative place to relocate the establishment ✓ Difficulties to start business at a new place ✓ Disruption in income loss from business may cause negative impacts without alternative sources of income ✓ Loss of income from mills/factory ✓ Loss of work employment by workers.
Structure – Residential ✓ Loss of own housing structures ✓ Loss of rented residential structures	✓ Difficult to get a new homestead at a suitable place ✓ Disruption/dislocation of utility services and amenities ✓ Shifting or reconstruction of affected structures cause sufferings and damage/loss of properties ✓ Discomfort of living in a new area
Livelihood ✓ Loss of business by owners due to dislocation ✓ Loss of workdays/income by wage earners/employees	✓ Reduced income from business ✓ Reduced household income ✓ Lack of income to support family ✓ Serious hardship of the wage earners at the new place
Social Infrastructure/ Civic Amenities Loss of social infrastructure/ civic amenities like mosques, temples, graveyards, school/colleges, community centres and the like	✓ Difficult to set at a new suitable place ✓ Impact on the quality of social life ✓ Lack of social benefit from community life

During the construction if use of heavy machineries requires private lands on a temporary basis the contractors will require to secure written consent and permission from the land- owners. Any construction induced permanent and/or temporary impacts i. e: damages of structures, crops, trees, structures, and livelihood must be addressed according to the entitlement matrix suggested **with table 5.1.**

WeCARE-RHD project implementation will involve physical displacement of roadside shops, commercial buildings, business enterprises, petrol and CNG filling stations etc. Among the roadside's shops like tea stalls, grocery shop, vegetables motor vehicle repairing shops and mobile vendors etc. will be mostly affected and majority of them are found in temporary sheds made of CI sheet and wood/bamboo. Some roadside mobile vendors who operates on a temporary basis will also be affected.

Non-titled persons (squatters) will receive compensation for lost housing, business and any other productive means or livelihood opportunities lost through relocation. Any damages on the structures or income will be compensated as recommended by PAVC. Majority of the structures used by the vendors and/or squatters movable. Moreover, project is paying attention in a way that affected squatters/vendors condition do not get worse off due to project interventions. Vendors do business moving away from one place to another as they use vans or moving vehicle for the business.

2.3 Impacts with the Associated Facilities

The World Bank-financed section of the Program Corridor is considered as Associated Facility of the AIIB Program. E&S assessments, instruments and documents will be prepared in accordance with the ESF and the World Bank will conduct due diligence of these instruments and documents. During implementation, the Government will supervise and monitor E&S risks and impacts of the entire Program Corridor in accordance with the ESF and will ensure that all supervision records and project sites are accessible to both the AIIB and World Bank. The AIIB and World Bank may also conduct joint supervision missions.

As part of the safeguard due diligence, World Bank has prepared Resettlement Policy Framework (RPF), Environmental and Social Management Framework (ESMF), Environmental and Social Impact Assessment (ESIA) and Stakeholders Engagement Plan (SEP) based on the World Bank's ESS 1-10. RHD-AIIB project team has reviewed the WB documents and found in-line with the AIIB ESF. A detailed assessment is provided with Social Impact assessment (SIA) prepared for AIIB-WeCARE program in accordance with AIIB's Environmental and Social Framework.

Chapter 3: Policy, Legal and Principles Governing Resettlement

3.1 Introduction

This chapter presents a review of the existing laws and policies related to the social dimensions of the phase 1 and phase 2 road corridor project. Along with providing a summary of the relevant laws and policies, this chapter presents the AIIB's Environmental and Social Framework (ESS) which consists of three Environmental and Social Standards (ESS). Gaps between the relevant government laws and AIIB-ESS are presented in this chapter along with remedial measures to address the gaps.

The Government of Bangladesh does not have a national policy on involuntary resettlement. The law of eminent domain is applied for the acquisition of land for infrastructure projects of public interest. The acquisition of private land and resume of public lands from private users will lead to loss of assets and displacement of peoples of various extents and categories. The legal and policy framework for land acquisition and involuntary resettlement for the proposed project will be based on Acquisition and Requisition of Immovable Property Act (ARIPA) 2017 and AIIB policy to avoid unexpected situations in the process of land acquisition for the project.

3.2 GoB and AIIB Policy

3.2.1 Land Acquisition policy of Bangladesh Government

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. According to ARIPA 2017, compensation to be paid for affected land, structures, trees, crops and any other damages caused by such acquisition. Under the ARIPA 2017, The Deputy Commissioner (DC) determines the value of the acquired assets as at the date of issuing the notice of acquisition under section 4(1). The DCs there after enhance the assessed value by 200% and another 100% premium for loss of standing crops, structures and income due to compulsory nature of the acquisition. The compensation such determined is called the Cash Compensation under Law (CCL). If the land acquired has standing crops cultivated by a tenant (Bargadar) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. ARIPA 2017 under section 4 (13) permits the acquisition of the community properties if it is for a public purpose provided that project for which the land is acquired provides for similar types of assets in some other appropriate place or reconstruct the community properties.

Households and assets moved from land already acquired in the past for project purposes and/or government khas land are not included in the acquisition proposal and therefore excluded for considerations for compensation under the law. Lands acquired for a particular public purpose cannot be used for any other purpose. Furthermore, the Act under its section 15 provides for the acquisition of entire houses/buildings if their owners request to acquire the entire house or building against partial acquisition. The government is obliged to pay compensation for the assets acquired.

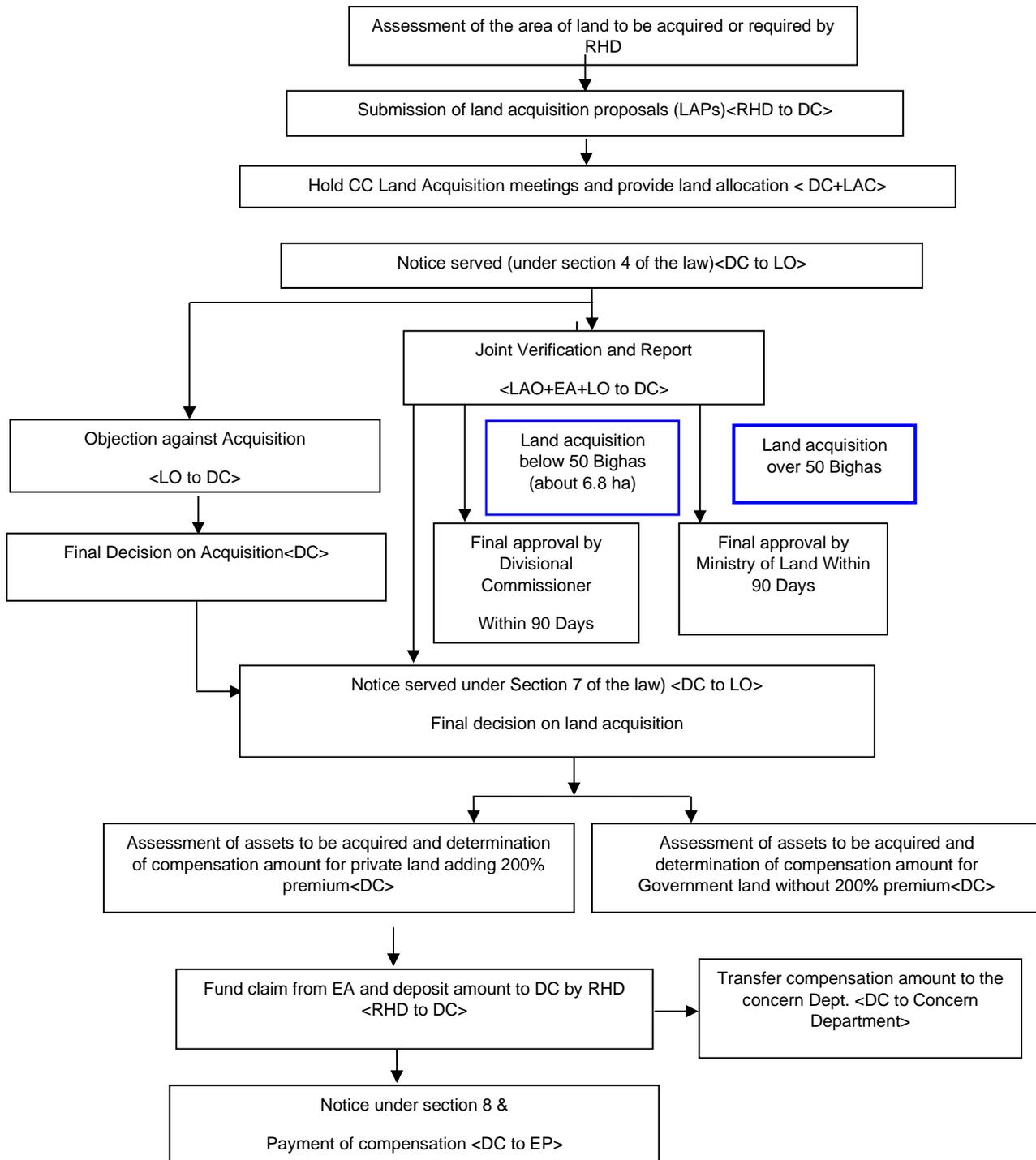
Table 3.1: Land Acquisition Process under ARIPA, 2017

Relevant Section under ARIPA, 2017	Steps in the process	Responsibility
Section 4(1)	Publication of preliminary notice of acquisition of property for a public purpose	Deputy Commissioner
Section 4 (3) (1) (i)	Prior to the publication of section 4(1) notice; Identify the present status of the land, structures and trees through videography, still pictures or appropriate technology.	Deputy Commissioner
Section 4 (3) (1) (ii)	After the publication of the section 4(1) notice a joint verification should be conducted with potentially affected households and relevant organizations.	Deputy Commissioner
Section 4 (7)	After publication of preliminary notice under the section 4(1), if any household has changed the status of the land for beneficial purposes, changed status will not be added to the joint verification notice.	Deputy Commissioner
Section 4 (8)	If the affected person is not happy with the joint verification assessment, he/she can complain to Deputy Commissioner within 7 days of issuing sec 4(1) notice.	Affected Person
Section 4 (9)	Hearing by Deputy Commissioner within 15 working days after receiving the complaints. In case of government priority projects, hearing will be within 10 working days.	Deputy Commissioner
Section 5 (1)	Objections to acquisition by interested parties, within 15 days of the issue of section 4 (1) Notice	Affected Person
Section 5 (2)	Deputy Commissioner submits hearing report within 30 working days after the date of the sec 5(1) notice. In the case of government priority projects, it will be within 15 working days.	Deputy Commissioner
Section 5 (3)	DC submits his report to the (i) Government (for properties that exceed 16.50 acres; (ii) Divisional Commissioner for properties that do not exceed 50 standard bighas. Deputy Commissioner makes the final decision If no objections were raised within 30 days of inquiry. In case of government priority project, it will be 15 days	Deputy Commissioner
Section 6 (1) (1)	Government makes the final decision on acquisition within 60 working days after receiving report from the Deputy Commissioner under sec 5(3) notice.	Government
Section 6 (1) (2)	Divisional Commissioner makes the decision within 15 days or with reasons within 30 days since the submission of the report by Deputy Commissioner under sec 5(3) notice.	Divisional Commissioner
Section 7 (1)	Publication of the Notice of final decision to acquire the property and notifying the interested parties to submit their claims for compensation	Deputy Commissioner
Section 7 (2)	Interested parties submit their interests in the property and claims for compensation within 15 working days (in case of priority project 7 days).	Affected Person
Section 7 (3)	Individual notices have to be served to all interested persons including the shareholders within 15 days of issuing Section 7(1) notice	Deputy Commissioner
Section 8 (1)	Deputy Commissioner makes a valuation of the property to be acquired as at the date of issuing Section 4 Notice; determine	Deputy Commissioner

Relevant Section under ARIPA, 2017	Steps in the process	Responsibility
	the compensation; and apportionment of compensation among parties interested.	
Section 8 (3)	DC informs the award of compensation to the interested parties and sends the estimate of compensation to the requiring agency/person within 7 days of making the compensation decision	Deputy Commissioner
Section 8 (4)	The requiring agency/person deposits the estimated award of compensation with the Deputy Commissioner within 120 days of receiving the estimate.	Deputy Commissioner
Section 9 (1)	During valuation of assets, Deputy Commissioner will consider the following: (i) Average market price of land of the same category in the last 12 months; (ii) Impact on existing crops and trees; (iii) Impact on other remaining adjacent properties; (iv) Impact on properties and income; and (v) Relocation cost for businesses, residential dwellings etc.	Deputy Commissioner
Section 9 (2)	Additional 200% compensation on current mouza rate is added to the estimated value. If private organizations acquire, added compensation will be 300%.	Deputy Commissioner
Section 9 (3)	Additional 100% compensation on top of the current market price for impacts mentioned under sec 9(1)	Deputy Commissioner
Section 9 (4)	Appropriate action should be taken for relocation on top of the above-mentioned sub-sections.	
Section 10 (2)	If an entitled person does not consent to receive compensation, or if there is no competent person to receive compensation, or in the case of any dispute with the title to receive compensation, Deputy Commissioner deposits the compensation amount in a deposit account in the Public Account of the Republic and Deputy Commissioner acquires the land. But if any person complains about the ownership of the land, with appeal, he/she will be able to collect the amount from Deputy Commissioner. There is no fixed time for this.	Deputy Commissioner
Section 11 (1)	Deputy Commissioner awards the compensation to entitled parties within 60 days of receiving the deposit from the requiring agency/person.	Deputy Commissioner
Section 12	When the property acquired contains standing crops cultivated by bargadar (shareholders), such portion of the compensation will be determined by the Deputy Commissioner and will be paid to the bargadar in cash.	Deputy Commissioner

According to the initial field screening, no tribal people are expected to be affected by the project. However, if tribal people are identified during census and socio-economic survey, AIIB will be informed and a separate IPP plan will be prepared following the guidelines of ESS 3.

Figure 3.1: Land Acquisition and Compensation Payment Process under ARIPA, 2017



(EA=Executing Agency DC=Deputy Commission)

3.2.2 Land Requisition Policy of Bangladesh:

For requisition of land for temporary purposes, the Acquisition and Requisition of Immovable Property Act 2017 (ARIPA) is the principal legislation governing eminent domain 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 land owners. 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 land owners with an agreed compensation rate. Under section 23, DC will pay the compensation to the land owners. If the land requisitioned has standing crops cultivated by a tenant (Bargadar) under a legally constituted written agreement, the law requires that compensation money be paid in cash to the tenants as per the agreement. Under no circumstances, land requisition is not allowed due affecting residential and community properties. However, under section 20, requisition is only allowed for emergency road repairing. Any losses for structures, trees, and business will follow the provisions of ARIPA 2017.

3.2.3 Voluntary Land Donation (VLD)

There is no specific guideline on voluntary land donation in ARIPA 2017. RHD will avoid land taking through voluntary land donation procedures. However, if unavoidable, RHD must demonstrate that:

- the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them;
- potential donors have confirmed in writing their willingness to proceed with the donation;
- For community or collective land, donation can only occur with the consent of individuals using or occupying the land. RHD will maintain a transparent record of all consultations and legal agreements reached; and
- All consultations and legal documentation procedures (including land mutation) regarding the donation has to be well documented and preserved.

3.2.4 AIIB Policy

All AIIB funded Investment Project Financing are required to follow the Environmental and Social Framework (ESF) consisting three (3) Environmental 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 supports 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.

AIIB has three associated environmental and social standards (ESSs), which set out more detailed mandatory environmental and social requirements relating to the following:

ESS 1: Environmental and Social Assessment and Management (ESS 1);

ESS 2: Involuntary Resettlement (ESS 2);

ESS 3: Indigenous Peoples (ESS 3)

ESS1 applies to ensure the environmental and social soundness and sustainability of projects and to support the integration of environmental and social considerations into the Project decision-making process and implementation and If any project is likely to have adverse environmental risks and impacts or social risks and impacts (or both). The scope of the environmental and social assessment and management measures are proportional to the risks and impacts of the Project. ESS 1 provides for both quality environmental and social assessment and management of risks and impacts through effective mitigation and monitoring measures during the course of Project implementation. AIIB follows internationally applicable principles in case of any involuntary resettlement. AIIB carefully screens each and every project to determine whether or not it instigates any involuntary resettlement due to the project interventions. This includes both physical and economic displacement, as defined in the Environmental and Social Standards (ESS) 2: 'Involuntary Resettlement' under AIIB's Environmental and Social Framework (Approved Feb, 2016; Amended Feb, 2019).

ESS 2 applies to all components of the project causing involuntary resettlement regardless of the source of Project component funding. It further applies to activities that cause involuntary resettlement, which are directly and materially related to the Project, carried/planned to be carried out with the Project, necessary for the Project to be viable and would not be undertaken if the Project did not exist.

ESS2's general principles that are fully adopted as principles of this RPF, and are as follows:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development program, providing sufficient resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of the Project implementation.
- Special attention should be given to vulnerable groups, including those below the poverty line, elderly, woman and children, ethnic minorities etc.
- Persons who encroach on the area after the cut – off date are not entitled to compensation or any other form of resettlement assistance.

In addition to the general principles, the following Project-specific requirements, based on ESS2, shall be applied during Project-related resettlement:

- Displaced persons will be informed about their options and rights referring to the resettlement;
- Displaced persons will be consulted and offered the choice and provision of resettlement assistance;
- Displaced persons will be provided with fast and effective compensation at full replacement cost for the property loss as a direct consequence of the Project. Preference should be given to resettlement strategies based on replacement land rather than compensation in cash payment with a particular attention when agricultural cultivated land is affected and to the displaced persons whose livelihood are land based;
- If the impacts include physical resettlement, displaced persons will be provided such assistance as compensation for relocation during the resettlement, residential building or residential location, benefits and other factors have least the same benefits as the former location;
- Displaced persons may be eligible for additional assistance, on top of compensation for the acquired property;
- Displaced persons may be provided support after relocation for a transitional period of time necessary for the restoration of their living standards;
- Displaced persons will have unhindered access to a grievance mechanism with accessible and transparent procedures for settling land acquisition, resettlement and construction-related disputes.

These principles are adopted by this RPF, and will be applied during Project implementation, governing all activities where land acquisition and involuntary resettlement occurs.

ESS 3 applies if Indigenous Peoples are present in, or have a collective attachment to, the proposed area of the Project, and are likely to be affected by the Project. The term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (b) collective attachment to geographically distinct habitats or ancestral territories in the Project area and to the natural resources in these habitats and territories; (c) customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture; and (d) a distinct language, often different from the official language of the country or region. In considering these characteristics, national legislation, customary law and any international conventions to which the country is a party may be taken into account. A group that has lost collective attachment to geographically distinct habitats or ancestral territories in the Project area because of forced severance remains eligible for coverage, as an Indigenous People, under ESS 3.

3.3 Gaps between AIB ESS2 and ARIPA 2017 and Gap filling measures

A brief description of the gaps between the Government laws and AIB policy along with the summary of gaps and gap-filling measures is presented below:

- ✓ The Act 2017 does not recognize unauthorized occupants on the Government land and there is no clear indication about avoiding or minimizing displacement. AIB policies strongly require avoidance or at least minimization of adverse impacts through exploring project alternatives.

- ✓ The adverse social impacts are not fully addressed by the Act 2017– for instance, there are no provisions to ensure that the compensations for resettlement and/ or relocation of the PAPs are adequate as the amounts of compensation are based on hard-rules and not on project basis; AIIB policies on the other hand, require to enhance, or at least restore, the livelihoods of all affected persons in real terms relative to pre-project levels by screening the social impacts in a case by case process based on project benefits, project location, project type etc. The Act has no provision of resettlement assistance for restoration of livelihoods of affected persons except for legal compensation.
- ✓ The Act 2017 pays no attention to public consultation, stakeholders’ engagements in project planning and execution and to monitoring of project affected persons. AIIB policies require meaningful consultation with the affected people and other stakeholders to disseminate project goals and objectives to obtain stakeholders’ views and inputs in project planning and implementation.
- ✓ The Act 2017 provides a number of mechanisms for grievance redress in respect of individual interests in the property and issues related to compensation which get raised with the DC. But there is no provision to hear other resettlement related grievances arising from loss of livelihoods, loss of access to public infrastructure, damages to property causing from acquisition and construction related impacts. RHD will establish a grievance redress mechanism at the local level which is easily accessible and immediately responsive; which includes a variety of stakeholders including the DC.
- ✓ Finally, AIIB policies pay special attention to gender issues and vulnerable groups in the resettlement processes, particularly the non-titled and the affected poor households. The policy gaps have been bridged by additional project-specific measures adopted in the RAP. While dealing with compensation, replacement cost (for lost assets and income), and rehabilitation and livelihood assistance, PAPs with no legal rights will be taken into consideration as well. The measures will include improvement or at least restoration of the PAPs standard of living at pre-project level. Special attention will be given to vulnerable groups including those below the poverty line, the landless, the elderly, the women and the children, indigenous peoples and those without legal title to land. In sum, the added measures in this Project fully comply with AIIB’s policy of involuntary resettlement - Environmental and Social Standard 2. Following Table provides a summary of the key measures taken to comply with AIIB Policy requirements.

The following are the key gaps of the ARIPA, 2017 vis-a-vis the AIIB ESS2 are presented in **Table 3.2**

Table 3.2: Gaps between GOB policies/act and AIIB ESS2

Sl. No.	AIIB ESS2	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap
1.	Involuntary resettlement should be avoided wherever possible.	Not defined in the Act	Act 2017 does not deal with the minimization of involuntary resettlement. However, the government uses this approach as a standard practice.
2.	Minimize involuntary resettlement by exploring project and design alternatives.	Not so clearly defined in the Act. Places of worship, graveyard and cremation grounds are not to be acquired for any purpose, unless the acquisition of these places is deemed unavoidable for the best of interest of the people.	Though Act 2017 does not deal with these issues and does not comply with AIIB ESS2, as the Act 2017 has no strong provision for minimizing adverse impacts on private property or common resources, and does not deal with alternate design, analysis of the alternatives and no project scenario has been identified according to DoE and AIIB ESS1 requirement.
3.	Conducting census of displaced persons and resettlement planning	The Act 2017 spells out that upon approval of the request for land by the office of the deputy commissioner, the acquiring and Requiring body staff will conduct the physical inventory of assets and properties found in the land. The inventory form consists of the name of person, quantity and quality of land, asset assets affected, and the materials used in the construction of house. The cut-off date is the date of publication of notice that land is subject to acquisition, and that any alteration or improvement thereon will not be considered for compensation.	The Act 2017 does not require the coverage of the census survey. It only reflects the inventory of losses which is more in physical terms and only includes the names of the owners, etc. The AIIB policy spells out a detailed census through household surveys of displaced persons in order to assess the loss of income and vulnerability of the persons going to be affected by land acquisition but also population displacement and other entitlements as per the entitlement matrix. The RPF fills this gap by incorporating the need for a census survey for the displaced persons.

Sl. No.	AIIB ESS2	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap
4.	Carry out meaningful consultation with displaced persons and ensure their participation in planning, implementation, and monitoring of resettlement program.	Section 3 of the ordinance provides that whenever it appears to the DC that any property is needed or is likely to be needed for any public purpose or in the public interest, he shall publish a notice at convenient places on or near the property in the prescribed form and manner stating that the property is proposed for acquisition.	The Act 2017 does not directly meet AIIB ESS2. This section of the ordinance establishes an indirect form of information disclosure/public consultation. However, it does not provide for public meetings and project disclosure, so stakeholders are not informed about the purpose of land acquisition, its proposed use, or compensation, entitlements, and special assistance measures. The RPF deals with the proper consultation process, which involves all stakeholders (DPs, government department/line agencies, local community, NGO, etc.), and the consultation will be a continuous process at all stages of the project development, such as project formulation, feasibility study, design, implementation, and post-implementation, including the monitoring phase.
5.	Establish grievance redress mechanism.	Section 4 allows the occupant of the land to raise objections in writing. These should be filed to the DC within 15 days of the publication. The DC will then hear the complaints and prepare a report and record of proceedings within 30 days following expiry of the 15-day period given to DPs to file their objections.	The section 4 provision is consistent with AIIB's grievance and redress policy. The RPF has a special provision for grievance procedures, which includes formation of a grievance redress committee, appointment of an arbitrator, and publication of the notice of hearings and the scope of proceedings. The APs can raise any grievances relating to LA&R issues.
6.	Improve or at least restore the livelihoods of all displaced persons.	The Act 2017 does not address the issues related to income loss, livelihood, or loss of the non-titleholders. This only deals with the compensation for loss of land, structures, crops and trees, etc. for the legal titleholders.	Act 2007 does not comply with AIIB ESS2 as there is no provision to assess the impacts on incomes and livelihood from the loss of employment and business, or to restore lost incomes and livelihoods. The RPF keeps the provision for a census survey that will have the data on the loss of income and livelihood, and the same will be compensated as per the entitlement matrix for both physically and economically displaced persons.

Sl. No.	AIIB ESS2	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap
7.	Land-based resettlement strategy	The Act 2017 does not address these issues.	The Act 2017 does not meet the requirement of AIIB ESS2. The RPF proposes the land-for-land compensation as its priority if feasible. Attempt will be made to find alternative land for the loss of land in case it is available and if it is feasible, looking at the concurrence of host community and land value. However, this option may be a difficult proposition, considering the urban development projects in Bangladesh.
8.	All compensation should be based on the principle of replacement cost.	The Act 2017 states that the deputy commissioner (DC) determines the amount of compensation by considering: (i) the replacement cost of the property based on the average sale value of last 12 months preceding the publication of 1st notice of acquisition; (ii) the damage to standing crops and trees; (iii) damage by severing such property from the other properties of the person occupying the land; (iv) adverse effects on other properties, immovable or movable, and/or earnings; and (v) the cost of change of place of residence or place of business. The DC also awards a sum of 50% on the replacement cost of the property to be acquired.	Act 2017 is largely consistent with AIIB ESS2. However, there are differences in the valuation of land and prices of affected assets, where AIIB prescribes the use of current market rates in the project area. Act 2017 does not ensure replacement cost or restoration of pre-project incomes of the displaced persons. The RPF addresses all these issues and spells out a mechanism to fix the replacement cost by putting in an independent evaluator who will be responsible for deciding the replacement cost, taking into consideration the Current Market Price and titling cost of the land.
9.	Provide relocation assistance to displaced persons.	If DC considers that the structure can easily be transferred, he/she will give relocation cost but not cash compensation under law,	The Act 2017 does not define the additional relocation assistance to displaced persons, other than the compensation for the direct loss of land and property. Hence, Act 2017 does not comply with AIIB ESS2. The RPF provides the eligibility and entitlement for the relocation of the displaced persons in the form of relocation assistance, which includes shifting allowances, right to

Sl. No.	AIIB ESS2	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap
			salvage materials, and additional transitional assistance for the loss of business and employment.
10.	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	The Act 2017 does not have this provision.	The Act 2017 is not consistent with the requirements of AIIB's ESS2. This is a major difference in the national law/policy compared to that of AIIB. The Act 2017 only takes into consideration the legal titleholders and ignores the non-titleholders. The objective of the RPF is to ensure that compensation and assistance is provided to all displaced persons, whether physically displaced or economically displaced, irrespective of their legal status of land on which the structure is built. The end of the census survey will be considered to be the cut-off date, and displaced persons listed before the cut-off-date will be eligible for assistance.
11.	Disclose the resettlement plan, including documentation of the consultation in an accessible place and a form and languages understandable to affected persons and other stakeholders.	The ordinance only ensures the initial notification for the acquisition of a particular property	There is no requirements under the Act, of disclosure of the RPF, whereas the AIIB's ESS2 requires disclosure. . This RPF will ensure that the resettlement plan for each project, along with the necessary eligibility and entitlement will be disclosed to the DPs in the local language (Bangla), in the project location and concerned government offices, and the same resettlement plan will also be disclosed on the executing agency's website and on the website of AIIB.
12.	Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	The Act 2017 has a provision to include all the costs related to land acquisition and compensation of legal property and assets. However, it does not take into account the costs related to other assistance and involuntary resettlement.	The Act 2017 partially meets the requirement of AIIB ESS2 as it only deals with the compensation pertaining to land acquisition. The resettlement framework provides the eligibility to both titleholders and non- titleholders with compensation and various kinds of assistance as part of the resettlement packages, and the entire cost will be the part of the project cost.

Sl. No.	AIIB ESS2	Acquisition and Requisition of Immovable Property Act, 2017	Gaps Between Act 2017 and AIIB's ESS2 and Actions to Bridge the Gap
13.	Pay compensation and provide other resettlement entitlements before physical or economic displacement.	The Act 2017 has the provision that all the compensation will be paid prior to possession of the acquired land by EA.	The Act 2017 meets the requirement of AIIB ESS2.
14.	Monitor and assess resettlement outcomes, and their impacts on the standards of living of displaced persons.	This is not so clearly defined in the Act 2017.	The Act 2017 does not comply with AIIB ESS2 The RPF has a detailed provision for a monitoring system within the executing agency. The executing agency will be responsible for proper monitoring of the resettlement plan implementation, and the internal monitoring will also be verified by an external monitoring expert.

RHD will ensure implementation of the followings for different interventions:

Project design: RHD will try to avoid involuntary land acquisition, voluntary land donation or restrictions on land use. For this purpose, RHD will consider feasible alternative project designs to avoid or minimize 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: All lands proposed to be acquired, requisitioned, affected structures, trees, business, community property and crops under the RHD program will be compensated as per replacement cost consistent with both government and ESS 2. When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, RHD will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods to the pre-project level. Compensation standards for categories of land and fixed assets 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 a number of community properties will be affected due to project interventions. The project will provide compensation and relocation assistance to all community groups for respective community facilities. The social and environmental circle of RHD with the support of PIC 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, madrasa, 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.

The following steps will be followed during relocation of the graveyard:

- The affected community will identify an alternate location
- The Project will buy or acquire or take possession of the alternative land for relocation of the graveyard
- The Project will develop the graveyard with all infrastructures available in the present one; at least up to the existing standard, if possible, with improved conditions such as boundary wall, levelling of land, inside paths, mosque or other infrastructures related to a graveyard
- The Project will transfer all the top soils from the existing graveyard (one-meter depth) to the new one by following religious customs and norms

All these steps will either be undertaken by the PIU or by the management committee with full compensation depending the agreement reached by both parties. The RHD will have a big role in keeping the liaison with the community and ensure all necessary support as required and desired by the affected community. The RSEC and the Grievance Redress Committee (GRC) will have an important role in this respect.

Compensation will be made to the management committee covering the land, boundary wall, inside paths and other infrastructures, trees (if any in the affected graveyard), registration cost and stamp duty to buy new land and If any other losses are identified

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.

Small ethnic communities: During initial screening and consultation, no small ethnic communities are identified in the potential project areas. However, RHD will conduct social surveys including census and if any household belonging to small ethnic communities are found affected, ESS7 will apply. ESS7 will be implemented through development of a detailed IPP with the provision of free, prior and informed consent as appropriate. Even, if tribal people are affected with the associate facilities detailed IPP will be also prepared.

Affected Women and Female headed households : To ensure a clear understanding and due consideration of specific relocation and/ or resettlement impacts on displaced women and to safeguard their livelihoods, specific provisions for women will be adopted for the resettlement process, including (i) enumeration of all women and, if applicable, of their status as heads of household or otherwise vulnerable persons; (ii) collection of gender disaggregated socio-economic data; (iii) consultation of women in joint or separate meetings; (iv) due consideration of grievances lodged by women; and (iv) provision of compensation and/ or new titles to women if they are titled or recognized owners of lost assets, and provisions of restoration and rehabilitation measures to women, if households are female headed or women's livelihood is directly concerned. The RAP for relevant activities will detail the scope of impacts on women and where required gender action plans will be prepared, implemented and monitored within or outside RAPs.

Community engagement: RHD will engage with affected communities through the process of stakeholder engagement and Information Disclosure process. 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 RHD will ensure that a grievance mechanism for the project is in place as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. A separate GRM for the management of Gender Based Violence (GBV) and labor will be formed with the guidelines of ESS 2. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.

Planning and implementation : Where land acquisition or restrictions on land use are unavoidable, RHD 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 land and 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 RHD 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 4: Resettlement planning procedures

4.1 Resettlement and Relocation Process

The components with physical works/interventions require screening. The social screening will occur during the project preparation stage as a soon as 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. PIU with the support of RSEC and PIC will conduct the screening. The screening 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 social issues that would need to be handled during the subsequent stages. It will also help to identify opportunities for avoidance or minimization early in the project cycle so that the design process can be informed appropriately. The screening will also help to identify the scope of further assessments and timeframe required for obtaining the regulatory clearances (if any). If further assessments and plans (such as RP, ARAP, etc.) are deemed necessary, these plans will be prepared according to the outline provided in Annex this RPF

So, at the identification stage, RHD will conducted screening and following steps will be followed:

Table 4.1: Resettlement Planning, responsibility and timing

Screening and Preparation Step	Responsibility	Timing
Identification of Sub-Project	Project Implementation Committee (PIC) and Project Implementation Unit (PIU) together with Gender Specialist; and Senior Social Specialist.	After identification of potential location(s) in consultations with the local people.
Census, SES, IOL and Property Valuation Survey	Once the project location is identified, RSEC with the support of RAP preparation agency will conduct relevant surveys. During the survey, Social and environmental Specialists will conduct consultation meetings with the local people and affected HHs.	Once the locations are identified
Preparation of specific plans and instruments (RAP, LAP)	Based on the survey outcomes and qualitative data from the consultation and following the guideline of RPF, RAP will be prepared. RHD will also prepare land acquisition plan with the support of implementing NGO/ firms and submit to DC office.	RAP/LAP will be prepared and approved before land acquisition started to ensure all land acquisition and involuntary resettlement practices are in line with RAP and ESS2
Implementation of RAP	Once the RAP is approved by ministry and AIIB, PIU will implement the same with the support of INGO/Consulting firm and DC office. AIIB E&S team will review the status of implementation through supervision.	Approximately in three years or as recommended in RAP.

4.2 Detailed Assessment and Survey

RHD will conduct census and socioeconomic survey(s), with appropriate socioeconomic baseline data to identify all persons who will be affected by the project and to assess the project's socioeconomic impacts on them. Once the detailed design is finalized, the required social surveys will be conducted by RHD, if necessary, with the support of a consultancy firm or NGO. Based on this survey outcomes, a social impact

assessment will be done which will include potential social impacts, income and livelihood of displaced persons and gender-disaggregated information pertaining to the economic and socio-cultural conditions of displaced persons. The project's potential social impacts and risks will be assessed against the requirements presented in this RPF and applicable laws and regulations of the jurisdictions in which the project operates that pertain to involuntary resettlement matters.

The census will cover 100% of affected persons. The purpose of the census is to: (i) register who the potentially affected persons are; (ii) assess their income and livelihoods; and (iii) inventory of their assets affected due to the project; (iv) gender-disaggregated and where relevant ethnicity-disaggregated in case of presence of small ethnic communities, information pertaining to the economic and socio-cultural conditions of displaced persons. Before census survey, consultation must be conducted with all affected households. The purpose of the baseline socioeconomic sample survey of affected persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socioeconomic status of affected persons. The survey will cover at least 30% of affected persons and 20% of significantly affected persons and rest 50% may cover samples from the project impact zone. The survey will also collect gender-disaggregated data to address gender issues in resettlement. The survey will carry out the following: (i) preparation of accurate maps of the subproject area; and (ii) analysis of social structures and income resources of the population.

As part of the social impact assessment, the RHD will identify individuals and groups who may be differentially or disproportionately affected by the program because of their disadvantaged or vulnerable status. Where such individuals and groups are identified, RHD will propose and implement targeted measures, so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in relation to sharing the benefits and opportunities resulting from development.

The census and socio-economic survey will identify

- The scope and scale of land acquisition and impacts on structures and other fixed assets;
- Any project-imposed restrictions on use of, or access to, land or natural resources;
- Identifying public or community infrastructure, property or services that may be affected;
- Characteristics of displaced HHs, baseline information's on livelihood and standards of living;
- 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;
- the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
- Social and cultural characteristics of displaced communities, including a description of formal and informal institutions that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

4.3 Valuation method

4.3.1 Valuation method for land

In the event of permanent land acquisition of titled land, the first premise is provision of replacement land. In the case where no alternative land is available within a reasonable distance such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be

provided. This should be valued based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

In addition, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures). This will be calculated based on the price of making the permanent improvement at current prevailing market rates for labor, equipment and materials. Where land lost is only a small proportion of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided should be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land). If land is required temporarily, standing crop will be compensated at fully matured market rate or government rate, whichever is higher. The compensation will be paid to the sharecroppers rather than the owner, where the tiller is not the owner (e.g. tenant or share cropper). There will hence be no adjustment in the terms of the rent of share cropping agreement. Aside from the payment for standing crop, the project will ensure that the land is returned to its original form so it is suitable to resume its former use.

4.3.2 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.

4.3.3 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.

4.4 Preparation of RP

The RP will be based on the social impact 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.

RAP will include measures to ensure that the displaced persons are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives. During the identification of the impacts of resettlement and resettlement planning, and implementation, the EA will pay adequate attention to gender concerns, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms, to ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their incomes and living standards. 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. Outline of a Resettlement Plan is in **Appendix 2**

Chapter 5: Entitlement and Eligibility Criteria

5.1 Principle

The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location. Meaningful consultations with the affected persons, local authorities and community leaders will therefore allow for establishment of criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. Affected persons will be classified as:

- (i) persons who have formal legal rights to land or assets
- (ii) persons who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- (iii) Persons who have no recognizable legal right or claim to the land or assets they occupy or use.

Those covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF. Persons covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities and acceptable to the AIIB.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land or had use of it, before the entitlement cut-off date.

5.2 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 land owners. The 1st day of the census survey to be the cut-off date for the squatters and encroachers and recognized as social cut off dates.

5.3 Eligibility Criteria

The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers 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.

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

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) 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.

Other than PAPs, any entities affected by the project within the RoW are entitled for the compensation. 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.

Where land is to be acquired, titled or legal owner will receive compensation for land acquired by the Project at replacement cost. This will be in cash at replacement value or land-for-land with a combination of productive potential, location advantages, and other factors of which is at least equivalent to the advantages of the land taken to the satisfaction of the PAP (of equal size and/or productive value and be satisfactory to the PAP). Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.

Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. **Table 5.1** below presents the Project's entitlement matrix, based on potential losses.

Compensation eligibility will be limited by a cut-off date to be set for each subproject and PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay any fine or sanction. Forced eviction will only be considered after all other efforts are exhausted.

5.4 Determination and Payment of Top-up

Where an owner loses lands and other 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 land or structure) before the RHD/INGO 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 the RHD will arrange for payment.

Partial CCL and Top-up Payment: Where DC's CCL payment is not made together for all lands and other assets acquired from an owner due to legal disputes or other reasons, RHD will determine the top-up payment amount for the acquisitions as a whole, but pay on the lands and other assets for which CCL has been paid. Top-up for the rest will be paid whenever the CCL payment is made after resolution of the disputes.

Compensations/entitlements due to the PAPs, including those who are not covered by the ARIPA 2017, but eligible according to this RP and ESS 2, will be paid in full before they are evicted from the acquired private and public lands.

Based on the principles proposed for impact mitigation, the following matrix defines the specific entitlements for different types of losses, entitled persons, and the institutional responsibility to implement them.

5.5 Entitlements matrix: Eligible PAPs, Assets and Compensation Guidelines

Table 5.1: Eligibility and Entitlement Matrix

Unit of Entitlement	Entitlements
Impact category 1: Acquisition of agricultural, homestead, commercial, water bodies (ponds) land	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> • Cash compensation under law (CCL) which includes 200% premium • Replacement Value (RV) and dislocation Allowance as recommended by PAVC. • If RV is higher than CCL, the difference will be paid by RHD. • If the remaining land is unusable, the compensation provided will be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land).
Impact category 2: Requisition of agricultural, homestead, commercial, water bodies (ponds) land	
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment.	<ul style="list-style-type: none"> • Rental price of land as determined by DC with consultation with the land owners and RHD following the guideline of ARIPA 2017 • Replacement Value (RV) and dislocation Allowance as recommended by PVAC, if any assets other than the land is affected and required relocation. • If the land or assets are leased to third party, compensation to the third party and income loss to the owners will be paid as recommended by DC • if the remaining land is unusable, the compensation provided will be calculated based on the total land requisitioned (i.e., the actual land required plus the remaining unusable land). • Requisition can be maximum of 2 years Land has to be returned to the owner as original condition, otherwise compensation has to be paid as decided by DC and land owner.
Impact category 3: Loss of residential, commercial structures with title to land	

Unit of Entitlement	Entitlements
<p>Legal owner(s) as identified by DC in the process of CCL payment.</p>	<ul style="list-style-type: none"> • Cash compensation under law (CCL) which includes 100% premium or RV whichever is higher • If RV is higher than CCL, the difference will be paid by RHD as top-up. • Transfer Grant at actual cost which will include labor cost and transportation cost • Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost • RHD in collaboration with RSEC, local government and RAC will make best efforts to identify alternative residential or commercial sites for the affected HHs. • Owner will be allowed to take away all salvageable materials free of cost. • Dismantling cost for non-shiftable structure will be determined by the PVAC and RSEC based on the actual price and consultation with affected HHs.
<p>Impact category 4: Loss of residential, commercial structures without title to land (squatters/vendors/encroachers)</p>	
<p>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</p>	<ul style="list-style-type: none"> • Replacement value of the structure as determined by PVAC and RSEC in consultation with affected HHs. • Transfer Grant at actual cost which will include labor cost and transportation cost • Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost • RHD in collaboration with RSEC, local government and RAC will make best efforts to identify alternative residential or commercial sites for the affected HHs. • Owner will be allowed to take away all salvageable materials free of cost. • Dismantling cost for non-shiftable structure will be determined by the PVAC and RSEC based on the actual price and consultation with affected HHs.
<p>Impact category 5: Loss of common property resources (CPR) with or without tittle to land</p>	
<ul style="list-style-type: none"> • Legal owners (land, structures, trees or any other assets) identified by DC in the process of CCL payment. • Socially recognized owners/ non-titled (structures, trees or any other assets) affected on the ROW as identified by Census and verified by IVC. 	<ul style="list-style-type: none"> • Cash compensation under law (CCL) which includes 200% premium for land (tittle holder) • If RV of land is higher than CCL, the difference will be paid by RHD as top-up. • Cash compensation under law (CCL) which includes 100% premium for assets other than land (tittle holder) • If RV of assets other than land is higher than CCL, the difference will be paid by RHD as top-up (tittle holder) • Replacement Value (RV) of structure, trees or any other assets other than land for non-titled holder • Transfer Grant at actual cost which will include labor cost and transportation cost • Reconstruction Grant in actual cost which will include land development, labor cost and transportation cost • Owner will be allowed to take away all salvageable materials free of cost.

Unit of Entitlement	Entitlements
	<ul style="list-style-type: none"> • Dismantling cost for non-shiftable structure will be determined by the PVAC and RSEC based on the actual price and consultation with affected HHs. <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> • Project will construct a new community property in consultation with community and / or managing committee • No community property cannot be demolished until new one is constructed.
Impact category 5: Loss of timber and fruit bearing trees, bamboo and banana groves	
<ul style="list-style-type: none"> • Legal owner(s) as identified by the DC in the process of CCL payment. • Socially recognized owners of trees grown on public or other land, as identified by Census and verified by PVAC. 	<ul style="list-style-type: none"> • Timber trees and bamboo: RV of trees and bamboo. • Fruit-bearing trees without timber: if the tree is at or near fruit-bearing stage, the estimated current market value of the fruit. • Fruit-bearing trees with timber: RV for the timber, and estimated current market value of fruit. • Banana groves: RV of all trees and estimated current value of one-time crop of each full-grown tree. • Owners will be allowed to fell trees and take the timber, free of cost after payment of CCL or RV as applicable.
Impact category 6: Loss of standing crops/fish stock	
<ul style="list-style-type: none"> • Owner cultivators as identified in joint verification by DC and RHD. • Socially recognized owners of crops/fish stock as identified by Census and verified by PVAC. • Sharecroppers 	<ul style="list-style-type: none"> • Cash compensation under law (CCL) which includes 100% premium for title holder and sharecroppers • 100% top-up payment on DC's CCL for legal owners and sharecroppers • Replacement value of crops if planted on GoB land by squatters and /or sharecroppers • 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. • RV of existing standing crops/fish stock • Owners will be allowed to harvest crops and fish stock.
Impact category 7: Loss of leased /mortgaged in land/ponds	
<p>Leaseholder with legal papers. Socially recognized lessee or sharecropper, in case of customary informal tenancy arrangements, including socially recognized agreements.</p>	<ul style="list-style-type: none"> • RV of crops/fish stock. • Outstanding lease money back to the lessee by the owner as per agreement. • Dislocation Allowance will be calculated according to the recommendation of PVC and based on the current market rate.
Impact category 8: Loss of income from displaced commercial/ industrial premises (owner operated)	
<p>Any proprietor or businessman or artisan operating in premises, at the time of issuance of Notice u/s 4 and/or during Census.</p>	<p>One-time Assistance for alternate rental based on the average rental rate/month within the project influence area determined by PAVC and transitional allowance @ three months rental cost.</p>
Impact category 9: Temporary loss of income (wage earners in agriculture, commerce & small business and industry) for title and non-title	
<ul style="list-style-type: none"> • Regular wage earners affected by the acquisition. • Also applicable for non-titled 	<ul style="list-style-type: none"> • 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 • Income and livelihood restoration assistance, to be created by the Project.

Unit of Entitlement	Entitlements
Impact category 10: Loss of income from rented -out and access to rented-in residential/ commercial premises	
Owner of the rented-out premises as identified by Census and verified by PVAC. Household/person rented-in any such structure as identified by Census and verified by PVAC.	One-time Assistance for alternate rental based on the average rental rate/month within the project influence area determined by PVAC and transitional allowance @ three months rental cost. Actual shifting assistance
Impact category 11: Adverse Impact on Host Population Due to Relocation of PAPs	
Households relocated to the host villages	Enhancement of carrying capacity of common civic amenities/utilities of the host communities as per assessment by RHD.
Impact Category 12: Severally affected and Vulnerable HHs and livelihood assistance	
<ul style="list-style-type: none"> • Persons losing more than 10% of their income from all sources as identified by Census and verified by PVAC. • Squatters 	<ul style="list-style-type: none"> • Income restoration grants for three months based on the average monthly income loss Skill training and credit support under income generation program. • Special Assistance of a one-time payment for vulnerable household as each female-headed, disabled-headed, elderly-headed and poor household as decided by RAC and/or PIU and/or RSEC • All the vendors and squatters will be eligible for Skill training and credit support under income generation program.
Loss Item 13: UNFORESEEN ADVERSE IMPACTS	
Households/persons affected by any unforeseen impact identified during RP implementation	Entitlements will be determined as per the resettlement policy framework
Impact category 14: Construction induced impact	
Title and non-title land structure, tree and /or any type of assets owners	<ul style="list-style-type: none"> • RV of damaged land structure, tree, crops/fish stock and /or any type of assets owners as determined by PVAC and affected land / asset owners • Owner will be allowed to take away all salvageable materials free of cost.
Impact category 15: Voluntary land donation	
	<ul style="list-style-type: none"> • the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; • potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; • the donor is expected to benefit directly from the project i.e; job opportunities etc; • For community or collective land, donation can only occur with the consent of individuals using or occupying the land. RHD will maintain a transparent record of all consultations and agreements reached; and • All consultations and documentation procedures regarding the donation has to be well documented and preserved.

Appendix 1: Social Screening Form

This form will be filled up by the PIU along with the community members at Union and Upazila Level and must be submitted to PD and PSC. Before final selection AIB approval is required]

General Information

Title of the project:

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

Screening Date:

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
-				
Involuntary Acquisition of Land/ Land Donation/ Land Taking				
Will the project require land for the proposed intervention				.
1. If yes, will there be any land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land known? If yes, please provide detail information at remarks column.				
4. Is there any possibility of voluntary land donation for the rural roads and market construction? If yes, please provide detail information at remarks column.				
5. Will there be loss of residential and commercial structures due to land acquisition? If yes, please provide detail information at remarks column.				
Is there any presence of squatters within the project ROW? If yes, please provide detail information at remarks column.				
6. Will there be loss of agricultural and other productive assets due to land acquisition? If yes, please provide detail information at remarks column.				
7. Will there be losses of trees, and fixed assets due to land acquisition? If yes, please provide				

detail information at remarks column.				
8. Will there be loss of businesses or enterprises due to land acquisition? If yes, please provide detail information at remarks column.				
9. Will there be loss of income sources and means of livelihoods due to land acquisition? If yes, please provide detail information at remarks column.				
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services due to project interventions? If yes, please provide detail information at remarks column.				
11. If land use is changed, will it have an adverse impact on social and economic activities? If yes, please provide detail information at remarks column.				
12. Will access to land and resources owned communally or by the state be restricted? If yes, please provide detail information at remarks column.				
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Project? Yes			<input type="checkbox"/> No	<input type="checkbox"/>
If yes, approximately how many?				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? Yes			<input type="checkbox"/> No	<input type="checkbox"/>
Are any displaced persons from indigenous or ethnic minority groups? Yes			<input type="checkbox"/> No	<input type="checkbox"/>
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:

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

Appendix 2: Outline of a Resettlement Plan

A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the order shown.

A. Executive Summary

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

B. Project Description

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

C. Scope of Involuntary Resettlement

This section:

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

D. Socioeconomic Information and Profile

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

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

E. Information Disclosure, Consultation, and Participation

This section:

- (i) identifies project stakeholders, especially primary stakeholders;
- (ii) describes the consultation and participation mechanisms to be used during the different

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

F. Grievance Redress Mechanisms

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

G. Legal Framework

This section:

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

H. Entitlements, Assistance and Benefits

This section:

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

I. Relocation of Housing and Settlements

This section:

- (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
- (ii) describes alternative relocation sites considered; community consultations conducted;

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

J. Income Restoration and Rehabilitation

This section:

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

K. Resettlement Budget and Financing Plan

This section:

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

L. Institutional Arrangements

This section:

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

M. Implementation Schedule

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

N. Monitoring and Reporting

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