

RESETTLEMENT PLANNING FRAMEWORK

Improvement of Sylhet-Tamabil Road to a 4-Lane Highway

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Table of Contents

List of Acronyms	i
CHAPTER 1 - INTRODUCTION	1
1.1 PROJECT DESCRIPTION	1
1.2 THE PURPOSE OF THE PROJECT.....	1
CHAPTER 2 - LEGAL FRAMEWORK.....	2
2.1 NATIONAL LAWS.....	2
2.2 AIIB POLICIES	3
2.3 GAPS BETWEEN GOB AND AIIB POLICIES AND GAP FILLING MEASURES.....	4
CHAPTER 3 - LAND ACQUISITION AND RESETTLEMENT.....	10
3.1 LOSS OF LANDS.....	10
3.2 LOSS OF STRUCTURES	11
3.3 LOSS OF CROPS AND TREES.....	11
3.4COMMUNITY INFRASTRUCTURE AND CULTURAL RESOURCES.....	11
3.5GENDER IMPACT	11
3.6RESETTLEMENT CONSULTATION.....	11
3.7IMPACTS ON INCOME AND LIVELIHOOD	12
CHAPTER 4 - ENTITLEMENT POLICY FRAMEWORK.....	12
4.1 OVERALL POLICY	12
4.2 ELIGIBILITY FOR COMPENSATION AND OTHER ASSISTANCE.....	13
4.3 PRINCIPLE FOR VALUATION AND COMPENSATION UNIT RATES	13
4.4 CONSULTATION AND DISCLOSURE.....	14
CHAPTER 5 - ENTITLEMENT MATRIX AND MITIGATION MEASURES.....	14
5.1 ENTITLEMENTS, ASSISTANCE AND BENEFITS	14
5.2 INCOME RESTORATION AND REHABILITATION.....	17
5.3 COMMUNITY RESOURCES & INFRASTRUCTURE	18
5.4 SPECIAL MEASURES FOR VULNERABLE HOUSEHOLDS.....	18
CHAPTER 6 - COMPENSATION PROCEDURES.....	18
6.1 CONFIRMATION SURVEY	18
6.2 COMPENSATION CALCULATION	18
6.3 SPECIAL MEASURES FOR VULNERABLE HOUSEHOLDS.....	19
6.4 MEASURES TO ADDRESS DISPROPORTIONATE GENDER IMPACTS	19

CHAPTER 7 - INCOME RESTORATION AND REHABILITATION	19
7.1 INCOME RESTORATION PROGRAMS, INCLUDING MULTIPLE OPTIONS FOR RESTORING ALL TYPES OF LIVELIHOODS	19
7.2 MEASURES TO PROVIDE SOCIAL SAFETY NET	20
7.3 SPECIAL MEASURES TO SUPPORT VULNERABLE GROUPS	20
7.4 MEASURES TO ADDRESS IDENTIFIED GENDER ISSUES	20
CHAPTER 8 - CONSULTATIONS AND GRIEVANCE REDRESSAL MECHANISM	20
8.1 STAKEHOLDERCONSULTATIONS.....	20
8.2 INFORMATION DISCLOSURE.....	22
8.3 GRIEVANCE REDRESS MECHANISM (GRM)	22
8.4 IT-BASED GRIEVENCE REDRESS MECHANISM	23
CHAPTER 9 - MONITORING AND REPORTING	23
9.1 INTERNAL MONITORING OF LAND ACQUISITION AND DEVELOPMENT	23
9.2 LIVELIHOOD RESTORATION	24
9.3 EXTERNAL MONITORING.....	24
CHAPTER 10 - INSTITUTIONAL ARRANGEMENTS	25
CHAPTER 11 - CONSOLIDATED BUDGET AND SCHEDULE OF ACTIVITIES.....	27
Glossary	27

List of Acronyms

AIB	Asian Infrastructure Investment Bank
AP	Affected Person
CCL	Cash Compensation under Law
CRO	Chief Resettlement Officer
DMS	Detailed Measurement Survey
EMA	External Monitoring Agency
EPZ	Export Processing Zone
ESF	Environmental and Social Framework
ESIA	Environmental and Social Impact Assessment
ESS	Environmental and Social Standard
EZ	Economic Zone
FGD	Focus Group Discussion
GoB	Government of Bangladesh
GDP	Gross Domestic Product
GRC	Grievance Redress Committee
IGA	Income Generation Activities
IMT	Independent Monitoring Team
INGO	International Non-Governmental Organization
JVC	Joint Verification Committee
LMS	Land Market Survey
MDB	Multilateral Development Bank
NGO	Non-Governmental Organization
NRS	National Resettlement Consultant
PAP	Project Affected Person
PD	Project Director
PDP	Project Displaced Person
PIA	Project Implementing Agency
PIU	Project Implementing Unit
PVAC	Property Value Assessment Committee
PWD	Public Works Department
RAP	Resettlement Action Plan
RV	Replacement Value
RoW	Right of Way
RHD	Roads and Highways Department
SEZ	Special Economic Zone
SMVT	Slow Moving Vehicular Traffic
SRG	Structure Reconstruction Grant
STG	Structure Transfer Grant

RESETTLEMENT PLANNING FRAMEWORK

CHAPTER 1 - INTRODUCTION

1.1 PROJECT DESCRIPTION

Improvement of the existing Sylhet-Tamabil road to a 4-lane Highway with the provision of slow moving vehicular traffic (SMVT) lane on both sides would serve as an important part of the Asian Highway (AH1 & AH2), BIMSTEC Corridor (Corridor 3) and the SAARC Highway Corridor (SHC 5). The development of the road will enhance the facilitation of faster and safer movements of passenger and cargo.

The border crossing at Tamabil, between Bangladesh and India, has the potential to generate significantly increased traffic volumes within this region. Such increased traffic volumes would have a positive economic effect for the people who live and work within the project road corridor.

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 eastern India to Dhaka.

We all know, Sylhet is located in the heart of tea growing area and is the hub of the tea industry in Bangladesh. The construction industry is currently booming in Sylhet. It is also a center of the oil and gas sector as well as the largest natural gas reserves of the country.

A special economic zone (SEZ) has been established by the Government of Bangladesh in Sylhet Division. Through the development of this road, Dhaka, the capital city of the country and Chittagong, the commercial capital will be well connected with eastern India through Tamabil.

Considering the importance, the proposed Sylhet-Tamabil road is one of the vital road links within this Sub-Regional territory which is now a two-lane highway with limited capacity and having no provision for slow moving vehicle that creates frequent congestion at different locations leading to significant safety hazards. The road is mostly characterized by poor riding quality and the section between Sylhet to Tamabil is significantly deteriorated. As a result, the capacity of this 2-lane Highway is constrained to cater the existing and future traffic flow. The upgrading of this road to a 4-lane Highway will significantly increase the capacity, mobility and safety of this important highway section.

1.2 THE PURPOSE OF THE PROJECT

The potential activities can be mentioned as following-

- Establishing Sub-Regional connectivity through Dhaka-Sylhet-Tamabil corridor;
- Providing accessibility to land ports, Export Processing Zones (EPZ), and Economic Zones (EZ);
- Promoting new investments in this area and the EPZ, EZ etc.;
- Promoting economic growth;
- Opening opportunities for the development of new tourism zones;
- Providing access to better health care and education institutions;
- Generating employment.

There are some expected socio-economic benefits of the project. Namely-

- Development of tourism;
- Contribute to the growth of GDP;
- Development of industries;
- Promoting new investments in the areas;
- Generating huge employment;
- To improve the socio-economic condition of the people;
- Increase of mobility of people which results a positive impact on national economy.

CHAPTER 2 - LEGAL FRAMEWORK

2.1 NATIONAL LAWS

The basic principles for the compensation of property in Bangladesh are founded in Articles 42 and 47 of the Constitution. The current legislation governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Act (ARIPA), 2017. The Acquisition and Requisition of Immovable Property Act, 2017 (henceforth, the Act 2017) repealed the Acquisition and Requisition of Immovable Property Ordinance 1982 (subsequent amendments of it up to 1994) and is used as the legal support for land acquisition and requisition in Bangladesh. The Act 2017 requires that compensation be paid for (i) land and assets permanently acquired (including standing crops, trees, houses); and (ii) any other damages caused by such acquisition. The Act 2017 provides certain safeguards for the owners and has provision for payment of “fair value” for the property acquired. The land owner can appeal against land acquisition within 15 (fifteen) days of notice under Section 4 of the Act 2017. The Act 2017, however, does not cover Project-affected persons without titles or ownership record, such as informal settler/squatters, occupiers, and informal tenants and lease-holders (without document) and does not ensure replacement value of the property acquired. The Act has no provision of resettlement assistance and transitional allowances for restoration of livelihoods of the non-titled project affected persons.

The Deputy Commissioner (DC) determines “market value” of acquired assets on the date of notice of acquisition served (under Section 4 of the Act 2017). The DC then adds 200% premium of the assessed value of land for cash compensation under law (CCL) for government acquisitions. The CCL paid for land is generally less than the “market value” as owners customarily report lower values during registration to avoid and/or pay fewer taxes. If acquired land has standing crops cultivated by tenant (bargadar) under a legally constituted written agreement, the law requires that part of the compensation money be paid in cash to the tenants as per the agreement. The DC adds 100% premium of the assessed value to pay as compensation for loss of structures, crops and trees.

If there is a dispute regarding the amount of compensation, there is an option for arbitration and the procedures for such is in place. 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. The proponents will be allowed to acquire such areas given that it funds the replacement and rebuilding of such places.

Many “good practices” include but not limited to, (i) identification of all displaced persons and issuance of ID cards; (ii) cut-off date established by census; (iii) preparation of automated Loss Files and Entitlement Card (iv) Preparation of payment statement (v) compensation for losses irrespective of title to land; (vi) paying replacement cost of land and other assets; (vii) resettlement of the affected households; (viii) special provisions for assistance to poor women and vulnerable groups; (ix) training/livelihood programs for income and livelihood restoration; (x) project benefits for “host” villages; (xi) management information system for processing resettlement benefits, monitoring and evaluation; and (xii) involvement of NGOs in RAP implementation – which has influenced many other projects. Involuntary resettlement has also been successfully addressed in other MDB financed projects including Jamuna Bridge Railway Link Project, Southwest Road Network Development Project and Southwest Area Integrated Water Resources Planning and Management Project.

2.2 AIIB POLICIES

AIIB has a policy in the form of "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).

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 clearly 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 Action Plan (RAP) 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 RAP for a comprehensive Environmental and Social Impact Assessment (ESIA) of the project. The RPF as well as the RAP 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 People (PAP) are no worse off and where possible their lives are improved as a result of the resettlement.

As specified in the Environmental and Social Framework (2019), AIIB recognizes that a considerable part of the population in the countries in which the Bank operates live without land title or recognized land rights.. AIIB recognizes people without land title or legal rights to land are eligible for compensation. The Bank requires the Client to ensure that these people receive resettlement assistance and compensation for loss of non-land assets; the procedure to ensure such would have to be in accordance with the cut-off dates established in the RAP for the project. Additionally, the Bank requires the Client to include these people in the resettlement consultation process.

2.3 GAPS BETWEEN GOB AND AIIB POLICIES AND GAP FILLING MEASURES

A brief description of the gaps between the Government laws and AIIB 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. AIIB 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.

Table: Comparison between GoB laws and AIIB Safeguard Policies on Resettlement

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.	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. The RPF clearly mentions how to minimize the involuntary resettlement through proper alternate engineering design and adequate consultation with stakeholders.
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	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

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
		<p>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.</p>	<p>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.</p>
4	<p>Carry out meaningful consultation with displaced persons and ensure their participation in planning, implementation, and monitoring of resettlement program.</p>	<p>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.</p>	<p>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.</p>

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
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.
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.

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
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 salvage materials, and additional transitional assistance for the loss of business and employment.

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
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 cutoff date, and displaced persons listed before the cutoff-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	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 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-

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
	project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	the costs related to other assistance and involuntary resettlement.	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.
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.

CHAPTER 3 - LAND ACQUISITION AND RESETTLEMENT

3.1 LOSS OF LANDS

Compensation for the loss of lands will be calculated in following way:

- For agricultural land, pond and garden: Present market value + 10% of it as registration & other costs + another 10% for one year production of crops, fish, fruits etc;
- For homestead & commercial land: Present market value + 10% of it as registration and other costs + another 10% of it for land development;

- In each project district, one committee namely, Property Value Assessment Committee (PVAC) will be formed for assessing the present market value of land, and compensation for crops, fish, fruits and land development of the affected land.

3.2 LOSS OF STRUCTURES

Compensation for the loss of structures would be calculated in following way:

- Present value of structures as per the rates of Public Works Department (PWD);
- 12.5% of the value as Structure Transfer Grant (STG);
- 12.5% of the value as Structure Reconstruction Grant (SRG);
- The owners will be allowed take away all the salvageable materials free of cost within the period fixed by the Project Implementing Agency (PIA).

Loss of structures deals with the most important part of displacement and cash compensation. Because it deals with the business and home structures expected to be demolished due to the implementation of the project. Actually, this is the core group of all the Project Displaced Persons (PDP).

3.3 LOSS OF CROPS AND TREES

Compensation for the loss of crops and trees would be calculated in following way:

- Present market value of trees as determined by the Property Value Assessment Committee (PVAC);
- Compensation for fruits will be determined by the (PVAC);
- The owners will be allowed to take the salvageable materials free of costs within the period fixed by the Project Implementing Agency (PIA).

3.4 COMMUNITY INFRASTRUCTURE AND CULTURAL RESOURCES

The affected community properties are mostly the Mosques attached with Madrasha. It is to be noted that for all the affected properties including trees, the community will be allowed to take away all the salvageable materials free of cost within the period to be fixed by the Project Implementing Agency. All the rates of compensation will be determined by the Property Value Assessment Committee (PVAC) with the help of relevant government departments.

3.5 GENDER IMPACT

Considering country's socio-economic situation, all female PDPs will be considered as vulnerable. Accordingly, discussions and consultations are undertaken with the women and community people to understand the current status and needs of female PDPs and the potential project induced impacts and mitigation measures.

3.6 RESETTLEMENT CONSULTATION

The consultation covers Project design, mitigation and monitoring measures, sharing of development benefits and opportunities on a Project-specific basis, and implementation issues. Previously in many Projects, the consultations/Focus Group Discussions (FGD) have helped in not

only achieving the social assessment objectives, but also assisted in gathering suggestions for mitigation of adverse impacts, improvement in designs and facilitating inputs for the impact assessment. Meetings need to be organized with the Project Displaced Persons (PDPs) and people around the alignments for assessing their attitudes toward the road widening project. It is to be noted that more detail FGDs and Consultations are needed to be included in Resettlement Action Plan (RAP).

3.7 IMPACTS ON INCOME AND LIVELIHOOD

Regarding the Income loss from business, cash compensation equivalent of six months net income from the business will be paid as compensation where the net income per month will be determined by the PVAC. Regarding the income loss from rented out structures, the owners will be given the amount equivalent to six months' rent determined by the PVAC. Each employee of business enterprises facing the adverse impact from the impending project will be given compensation determined by the PVAC. For each type of household facility, the amount of cash compensation will be determined by the PVAC.

CHAPTER 4 - ENTITLEMENT POLICY FRAMEWORK

4.1 OVERALL POLICY

The resettlement policy for the project is designed to (a) cover all displaced persons irrespective of their title to land, (b) compensation for lost assets, and (c) restoration or enhancing the livelihoods of all categories of displaced persons. The households/persons displaced by the project interventions will receive cash compensation for land and other assets at full replacement cost as per market price at the time of dispossession. Additional measures will be taken to ensure minimum disruption during the project construction period. Thus, households to be displaced physically and affected economically will receive due compensation, relocation assistance, and allowances in accordance with the following guidelines and policy:

- Land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative project designs;
- Where unavoidable, a time-bound RAP will be prepared and DPs will be assisted in improving or at least regaining their pre-project standard of living;
- Replacement cost of land and other assets will be paid at current market price and titling cost will be included in the replacement cost without any condition;
- Consultation with DPs on compensation, disclosure of resettlement information to DPs, and participation of DPs in planning and implementing of the project will be ensured;
- Vulnerable and severely affected DPs will be provided special assistance;
- Non-titled DPs (e.g., informal dwellers or squatters, DPs without registration details) will receive a livelihood allowance in lieu of land compensation and will be fully compensated for losses other than land;
- Provision of income restoration and rehabilitation will be made;

- The RAP will be disclosed to the DPs in the local language which is Bangla;
- Payment of compensation, resettlement assistance and rehabilitation measures will be fully provided prior to the contractor taking physical possession of the land and prior to the commencement of any construction activities on a particular package;
- Establishment of appropriate grievance redresses mechanisms to solve DPs grievance if occurs.

4.2 ELIGIBILITY FOR COMPENSATION AND OTHER ASSISTANCE

Displaced persons (DPs) entitled to compensations are those losing their land (titled or non-titled), structures, crops, trees and other objects attached to the land, business, income, employment etc. Eligibility to receive compensation and assistance will be limited to the cut-off date. The cut-off date for compensation and assistance is considered for those identified within the RoW proposed for acquisition at the time of the detailed design. Any households or persons identified within the project RoW during this process will be eligible for compensation and assistance from the project. The DPs 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, requesting to vacate the premises and dismantle structures prior to project implementation. However, at the implementation stage, if there is any change in alignment and RoW, the inventory of displaced households will be updated through detail measurement survey and DPs census.

The RAP will be implemented according to a compensation and grants eligibility and entitlements framework in line with both GOB laws and AIIB policies (ESF). The entitlements are based on provisions for compensation for land and other assets following the Acquisition and Requisition of Immovable Property Act, 2017 and replacement cost and other assistance and allowances following the AIIB policies. It is to be noted that the all types of compensations and grants will be free from GoB tax.

4.3 PRINCIPLE FOR VALUATION AND COMPENSATION UNIT RATES

The method for valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement need to be ensured. The valuation method will be based on provisions for compensation for land and other assets following the Acquisition and Requisition of Immovable Property Act, 2017 and replacement cost and other assistance and allowances following the AIIB policies. In any instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing meeting acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in Project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

4.4 CONSULTATION AND DISCLOSURE

Consultation and participation is a process through which stakeholders' influence and share control over development initiatives and the decisions and resources which affect them. It is an active and continuous process of interaction among the key stakeholders, including the communities directly affected (whether positively or adversely), the project proponent and consultants, civil society and international donor agencies. Early and accurate information dissemination to the affected population from project officials allays fears, dispels misconceptions and builds trust of the affected population to the project authorities. Information dissemination and consultation takes place in all stages of the project cycle, implying a continuous feedback process through which the communities learn about potential activities in the area, and the project team learns about community dynamics. Information dissemination and stakeholder consultation in a project begins with initial social assessment activities during the initial phases of project preparation and continues as project preparation activities. Affected Persons (AP) are regularly provided with information on the project and the resettlement process prior to and during the RAP preparation and implementation stage.

CHAPTER 5 - ENTITLEMENT MATRIX AND MITIGATION MEASURES

5.1 ENTITLEMENTS, ASSISTANCE AND BENEFITS

The primary objective of this Resettlement Planning Framework (RPF) is to provide for compensation payment of project affected properties (including common properties) and displaced persons in order to prevent their impoverishment (likely to be created) by the project, and wherever possible, to provide support services to sustain or improve their socioeconomic conditions or at least to restore them to pre-displacement level.

Widening of the project road from the present condition will require land of which some are needed to be acquired from the private owners. Moreover, structures are located within the proposed Right of Way (RoW) at different segments of the project road and as such these will also be displaced along with land. Moreover, PDPs will be displaced in the process; whereby, about family members of the PDPs will be affected. In addition to affected private properties as aforesaid, common/community properties like, mosque, graveyard and school will also be affected on implementation of the project. These two sets of affected properties: privately owned and common properties would come under the purview of instant RAP. However, the instant RAP is designed to suggest mitigating measures to deal with negative social impacts being generated during implementation of the project.

In compliance with the AIIB policies, a proposed broad entitlement is given in the following matrix:

Type of Loss	Category of PDPs affected	Type of Entitlement
1.Land of all types	Title Holder PDPs	<p>For agricultural land, pond and garden: Present market value + 10% of it as registration & other costs + another 10% for one year production of crops, fish, fruits etc;</p> <p>For homestead & commercial land: Present market value + 10% of it as registration and other costs + another 10% of it for land development; and</p> <p>In each project district, one committee namely, Property Value Assessment Committee (PVAC) will be formed for assessing the present market value of land, and compensation for crops, fish, fruits and land development of the affected land.</p>
2.Structures of all types	Title Holder PDPs	<p>Present value of structures as per the rates of Public Works Department (PWD);</p> <p>12.5% of the value as Structure Transfer Grant (STG);</p> <p>12.5 % of the value as Structure Reconstruction Grant (SRG); and</p> <p>The owners will be allowed take away all the salvageable materials free of cost within the period fixed by the Project Executing Agency (PEA).</p>
3.Trees of all types	Title Holder PDPs	<p>Present market value of trees as determined by the Property Value Assessment Committee (PVAC), compensation for fruits will be determined by the (PVAC) and the owners will be allowed to take the salvageable materials free of costs within the period fixed by the Project Implementing Agency (PEA).</p>
4.Income loss from business	Title Holder and Non Title Holder PDPs	<p>Cash compensation equivalent of six months net income from business and the net income per month will be determined by the PVAC.</p>
5.Income loss from rented out structures	Title Holder Non Title Holder PDPs	<p>The owners will be given the amount equivalent to six months' rent.</p>
6.Employees of business	Title Holder Non Title Holder PDPs	<p>Each employee of business enterprises will be given Tk 18,000: Tk 6,000X3 months.</p>

Type of Loss	Category of PDPs affected	Type of Entitlement
7. Household facilities	Title Holder PDPs	For each type of facility, the amount of cash compensation will be determined by the (PVAC).
8. Vulnerable project displaced persons (PDP)	Female, Indigenous, Old Age, Fully Disable And Very Poor	For each type of vulnerability, each PDP will get Tk 5,000 as cash grant. If any PDP is considered vulnerable by more than one indicator, he/she will get the amount equivalent to Tk 5,000X number of indicators.
9. Indigenous people	Indigenous People	All Indigenous people will be considered as Vulnerable and each victim will get Tk 5,000 as cash grant. In addition, they will also get the grants as per Clause-8, above.
10. Affected community properties	Title Holder PDPs	All the affected community properties will be relocated at the places desired by the community If the community asks for cash compensation instead, the amounts will be determined under Clauses: 1-7.
11. When a part of the land is within RoW	Title Holder PDPs	PDPs those lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living. The inadequate size of remaining land and structures will be included for compensation during the resettlement planning process.
12. Support to income and employment losers	Title Holder Non Title Holder PDPs	Resettlement assistance will be provided not only for immediate loss, but also for a transition period needed to restore livelihood and standards of living of PDPs. Such support could take the form of short-term jobs, subsistence support, and salary of employees in affected business, income loss from business & rented out structures or similar arrangements.
13. Financial assistance to non titled and vulnerable PDPs	Title Holder Non Title Holder PDPs	The resettlement plan must consider the needs of those most vulnerable to the adverse impacts of displacement, poor, those without legal title to land, ethnic minorities, women, children, elderly and disabled and ensure they are considered in resettlement planning and mitigation measures identified. Assistance should be provided to help them improve their socio-economic

Type of Loss	Category of PDPs affected	Type of Entitlement
		status which can be assessed through socio-economic indicators.
14. Time of vacating the acquisition homestead and commercial land	Title Holder PDPs	Displacement must not occur before receipt of the full compensation and other assistance required for relocation. Sufficient civic infrastructure must be provided in resettlement site prior to relocation. After receipt of full compensation, the PDPs are needed to be given 6 months for land development and constructing new structures at the place of relocation.
15. Sufficiency and efficiency in RAP and its implementation	Title Holder PDPs	Organization and administrative arrangements for the effective preparation and implementation of RAP will be made by the PEA and PIA. This will include the provision for adequate human resources for implementation, supervision, consultation, and monitoring of land acquisition and rehabilitation activities.
16. Shifting of inside goods and materials of structures	Title Holder PDPs	Those who will lose home and/or business will be given grant of an amount equivalent to 5% of the compensation for structures
17. Tax on compensation money	Title Holder PDPs	All the compensations and grants will be exempted from all types of GoB taxes
18. Relocation of the displaced homes and business enterprises	Title Holder PDPs	Relocation is done when a sizable number of PDPs are displaced in a contiguous form. In road projects it is a very rare situation. If there is any relocation site, the incumbent PDPs will have to buy land there at market price and the size of plot at the relocation site must not exceed the size lost by the incumbent

Note: Any unforeseen impacts and issues not defined in these matrixes will be placed to the notice of the GRC for assessment and decisions with technical assistance from the JVC and the PVAC.

5.2 INCOME RESTORATION AND REHABILITATION

Total resettlement package usually covers: payment of cash compensation at Replacement Value (RV) and some cash grants to vulnerable and employment loser PDPs; relocation of PDPs when they are displaced in group from a small area (when a market or village is fully affected); and

rehabilitation of PDPs at the place of relocation, through construction of social infrastructures and creation of social environment.

Here in this road widening project the PDPs are highly dispersed over the whole length of road. Nowhere any market or village is severely affected. So, the resettlement package is limited to only cash compensation at RV, some cash grants to vulnerable and employment loser PDPs, training on IGAs and integration of poor PDPs with NGOs working in their areas.

5.3 COMMUNITY RESOURCES & INFRASTRUCTURE

PDPs are mostly engaged in businesses, owned from both own lands and government lands. Nature of occupation includes PDPs working in agriculture, business, service, labors and others. The infrastructure owned and run by the community or providing service to the community for different purposes (for example: school, madrasa, mosque, temple, church, graveyard, playground, club, office, hospital etc) provide a range benefits to the community people.

5.4 SPECIAL MEASURES FOR VULNERABLE HOUSEHOLDS

As per prevalent practices in Bangladesh the PDPs belonging to female sex, age above 60 years, very poor economic group, ethnic minority (indigenous) and physically disable are considered as vulnerable. An amount of cash grants, determined by PVAC would be needed to propose for all of them for each type of vulnerability. It is to be noted that if a PDP is found vulnerable by more than one indicator, for assessing the amount of cash grant the amount will be multiplied by the number of indicators.

CHAPTER 6 - COMPENSATION PROCEDURES

6.1 CONFIRMATION SURVEY

Confirmation surveys need to be conducted in compliance with national laws and AIIB policies. PDPs will be continuously notified on the progress of the RAP and the Project. Stakeholders will be kept engaged before and during the Project.

6.2 COMPENSATION CALCULATION

For any loss of land, compensation will be done in accordance with the policies of Ministry of Land. Compensation due to loss of structure will be determined according the Schedule of Rates of the PWD for determining the value of the structures. For loss of trees and crops, compensation will be calculated using the practice of Ministry of Environment and Forest.

The Deputy Commissioner (DC) determines “market value” of acquired assets on the date of notice of acquisition served (under Section 4 of the Act 2017). The DC then adds 200% premium of the assessed value of land for cash compensation under law (CCL) for government acquisitions. The DC adds 100% premium of the assessed value to pay as compensation for loss of structures, crops and trees. If there is a dispute regarding the amount of compensation, there is an option for arbitration and the procedures for such is in place. If present market price is higher than CCL

(assessed price + 200% of assessed price by DC), the difference (Top-up) will be paid by RHD with assistance from the RAP Implementing NGO.

6.3 SPECIAL MEASURES FOR VULNERABLE HOUSEHOLDS

As per prevalent practices in Bangladesh, the PDPs belonging to female sex, age above 60 years, very poor economic group, ethnic minority (indigenous) and physically disable are considered as vulnerable. An amount of cash grants, determined by PVAC would be needed to propose for all of them for each type of vulnerability. It is to be noted that if a PDP is found vulnerable by more than one indicator, for assessing the amount of cash grant the amount will be multiplied by the number of indicators.

6.4 MEASURES TO ADDRESS DISPROPORTIONATE GENDER IMPACTS

Considering the socio-economic scenarios in Bangladesh, females go through more struggle than males. Accordingly, female PDPs would be entitled to extra benefits than their male counterparts. Demographic Characteristics of all the PDPs need to be collected for the reason of identifying their socio-physical conditions in relation to the clauses of vulnerability as all the female PDPs are considered as vulnerable.

CHAPTER 7 - INCOME RESTORATION AND REHABILITATION

7.1 INCOME RESTORATION PROGRAMS, INCLUDING MULTIPLE OPTIONS FOR RESTORING ALL TYPES OF LIVELIHOODS

Total Resettlement package covers: payment of cash compensation at RV and some cash grants to Vulnerable & employment loser PDPs; relocation of PDPs when they are displaced in group from a small area (when a market or village is fully affected); and rehabilitation of PDPs at the place of relocation, through construction of social infrastructures and creation of social environment.

Here in this road improvement project the PDPs are highly dispersed over the whole length of road. Nowhere any market or village is severely affected. So, the Resettlement package is limited to only cash compensation at RV, some cash grants to vulnerable and employment loser PDPs, training on IGAs and integration of poor PDPs with NGOs working in their areas.

Multiple alternatives should be considered to find out the best possible solution for the PDPs to adapt. Participation with the stakeholders to determine the possible outcome can be outlined as follow:

- Identify alternatives to avoid or minimize resettlement;
- Assist in preparing of inventory and assessment of losses;
- Assist developing alternative options for relocation and income restoration;
- Identify relocation sites for displaced households and businesses;
- Provide inputs for entitlement provisions; and
- Identify likely conflict areas with re-settlers.

7.2 MEASURES TO PROVIDE SOCIAL SAFETY NET

The development objective of the providing safety nets is to support the government to improve livelihoods through a strengthened safety net system for poor households under the effect of the Project. Some of the negative impacts include: (i) possible cases of involuntary resettlement are expected during construction/rehabilitation of infrastructure; (ii) people who depend on the land for forms of livelihood would be displaced; (iii) project activities would also lead to loss of economic trees and non-productive fruit and shade trees; (iv) culturally sensitive areas would be affected by the construction.

Some of the mitigation methods may include: (i) avoid relocation or displacement of dwelling or landed assets by changing facility location or rerouting; (ii) assist those who depend on the land for livelihood to identify and access similar resources with similar potentials elsewhere in consultation with them; (iii) translocation or replacement planting to compensate for the loss of any tree; (iv) avoid culturally sensitive areas. and (v) stay in touch with the stakeholders and updating them on the progress of their RAP.

7.3 SPECIAL MEASURES TO SUPPORT VULNERABLE GROUPS

As per prevalent practices in Bangladesh the PDPs belonging to female sex, age above 60 years, very poor economic group, ethnic minority (indigenous) and physically disable are considered as vulnerable. An amount of cash grants, determined by PVAC would be needed to propose for all of them for each type of vulnerability. It is to be noted that if a PDP is found vulnerable by more than one indicator, for assessing the amount of cash grant the amount will be multiplied by the number of indicators.

7.4 MEASURES TO ADDRESS IDENTIFIED GENDER ISSUES

Significant APs are females. Due to the temporary dislocation of the PDPs, regarding the scenarios here in Bangladesh, females go through more struggle than males. It is often said that the PDPs family members should get priority in employment to the project related works if they desire for. This consideration should be taken in account for Females also. Demographic Characteristics of all the PDPs need to be collected for the reason of identifying their socio-physical conditions in relation to the clauses of vulnerability as all the female PDPs are considered as vulnerable. It helps in determining the types of training suitable for them in new trades for upholding their incomes at least to the pre-project level.

CHAPTER 8 - CONSULTATIONS AND GRIEVANCE REDRESSAL MECHANISM

8.1 STAKEHOLDER CONSULTATIONS

Consultation and participation is a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them. It is an active and continuous process of interaction among the key stakeholders, including the communities directly

affected (whether positively or adversely), the project proponent and consultants, civil society and international donor agencies. Early and accurate information dissemination to the affected population from project officials allays fears, dispels misconceptions and builds trust of the affected population to the project authorities. Information dissemination and consultation will take place in all stages of the project cycle. Consultations begins with initial social assessment activities during the initial phases of project preparation and continues as project preparation activities. Affected Persons (AP) are regularly provided with information on the project and the resettlement process prior to and during the RAP preparation and implementation stage. A sample stakeholder consultation and disclosure plan is presented below:

Stakeholder Consultation and Disclosure Plan

Activity	Task	Timing (Date/Period)	No of People	Agencies	Feedback/Issue/Concerns Raised	Remarks
Stakeholder Identification	Mapping of the project area					
Project Information Dissemination	Distribution of information leaflets to affected persons (APs)					
Consultative Meetings with APs during Scoping Phase	Discuss potential impacts of the project					
Socio-Economic Survey	Collect socio-economic info on APs as well as AP's perception on the project					
Consultative Meetings on Resettlement Mitigation Measures	Discuss entitlements, Compensation rates, income restoration, site selection, grievance redress mechanisms					
Disclosure of the resettlement plan (RP)	Distribute Leaflets or Booklets in local language to APs					

Web Disclosure of the RAP	RAP posted on donor and/or project owner's website					
Consultative Meetings during Detailed Measurement Survey (DMS)	Face to face meetings with APs	During DMS				
Disclosure after DMS	Disclose updated RAP to APs	After DMS				
Web Disclosure of the Updated RP	Updated RAP posted on EA and AIIB website	After AIIB Approval of RAP				
Consultation and disclosure arrangements during(i) implementation (ii) monitoring and evaluation						

8.2 INFORMATION DISCLOSURE

Information will need to be disclosed to the Stakeholders which mostly cover the topic of compensation package in national policy on Involuntary Resettlement. Disclosure of information need to be aligned with the policies of Government of Bangladesh, with the help of AIIB's technical assistance, which will be consistent with the general policy of the Government that the rights of those displaced by development project shall be fully respected, and persons being displaced shall be treated with dignity and assisted in such a way that safeguards their welfare and livelihoods irrespective of title, gender and ethnicity.

8.3 GRIEVANCE REDRESS MECHANISM (GRM)

Land acquisition in Bangladesh allows landowners to submit objections in the beginning of the legal process. Once the objections are heard and addressed, there is virtually no provision to attend complaints and grievances that individual landowners may bring in the later stages of the acquisition process. As the law does not recognize the non-titled users of land, there is no mechanism to hear and redress their grievances in the legal process. Again, project interventions and construction activities on site may raise environmental, social and public health concerns among the displaced persons and their communities. The communities may also be interested in transparency in procurement and quality of construction. Complaints and grievances may, therefore, range from land acquisition, resettlement, procurement and quality of works on site. Disputes over ownership and inheritance of the acquired lands of displaced persons and assets missed by the census, joint

verification; valuation of affected assets; compensation payment; and the like may arise in the process of resettlement.

To deal with resettlement related disputes and to make the project accountable to the displaced people and their community, a complaint and grievance mechanism will be in operation under the project. The mechanism will be an officially recognized community based system to resolve disputes arising out of various matters related to land acquisition, compensation and resettlement, environment, safety and other social concerns. The fundamental objectives of this mechanism are to resolve any resettlement-related grievances locally in consultation with the aggrieved party to facilitate smooth implementation of the social and environmental action plans. Another important objective is to democratize the development process at the local level and to establish accountability to the displaced people. Based on consensus, the procedure will help resolve issues/conflicts amicably and quickly, saving the aggrieved persons resorting to expensive, time-consuming legal actions.

The complaint and grievance mechanism has been developed to allow a displaced person appealing any disagreeable decision, practice or activity arising from land and assets, and from construction related activities. The DPs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation. The project planning and implementation will be cautious enough to prevent grievances through advance counseling and technical assistance to the DPs in the land acquisition and compensation collection process. This will be ensured through careful land acquisition and resettlement design and implementation, by ensuring full participation and consultation with the DPs, and by establishing extensive communication and coordination between the affected communities, the RHD and local governments in general.

8.4 IT-BASED GRIEVANCE REDRESS MECHANISM

An IT based GRM will be developed for the purpose of thorough documentation of the complaints filed by the PDPs for better screening. This will further enhance the overall communication between the PDPs and Project Implementing Unit.

CHAPTER 9 - MONITORING AND REPORTING

9.1 INTERNAL MONITORING OF LAND ACQUISITION AND DEVELOPMENT

Implementation of RP will be supervised and monitored by the Project Director of the project in coordination with the other officers associated with the project, and field officials and staffs of the INGO. The monitoring will be done both internally and externally to provide feedback to the PD and to assess the effectiveness of resettlement policy and implementation. Intermittent monitoring of resettlement activities will also be carried out by the donors (financiers) through an Independent Monitoring Team (IMT) to assess the impact, sustainability of the resettlement program and to learn lessons for future policy framework and planning. On their behalf, the day to day activities regarding

the RAP implementation by the INGO will be supervised and monitored by the Resettlement Specialist of Construction Supervision Consultant Team. He will prepare and submit his report on monthly basis as a part of the progress report of whole project. Monitoring in a package, is an integral part of project implementation, which must be given due emphasis if the implementation has to progress according to the projected plan and schedule. Monitoring involves collection, analysis, reporting and use of the information about the progress of all aspects of the resettlement operations, based on the approved RAP.

9.2 LIVELIHOOD RESTORATION

Regarding the Income loss from business, cash compensation equivalent of six months net income from the business will be paid as compensation where the net income per month will be determined by the PVAC. Regarding the income loss from rented out structures, the owners will be given the amount equivalent to six months' rent determined by the PVAC. Each employee of business enterprises facing the adverse impact from the impending project will be given compensation determined by the PVAC. For each type of household facility, the amount of cash compensation will be determined by the PVAC.

9.3 EXTERNAL MONITORING

RHD will engage the services of an independent external monitoring agency (EMA), not associated with project implementation, to undertake external monitoring and evaluation (M&E). The external monitor will monitor and verify RAP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external monitor will also evaluate the performance of PIU of RHD on resettlement issues. The external agency will report its findings simultaneously to RHD and to AIIB half-yearly.

The EMA will advise on safeguard compliance issues, and if any significant involuntary resettlement issues are identified, a corrective action plan will be prepared by the EMA to address such issues. The EMA will closely monitor the implementation of the RAP and be engaged in the following tasks:

- Review and verify internal monitoring reports prepared by PIU, RHD;
- Review of RAP and information pamphlet disclosure;
- assessment of the way the compensation has been carried out in relation to the stipulations of the RAP;
- Verification that all APs have been compensated in the amounts stipulated in the RAP;
- Assessment of the accuracy of survey and asset valuation;
- Review of complaint and grievance cases and of their solution;
- Assessment of the rehabilitation program for severely affected and vulnerable APs;
- Assessment of the satisfaction of the APs;
- Lessons learnt to be applied to the next projects.

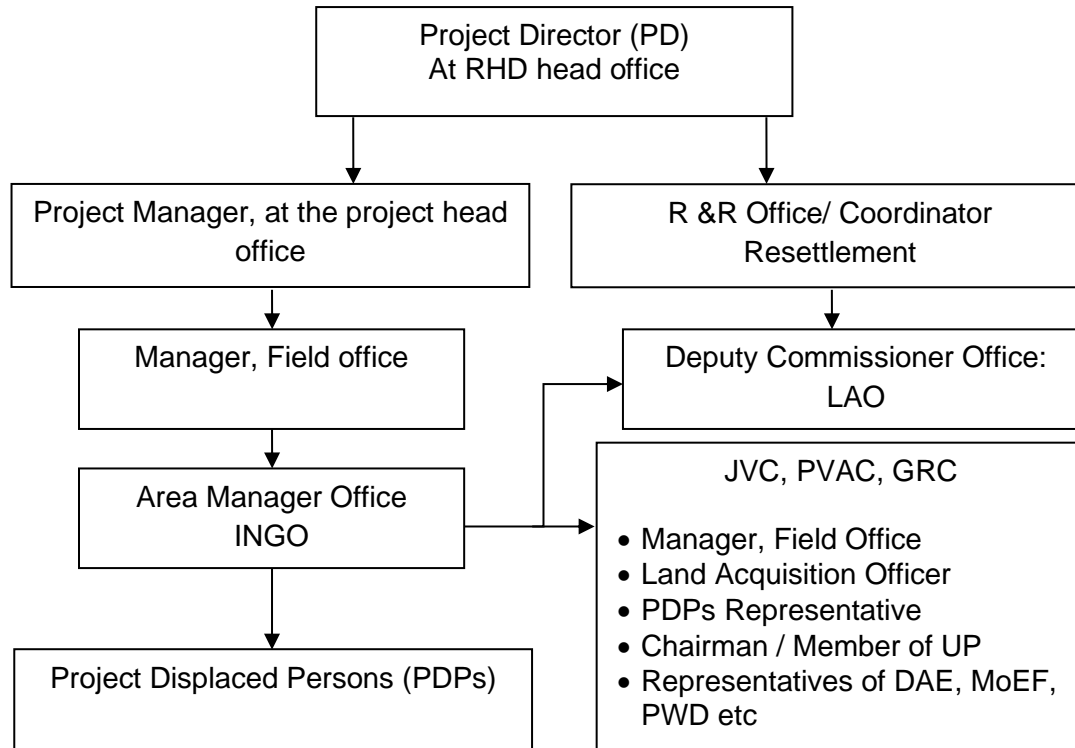
In this process, if any significant issues are identified, a corrective action plan will be prepared to address such issues by RHD and submitted to the AIIB. In addition, the external monitor shall

document the good practices as well as the difficulties encountered in resettlement plan implementation, which shall provide lessons on the subject for subsequent projects.

CHAPTER 10 - INSTITUTIONAL ARRANGEMENTS

For speedy and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the Resettlement Action Plan (RAP). Institutional arrangements required for implementation of Resettlement Action Plan includes capacity augmentation of project head office personnel (at RHD), project field offices, land acquisition section of Deputy Commissioner's office, appointment of INGO, formation of various committees like: GRC, JVC, PVAC, etc. The flow chart provided below indicates the institutional arrangement and linkages of different institutions/organizations involved in resettlement and rehabilitation plan of SRTPPF. The Project Director at Head Office will function as the Chief Resettlement Officer (CRO). The CRO will be overall responsible for resettlement and rehabilitation policy guidance, coordination, planning, monitoring and reporting to relevant agencies. Other officers and secretarial staffs at Head Office will assist the CRO. At the field level, the CRO will be assisted by the In-charge of field offices and other field staffs. Besides, an NGO will be appointed for the implementation of Resettlement Plan. Further, a National Resettlement Consultant (NRS) will be engaged to carryout monitoring and reporting of the project implementation. These agencies will work in close coordination with the Office of CRO, and other offices responsible for RAP implementation.

Types of Offices and Committees Needed at Various Levels



Project Manager will be of the rank of Superintendent/ Executive Engineer and look after the resettlement and rehabilitation component of the project as DCRO. Project Managers will be stationed at the PD's office. One Deputy Project Manager may be appointed for assisting the Project Manager. The PD/CRO, through the PM, will monitor the progress of land acquisition and resettlement management and will also ensure co-ordination between various relevant offices, particularly the Office of Deputy Commissioners. The PD at RHD head office will initiate the following activities to commence the implementation of Resettlement Action Plan:

- Establish field offices and depute requisite staff;
- Select INGO having experience in implementation of RAP activities;
- Orientation and awareness workshops for RHD staff likely to be involved in Resettlement and Rehabilitation;
- Appointment of a National Resettlement Consultant.

RHD will establish operational links with the Office of Deputy Commissioners for land acquisition. It will provide means & mechanism for coordinating the delivery of compensation & assistance to entitled persons. Through the INGO it will also be responsible for disseminating the information to the public and providing opportunities for consultations.

CHAPTER 11 - CONSOLIDATED BUDGET AND SCHEDULE OF ACTIVITIES

The Project Director, SRTPPF (Technical Assistance for Sub-Regional Road Transport Project Preparatory Facility) at RHD head office is the implementing authority of Resettlement Action Plan (RAP). He will decide the course of actions for successful implementation of the plan. An action oriented program is a precedence condition for implementing the proposed Resettlement Action Plan in its true spirit and intention. Basically, it involves land acquisition and management of proposed resettlement activities to compensate for the losses of Project Displaced Persons (PDPs). A successful implementation would require:

- Clear understanding of the tasks to be accomplished along with their sequencing and linkages;
- A well-conceived organizational set up with well-trained efficient staff for implementing the tasks;
- A carefully prepared work implementation matrix;
- Proper functioning of the committees formed;
- Above all, a cordial work relationship among the agencies like, RHD, DCs office, INGO, committees etc, involved in implementation of RAP.

The basic objective of this Implementation Schedule is to ensure that all the PDPs are paid due compensations in time so that they can re-establish their social and economic livelihoods at least to the pre-project condition. Accordingly the RAP will provide arrangements for cash compensation and relocation of displaced common/ community properties. To deliver these two sets of compensatory benefits to the PDPs in time, operational mechanism including some institutional arrangements is explained here under.

Glossary

Affected Person (AP) includes any person, affected households (AHs), firms or private institutions who, on account of changes that result from the Project will have their (i) standard of living adversely affected; (ii) right, title, or interest in any house, land (including residential, commercial,

agricultural, forest, and/or grazing land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement.

Assistance means support, rehabilitation and restoration measures extended in cash and/or kind over and above the compensation for lost assets.

Cash Compensation under Law (CCL) CCL comprises all land acquisition compensation under The Acquisition and Requisition of Immovable Property Act 2017. The project, to meet the Asian Infrastructure Investment Bank's (AIIB's) Policy on Involuntary Resettlement, also provides project resettlement grants in addition to CCL.

Compensation includes payments in cash or kind for assets acquired or affected by a Project at replacement cost or current market value.

Cut-off date refers to the date after which eligibility for compensation or resettlement assistance will not be considered. Date of service of notice under Section 4 of Acquisition and Requisition of Immovable Property Act 2017 is considered to be the cut-off date for recognition of legal compensation and the start date of carrying out the census/inventory of losses is considered as the cut-off date for eligibility of resettlement benefits.

Encroachers include those people who move into the Project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the Project. The term also refers to those extending attached private land into public land.

Entitlements include the range of measures comprising cash or kind compensation, relocation cost, income restoration assistance, transfer assistance, income substitution, and business restoration which are due to AHs, depending on the type and degree /nature of their losses, to restore their social and economic base.

Household: A household includes all persons living and eating together (sharing the same kitchen and cooking food together as a single-family unit).

Inventory of losses includes assets listed during the survey/census as a preliminary record of affected or lost assets.

Non-titled refers to persons who have no recognizable rights or claims to the land that they are occupying and includes people using private or public land without permission, permit or grant i.e., those people without legal title to land and/or structures occupied or used by them.

Project Affected Household includes residential households and commercial & business enterprises except CPRs.

Project Affected Unit combines residential households (HHs), commercial and business enterprises (CBEs), common property resources (CPRs) and other affected entities as a whole.

Relocation means displacement or physical moving of the APs from the affected area to a new area/site and rebuilding homes, infrastructure, provision of assets, including productive land/employment and re-establishing income, livelihoods, living and social systems.

Replacement Cost refers to the value of assets to replace the loss at current market price, or its nearest equivalent, and is the amount of cash or kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged.

Replacement Land refers to land affected by the Project that is compensated through provision of alternative land, rather than cash, of the same size and/or productive capacity as the land lost and is acceptable to the AP.

Resettlement Action Plan (RAP) refers to a time bound action plan with budget setting out resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring and evaluation. RP is the public document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project.

Resettlement Assistance refers to support provided to people who are physically displaced by a project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.

Squatters (Informal settlers) include non-titled households, business and common establishments on land owned by the Government.

Structures include all buildings including primary and secondary structures including houses and ancillary buildings, commercial enterprises, living quarters, community facilities and infrastructures, shops, businesses, fences, and walls.

Vulnerable Households include households that are (i) headed by single woman or woman with dependents and low incomes, (ii) headed by elderly/ disabled people without means of support, (iii) households that are below the latest nationally defined poverty line, and(iv) households of indigenous population or ethnic minority.