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Government of The People's Republic of Bangladesh
Ministry of Shipping

Bangladesh Trade and Transport Studies RETF NLTA Project (P148881)
Bangladesh Regional Connectivity Project 1 (P154580)
World Bank-Assisted

Resettlement Policy Framework (RPF) Final Report

November2016

Bangladesh Land Ports Authority (BLPA)

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Acronyms and Abbreviations

AD	Alluvion-Diluvion
ARIPO	Acquisition and Requisition of Immovable Property Ordinance
BBS	Bangladesh Bureau of Statistics
BLPA	Bangladesh Land Ports Authority
BP	Bank Policy
CCL	Cash Compensation under Law
CENA	Capacity Enhancement Needs Assessment
CHTs	Chittagong Hill Tracts
CLAC	Central Land Allocation Committee
CMP	Current Market Price
DC	Deputy Commissioner
EA	Environmental Assessment
EC	Entitlement Category
EHS	Environmental, Health, and Safety
EIA	Environmental Impact Assessment
EMF	Environmental Management Framework
EMIS	Environmental management Information System
EP	Entitled Person
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
FGD	Focus Group Discussions
FPIC	Free Prior Informed Consultation (and Consent)
GMP	Gender Mainstreaming Plan
GoB	Government of Bangladesh
GP	Gram Parishad
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
GS	Gram Sabha
HCG	House Construction Grant
HDA	Homestead Development Allowance
HH	Households
HIES	Household Income and Expenditure Survey
IDA	International Development Association
ILO	International Labour Organization
INGO	Implementation NGO
KII	Key Informants Interview
LA	Land Acquisition
LAP	Land Acquisition Proposal
MEAL	Monitoring Evaluation Audit Learning
MoL	Ministry of Land
MoS	Ministry of Shipping
NGOs	Non-governmental Organizations
PAPs	Project Affected Persons
PAVC	Property Assessment and Valuation Committee
PCR	Physical Cultural Resources
PIU	Project Implementation Unit

PMU	Project Management Unit
PWD	Public Works Department
RA	Rental Allowance
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RSC	Resettlement Sub-committee
SIA	Social Impact Assessment
SMP	Social Management Plans
STG	Structure Transfer Grant
UP	Union Parishad
VNR	Vested Non-Resident
WB	World Bank
WTO	World Trade Organisation

Executive Summary

Introduction

The proposed 'Bangladesh Regional Connectivity Project 1' aims to develop land ports in Bangladesh. The Project Development Objective is to lower time and costs associated with trade and improve infrastructure and conditions for trade along strategically important regional transport corridors. The key components of this project are the following:

Component 1: Investments in infrastructure, systems and procedures to modernize and improve connectivity of key land ports essential for trade with India and Bhutan (BLPA-managed Component): This component consists of a) Component 1a: Land Ports Infrastructure, b) Component 1b: Land Port Modernization and Process/Efficiency Improvement, c) Component 1c: Preparation Studies and Activities to Enhance Connectivity of Land Ports and Project Implementation Support.

Component 2: Support coordination for trade, and economic empowerment opportunities for women (IDA US$7 million managed by Ministry of Commerce, WTO Cell). This component consists of a) Component 2a: Support the (Inter-ministerial) National Trade and Transport Facilitation Committee and b) Component 2b: Develop (pilot) programs to support female traders and entrepreneurs.

Component 3: National Single Window Implementation and Strengthening Customs Modernization.

Social Impact Assessment

For Component 1 on investment in infrastructure, systems and procedures to modernize and improve key land ports essential for trade with India and Bhutan (BLPA managed component), a detailed Environmental and Social Impact Assessment (ESIA) has been prepared and subsequently a Resettlement Action Plan is prepared for Sheola land port. The present Resettlement Policy Framework (RPF) is developed to (i) ensure all relevant social issues are mainstreamed into the design and implementation of the proposed subcomponents or subprojects. This details the guidelines to be followed for the major activities to be carried out for SIA (including RAP) of specific subprojects. The preparation of RPF has used a time tested methodology of review, data collection, analysis, consultation and framework preparation. This RPF is applicable for the whole project covering all 3 components.

Policy and Regulatory Framework

In Bangladesh Land acquisition is governed by the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982). There is no national policy in Bangladesh governing social effects of infrastructure development projects on the project area communities. However, the Constitution of Bangladesh provides some rights to theaffectedpersons,communitiesandgroupsthosearenotupheldintheOrdinanceIIof1982. The other relevant acts are National LandusePolicy,2001, Bangladesh Labour Act 2006, etc.

Among the World Bank Safeguards, from a social perspective, the Involuntary Resettlement (OP/BP 4.12) is triggered. This policy includes safeguards to address and mitigate the

impoverishment risks due to involuntary resettlement. From the social safeguards perspective, the other triggered polices are, public consultation and disclosure requirements of The World Bank, which needs to be met with.

Overall Project and Components

The land port facilities to be built include Parking lots, (If necessary) Trans-loading bays, (If necessary), additional trans-loading area allowing back-to-back trans-shipping without using the docking area – e.g., in the case of refrigerated cargo, Inspection area, Temporary storage space (i.e., warehouses) for whatever goods cannot be cleared immediately, or are seized by Customs – with a specific area secured in the warehouse for the latter, Detailed inspection sheds for trucks and other vehicles subjected to a secondary check (which should not exceed five percent of all traffic), A small refrigerated facility for perishable goods, (If necessary) Specific and protected storage for hazardous material, Buffer space to avoid queues building-up before reaching a control position and A sensible through-traffic arrangement, with by-pass capacity, to avoid one vehicle blocking all the others upstream. All the above infrastructure would require land.

The facilities shall specifically incorporate the needs of women users (such as toilet facilities for women, women-only waiting rooms) and differently abled users, and address safety-related issues for all users. All terminals will be provided with separate women counters, waiting rooms and toilets for women passengers, and ramps for movement of differently abled people. All the land ports will be provided with drinking water facilities.

Socio-Economic Baseline

Bangladesh's geographical Location is at Latitude between 20°34' and 26°38' North and Longitude between 88°01' and 92°41' East. Bangladesh has an area of 147,570 sq. km. (land: 133,910 sq km, water: 10,090 sq km). It has a coastline of 580 km. Bangladesh has 7 Divisions; Dhaka, Chittagong, Khulna, Sylhet, Rajshahi, Barisal and Rangpur, 64 Districts and 487 Sub districts/Upazillas. The project area passes through 10 Districts covering 17 Upazilas (Sub-district) including Dhaka.

Bangladesh has a population of 150 million (2011 Census Report by BBS). The present Population Growth Rate of Bangladesh is 1.59%. The present literacy rate is about 50% among which the male literacy is 50% and female literacy is 46%. Bangladesh is predominantly a Muslim populate (86.6%) followed by Hindus (12.1%), Buddhists (0.6%), Christians (0.4%) and others (0.3%). The sex ratio is 99.68%. The predominant ethnic group is Bengalis (98%) followed by other tribal minority (2%) including Chakmas, Marmas, Santals, Garos, Manipuri, Tripura, and Tanchangya. The GDP is $1,044 (per capita in 2013). The poverty level is at 25% (People living with $2 per day).

The principal rivers are Padma, Meghna, Jamuna, Surma, Brahmaputra, Most parts of Bangladesh are less than 12 m (39.4 ft) above sea level, and it is estimated that about 10% of the land would be flooded if the sea level were to rise by 1 m (3.28 ft). The temperature ranges are in winter 11° C - 20° C (October - February) and in summer 21° C - 38° C (March - September). The rain fall range is 1,100 mm to 3,400 mm (June - August). The Humidity is highest 99% (July) and lowest 36% (December & January).

The principal crops are Rice, Jute, Tea, Wheat, Sugarcane, Pulses, Mustard, Potato, Vegetables. The Principal Industries are Garments & Textiles (2nd largest in the world), Tea, Ceramics, Cement, Leather, Jute (largest producer in the world), Chemical, Fertilizer, Shrimp Processing, Sugar, Paper, Electric and Electronics, Medicine, Fishing.

Similar to other regions of this lower middle income country, in the project area too, the efforts of women in socio-economic development and well-being of their family and surroundings is rather unrecognized. The study findings indicate that the project sites offer minimal opportunities to women. In addition to that, the study also reveals that decision making role of women in the household is negligible with only very few households being headed by women. On the contrary, better trade, communication and transport facility may create more choices for their economic pursuit. Majority of the participants believed that the project will bring more employment opportunities to women in addition to education, which will play a role in gender balance and enhance their role in business. Other than that, some respondents also highlighted that with better trade, transport and communication facility, women will be able to receive better medical facility and overall situation for women will be developed.

Consultations

Field surveys, consultations with different stake holders and a national consultation workshop were carried out to develop a comprehensive Resettlement Policy Framework (RPF) for the Project. All the stakeholders and community representatives appreciated the project. The concerns of the consultation participants were mainly focused on providing income generating support to the affected persons, employment opportunities for the local people. A National Level Public Consultation Workshop was held at Dhaka on 10th August 2016, where the RPF was discussed and amended.

Impacts

The land ports require land to be acquired. The affected person include titleholders and non-titleholders such as encroachers, squatters and tenants; using the land for agriculture, commerce and residential purposes. This will lead to loss of livelihoods. It is possible that at some locations common property resources may get affected as well; though limited. Further access infrastructure such as roads will cause impacts as the present roads are narrow and they need to be widened for optimizing the capacity of the facilities built.

The key social impacts due to project interventions are Land acquisition and subsequent resettlement, Loss of Livelihoods, Inconvenience and nuisance during construction, Loss of access to CPRs and Likely increase in trade and transport related costs and procedures. For Shoela land port an RAP is prepared. The following social management measures are proposed in this Resettlement Policy Framework:

- Development and adopting a Resettlement Policy Framework (RPF) to be used for all sub-projects under this project. This RPF should serve as a guide for further SIA studies and for preparation of RAPs/ ARAPs under this project.
- Integrate the rehabilitation of livelihoods into design of land ports and other infrastructure facilities. Designs to consider the following:
    - Livelihoods: such as integrating shops and vendors

    - Facilities for women such as: separate counters, waiting areas, sanitation, seating arrangements
    - Facilities for disabled
    - Arrangements to continue cultural practices
    - Design and general arrangement to be ready for impact identification and resettlement plan preparation
- Alternate temporary transit arrangements before resettlement
- Resettlement Policy Framework with clear entitlements
- Grievance Redressal Mechanism
- Community Engagement in planning and implementation
- Gender Mainstreaming Plan
- Disclosure: disclosure of resettlement plans

Resettlement Policy Framework

The primary objective of this RPF is to improve the standard of living of the affected population. The other objectives of this RPF are to; a) Ensure the principles of Social Justice is adhered to at all times, b) Avoid or minimize any negative impacts on the communities, c) If land is required for project facilities, then same may be purchased under Willing Buyer-Willing Seller norm, d) Assist affected population in improving their living standards, income earning capacity, and production levels, etc., e) Encourage and enable community participation in planning and implementing project components and f) Provide assistance to affected communities in redressing their grievances.

This RPF addresses social issues such as Land Procurement, Community Engagement, Special Attention to Women and Other Disadvantaged Groups and Grievance Redressal.

This RPF specifies procedures for a) Buying Land under Willing Buyer and Willing Seller concept and registration and mutation of records, b) for land Acquisition using National Policy and c) Voluntary donation of limited narrow strips of land for roads only; subject to guidelines given. When land needs to be acquired as per the Act, the RPF has set the procedures to be followed by project. Compensation norms are set ensuring that the properties (land, structure, and non-structured assets) to be affected by the project will be compensated at their full replacement cost determined by a legally constituted Resettlement Sub-committee (RSC) as per structure and mandated outlined in the RAP. The payment of compensation and other assistance, target replacement of productive assets and restoration of loss of income and workdays by the relocated households, especially the disadvantaged households will be ensured by this committee. Compensation and other cash assistance will be paid through bank bills (cheques) payable to Bank accounts opened by the affected persons eligible for compensation and assistance under RAP. The Bank account will be in the joint name of husband and wife as the case may be. Compensation under law (CUL) will be paid through two different channels as per provision of RAP. CUL will be paid by Deputy Commissioner mandated for acquisition of land for the PIU while PIU will directly pay the remaining as per requirement of the RAPs directly to the project affected persons. PIU with the help of the project consultants will advise, assist, and monitor the affected persons receiving compensation and other cash assistance for better use of the money.

Regardless of their tenure status to the lands used for project component, the project affected persons/ households will be eligible for compensation and assistance. All PAPs irrespective of their title will be entitled to compensation and assistance based on loss and impact categories

identified through census survey in respect of the policy guidelines adopted for the project. Nevertheless, eligibility to receive compensation and other assistance will be limited by the cut-off date. The absence of legal title will not bar PAPs from compensation and assistance, as specified in the entitlement matrices. An Entitlement Matrix has been prepared for the project on the basis of field study and consultation with government officials as a part of preparing the resettlement policy framework. A person could be eligible for compensation/entitlement in more than one category of losses and in more than one mauza. DCs will pay CCL for each mauza separately for one person whose lands/assets have been acquired in more than one mauza.

Community Engagement, Stakeholder participation and Disadvantaged People

BLPA will ensure the engagement of target communities through continued consultations for planning and full community management of implementation and monitoring of sub-project activities. Consultations will be held at regular intervals with target communities, GS/ GP members, Women, etc.

BLPA recognizes the fact that affected communities are primary and key stakeholders of the project. Hence, the BLPA would ensure that these stakeholders are consulted on issues and they participate in all the sub-project activities including planning and implementation. The BLPA would address the legitimate concerns of community members and provide opportunities and avenues for consultation and their participation. In order to provide a sense of ownership and ensure sustainability, the community members would be a part of the decision making process. The project has a commitment for community participation in each of the sub-projects taken up.

The disadvantaged groups include Women Headed Households, Destitutes, Below Poverty Line families, Old Aged, Differently Abled, Chronically Ill and Orphans. It is envisaged that in the course of conducting Social Assessment and preparing and implementing Social Management Plans, interests of these disadvantaged groups would be adequately addressed and protected.

Grievance Redressal

The Project will establish a project level Grievance Redress Mechanism (GRM) which will be implemented by Project Implementation Unit (PIU) at BLPA with an aim to respond to queries or clarifications about the project, resolve problems with implementation and addressing complaints and grievances. The GRM will focus on corrective actions that can be implemented quickly and at a relatively low cost to resolve identified implementation concerns before they escalate to the point of harm or conflict. GRM will serve as a channel for early warning, helping to target supervision to where it is most needed and identify systemic issues. The GRM will directly focus on and seek to resolve complaints (and requests for information or clarification) that pertain to outputs, activities and processes undertaken by the Project, i.e., those which (i) are described in the Project Implementation Manual; (ii) are funded through the Project (including counterpart funds); and (iii) are carried out by staff or consultants of the organization, or by their partners and sub-contractors, directly or indirectly supporting the project.

GRM will be implemented in two phases: 1) Phase 1 to support safeguards implementation, 2) Phase two of GRM will cover all components and overall project implementation. A formal grievance redress process for phase two will be outlined in the project's operational manual and a protocol will be set up and distributed to project staff and implementers. The project level protocol will build on existing GRM system developed by BLPA and experience of the initial

GRM protocol which supports implementation of the safeguards explained below. The GRM will be IT based supported by toll free helpline. It is envisage that the Project Implementing Unit (PIU) will have a dedicated person who can oversee the preparation of the guidelines and rollout of the project GRM. The Chairman of BLPA will be responsible for overseeing the overall GRM.

The aggrieved parties will access to legal system. Information on how to submit complaints to the World Bank's Grievance Redress Service is available at http://www.worldbank.org/GRS. Information on how to submit complaints to the World Bank Inspection Panel is available at www.inspectionpanel.org.

Institutional Arrangements

BLPA will arrange for RPF/ RAP/ ARAP implementation and monitoring mechanism. The Project Implementation Unit (PIU) will have a Environmental and Social Cell in the PIU. The Project Director of PIU, BLPA will head the Environmental and Social Cell of BLPA. The Project Director Social will be assisted by a Resettlement and Social Specialist and two other consultants each in charge for Community Engagement and Gender. The ESIA consultants will conduct ESIAs for sub-projects and prepare RAPs. The Supervision Consultants and Contractors will have Environmental and Social Specialists to supervise and implement RAP/ARAP provisions. NGOs will be commissioned for implementation of RAPs/ ARAPs. M&E Consultants will do the quarterly monitoring and mid-term and end-term impact evaluation and assessments.

An M&E Consultants will be commissioned to conduct quarterly monitoring and evaluation and report to BLPA; they will visit all sub-projects. The M&E Consultants will conduct mid-term and end-term evaluation of RAPF/ RAP/ ARPA implementation. BLPA will send quarterly Monitoring Reports on RPF compliance to The World Bank.

The total administrative budget for RPF implementation and social management activities under this project has been worked out as US$ 6.3 Million. These costs need to be included in the respective sub-projects' budgets.

1. Introduction

1.1 Background

Bangladesh has embarked on an ambitious program for the construction or rehabilitation of its border stations ("land ports"). This ranges from "greenfield" projects, where there is practically no existing infrastructure, to the rehabilitation/extension of existing facilities (e.g., Sheola and Bhomra and other ports) or the provision of advice on design in the case of privately-operated border facilities.

In order to improve key multi-modal transport corridors and networks that would address current transport bottlenecks for trade and help boost national, regional and international trade for Bangladesh, the World Bank is providing a Recipient-Executed grant to the Government of Bangladesh (GoB) to finance economic, financial, technical, environmental and social safeguards studies and technical assistance for: (i) dredging of priority inland waterways; (ii) provision of vessels, navigational aids, and safety equipment and improvement of selected river ports along priority waterways; (iii) construction of a new container terminal and improving operational efficiency at Chittagong Port; (iv) investments in selected equipment and improving operational efficiency at Mongla Port; (v) addressing missing links for road and inland waterways to establish transport connectivity between Chittagong Port, Chittagong Hill Tracts Districts, and NE India; and (vi) improving selected key priority border posts. These interventions are expected to facilitate domestic trade, international trade with third countries, as well as regional trade with neighbouring countries including India, Nepal and Myanmar.

1.2 Purpose of The Studies

These studies are to conduct detailed feasibility and design studies for land ports in Bangladesh that border India including: Bhomra and Sheola. The studies include: (i) an evaluation of expected traffic (by traffic type) and evolution, for the initial operation of the border station, after one year, and with an extrapolation for the next five years; (ii) an evaluation of space requirements after drafting the staffing matrix showing the number of positions, hours of duty, accommodation needs in terms of office space, control positions, specialized facilities and housing and staff amenities; (iii) a flow chart for the handling of the different categories of traffic, roles of Customs and other border agencies; (iv) a (block) diagram showing traffic flows and location of the different functions and their position. Space requirements will be calculated according to traffic estimates, with a capacity for expansion should the need arise; (v) detailed design & estimation of different infrastructures and bid documents for the land ports; (vi) take into account the possibility of co-located, juxtaposed and other models of enhanced collaboration for bilateral border management; (vii) Drafting Initial Environmental Evaluations (IEEs), Environmental Impact Assessments (EIAs), and Environmental Management Plans (EMPs) for the proposed land ports; and (viii) Draft Social Impact Assessments (SIAs), Resettlement Policy Framework (RPF), Resettlement Action Plans (RAPs), and where

necessary, Tribal/Tribal People's Development Plans for the land ports. The studies expects to conduct consultations with broad stakeholders on the proposed works and their environmental and social impacts and management measures, as well as validate the draft designs with key stakeholders, before finalizing the studies.

1.3 Resettlement Policy Framework for the Project

This Resettlement Policy Framework (RPF) and Environmental Management Framework (EMF), which are presented separately, have been developed to (i) ensure all relevant environmental and social issues are mainstreamed into the design and implementation of the proposed subcomponents or subprojects under this project (land ports with all the required facilities and the other requirements that would emerge from these) (ii) consider in an integrated manner the potential social and environmental, benefits and impacts of the proposed subprojects and identify measures to avoid, minimize and manage risks and impacts while enhancing benefits, (iii) ensure compliance with national and World Bank requirements, and (iv) guide conducting the detailed ESIAs of the subprojects where required.

This RPF presents detailed guidelines for the major activities to be carried out for RSIA (including RAP and ARAP) of specific subprojects that have not yet been fully designed and planned during the project preparation stage, and for which construction will only get underway in year 2 or beyond of project implementation. These guidelines include: (i) Social Screening (identification of possible impacts) (ii) Description and establishment of "Social Baseline" against which impacts of the proposed sub-project would be evaluated after identifying influence area for different sub-projects; (iii) analysis of alternatives; (iv) identification of major sub-project activities during both construction and operational phases; (v) assessment, prediction and evaluation of impacts of project activities on the social baseline; (vi) carrying out public consultations; and (vii) identification of mitigation measures and preparation of impact specific Social Management Plans (SMP) and/or Resettlement Action Plans (RAPs) including monitoring requirements. More specifically, the present RPF includes all the interventions under the proposed project.

1.4 RPF Study Methodology

This RPF has been prepared by Bangladesh Land Ports Authority under the guidance of Ministry of Shipping[1], Government of Bangladesh. The methodology followed in preparing the RPF consists of the following steps:

- Review of the project details and meeting/discussions with various stakeholders including local communities
- Review of the policy and regulatory requirements

[1]The MoS has appointed Dr. Bokepalli Kanaka Durga Raja, an individual International Social Consultant to help prepare the RPF.

- Reconnaissance field visit and initial scoping and screening of the identified proposed investment sites to determine the key social parameters and aspects that are likely to be impacted by the project activities
- Collecting and analysis of baseline social data with the help of secondary literature review
- Consultations with the stakeholders including beneficiary/affected communities and developing the consultation process
- An initial assessment of the potential and likely impacts of the project activities
- Prepare an outline Social Management Plan
- Compilation of the present RPF.

1.4.1 Contents of the RPF Report

Chapter 2 reviews the prevailing WB policies and national regulatory requirements relevant to social assessment. Chapter 3 presents a simplified description of the project, its various components and other salient information relevant for social assessment. Description of the baseline social conditions is presented in Chapter 4. Screening and assessment of potential social issues as well as the appropriate mitigation measures to address these negative impacts have been presented in Chapter 5 under the Resettlement Policy Framework (RPF). Finally, Chapter 6 includes the data sheets, formats, terms of references, etc. under annexures.

2. Policy and Regulatory Framework

2.1 Introduction

This chapter deals with the laws, regulations and policies, of Government of Bangladesh, and the World Bank, related to social issues. Only the laws, regulations and policies relevant to the project are discussed here. This sections needs to be updated as when new laws, regulations and policies are made and enforced or the existing ones are revised.

2.2 Social Policies, Laws and Regulations of GoB

Infrastructure development projects using lands in Bangladesh are designed and implemented under the legislative and regulatory framework to compensate the affected persons due to land acquisition using the power of eminent domain. Whenever it appears to the Government that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, the property is acquired using existing laws and regulations. Land acquisition is governed by the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982). This ordinance supersedes earlier laws including the Land Acquisition Law of 1894 and others that have been in force between 1947 and1982.In the case of CHTs, in addition to the ARIPO, 1982, this will take into account the region's legal context; the key pieces being the Chittagong Hill Tracts Regulation Act, 1900 and CHT (Land Acquisition) Regulation, 1958. The first formalizes the region's administrative framework, revenue collection, land administration, and power and authority of the traditional institutions (e.g. Circle Chief and Headmen) while the second, specifically adopted to clarify the government's authority for acquisition of land on the eve of the Kaptai dam construction in the early 1960s, still remains as the most important legal instrument for land acquisition in the region.

There is no national policy in Bangladesh governing social effects of infrastructure development projects. However, the Constitution of Bangladesh provides some rights to the affected persons, communities and groups those are not upheld in the Ordinance II of 1982 which is the instrument followed for land acquisition. The active instruments under the legislative and regulatory framework in Bangladesh are discussed below:

2.2.1 Constitutional Provisions

The fundamental rights under the Constitution indicate the general guidelines for a policy on resettlement/rehabilitation of citizens adversely affected (whatever be the mechanism) due to any activity of the State. Article 40 of the constitution states categorically that every citizen has the right to practice any lawful occupation which implies that anything impeding such right (a) should not be done or (b) there should be supplementary measures to make good the losses incurred by the citizen. Resettlement and rehabilitation of adversely affected people due to infrastructure projects very clearly falls within this requirement for supplementary measures. However, as per Article 42,

sub-clause2, no law with provision of compensation for acquisition of land can be challenged in a court on the ground that such compensation has been in adequate. However, under World Bank OP 4.12 Involuntary Resettlement, every affected person will have access to a project specific Grievance Redress Mechanism for dispute resolution before the matter is moved to the courts. Complaints, the resolution process and the outcome will be reviewed by the project proponents as well as the Bank. Until the dispute is resolved the funds for the disputed asset must be held in an escrow account (top-up payments due from the project agency can be held until the project closes; the amount placed with the DC maybe held for10 years or more if necessary).

2.2.2 The Acquisition and Requisition of Immovable Property Ordinance, 1982

The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982 with amendments upto 1994) and other land laws and administrative manuals relevant to land administration in Bangladesh. According to the Ordinance, whenever it appears to the Government of Bangladesh that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, the Government can acquire the land provided that no property used by the public for the purpose of religious worship, graveyard and cremation ground. The 1982 Ordinance 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 Deputy Commissioner (DC) determines (a) market value of acquired assets on the date of notice of acquisition (based on the registered value of similar property bought and/or sold in the area over the preceding 12 months), and (b) 50% premium on the assessed value (other than crops) due to compulsory acquisition. The 1994 amendment made provisions for payment of crop compensation to tenant cultivators. The law specifies methods for calculation of market value of property based on recorded prices obtained from relevant Government departments such as Registrar (land), Public Works Department (structures), Department of Forest (trees), Department of Agriculture (crops) and Department of Fisheries (fish stock). Given that people devalue land during title transfer to minimize tax payment, compensation for land paid by DC including premium largely remains less than the actual market price.

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

(CLAC) headed by the chief executive of the Government of Bangladesh proposed by the MOL.

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

2.2.3 Other Relevant Acts

2.2.3.1 National Land-use Policy, 2001

The Government of Bangladesh has adopted national Land use Policy, 2001. The salient features of the policy objectives relevant to the proposed are as follows:

- To prevent the current tendency of gradual and consistent decrease of cultivable land for the production of food to meet the demand of expanding population;
- To ensure that land use is in harmony with natural environment;
- To use land resources in the best possible way and to play supplementary role in controlling the consistent increase in the number of land less people towards the elimination of poverty and the increase of employment;
- To protect natural forest areas, prevent river erosion and destruction of hills;
- To prevent land pollution; and
- To ensure the minimal use of land for construction of both government and non-government buildings.

2.2.3.2 The East Bengal State Acquisition and Tenancy Act 1950 (Act XV of 1951)

The East Bengal State Acquisition and Tenancy Act 1950 (Act XV of 1951) provides the ownership of diluvion land (eroded into river) and alluvion land (accreted in situ). According to sections 86, 87, 88 and 89 of the act, the "original" owner(s) of private land eroded into rivers can claim the land if it reappears in a natural process within 30 years from the date of erosion provided, the total land holding of the original owner(s) does not exceed 60 standard bighas (8 ha). If land is developed artificially and not naturally, the government will enjoy absolute ownership of the land and no case can be filed at the court of alluvion land after 12 months of public notice by collector regarding possession of the land. If a land emerges from the river or sea and that was never owned by any private people, the government will possess the land. The line that demarcates the diluvion land into the river is referred to as alluvion-diluvion line (AD line) to be established and declared by the concerned Deputy Commissioner in a given year. Land on the riverside of the AD line is public land and that on the country side is governed by recorded ownership.

2.2.3.3 Bangladesh Labor Act, 2006

This Act pertains to the occupational rights and safety of factory workers and the provision of a comfortable work environment and reasonable working conditions. In the chapter VI of this law safety precaution regarding explosive or inflammable dust/ gas, protection of eyes, protection against fire, works with cranes and other lifting machinery, lifting of excessive weights are described. And in the Chapter VIII provision safety measure like as appliances of first aid, maintenance of safety record book, rooms for children, housing facilities, medical care, group insurance etc.are illustrated.

For CHT

- CHT Regulations 1900 (popularly called, the CHT Manual)

This is the key legal reference till date and defines the region's administrative framework, land administration, revenue collection, power and authority of the traditional institutions (e.g. Circle Chief and Headmen) and justice system including 'tribal justice' system. The Act has been amended a number of times since its adoption but still remains a key reference.

- Forest Act, 1927 (as amended in 2003)

It is the key law on the administration of Forests in the country. It replaced the older (adopted in 1876) law and has been recently amended in 2003. For CHT, the law has a major impact, given 25% of the region is Reserve and Protected Forests, and with the Unclassed State Forests (USF), this percentage can be more than 60% of the region!

- Bazar Fund Rules, 1936

The Rules were adopted by the British (and still in enforcement) regarding the management/administration of the markets (hat and bazaar). By doing so, these also frame out the land management in market areas.

- CHT (Land Acquisition) Regulation, 1958

The Regulation replaces certain sections of the CHT 1900 Act but it was specifically adopted to clarify the government's authority for acquisition of land on the eve of the Kaptai dam construction. In the process, it remains as the most important legal instrument for the government with regard to land acquisition in the region.

- HDCs (Bandarban, Rangamati and Khagrachari) Act, 1998 (along with the Schedule – 1)

A major piece of legislation for the decentralized governance of the CHT, Section 64 of the HDCs Act states;

> *Notwithstanding anything contained in any law for the time being in force, no land within the boundaries of Rangamati (and Khagrachari and Bandarban) Hill District shall be given in settlement without the prior approval of the Council and such land cannot be transferred to a person who is not a domicile of the said district without such approval.*

Provided that, this provision shall not be applicable in case of areas within the Protected and Reserve Forests, Kaptai Hydroelectricity Project, Betbunia Earth Satellite Station, land transferred or settled in Government and Public interest, land and forest required for state purposes.

This is a very broad authority which in practice the HDCs have seldom exercised till date. Their weak institutional capacity and subservience to the ruling party may be the main explanation.

- CHT Accord 1997

The Accord does not have a 'formal' legal status but because of the key role it played in 'formally' ending the conflicts in the CHT, it might be considered as a *de facto* legal document and contains specific measures (e.g. CHT Land Dispute Resolution Commission, *see below*) for settling land disputes in the region.

- CHT Land Commission Act, 2001

The Act is one of the most important instruments coming out of the Peace Accord for resolution of land related disputes. The Commission, however, still remain non-functional and there is major disagreement between the Government and CHT Regional Council on a number of sections of the legal text. However, as of now there seems to be an understanding on an amended text which has been recently approved by the Cabinet for further scrutiny by the Parliament and for its eventual enactment. .

- CHT Regional Council Act, 1998

The RC is a key authority for the region's decentralized governance, hence potentially having major bearing on the land governance in the region. However, the institution remains hobbled by weak institutional capacity with overall pace of devolution of power from the central government in Dhaka to the CHT institutions (including CHTRC) remaining exceedingly slow.

2.2.3.4 Regulation Related to Children

The Employment of Children Act 1938

This act allowed for children aged 15 or up to work in the railway industry and in transporting goods in port jobs. It also allowed for children aged 15–17 to work night shifts that may last until the morning under certain stipulations such as resting for 13 consecutive hours, working under someone that is 18 years or older, or serving an apprenticeship. It prohibited children under 12 from working in hazardous industries but did not mention protection for children between the ages 12–18.

The Factories Act 1965

This act prohibited children under 14 to work in or be present in factories. Factories was defined as any place with more than 10 people employed. It also listed various protections for children from hazardous machines and operations. It prohibited any work duration of longer than 5 hours between 7pm to 7am. It also states the weight lifting limits for types of workers (male, female, child).

Shops and Establishment Act 1965
This act defined a shop or establishment as a place that employs 5 or more people. This act prohibited children under the age of 12 from working in any establishment. It allowed children aged 12–18 to work in establishments but limited the number of work hours to a maximum of 7 hours a day.

The Constitution Of People's Republic of Bangladesh
The Constitution of Bangladesh while guaranteeing the fundamental rights for the people prohibits all forms of forced labor under Article 34. Article 34 lays down that 'all forms of forced labor are prohibited and any contravention of this provision shall be an offense punishable in accordance with law'.

National Child Labour Elimination Policy 2010
The main objective of this policy is to make meaningful changes in the lives of the children by withdrawing them from all forms of child labour including the hazardous work and worst forms of child labour.

The Children Act 2013
The Children Act 2013 repealed the previous Children Act 1974 which was inconsistent with international standards particularly with the UN Convention on the Rights of the Child 1989. Section 4 of this Act provides that notwithstanding anything contained in any other law for the time being in force every person shall be deemed to be a child who is below the age of 18 years. Though there is no specific provision prohibiting child labor it proscribes and punishes some serious offenses against children including exploitation of children(section 80).

Bangladesh has ratified both the Minimum Age Convention(C138) of the International Labour Organization(ILO), and the ILO Worst Forms of Child Labour Convention(C182). In addition, the country also ratified the UN Convention on the Rights of the Child.

2.2.3.5 Regulation Related to Women

A number of existing laws has been amended and new legislations made to prevent woman and female child abuse in Bangladesh. Notables among these legislations are: dowry prevention act, prevention of marriage of minor girls, women and children repression prevention, etc.

Women and Children Repression Prevention Act, 2000
Under this act, Women Abuse Prevention Cell and rehabilitation centers for abused women have been established to give legal assistance and counseling for prevention of women and children abuse. Over and above, the District and Sessions Judge has fund to defray the cost as legal fee and other costs.

Domestic Violence (Prevention and Protection) Act, 2010

This act was passed for establishing equal rights of women and children as prescribed in the constitution of Bangladesh for ensuring protection of women and children from family violence. Domestic Violence Prevention and Protection Rules, 2013 were framed for implementing this act.

Citizenship Act (amended), 2009
The provision for giving citizenship by mother to child was made by the national parliament by amending the citizenship act in 2009.

Mobile Court Act, 2009
The executive magistrate was given power to take steps by linking Section 509 of the Bangladesh Penal Code in the schedule of Mobile Court Act to resist and prevent eve teasing and sexual harassment of the girls and women.

There are other acts such as Women and Children Violence Protection Law, 2000, Child Marriage Control Act, 2013 (Draft), Domestic Violence Act, 2010, etc.

Bangladesh is also a signatory state to the UN Charter on Prevention of All Forms of Discrimination to Women,1979 and the Child Rights Charter 1989.

2.3 Operational Policies and Directives of The World Bank

The World Bank has developed a number of Safeguard Policies to ensure that all possible impacts are considered and mitigation measures are spelled out prior to the implementation of any proposed project. These policies ensure that the quality of operations is uniform across different settings worldwide. If the decision is taken that a Safeguard Policy should be applied, mitigation measures and plans must be developed and in place before the implementation of a proposed project.

The Bank requires screening and classification for all investment projects proposed for Bank financing, to help ensure that they are environmentally and socially sound and sustainable. Screening and classification take into account the environment and social aspects; including especially involuntary resettlement and presence of Tribal Peoples; cultural property; and trans-boundary and global environmental aspects. The relevant and applicable safeguards policies of the World Bank are also reviewed. The below table describes the relevant safe guard policies of the World Bank and discusses their applicability to the project.

2.3.1 Applicable World Bank Policies to Component 2 investments

The applicable World Bank policies for subprojects under Component 2 of the Project are given in Table 1.

Table 1: Operational Policy and Directives of World Bank

Directive	Policy	Applicability for Project
Environmental Assessment	OP/BP 4.01	Triggered.
Natural Habitats	OP/BP 4.04	Triggered.
Indigenous Peoples	OP/BP 4.10	Triggered. Based on the field visits, there are tribal people in the project area. For this reason an Small Ethnic Disadvantaged Communities Development Plan (SEDCDF) is prepared and included in this RFP for implementation.
Physical Cultural Resources	OP 4.11	Triggered.
Involuntary Resettlement	OP/BP 4.12	Triggered. Land is required for project infrastructure facilities. First option would be to reduce land requirement and the next would be to go for government land. In case of private land acquisition the affected people will be compensated at replacement cost. Those who lose their livelihoods will be rehabilitated with their living standards restored or increased (in case of below poverty line people) as per the RPF. Affected people, women and other vulnerabels will be engaged fully in the project activities as per RPF.
Forests	OP/BP 4.36	Not triggered.
Pest Management	OP 4.09	Not triggered.
Safety of Dams	OP/BP 4.37	Not triggered.
Projects in International Waterways	OP/BP/GP 7.50	Not Triggered.
Projects in Disputed Areas	OP/BP 7.60	Not triggered.
Access to Information		The RPF will be disclosed in country (on BLPA website and in hard copy in locally accessible locations in the project area, including BLPA offices at all the existing and proposed terminals, shelters and landing stations) and also sent to WB InfoShop. All these instruments will be translated into Bangla (local language) prior to disclosure and disclosed through above channels.

2.3.2 Involuntary Resettlement (OP/BP 4.12)

The World Bank's experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.[2]

[2] Excerpts from WB OP 4.12.WB Operational Manual. December 2001.

The overall objectives of the Policy are given below.

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

2.3.3 Public Consultation and Disclosure Requirements by The World Bank

The Bank reaffirms its recognition and endorsement of the fundamental importance of transparency and accountability to the development process. Accordingly, it is Bank's policy to be open about its activities and to welcome and seek out opportunities to explain its work to the widest possible audience.

2.3.3.1 Consultations

The present project is categorized as Category B project. For all Category A and B projects the borrower should consult all the stakeholders including the project-affected groups and local non-governmental organizations (NGOs) about the project's environmental and social aspects and takes their views into account. The borrower should initiate such consultations as early as possible. For Category A projects, the borrower should consult these groups at least twice: (a) shortly after environmental and social screening and before the terms of reference for the ESIA are finalized; and (b) once a draft ESIA report is prepared. In addition, the borrower should consult with such groups throughout project implementation as necessary to address ESIA related issues that affect them.

2.3.3.2 Disclosure

For the overall project and all sub-projects, the borrower should provide relevant information on project interventions in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted. The borrower made available a summary of the proposed project's objectives, description, and potential impacts for the initial consultation. In addition, the borrower made the draft ESIA reports available at a website accessible to project-affected groups and local NGOs. The borrower also ensured that ESIA reports for all subprojects were made available in a public place accessible to affected groups and local NGOs. Apart from the present RPF, both the Executive Summaries of ESIA and RAP/ARAP for all sub-projects will be translated into Bangla. In the case of CHTs, additional measures will have

to be taken to translate/interpret these documents in local languages as Bangla is not mother tongue to the region's tribal communities. All these documents, both in Bangla and English, will be made available to interested public through BLPA website and in hard copies at all project offices. Public availability of the ESIA, RAP/ARAP report in the borrowing country and official receipt by the Bank are prerequisites to Bank appraisal of these subprojects. The Executive summary of the RAP/ARAP is translated in Bangla and together with the full RAP/ARAP in English, both versions will be disclosed on the client's website.

Public consultations were held while preparing sub-projects, i.e., while doing ESIA, DPR preparation and RAPs. Several Community level Consultations and Focus Group Discussions and meetings were also held at Bhomra and Sheola Land ports. Public Consultation, with Free Prior Informed Consent, will be held when ESIAs are conducted for the planned sub-projects, to disclose and get feedback on ESIAs and RAPs, and these documents will be updated progressively based on feedback received.

The RPF and EMF will be disclosed in country (on BLPA website and in hard copy in locally accessible locations in the project area and in the case of CHTs, with the representative institutions (MoCHTA, RC, HDCs, Circle Chiefs, Headmen Association, DC, etc), including BLPA offices at the existing terminals) and also sent to WB InfoShop.

3. Project Description

3.1 Project Development Objective

The Project Development Objective is to lower time and costs associated with trade and improve infrastructure and conditions for trade along strategically important regional transport corridors.

3.2 Project Description

3.2.1 Project Components

Bangladesh Regional Connectivity Project 1 (the Project) will finance interventions aimed to facilitate connectivity, trade and transport for national and regional trade. The Project consists of three components as follows:

3.2.1.1 Component 1: Investments in infrastructure, systems and procedures to modernize and improve key land ports essential for trade with India and Bhutan (US$75 million) (BLPA-managed Component)

This component will finance development of three land ports: Bhomra, Sheola, and one more land port to be determined. Although Bhomra is a relatively new land port facility commissioned in 2013, trade volumes at Bhomra have already exceeded those at Benapole. The feasibility study indicates that projected trade volumes are soon to exceed Bhomra's current capacity. As such, the Project proposes to fund the first phase expansion of the Bhomra land port facility. Sheola is a key border crossing between Bangladesh and Sutarkandi of Assam state in Northeast India. There are currently rudimentary facilities and BLPA plans to develop this facility into a formal land port facility. Given that feasibility studies as well as discussions with Government of India, are ongoing for several land ports to be developed, the third land port to be developed under the Project will be determined during Project implementation. In addition, at Benapole, security infrastructure will be improved including the construction of a perimeter fence, and the installation of a gate pass system and CCTVs.

3.2.1.2 Component 2: Enhance trade sector coordination and productive capacity (managed by Ministry of Commerce, WTO Cell)

- ***Component 2a: Develop (pilot) programs to support female traders and entrepreneurs (US$5.0 million).*** This sub-component will address regulatory, capacity building, skills development, networking and other issues faced by the women traders and entrepreneurs in Bangladesh. The activities will be piloted by the Ministry of Commerce (MoC) through WTO Cell.

- ***Component 2a: Support the (Inter-ministerial) National Trade and Transport Facilitation Committee(US$ 1.0 million).***. The Bangladesh Trade Portal (BTP) was

launched in March 2016. This component will support further enhancements to the BTP further expanding the coverage of export related goods and ensuring that content is kept up to date. The component will finance operational costs for the BTP for the first 3 years of the Project and MoC will thereafter finance operational and maintenance costs from GoB own resources. This component will also set up the National Enquiry Point for Trade, which will help Bangladesh to meet a requirement of WTO Trade Facilitation Agreement.

- ***Component 2c*: *Improvements to Bangladesh Trade Portal and setting up a National Enquiry Point for Trade (US$1.0 million).*** The Bangladesh Trade Portal (BTP) was launched in March 2016. This component will support further enhancements to the BTP further expanding the coverage of export related goods and ensuring that content is kept up to date. The component will finance operational costs for the BNTP for the first three years of the Project and MoC will thereafter finance operational and maintenance costs from GoB own resources. This component will also set up the National Enquiry Point for Trade, which will help Bangladesh to meet a requirement of WTO Trade Facilitation Agreement.

3.2.1.3 Component 3: National Single Window Implementation and Strengthening Customs Modernization (US$67 million)

The lead implementation agency for this component is the Customs Department in National Board of Revenue.

- National Single Window Implementation. To improve its international trading performance, Bangladesh has committed to implement a National Single Window. The Bangladesh National Single Window (BD-NSW), through the introduction of an electronic, online solution, will facilitate faster and more transparent international trade procedures, reduce transaction costs borne by traders and provide consistency and certainty to the total process, from the start of the regulatory requirements to the processing and clearance of goods. The BD-NSW will deliver a user-friendly, electronic system that streamlines and automates procedures for registered private sector stakeholders and Government Agencies to facilitate the application, processing and issue of various international trade related permits, licenses, certificates and their integration with Customs declaration processing, clearance and payment of fees and taxes.

- Strengthening Customs Modernization in line with international standards through: (i) procurement and Implementation of a sophisticated automated risk management system/module that will interface with the BD-NSW system to support the more effective targeting of high risk cargo by Customs and other border management agencies; and, (ii) Implementation of a valuation (price reference) database module to assist in better assessing the value of imported goods in line with international commitments associated with the WTO Valuation Agreement as well as its full integration into the National Single Window system.

The required system implementation and operationalization support to be financed by the Project will build upon and further strengthen initiatives currently underway supported by WBG's Trade and Competitiveness Practice under a parallel technical assistance project.

3.2.2 Proposed Developments in Land Ports

Details of existing facilities and the proposed facilities to be built in the Bhomra and Sheola land ports are given in the following subsections. Typical facilities to be built at BLPA land ports include:

- **Port facilities**: administrative building, ware houses, transshipment Sheds, open stack yards, and Bangladesh and India truck terminals;
- **Service Areas**: barrack, dormitory, restaurant, substation/generator and fuel house, and mosque;
- **Infrastructure**: fencing/boundary wall, road network, drains, footpath, parking, and landscaping;
- **Electrification Works**: area lighting, boundary wall lighting, footpath lighting, road lighting, substation equipment and diesel generator, and solar power;
- **Water Supply and Sanitation Works**: water supply and sanitation facilities including water treatment and sewage treatment facilities
- **Safety and Security**: fire protection and detection, CCTV system, intruder alarm system, car park management, access control system, physical security, and watch towers

In addition, a fencing wall also be constructed around the existing Benapole land port facility for security along with installation of a gate pass system, and CCTVs.

3.2.3 Proposed Developments in Bhomra Land Port

3.2.3.1 Existing Facilities

Bhomra land port is an existing facility located in Sadar Upazila of Sathkhira district, 15 km from Satkhira town, 75 km from Khulna, and 85 km from Jessore. Located about 355 km from Dhaka. The land port on Indian side is Ghojadanga in Chabbish Paragarans district of West Bengal. The land port in Bhomra was established in 2013 in a 15.72 acres of land. Average annual imports are 1.8 million tonnes (mainly building chips, rice, wheat, fruits, onions, garlic, ginger, etc.). Average annual exports are: 0.06 million tonnes (jute, fish, cotton waste, etc.).

The current facilities are: warehouses-2, transshipment shed-1, open stack yard-2, transshipment yard-1, weighbridge-1, and an administrative building. The transshipment yard is operated manually and about 2,000 laborers work daily in this port. Two toilet complexes are built for workers and truck drivers' use.

3.2.3.2 Proposed Facilities

The proposed facilities at Bhomra land port are development of additional storage facilities (open stockyard and warehouse) and parking facilities for trucks; and water supply, toilets, internal roads, and administrative buildings. The estimated land acquisition requirement for the full proposed expansion is about 100 acres in which 7.8 acres are currently under agriculture use and remaining area is in commercial or residential use. The expansion will be implemented in three phases, the first phase will include expansion of the port facilities (truck terminals for both Bangladesh and India) in the 7.8 acres of agricultural land and strengthening of existing facilities including water supply, drainage, pavements and dust control measures. Phase 2 development will include building of accommodation quarters, administrative building, passenger terminal, local road network and border check post. Phase 3 development will mainly include building of open stack yards and warehouse and other supporting facilities. It is not yet determined whether the Project may support only phase 1, or phases 1 and 2, or phases 1, 2 and 3 of the proposed expansion. Location of the existing port and proposed areas for development in various phases are given in Figure 1 and facilities to be built in various phases are given in Table 3.1. These are based on a feasibility study carried out by BLPA, which will be revisited during detailed design stage.

Figure1: Existing Bhomra Land Port and Proposed Areas for Development

Table 2: *Details of Proposed Facilities at Bhomra Land Port*

Facility	**Phase 1**	**Phase 2**	**Phase 3**
Strengthening of existing facilities, including water supply, sanitation, pavement of transshipment yards, etc.	Inside the existing facilities		
Drainage	3 km		
Administration Building		4,800 m²	
Passenger Terminal		3,766 m²	
Inspection Building	600 m²		600 m²
Transhipment yard	1,675 m²		6,655 m²
Chassis Stack yard			40,245 m²
Heavy stack yard	20,580 m²	10,835 m²	42,000 m²
Cold storage			1,850 m²
Warehouse			5,400 m²
Quarantine			2,200 m²
Indian truck terminal	3,770 m²		64,285 m²
Bangladesh truck terminal	3,180 m²	38,850 m²	
Labour shed			200 m²
Guest house		4,000 m²	
driver's dorm		1,000 m²	
Dormitory for staff		2,000 m²	

Source: Feasibility study of Bhomra land port

3.2.4 Development of new Sheola Land Port

3.2.4.1 Existing Facilities

The proposed Sheola land port will be developed around an existing land custom station, which is functioning since 1948. Located 13 km from Biyanibazar, the sub-district head quarter, 45 km from Sylhet, and 290 km from Dhaka. The land port on Indian side is Sutarkandi (in the state of Assam), located about 15 km from Karimganj, 241 km from Shillong and 341 km from Guwahati. Major imports are coal, stone and perishable food items. Major exports are packaged food items.

The current facilities are: The existing facilities include an immigration building in 1.3 acre land and a rented building for customs office. This station is connected to Sylhet through a 5.5 m wide asphalt road.

3.2.4.2 Proposed Facilities

About 20 acres of land will need to be acquired for the development of the land port. The proposed facilities include a transshipment yard, administration offices, truck terminals, open stack yard, barrack, internal roads and drainage facilities, drinking water and sanitation facilities, and facilities for women (waiting rooms) and disabled people (ramps). Since coal will be a major import, coal stack yards will be developed with

appropriate containment, dust control, and drainage system including an equalization tank followed by multi-grade filter for water purification prior to discharge from the site. Details of the proposed facilities to be developed are given in Table 3.2 and Figure 3.3.

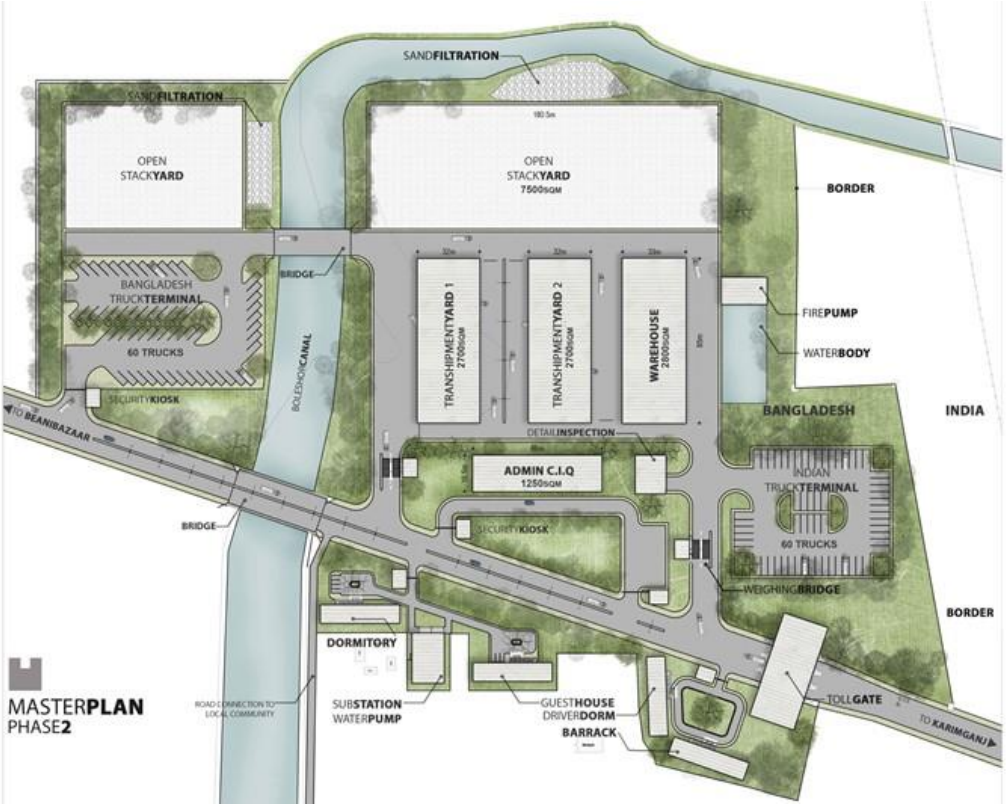


Figure2: Layout of Proposed Sheola Land Port

Table 3: *Details of Proposed Facilities at Sheola*

Proposed Development	**Approximate Quantities**
A. Land Development	
Land Development	20 acres
Boundary Wall	2,508 m long &1.50 m height
Internal Road Network	1100 m long
Footpath	1.5 m wide ~ 2,100.0 m long
Landscaping	Plantation, Greenery, soft & hard landscaping
B. Building and Other Infrastructure	
Port Facilities	
Administrative Building(4-Storied),	8,250.00 m^2
Ware house1 no's	2,040.00 m^2
Transshipment Yard Shed 2 no's	4,080.00 m^2
Open Stack yard	6,000.00 m^2
Bangladesh & India Truck terminal	10,631.00 m^2
Inspection Building 1 & 2	500.00 m^2
Service Area	

Proposed Development	Approximate Quantities
Barrack (Border)	905.05 m^2
Dormitory-2 Storied	1,000.00 m^2
Hotel & Restaurant	400.00 m^2
Pump House	390.00 m^2
Substation Building	450.00 m^2
Mosque	100.00 m^2
C. Basic Services	
Area Lighting	80,172.0 m^2
Boundary wall lighting	2,508.0 m
Footpath lighting	3,200.0 m
Road Lighting	1,095.0 m
Substation Equipment & Diesel Generator	1,600 KVA -2 no's, Sub-station, 650 KVA-1no, Diesel generator 110 KVA – 1 no's, Double Generator (Server)
Solar Power	25 KW
Water Reservoir	100 m^3
External Drainage	2,000 m
Deep tube-well 1 nos.	150 mm dia 230 m deep
D. Equipment and Plants	
Water Treatment Plant	25 m^3
Weighing Bridge	100 metric ton capacity 2 no's
IT Solution	Networking & Cabling, Server, Internet Uplink
Equalization tank and filter media (for treatment of coal runoff water	270 m^3
E. Safety & Security	
Fire Protection, Fire detection CCTV System, Alarm, PA, BMS, Watch Tower, Gate etc.	

Source: Detailed engineering design of Sheola Land Port

3.3 Implementing Agency and other Agencies Present at the Border

BLPA is the implementing agency of the Project and also responsible for operation of the land port facilities. In addition to BLPA, Customs and Immigration are the two major institutions that have permanent presence at these land ports. However, other administrative bodies may also operate at border crossings. These include:

- Police and other security forces, unless Customs and Immigration have the resources to ensure security within the facility.
- Border troops and security forces – these are not usually housed in the facility.
- Other agencies (e.g., agriculture, food safety, phyto-sanitary, veterinary, consumer protection agencies, etc.) which may elect to be present at the border station. This is usually the preferred solution, as the presence on site of these departments accelerates clearance and release.
- A bank branch, available to receive payments of duties.

- Clearing agents for handling imports and transit shipments.

It is important to determine the staff numbers of each administration and their needs in terms of control positions, office space, and possibly (in the case of Customs and Immigration) housing on site. Representatives of other agencies on rotation to the border may also need temporary accommodation. Basic catering and other staff amenities (including toilet facilities) should be provided.

3.4 Implementation Schedule

Development of each land port is expected to take about 3 years. The engineering designs and EIA studies for the Sheola land port are in progress and its construction is expected to start in 2017. BLPA will procure consulting firms for preparation of detailed engineering designs of other land ports during the first year of project implementation and overall implantation period of the Project is about 5 years. The proposed implementation schedule of the Project is given in Table 3.3.

Table 4: *Implementation Schedule of the Project*

Component	Subprojects	Timeline
Component 1: Investments in infrastructure, systems and procedures to modernize key selected land ports essential for trade with India and Bhutan	Construction of Sheola Land Port	2017-2019
	Detailed designs of Bhomra and the third land port, which is yet to be identified	2017-2018
	Construction of upgrading works of Bhomra land port and the third land port	2018-2020
	Construction of security perimeter fence at Benapole land port facility	2018-2020
Component 2a: Develop (pilot) programs to support female traders and entrepreneurs.		2018-2021
Component 2b: Capacity Development Support for the National Trade and Transport Facilitation Committee		2018-2021
Component 3: National Single Window Implementation and Strengthening Customs Modernization		2018-2021

3.5 Land Ports – General and Common Principles

3.5.1 Operational Options

The design of a border station depends very much on the types of control and administrative measures in place at the border. There are cases where goods are cleared on the spot, and others where goods are transited to an inland destination where they will be cleared. The requirements in terms of space, loading and unloading area,

temporary storage of goods under clearance, and parking lots are therefore vastly different.

3.5.2 Procedures

These play a major role in defining the organisation, plan, and layout of the facility. For example, processing areas are totally different if most traffic is in transit or is cleared locally. As a rule, local cross-border trade is treated in a different way from commercial clearance. Whether vehicles will be allowed into the adjoining country or need to be transloaded is another issue. Under current rules, all foreign trucks have to transload at the border into a vehicle registered in the country of entry. However, Bangladesh and India have indicated willingness to collaborate on cross-border transit and border management. This needs to be clarified in as far as it affects operations. Last, Immigration procedures depend on the nationality of travellers, and there are streamlined checks for local residents (and there are possibilities of free movement across the border for such residents, although any limitations to such movement should be clarified).

3.6 Land Ports – Infrastructure Requirements – Land Requirement

Based on the operations required to be performed, a broad evaluation of space requirements will show the organisation and general aspects of the required facility; it is important to define the different functions that will be established, and the space and type of infrastructure they will need.

These include:

- Parking lots
- (If necessary) Trans-loading bays
- (If necessary) Additional trans-loading area allowing back-to-back trans-shipping without using the docking area – e.g., in the case of refrigerated cargo
- Inspection area
- Temporary storage space (i.e., warehouses) for whatever goods cannot be cleared immediately, or are seized by Customs – with a specific area secured in the warehouse for the latter
- Detailed inspection sheds for trucks and other vehicles subjected to a secondary check (which should not exceed five percent of all traffic)
- A small refrigerated facility for perishable goods
- (If necessary) Specific and protected storage for hazardous material
- Buffer space to avoid queues building-up before reaching a control position
- A sensible through-traffic arrangement, with by-pass capacity, to avoid one vehicle blocking all the others upstream

All the above infrastructure would require land require land.

4. Socio-Economic Baseline

4.1 Introduction

Bangladesh is Located in the north-eastern part of South Asia. The majestic Himalayas stand some distance to the north, while in the south lays the Bay of Bengal. West Bengal borders on the west and in the east lies the hilly and forested regions of Tripura, Mizoram (India) and Myanmar. These picturesque geographical boundaries frame a low lying plain of about 1,47,570 sq. km., crisscrossed by innumerable rivers and streams. Mighty rivers are Padma (Ganges), Brahmaputra (Jamuna), Meghna and Karnafuli.

Bangladesh's geographical Location is at Latitude between 20°34' and 26°38' North and Longitude between 88°01' and 92°41' East. Bangladesh has an area of 147,570 sq. km. (land: 133,910 sq km, water: 10,090 sq km). Bangladesh is bounded by North - India (West Bengal and Meghalaya), West - India (West Bengal), East - India (Tripura and Assam) and Myanmar and South-Bay of Bengal. It has total of 4,246 km border (border countries: Burma 193 km, India 4,053 km). It has a coastline of 580 km. Bangladesh terrain is mostly flat alluvial plain and hilly in southeast.

Bangladesh has 7 Divisions; Dhaka, Chittagong, Khulna, Sylhet, Rajshahi, Barisal and Rangpur, 64 Districts and 487 Subdistricts/Upazillas.

Bangladesh has a population of 150 million (2011 Census Report by BBS). The present Population Growth Rate of Bangladesh is 1.59%. The present literacy rate is about 50% among which the male literacy is 50% and female literacy is 46%. Bangladesh is predominantly a Muslim populate (86.6%) followed by Hindus (12.1%), Buddhists (0.6%),Christians (0.4%) and Others (0.3%). The sex ratio is 99.68%.

The predominant ethnic group is Bengalis (98%) followed by other tribal minority (2%) including Chakmas, Marmas, Santals, Garos, Manipuri, Tripura, and Tanchangya.

4.1.1 Economy

Bangladesh is one of the members of the Developing 8 and considered as the Next Eleven Economy of the world in 20 coined by Goldman Sachs. The GDP is $1,044 (per capita in 2013). The poverty level is at 25% (People living with $2 per day).

4.1.2 Rivers

The principal rivers are Padma, Meghna, Jamuna, Surma, Brahmaputra, Karnaphuli, Teesta, Sitalakhya, Rupsha, Madhumati, Gorai, Mahananda etc. Bangladesh is dominated by the low-lying Ganges Delta, but has highlands in the north

and southeast. The Ganges delta is formed by the confluence of the Ganges (local name Padma or Pôdda), Brahmaputra (Jamuna or Jomuna), and Meghna rivers and their respective tributaries. The Ganges unites with the Jamuna (main channel of the Brahmaputra) and later joins the Meghna, finally flowing into the Bay of Bengal. The alluvial soil deposited by the rivers when they overflow their banks has created some of the most fertile plains in the world. Bangladesh has 57 trans-boundary rivers, making water issues politically complicated to resolve – in most cases as the lower riparian state to India. Most parts of Bangladesh are less than 12 m (39.4 ft) above sea level, and it is estimated that about 10% of the land would be flooded if the sea level were to rise by 1 m (3.28 ft).

4.1.3 Climate

The temperature ranges are in winter 11° C - 20° C (October - February) and in summer 21° C - 38° C (March - September). The rain fall range is 1,100 mm to 3,400 mm (June - August). The Humidity is highest 99% (July) and lowest 36% (December & January).

4.1.4 Agriculture

The principal crops are Rice, Jute, Tea, Wheat, Sugarcane, Pulses, Mustard, Potato, Vegetables.

4.1.5 Industry

The Principal Industries are Garments and Textiles (2nd largest in the world), Tea, Ceramics, Cement, Leather, Jute (largest producer in the world), Chemical, Fertilizer, Shrimp Processing, Sugar, Paper, Electric and Electronics, Medicine, Fishing. The principal exports are Garments, Knitwear, Frozen Shrimps, Tea, Leather and Leather products, Jute and Jute products, Ceramics, IT Outsourcing, etc. The principal Imports: Wheat, Fertilizer, Petroleum goods, Cotton, Edible Oil etc. The principal Minerals: Natural gas, Oil, Coal, White clay, Glass sand, etc.

4.2 Information on Sub-Project Locations

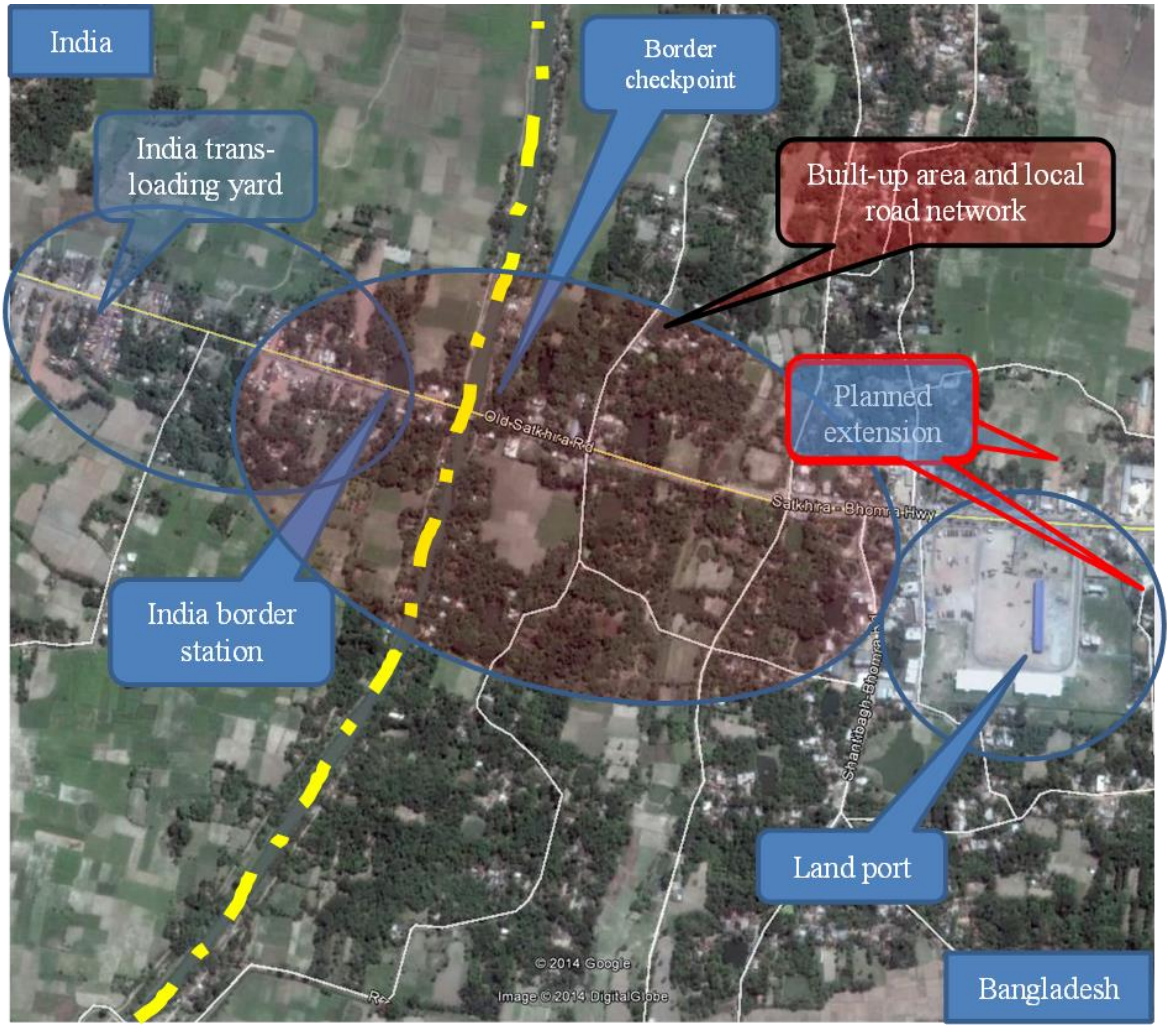
4.2.1 Bomra Land Port

Bhomra land port is considered by the Government of Bangladesh as a potentially major crossing point with India. It would also relieve some of the pressure on the Benapole border station, which is currently Bangladesh's most important point of entry for trade through land routes.

4.2.1.1 Position

Bhomra land port is located 75 from Khulna opposite the town of Ghojadanga in India, approximately 100 km from Kolkata. Once the Padma Bridge is completed, it will be on the shortest route from Kolkata to Dhaka. The land port is operated by BLPA and was opened in May 2013.The satellite map of the Bhomra port and its surrounding areas are shown in Figure below. Generally, topography of the area is plain with some low lying lands at some locations. A stream (Khumra Khal) is located along the border, about 600 m away from the land port. A flood embankment was also constructed along the stream on Bangladesh side. Since the stream is located on a slightly higher elevation than the port area, there is no natural drainage is available and water stagnation was noticed in some areas in the port. Ichamati River is located about 3 km south-western side of the port. Photographs of the port and its surrounding areas are shown in Annex 2. The port surrounding areas are located with commercial areas, road side shops and agricultural areas. All these areas are modified habitats and no natural habits are located. The port and surrounding areas are highly polluted by the road dust. Unpaved sidewalks and transhipment yards are the major sources of dust. The access roads near the border area also not paved.

Figure 3: Locations of Bhomra Land Port



4.2.1.2 Traffic

Between 500 and 600 Indian trucks cross into Bangladesh every day, and 20 to 25 Bangladesh trucks enter India. Indian trucks trans-load onto Bangladesh vehicles in Bhomra, and Bangladesh trucks trans-load in Ghojadanga. The major commodities exported from Bangladesh are garments and knitted fabric, coconut products, food products, chocolate, cotton oil, yarn, and fruit juice. Other potential exports, such as batteries, jute and fish are not currently allowed into India due to the local organisation of clearance on the Indian side. Only 35 items can be imported into Bangladesh, but the National Bureau of Revenue (NBR) is currently working on lifting these restrictions.

There are about 300 foot passengers both ways daily. Travellers are allowed to bring in up to 65 kg of goods, and are cleared by Customs and Immigration at the border line checkpoint. The annual traffic data and value of imports/exports are given in Table below.

Table 5: *Amount of Exports and Imports at Bhomra Land Port (July 2014 to June 2015)*

Name of Month	Goods Recived (M T)	Goods Delivery (MT)	Number Of Truck			Import		Export	
			Foreign Truck	Local Truck	Tolal Truck (4+5)	Amount (M T)	Taka. (core)	Amount (M T)	Taka.
1	2	3	4	5	6	7	8	9	10
July	122783	122783	6292	7012	13304	122783	306.43	3913.800	185769181.00
August	140432	140432	7259	8447	15706	140432	387.98	4134.575	167989857.00
September	152599	152599	8042	9605	17647	152599	426.92	7369.920	254672878.00
October	117623	117623	5780	7033	12813	117623	300.63	3115.630	126177188.00
November	162455	162455	8278	10000	18278	162455	422.99	3660.354	186218494.00
December	167953	167953	8217	9860	18077	167953	439.14	4056.230	188174541.00
January	183675	183675	8939	11425	20364	183675	457.11	3731.470	198145978.00
February	164952	164952	8085	10744	18829	164952	411.76	4294.113	238564844.00
March	166329	166329	8766	11782	20548	166329	387.88	6074.997	306734314.00
April	140176	140176	6999	8909	15908	140176	340.04	4279.600	180702128.00
May	153686	153686	7840	8939	16779	153686	338.17	6185.490	315650456.00
June	136563	136563	6647	7507	14154	136563	271.54	7260.580	495969632.00
Total	1809226	1809226	91144	111263	202407	1809226	4490.59	58076.759	2844769491.00

*Serial No 7,8,9,10 information collects from Bhomra Land Customs, Serial No 8 information of import goods value i

4.2.1.3 Present Features

A large new and well-designed building was recently erected, with 22 rooms providing ample accommodation for Customs, Immigration, and the Land Port Administration. All SPS checks currently take place at the physical border or further inland, but would be relocated in the terminal building when it is commissioned (expected within one month).

The yard is largely unpaved, with no clear signage, and no physical separation between Indian and Bangladeshi trucks. There is a modern weighbridge, operated by the Land Port Authority, which has an electronic display, so that drivers cannot be given a wrong weight certificate.

4.2.1.4 Current Development Plans

The present land port occupies one third of the total planned facility, which, given traffic projections, should take up 45 acres of land (subject to land acquisition procedures). The plans are to provide also an Indian lorry service area (with showers, toilets, and overnighting capacity), a workshop for Bangladesh trucks, extended parking area, including a buffer capacity, car parks for imported private vehicles, and a parking lot for heavy-duty vehicles. There will also be space for four warehouses, and a residential area for border guards. When the new building is commissioned, the existing old building will be reconstructed to house additional services (bank, etc.). A passenger control shed (Customs and Immigration) is planned, as part of the new development, at the zero-point.

The present land port occupies 15 acres of land – which is one third of the total planned facility, which, given traffic projections, should take up 45 acres of land (subject to land acquisition procedures). The plans are to provide also an Indian lorry service area (with showers, toilets, and overnighting capacity), a workshop for Bangladesh trucks, extended parking area, including a buffer capacity, car parks for imported private vehicles, and a parking lot for heavy-duty vehicles. There will also be space for four warehouses, and a residential area for border guards. When the new building is commissioned, the existing old building will be reconstructed to house additional services (bank, etc.)

4.2.2 Sheola Land Port

The proposed Sheola Land Port will be developed around the existing Sheola Land Customs (LC) Station at Borogram. The Sheola LC station at this location is functional from 1996. Prior to this location, the Sheola LC was located about 3 km north of this location near the Khushiara river, where the export and import activities were conducted through the Kushiara river route.

4.2.2.1 Location

The distance of Sheola Land Customs station from Biyanibazar Upazila Parishad is 13km and 45km from Shylet district Headquarter. The Indian part of it is called Sutarkandi, which is situated under Karimgang district of Assam State. A 16 km pavement road exists from Sheola to Karimganj district. The distance from Sheola(Sutarkandi) to Guwahati, capital of Assam is 341 km. Some part of proposed port site is located in a flood plain. Satellite map of the port area is shown in Figure below. The site is flooded with water during rainy season and during dry season it was used to part the trucks and temporary storage area for the imported coal. A small rainwater drain (stream) is located adjacent to the port site. The Kusharia river is located about 3 km north of the site; and Muriha Haour (an inland drainage basin) is located 3 km south of Sheola.

Figure 4: Location of the Proposed Sheola Land Port

4.2.2.2 Traffic

The haours are generally good habitats of fish. There is also an immigration check post here.The road from Sylhet to Sheola L.C Station is constructed by the LGED and Paved. But the road connectivity needs to be strengthened and widened for heavy vehicles. Details and imports and exports of the Shuala custom station is given in Table 4.2. The current annual amount of exports at this station is 131 tonnes and imports is 43 tonnes. The current traffic levels are about 20 trucks per day. The generally imported goods are coal, stone, orange, ginger, Satkara, onion, apple, mango and cement clinker; and the exported goods are Chips, lollipop, ice pop, milk candy chocolate, catchup, energy drinks, mango drinks, power drinks, cement, plastic products, cotton, vermicelli, mobile pop, litchi drinks, melamine products, ceramic products, brick breaking machine, tissue paper, caustic soda, soap, tube well casing pipes, and fish.

Table 6: *Amount of Exports and Imports at Sheola Land Customs Station*

Fiscal Year	Amount (Crore Taka)
Exported Goods	
2011-12	72.15
2012-13	65.16
2013-14	80.50
2014-15(up to April)	65.73
Imported Goods	
2011-12	14.19
2012-13	21.50
2013-14	22.16

2014-15(up to April)	17.98

4.3 Gender Issues

Similar to many other regions of this lower middle income country, in the project area too, the efforts of women in socio-economic development and well-being of their family and surroundings is rather unrecognized. The field interactions indicate that the project sites offer minimal opportunities to women. In addition to that, it also reveals that decision making role of women in the household is negligible. On the contrary, better communication and transport facility may create more choices for their economic pursuit. Majority of the participants in the discussions believed that the project will bring more employment opportunities to women in addition to education, which will play a role in gender balance and enhance their role in business. Other than that, some respondents also highlighted that with better trade, transport and communication facility, women will be able to receive better medical facility and overall situation for women will be developed. The baseline information in the study area indicates that the project site lacks higher education as well as proper health service facilities. Special focus should be paid on sanitation facilities. In addition to that, men and boys are enjoying the most of the recreational facilities compared to women, girls and children. Again, women's movement is mostly induced by household work and socialization (ceremonies in community centers).

4.4 Consultations

Field visits, consultations and one National Public Consultation, with Free Prior Informed Consent, with different stake holders and meetings were carried out to develop a comprehensive Resettlement Policy Framework (RPF) for this Project. Consultation meetings were held during the field visits to identify issues and problems to enable the institution to corrective measures and to identify lessons and opportunities to enhance Project implementation mechanism. As regards the CHTs where majority of the inhabitants belong to various tribals groups, at screening stage several FGDs were carried out both in Ramgar (khagrachari) and Thegamukh (Rangamati).

Table 7: *Summary of FGDs at Ramgarh and Thegamukh*

Date of Meeting	20 Oct 2015	21 Oct 2015
Place of Meeting	Mohamoni, Ramgarh	Thegamukh
Type of meeting	FGD cum Consultation	FGD cum Consultation
Number persons attended	30	25
Objective	To discuss the land requirement for the proposed Land port at Ramgarh.	To discuss the land requirement for the proposed Land port at Thegamukh
Land requirement	About 23.04 acres of land will be required (13.81 as originally estimated, 5.73 as recently added and 3.5 for proposed road and bridge). The land is on the banks of Feri river. The land required is mainly agricultural land. Presently the farmers	About 10.01 acres of land is required for the facilities; but more land may be required for river bank protection, road, bridge, etc. which is yet to be estimated. The land required is mainly residential and

	cultivate several crops ranging from paddy to mangoes.	commercial land. The land is at the confluence of Karnapuli and Thega rivers.
Stakeholders Interest	People were aware of the proposed project and the consultation meeting. Some of the required land is with Boarder Guard Bangladesh (BGB). The land owners are willing to give their land if market rate is given to them. No one will become landless after this acquisition.	People were aware of the proposed project and the consultation meeting. The persons to be affected are willing to give the land provided they are resettled and rehabilitated properly.
Issues	A total of about 30 families will be affected along with a shop keeper. Some of the land owns would like to have land for land option. About 10 tribal families will be among the land losers.	A total of about 100 families might be impacted; survey should be conducted to get exact details. All the families to be affected are tribals.
Concerns	Proposed rates for acquired land. Rehabilitation of Poor and Tribal PAFs. Lack of documents in certain cases.	Rehabilitation and resettlement of affected families. PAFs participation in the process. Lack of documents in certain cases.

Subsequently, a regional level consultation following the methodology of 'free, prior and informed consultations' was organized in Rangamati on 13 June 2016 which was attended by all the important stakeholders, including the CHT Regional Council, Rangamati Hill District Council and representative of the Chakma Circle Chief. In addition, the BLPA consultants' team held separate consultation meeting with Mr. Jyotirindra bodhipriya Larma, Chairman, CHT Regional Council on 12 June, prior to the regional consultation. Finally a National Level Public Consultation Workshop was held on 10th August 2016 at Dhaka, where the RPF was discussed and subsequently amended. The workshop proceedings are annexed to this RPF.

Finally, there was a further consultation held on the proposed Ramgar land port in Khagrachari on 2 January with the institutional stakeholders. This was a preliminary consultation to seek initial opinions of the stakeholders on the proposed land port and it was stressed in the consultation that further consultations with all the relevant stakeholders will be held when the social impact assessment on the project will be carried out and subsequently, during the implementation of the project.

In total 35 participants attended the consultation which included, government officials, local government representatives, NGOs, civil society, representatives of the CHT Regional Council, Khagrachari Hill District Council and Chakma Circle Chief, and as well as traditional elders (headmen and karbaris) from the tribal groups. All the participants agreed to the proposed Ramgar land port. The detailed report of the consultation is provided in the Annex.

4.4.1 Objectives of Consultations

The GoB as well as international donors (e.g. the World Bank) place great importance on involving primary and secondary stakeholders for determining the environmental and

social impacts associated with project implementation. In order to gather local knowledge for baseline conditions, understand perceptions of the community regarding impact significance, and propose meaningful mitigation measures, participation of stakeholders is an integral part of the environmental and social assessment process. During the preparation of the present RPF, initial consultations with the key stakeholders have been carried out to obtain their views on the Project interventions. The consultation process has been conceived, planned, and initiated with the following key objectives:

- To provide key project information and create awareness among various stakeholders about project intervention;
- To have interaction for primary and secondary data collection with project beneficiaries, affected persons and other stakeholders;
- To identify environmental and social issues such as displacement, safety hazards, employment, and disadvantaged persons;
- To begin establishing communication and an evolving mechanism for the resolution of social and environmental problems at local and project level;
- To involve project stakeholders in an inclusive manner; and
- To receive feedback from primary stakeholders on mitigation and enhancement measures to address the environmental and social impacts of the project.

4.5 Project Impacts

Most of the land ports proposed are on private land. The affected person include titleholders and non-titleholders such as encroachers, squatters and tenants; using the land for agriculture, commerce and residential purposes. This will lead to loss of livelihoods. It is possible that at some locations common property resources may get affected as well; though limited. Further access infrastructure such as roads will cause impacts as the present roads are narrow and they need to be widened for optimizing the capacity of the facilities built. There are Persons without title to the land on the BLPA land with shops and residences. An additional issue as regards the CHTs is the contentions land ownership among the inhabitants, particularly exacerbated by the practice of communal/customary ownership by the region's ethnic minority inhabitants and their lack of government recognized ownership documents of their land. The key social impacts due to project interventions are Land acquisition and subsequent resettlement, Loss of Livelihoods, Inconvenience and nuisance during construction, Loss of access to CPRs and Likely increase in trade and transport related costs and procedures. For Shoela land port an RAP is prepared. The following are the key social impacts due to project interventions:

1. Land acquisition and subsequent resettlement
2. Loss of Livelihoods
3. Inconvenience and nuisance during construction
4. Loss of access to CPRs
5. Likely increase in transport costs
6. Likely increase in border trade cost

For each of these sub-projects an RAP will be prepared, where required during the planning and design stage.

4.5.1 Proposed Management Measures

The following social management measures are proposed in this Resettlement Policy Framework:

- Development and adopting a Resettlement Policy Framework (RPF) to be used for all sub-projects under this project. This RPF should serve as a guide for further RSIA studies and for preparation of RAP/ ARAPs under this project.
- The design will consider minimization of land acquisition and related impacts; and provides for access to CPRs and other such traditional and cultural locations.
- Integrate the rehabilitation of livelihoods into design of terminals and other infrastructure facilities. Designs to consider the following:
    - Livelihoods: such as integrating shops and vendors
    - Facilities for women such as: separate counters, waiting areas, sanitation, seating arrangements
    - Facilities for disabled
    - Arrangements to continue cultural practices
    - Design and general arrangement to be ready for impact identification and resettlement plan preparation
- Alternate temporary transit arrangements before resettlement
- Resettlement Policy Framework with clear entitlements
- Small Ethnic Disadvantaged Communities Development Plan
- Grievance Redressal Mechanism
- Community Engagement in planning and implementation
- Gender Mainstreaming Plan
- Disclosure: disclosure of resettlement plans

5. Resettlement Policy Framework (RPF)

5.1 Introduction

The Government of Bangladesh through the Ministry of Shipping has mandated the BLPAto finance and develop Land Ports infrastructure. Now BLPAaims to promote environmentally sound and sustainable, socially acceptable and economically viable Land Ports infrastructure sub-projects. BLPAbelieves that each of these sub-projects will improve the living standards and the environment of populations of the locations and surrounding areas.

5.2 RPF - Objectives

The primary objective of the RPF is to provide guidelines for preparing mitigation plans. Another objective of this RPF is to improve the standard of living of the affected population.The other objectives of this RPF are to;

- Ensure the principles of Social Justice is adhered to at all times
- Avoid or minimize any negative impacts on the communities
- If land is required for project facilities, then same may be purchased under Willing Buyer-Willing Seller norm.
- Land acquisition using National Policy as and when required
- Assist affected population in improving their living standards, income earning capacity, and production levels, etc.
- Encourage and enable community participation in planning and implementing project components
- Provide assistance to affected communities in redressing their grievances

This RPF will address the following social issues:

- ❖ Land Procurement
- ❖ Community Engagement
- ❖ Special Attention to Women and Other Disadvantaged Groups
- ❖ Small Ethnic Disadvantaged Communities Development
- ❖ Grievance Redressal

5.3 Resettlement Policy Framework

BLPA will use the following principles to minimize adverse impacts on affected persons and their community:

- Avoid or minimize acquisition of private lands and use as much public land as possible;
- Avoid or minimize displacement of people from homesteads, land valued higher in terms of productivity and uses, buildings/structures that are used for permanent business and/or commercial activities, dislocation of Avoid or minimize acquisition of private lands and use as much public land as possible;

- Avoid or minimize displacement of people from homesteads, land valued higher in terms of productivity and uses, buildings/structures that are used for permanent business and/or commercial activities, dislocation of Persons without title to the land/encroachers; and impacts on community facilities, such as educational institutions, places of worship, cemeteries, etc., and buildings/structures that are socially and historically important.
- Where the portion of a plot remaining after acquisition becomes economically unviable, the landowner will have the option to offer the entire plot for acquisition.
- The policy principles adopted are inclusive and cover both titled and non-titled persons. The affected without title will also be entitled for resettlement benefits.

Where adverse impacts are found unavoidable, project will plan to mitigate them in accordance with the following principles:

i. Resettlement of the project-affected persons will be planned and developed as an integral part of the project design.
ii. Absence of legal titles in cases of public land users will not be considered a bar to resettlement and rehabilitation assistance, especially for the socio-economically disadvantaged groups.
iii. Vulnerability, in terms of socio-economic characteristics of the project affected persons/ households, will be identified and mitigated according to the provisions of RPF.
iv. Homestead-losers, including the poor and disadvantaged households squatting on public lands, will be compensated for their physical assets on the lands and assisted during relocation.
v. People squatting on public lands under acquisition (without any legal agreement for right to use the land) will qualify for financial or any other form of assistance including relocation provided the project interventions affect significantly on their livelihood (lose more than 10% of their income) and cannot survive without income from the affected land/property.
vi. Assets like equipment, machinery or parts/ components thereof that can be dismantled and moved away intact will not be eligible for compensation, but the owners will be paid the actual costs of dismantling and moving them.
vii. Where the project activities cause community-wide impacts affecting community facilities, access to common property resources, etc., PIU will rebuild them with Project finances or provide alternatives in consultation with the user communities.

As per the impacts of the sub-projects, i.e., if the number of PAPs exceeds 20, then a comprehensive Social Impact Assessment needs to be conducted and a Resettlement Action Plan (RAP) needs to be prepared, following the guidelines given in this RPF. When the impacts are limited, i.e., if the number of PAPs are less than 20, then an Abbreviated Resettlement Action Plan (ARAP) needs to be prepared, following the guidelines given in this RPF.

5.4 Procuring Lands

5.4.1 Willing Buyer and Willing Seller

When buying land is an easier alternative to land acquisition, BLPA will use this options as being used by other departments under similar projects. Under the willing buyer and willing seller norm, suitable land is identified by BLPA. After this, BLPA representative will approach the land owner and obtain his/her consent. The willing sellers convey their readiness to sell the land in writing to BLPA. With the local existing market price for similar land is taken as the starting point, and then a price is negotiated with the seller. The Price needs to be at least equal to the prevailing and actual market price in the area, not that of the registration value at the DC's office. After negotiating the price, BLPA will obtain necessary internal approvals. Meanwhile BLPAwill verify the land ownership, possession, interested parties, documents, etc. with the help of Land Office. After completion of verification, BLPAand seller both will communicate this decision to Land Office, Department of Land. The seller with the assistance of Surveyor from local registration office, gets the land surveyed and demarcated in the presence of adjoining land owners. Disputes and claims, if any will be resolved then and there. After verification, BLPAcalls a meeting with the seller where all the information about the land is shared and discussed and if seller agrees, then BLPAwill proceed further to purchase the land. The entire process of consultation, negotiation, agreement, transfer of land documents will be recorded by the BLPAand will be available for review by the World Bank. At any point of time during the process, the seller will have the right to refuse to sell.It is however, willing buyer – willing seller, if when the seller refuses to sell, the government will change the location and ask another seller.

5.4.1.1 Registration and Mutation of Records

As a first step towards purchase, aBaina deed is prepared, if necessary, and registered with the local Land Office. This deed is signed by BLPAand Seller and token advance is given to seller by BLPA. This Baina deed is valid for 3 months. The deed is registered with Land Registraton Office after paying necessary fee. Once the registered deed is received, it is kept in the BLPAoffice. After Baina deed, the BLPAwill erect signboards saying that BLPAis the owner of the land along with land transaction information. Within 3 months, a sale deed is prepared and registered with Land Registration Office. During registration the remaining amount is paid through cheque to the seller. BLPAreceives the sale deed from the Land Registration Office. This deed is kept at the BLPA local office. Later the Land Dept updates their records, through mutation, once the BLPAapplies for mutation. From then on land belongs to concerned BLPA. The "necessary fees" referenced in this paragraph to register the deed will be paid by the BLPA and not the selling land owner.

5.4.2 Voluntary Land Donation

Voluntary Land Donation will be initiated only for limited, linear, and narrow strips of land for roads. Whenever there is land requirement, BLPA will interact with the land owners and facilitate voluntary donation of land required for taking up sub-projects

under the project. This use of voluntary donation option will be limited to small parcels, say 2 to 5 decimals of land for rural roads. Under no circumstances, the titleholder will be subjected to any pressure, directly or indirectly, to part with the land. For this reasons, the rules given under Rules for Transparency in Donation stipulates that the consultation process and the agreement will be thoroughly documented by the project implementation unit. These actions are expected to minimize adverse impacts on the local population and help in project benefits reaching all sections of community.

BLPA will ensure that the process of voluntary donation of land will be meticulously documented at all levels to avoid confusions, misunderstandings, litigations, etc. at a later stage. A format for this purpose is enclosed in the Annexures. This process will be taken up mainly at three levels as described below:

Table 8: Process of voluntary donation of land

Level	**Process**	**Output**	**Responsibility**
GP/ Village Level	Based on the land survey, lands will be identified and the list of titleholders will be prepared. This will be done by Gram Parishad (GP) with the help of BLPA. GP motivates the title holders for voluntary land donation required for the project. The BLPA will help in this process and will document the willingness to donate land by the titleholders and encroachers in the presence of the President of GP in the form of a Willingness Letter. The list of such persons will be displayed at the GP Office. GP and BLPA jointly verify the land and after completion of verification, GP and Donor both will communicate this decision to Land Office, Department of Land. The Donor with the assistance of Surveyor from local registration office, gets the land surveyed and demarcated in the presence of adjoining land owners. Disputes and claims, if any will be resolved then and there. After verification, GP calls a meeting where all the information about the land is shared and discussed and if approved in the meeting, then GP will proceed further to donation of the land.	Willingness Letters	President, GP, BLPA Representative and Titleholder
Block Level	BDO or concerned Revenue Official surveys the land and demarcates the extent of area required. The survey will identify if the land is public, private or encroachment. Based on the survey, maps are prepared. The entire process will be carried out along with GP and BLPA. The maps will be signed by President, GP and concerned Revenue Officer.	Survey map signed by relevant persons indicating the extent of land required.	BDO, Surveyor, President, GP,
District Level	Formalize relinquishment of land rights where concerned local people voluntarily donate their private land for the project for public purpose. This land is then registered in the name of BLPA. Later the Land Dept updates their records, through mutation, once the GP applies for mutation. From then on land belongs to concerned GP.	Effect Changes in Land Revenue Records	Deputy Commissioner, BDO
	The entire process of consultation and agreement will be thoroughly documented.	Documentation	Local Office of BLPA

5.4.2.1 Rules for Transparency in Donation

In order to make this process transparent, the following rules are prescribed:

- Voluntary Land Donation will be initiated only for limited, linear, and narrow strips of land for roads.
- The Titleholder should not belong to the Hard Core Poor/ Poor/ Disadvantaged sections.
- The Title holder should be holding more than the minimum prescribed land, i.e., 1 hectare of wet land and 2 hectares of dry land after donation. There is no uniform criteria published by the Government of Bangladesh to define who is 'hard core poor'. Depending on rural-urban divide and remote-relatively accessible regions, the following is usually used by the practitioners; households with income levels below or around 7,000 taka/month in rural areas and 10,000 taka/month per in urban areas are taken as hardcore poor.
- The impacts must be minor. The voluntary donation should not be more than 10 percent of the area of that particular holding of the Titleholder in that category of land (dry, wet or commercial/ residential). This should not require any physical relocation of the Titleholder. The land donated should not be more than 0.4 Ha in case of dry land, 0.2 Ha acre in case of wet land and 0.1 Ha acre in case of commercial/ residential.
- The land must be jointly identified by the GS and BLPA. However the BLPA local office should ensure that the land is appropriate for sub-project purposes and that the sub-project will not invite any adverse social, health, environmental, safety, etc. related impacts by procuring this land.
- The land in question must be free of squatters, encroachers, or other claims or encumbrances.
- Verification of the voluntary nature of land donations must be obtained from each of the persons donating land. This should be in the form of notarized witnessed statements.
- In case of any loss of income or physical displacement is envisaged, verification of voluntary acceptance of community-devised mitigation measures must be obtained from those expected to be adversely affected.
- The land title must be vested in the BLPA and appropriate guarantees of public access to services must be given by the private titleholder.
- The Titleholder donating land should be provided access on priority basis, subject to eligibility, to the Government housing/ poverty reduction/ livelihoods/ etc. programs operating in the area.
- The Titleholder donating land should made to understand that they will have equal access to the infrastructure built on the donated land like any other community member and that they cannot claim for any priority treatment.
- The whole consultation process will be documented and agreement recorded by Local BLPA Office.
- Grievance mechanisms and legal options must be available to all donors.

Please note that the land owner will be informed that he/she does not have to donate land and is entitled to compensation for his/her land if he/she wishes to. Further, the donor owners will be made aware of the grievance system for the project.

5.4.3 Land Acquisition

When land needs to be acquired as per the Act, the following procedures will be followed:

- BLPA produces Land Acquisition Proposal (LAP) to DCs with Administrative Approval from the Ministry of inland water transport on the acquisition.
- DCs carry out feasibility study of the acquisition and submit the proposal with the feasibility report to the Ministry of Land (if the land is more than 16.67 acres) or to the Divisional Commissioner (if the land is less than 16.67 acres) for approval of each case.
- Upon approval of the LAPs from Ministry of Land (MOL) or from Divisional Commissioner, as the case may be, DC serves notice under section 3 of the Acquisition and Requisition of Immovable Property Ordinance (ARIPO), 1982 to the recorded owner of the affected property for public appraisal.
- Acquiring Body (DC) and Requiring Body (here BLPA) representatives conduct joint verification of the affected property within 3 days of serving notice u/s-3 and wait 15 days to receive any complain from land owners.
- After that the DC serves notice u/s 6 for entertaining claims from the potential affected persons.
- On the basis of joint verification survey data DC writes letter to Public Works Department (PWD) with information of affected structures, list of trees to the Forest Department and type of crops to the Agriculture Department for valuation as per government rule.
- DC also collects recorded land price from the concerned Sub-register's office for 12 months previous time from the date of notice under section 3.
- The DC prepares award for compensation in the name of recorded owner.
- Upon placement of fund, the DC serves notice u/s 7 to the titled DPs for receiving Cash Compensation under Law (CCL) within 15 days from the date of issuing notice u/s 7.
- The affected people are noticed to produce record of rights to the property with updated tax receipt of land, declaration on non-judicial stamp paper, photograph etc. before Land Acquisition section of DC office with the claim.
- Upon fulfillment of the criteria of the DC office i.e. requisite papers and document the LA section disburse CCL in the office or at field level issuing prior notice to the DPs.
- Local Government Institutions representative identifies the affected people during receiving CCL.
- As per ARIPO 1982, DC pays compensation to the legal owner of the properties for land, structure, trees and crops.

- After receiving CCL from the LA office and obtaining clearance from the Treasury Section of the DC the entitled person (EP) deposits the CCL to his own bank account.
- One copy of the CCL will be submitted to the BLPAoffice for additional payment of compensation as per RAP
- The BLPA (or its representative; consultant or NGO) will devise ID number for the CCL holder and prepare entitled persons file and entailment card (EP & EC) for payment
- The BLPA will prepare ID card with photograph of the EP.
- The ID card will be jointly signed by the BLPA and its representative and photograph will be attested by the concerned UP Chairman/Mayor or Ward Councilor of the Municipality.
- The BLPA/ BLPA Representative will prepare necessary documents and papers (payment debit voucher, etc.) and submit to BLPA field office along with EP payment list (indent) and EP-EC
- BLPA field office makes the payment to EP.
- In the case of CHTs, the land acquisition process will take into account the continued practice of communal/customary land ownership by the region's ethnic minority inhabitants, and well as the specific land administration regime of the region.

5.4.3.1 Compensation Payment Norms

BLPA will ensure that the properties (land, structure, and non-structured assets) to be affected by the project will be compensated at their full replacement cost determined by a legally constituted Resettlement Sub-committee (RSC) as per structure and mandated outlined in the RAP. The payment of compensation and other assistance, target replacement of productive assets and restoration of loss of income and workdays by the relocated households, especially the disadvantaged households will be ensured by this committee. Compensation and other cash assistance will be paid through bank bills (cheques) payable to Bank accounts opened by the affected persons eligible for compensation and assistance under RAP. The Bank account will be in the joint name of husband and wife as the case may be.

Cash Compensation under Law (CUL) will be paid through two different channels as per provision of RAP. CCL will be paid by Deputy Commissioner mandated for acquisition of land for the PIU while PIU will directly pay the remaining as per requirement of the RAPs directly to the project affected persons. PIU with the help of the project consultants will advise, assist, and monitor the affected persons receiving compensation and other cash assistance for better use of the money.

5.4.3.2 Eligibility for Compensation and Assistance

Regardless of their tenure status to the lands used for project component, the project affected persons/ households will be eligible for assistance. However, a title would be

required for payment of compensation for land. Pending further investigations to identify other impacts and impacted persons, PIU will mitigate impacts on the following:

i. **Private Landowners:** Persons who have legal rights to the acquired lands and other assets, such as houses, other structures, trees, etc. built and grown on them.
ii. **Landowners under customary/communal ownership:** This is particularly relevant to the cases of CHTs and will take into account the prevailing practice of customary/communal land ownership by the ethnic minorities, a large number of whom do not have legally valid ownership documents.
iii. **Persons without title to the land (Squatters):** Socio-economically disadvantaged persons/ households including informal settlers, who do not have legal rights to the lands, but use them for residential, commercial or livelihood purposes. They will not be compensated for land, but for the assets built and grown on the land.
iv. **Owners of Displaced Businesses:** Compensation for income loss from businesses that are: (i) displaced from private lands and those belonging to requiring body and other public agencies and (ii) required to close down temporarily during implementation of the civil works. In both cases, compensation/assistance will apply to the actual owners of the affected businesses.
v. **Women headed and other disadvantaged households:** Women heading the households and the households having income level up to area specific poverty line per year[3], physically challenged, elderly members, etc. will be eligible for a special assistance of one-time cash grants. Small ethnic communities will fall under disadvantaged groups.
vi. **Employees of Affected Businesses.** Persons who are employed in the affected businesses enterprises being operated on private or public lands.
vii. **Rental Income Earners.** Rental income from built premises situated on private lands by any displaced persons and on public land by disadvantaged displaced persons[4].
viii. **Communities and Groups**. Where local communities and groups are likely to lose income earning opportunities or access to crucial common property resources used for livelihood purposes.

5.4.3.3 Compensation Principles and Standards

The following principles and standards will be used to determine compensation and assistance for persons/ households in the different impact categories:

Acquired lands and other assets

[3]According to Bangladesh Bureau of Statistics (BBS,) the consumption expenditure for upper poverty line used in HIES 2010 that considered the minimum size of upper poverty line of BDT 1311 in rural and maximum size of upper poverty line of BDT 2038 in urban area. Acknowledging this, specific poverty lines will be derived according to HH size in particular area with rationales to inflation rates.

[4]Non-disadvantaged PAPs those earn rental income by erecting buildings/structures on public lands will be ineligible for compensation/assistance, if the loss constitutes less than 30% of his/her total household income from all sources or the incumbent is not dependent on the rental income from this structures for his/her livelihood irrespective of size of the loss

a. All affected assets (land and structures) are compensated at their replacement cost. Replacement cost of an affected asset is equivalent to the amount required to replace the asset in its existing condition. The replacement cost of structures should be equal to the cost of constructing/purchasing a new similar structure, without making any deductions for depreciation.
b. Replacement costs based on current market price to be collected from the different cross sections of the people for an equal amount of land of same use and quality.
c. Replacement costs of houses/structures and other immovable built items (e.g. water supply, sanitation, drainage, etc.), at current market prices of the same building materials plus the current costs of labor to build them.
d. Current market prices of trees and other assets, which are irreplaceable. Price of fruit trees will be determined considering the maturity and harvest price of fruits.
e. Current market prices of crops in the field or on trees, if the lands are used before harvest.
f. If the acquired land is agricultural and amounts to 10% or more of the total productive land owned by the affected household, a transition allowance at three times the value of the crops produced in a year on the acquired land, needs to be included in the entitlements.
g. The compensation and resettlement and rehabilitation entitlements are not to be subjected to any taxes (such as tax deducted at source, income tax , capital gains tax, customs tax, excise tax, VAT, etc.), duties, levies, etc.; while making the payment or after. All these will be borne by BLPA. Further all the transaction costs, if any, for making these payments will be borne by the BLPA.

5.4.3.4 Displacement from Homesteads

a. **Displaced from private lands:** Relocation assistance to the affected households who can arrange their relocation on their remaining land or by purchasing alternative lands. The land owners will be paid compensation for land and structure.
b. **Displaced from public lands:** Relocation assistance for Persons without title to the land and unauthorized occupants in their self-relocation process by their own. They will receive cash compensation for their structure at replacement cost, transfer and reconstruction grants, and other cash entitlements plus salvageable materials at no cost. This will be decided case by case during implementation.

If the displaced households from homesteads are more than 20, then a resettlement colony will be built by BLPA. The houses will be allotted to each of the displaced and registered in the name of both spouses.

5.4.3.5 Loss of Business, Employment and Rental Income

Temporarily closed businesses: Where business activities come to a complete closure temporarily during construction, the owners will be paid for income loss at rates based on average daily net income for the minimum number of days needed to reopen the

individual businesses or to complete the civil works but not over 30 days. This will be applicable to owners opting for temporary relocation too.

Partially affected businesses: Where business premises are partially dismantled and the remainder is structurally safe and useable, compensation, calculated as above, for the minimum number of days needed to repair and reopen the individual businesses or to complete the civil works but not over 30 days.

Businesses completely displaced from present premises: Owners of affected business will be compensated for loss of income for 60 days in case of small businesses and 45 days in case of large scale business based on average daily net income from the business. They will be assisted in relocating their business in new locations. Owners of businesses opting for permanent relocation will be entitled for this assistance.

Loss of employment income from displaced businesses (Temporary or Permanent): Persons who have been continuously employed by the displaced or temporarily closed businesses for at least six months up to the day of the PAP census (cut-off date) will be compensated for the period until their employers restart their operations, or for a maximum of 30 days at the rate of current daily wage rate in the Project area. The daily wage paid by the employers will be the basis for assessing wage rates for the employees.

Loss of income from rented-out premises: Three months' rent at the current rates for loss of rental income from premises affected on private lands and disadvantaged households on public lands. PAPs' land holdings and total income from all sources have to be captured during RPF implementation for determining vulnerability.

If the displaced businesses are more than 20, then a shop complex will be built by BLPA. The shops will be allotted to each of the displaced and registered in the name of both spouses.

5.5 Eligibility and Entitlement Matrix

5.5.1 Eligibility Criteria

All PAPs irrespective of their title will be entitled to compensation and assistance based on loss and impact categories identified through census survey in respect of the policy guidelines adopted for the project. Nevertheless, eligibility to receive compensation and other assistance will be limited by the cut-off date. The absence of legal title will not bar PAPs from compensation and assistance, as specified in the entitlement matrices.

PAPs with titles will receive compensation under law and those without title will receive cash entitlements under the RPF policy. Title owners will receive additional compensation on top of DC's payment dispossession. Disadvantaged PAPs will qualify for additional assistance to facilitate their relocation and restore their livelihood status.

Non-disadvantaged households with structures affected will be entitled to compensation for structures and assistance for shifting and reconstruction of the same.

5.5.2 Compensation and Entitlements

An Entitlement Matrix has been prepared for the project on the basis of field study and consultations with all stakeholders, in particular the PAPs and government officials, as a part of preparing the resettlement policy framework. A person could be eligible for compensation/entitlement in more than one category of losses and in more than one mouza. DCs will pay CCL for each mauza separately for one person whose lands/assets have been acquired in more than one mauza[5]. Entitle matrix is given below under table 11:

[5]The awards or CCLs are determined under units of Mauza (minimum boundary under land administration system in Bangladesh). As a result, a person becomes entitled to as many awards or CCLs as the number of mauzas where his/her property is acquired. The awards are paid separately for each mauza and each category of losses i.e. land, structure, trees, etc.

Table 9: **Entitlement Matrix**

Entitled Person	Entitlement	Application Guidelines	Responsibility
• A.1 : Loss of Agricultural Land	•	•	•
• Legal owner(s), as determined by DC • Land owners under the category of communal/customary ownership practice • Co-sharers of the acquired land	• Cash Compensation under Law (CUL), which includes 50% premium • Compensation for standing crops • Other compensation and benefits as per LA law	• Market prices of land determined by the DC. • In the case of customary ownership, certification by the *mouza* Headman/Circle Chief, further attested by the DC • One month's advance notice to be issued in time to harvest standing crops. • Standing crops (if any) will be assessed at the time of taking over land by DC.	• BLPA is responsible for overall execution and coordination, • DC will pay CUL to all legal owners • BLPA to inform PAPs of RAP policies, assist in updating records, etc.
A.2 : Loss of Homestead Land	•	•	•
• Legal owner • Land owners under the category of communal/customary ownership practice • Co-sharers	• Cash Compensation under Law (CUL), which includes 50% premium on market price.	• Market prices of land • In the case of customary ownership, certification by the *mouza* Headman/Circle Chief, further attested by the DC • Rental Allowance	• Same as A.1
A.3: Loss of Ponds and Fish Stock	•	•	•
• Legal owner of the pond, • Land owners under the category of communal/customary ownership practice • Legal tenant as per registered lease.	• Cash Compensation under law (CUL), which includes 50% premium and cost of digging. • If the pond is under lease compensation from DC as per lease conditions.	• Market price for pond. • In the case of customary ownership, certification by the *mouza* Headman/Circle Chief, further attested by the DC • If the fishpond is on public land or on vested land and under lease from GoB, the PAP is entitled to compensation for existing fish stock at current market price as per law.	• DC will pay CUL to all legal owners, genuine lease holders and those with the legal evidence of interest in the lands. • DC will determine CUL of fish stock and market price of pond with assistance from concerned departments.
A-4: Loss of Houses/Structures Used for Living and Commercial Activities	•	•	•

• Legal owner as determined by DC	• Cash Compensation under law (CUL), which includes 50% premium.	• Legal Owners: Applies to all houses/structures standing on the acquired private lands at the time of issuance of Notice-3.	• DC will pay CUL for structures to all legal owners, • DC will determine CUL
A-5: Loss of Trees, Bamboo and Banana Groves	•	•	•
• Legal owners as determined by DC • People with valid lease • Land owners under the category of communal/customary ownership practice • Groups sponsored by public agencies/ NGOs.[6]	• Timber trees and bamboos: Compensation under law (CUL) at market price. • Fruit-bearing trees (without timber value) and banana groups: Compensation under law (CUL) at market price.	• Estimated market value of different species of trees as per LA law, based on categorization as per Divisional Forest Office. • In the case of customary ownership, certification by the *mouza* Headman/Circle Chief, further attested by the DC • Where ownership is in group, compensation will not be paid to any individual or the sponsoring agency, but market price of trees will be paid to group members as per their share.	• DC will determine market price of trees • BLPAto inform PAPs of RAP policies, assist in updating records, • DC will determine CUL based on price provided by Forest Department.
A-6: Loss of Standing Crops	•	•	•
Cultivator (person who planted the crop) whether owner, legally recognized lease holder, tenant, sharecropper, etc. as identified by DC	• Compensation for standing crops	• Estimated market value at harvest, to be determined by DC • Advance notice to be issued in time to harvest the standing crop.	• DC will determine market price of crops with assistance from Department of Agriculture Extension and Marketing Department at district level
B: ADDITIONAL COMPENSATION/GRANTS	•	•	•
B.1 Loss of Agricultural Land	•	•	•
• Legal owner(s), as determined by DC	• Compensation Top-up on CUL to reach Replacement Cost, where applicable.	• Current market prices of land determined by the PAVC	• BLPA is responsible for overall execution and coordination

[6]NGOs or public agencies enter into contracts with groups of community peoples under the Social Forestry Rules 2004 (revised March 2010) for social forestation on slopes of flood embankments, roads, railway embankment, riversides or any other public spaces. These groups are not owner of the land but get a share of the revenues from the planted trees (sale of logs and residues) as they are also responsible to nurse the trees under the contract.

• Land owners under the category of communal/customary ownership practice • Co-sharers/ to be determined by title deeds/records by DCs. **Current owners and users of vested property (land) or without lease (to be identified by the PAVC during survey) (VP Act is not applicable to the CHT and hence, there are no Vested Properties in the region).**	• Transition allowance (TA) for two crops @ BDT 300/dec/ crops • Rental allowance for vested and non-resident (VNR) property (without lease) equivalent to DC's rate fixed for legally leased VNR.	• In the case of customary ownership, certification by the *mouza* Headman/Circle Chief, further attested by the DC • Replacement Cost includes current market price (CMP) plus stamp duty and registration cost for titling. @ 10 % of CMP • One month's advance notice • Compensation Top-up will be paid by BLPAand calculated when CUL is less than Replacement Cost. • TA will be paid to a person losing any quantity of productive land area @ BDT 300 per decimal/crop for two times	• DC will pay CUL to all legal owners, and those with the legal evidence of interest in the lands. • BLPA will determine Replacement Cost with assistance from the projects' Property Assessment and Valuation Committee and the RAP Implementing Agency
B.2 : Loss of Homestead Land	•	•	•
• Legal owner(s), as determined by DC • Co-sharers to be determined by title deeds to be determined by DC • Land owners under the category of communal/customary ownership practice • Current owners and users of vested property (land) without lease (There is no Vested Property in CHT. The VP Act is not applicable to the region.)	• Compensation Top-up on CUL to reach Replacement Cost, where applicable. • Homestead Development Allowance (HDA) for title holders and persons without title to the land • Restoration of pre-acquisition level basic utilities (water supply, sanitation, electricity, etc.) at relocated site. • Rental allowance (RA) for comparable living accommodations to owner users of lands.	• Current market prices of land determined by the PAVC to be the basis for determining Replacement Cost and Compensation Top-up. • In the case of customary ownership, certification by the *mouza* Headman/Circle Chief, further attested by the DC • Replacement Cost includes current market price and stamp duty & registration cost for titling @ 10% of CMP. • Compensation Top-up will be paid by BLPA • HDA for titled holder @ BDT 20,000 for each HH and for Persons without title to the land it is BDT 50 per square feet of floor area of affected primary structure • Rental Allowance (RA) will be determined by PAVC and paid to owner users of vested property without lease.	• BLPA is responsible for overall execution and coordination, ensuring GOB's support and timely financial disbursements. • DC will pay CUL to all legal owners • DC will determine CUL and BLPA will determine Replacement Cost with assistance from the projects' Property Assessment and Valuation Committee.
B.3: Loss of Ponds and Fish Stock	•	•	•

Legal owner of the pond to get compensation for land area, while Persons without title to the land to get compensation for fish stock.	• Compensation Top-up payment on CUL to reach Replacement Cost • Market price of fish stock (PFS) and PAPs are allowed to harvest and take away the fish stock.	• If the fishpond is on public land or on vested land and not under lease from GoB, the PAP is entitled to compensation for existing fish stock at current market price	• BLPA is responsible for overall execution and coordination, ensuring GOB's support and timely financial disbursements. • BLPA will determine current market price of fish stock and Replacement Cost of pond with assistance from the PWD.
B.4: Loss of Houses/Structures Used for Living & Commercial Activities	•	•	•
• Legal owner as determined by DC	• Compensation Top-up payment on 0DC's CUL to reach the replacement cost • Structure Transfer Grant (STG) • House Construction Grant (HCG) • Disadvantaged and female headed households will get special cash assistance. • All house/structure owners are permitted to take away the salvageable building materials free of cost.	• Legal Owners: Applies to all houses/structures standing on the acquired private lands at the time of issuance of Notice-3. • Persons without title to the land will be paid compensation (replacement cost) for all structures built on public lands. • Shiftable Structure - Structure transfer grant (STG) for shiftable structures will be @ 10% (ten percent) of the replacement cost of structures and House construction grant (HCG) @ 10% (ten percent) of the replacement cost of structures; • Non-Shiftable Structure - STG only for non-shiftable structures @ 10% of replacement cost of the structure. • Disadvantaged households: One-time cash assistance @ BDT 5,000 (five thousand). • Women headed disadvantaged households without adult male members to shoulder household responsibilities will get additional one-time cash assistance of BDT 5,000 (five thousand).	• BLPA to inform PAPs of RAP policies, assist in updating records, pay Top-up, HCG, STG, HDA and SGB, and monitor and report progress on RAP implementation. • BLPA will determine Replacement Cost of structures with assistance from the PWD.

		• Small mobile structures on wooden or bamboo legs (poles not fixed on ground) which can be shifted without dismantling (structures on legs) are not eligible for compensation (small pan-bidi shops, groceries, tea stalls, etc.) but will be assisted in finding alternative location and given Structure Transfer Grant (STG) to cover any damage and cost of shifting @ 10% (ten percent) of the replacement cost of structures. • Tenants of residential or commercial premises will be eligible for shifting grant of BDT 5000 (five thousand) for shifting of belongings and one month rental allowance @ BDT 3000 (three thousand).	
• Non-titled persons and Persons without title to the land those own houses/structures built on public lands/BLPA's lands (shops and residences)	• Replacement cost of structures determined by PAVC. • Structure transfer grants (STG) and House construction grant (HCG) for houses/structures. • Eligible for plot of 4.00 decimal at CUL value in the RS if they desire so. • Homestead Development Allowance (HDA) for land development • Disadvantaged and female headed households will get special cash assistance. • All house/structure owners are permitted to retain the salvageable building materials.	• Same as above	• Same as above
• B.5: Loss of Trees, Bamboo and Banana Groves	•	•	•
• Legal owners Socially recognized owners, such as Persons without title to the land	• Compensation Top up (if any) on DC's CUL for timber trees, bamboo, fruit bearing trees (with timber), etc. and	• Estimated market value of different species of trees, based on categorization as per Divisional Forest Office.	• BLPA to inform PAPs of RAP policies, assist in updating records, pay market price Top-up,

• People with valid lease from GOB agencies. • Groups sponsored by public agencies/ NGOs.[7]	30% of timber value in case of fruit bearing trees. • Banana groves: Compensation Top up on DC's CUL estimated for one time crop of each grown-up tree on private land or current market value planted on government land (not covered by DC). • Trees grown under public/NGO sponsored program	• Value of fruits for the grown up (big and medium) trees will be calculated as 30% of timber value for one year. • Where ownership is in group, compensation will not be paid to any individual or the sponsoring agency.	HCG, TRG, and CS, and monitor and report progress on RAP implementation. • DC will determine CUL and BLPA will determine Replacement Cost of structures with assistance from the projects' Property Assessment and Valuation Committee
• B 6: Loss of Standing Crops	•	•	•
• Cultivator whether owner, lease holder, tenant, sharecropper, etc. (formal or informal arrangements) identified by Census and verified by PAVC.	• Compensation Top up (if any) on DC's CUL for legal owner and market price of crops planted on GoB land by local people • Cultivator will retain the crops and plants.	• Estimated market value at harvest, to be determined by PAVC. • Advance notice to be issued in time to harvest the standing crop.	• Same as above
B.7 Loss of Community Properties	•	•	•
• Community/ Managing Committee of the affected Community properties constructed on Private/ Wakf or Government land including access to graveyards and immersion points	• Compensation Top-up on DC's CUL to reach the Replacement Cost or Replacement Cost in case of non-payment by DC. • Structure Transfer Grant (STG) • House Construction Grant (HCG). • •	• Project Authority and consultant will consult the Community including Managing Committee to finalize relocation site of the new community structure • Community structure will be better or at last similar to the previous one if it is constructed by the project. • If the structure is constructed by the managing committee, the project will ensure monitoring during construction. • In case on mosque, the affected one cannot be demolished until new one is constructed	• BLPA to inform PAPs of RAP policies, assist in updating records, pay Top-up, STG, HCG, and monitor and report progress on RAP implementation. • BLPA will determine Replacement Cost of structures with assistance from the projects' Property Assessment and Valuation Committee and the INGO

[7] NGOs or public agencies enter into contracts with groups of community peoples under the Social Forestry Rules 2004 (revised March 2010) for social forestation on slopes of flood embankments, roads, railway embankment, riversides or any other public spaces. These groups are not owner of the land but get a share of the revenues from the planted trees (sale of logs and residues) as they are also responsible to nurse the trees under the contract.

C. OTHER RESETTLEMENT BENEFITS	•	•	•
C.1: Loss of Business Income from Displaced Commercial Premises	•	•	•
• Business operators in the affected permanent premises (title-holders and non-title holders; whether owning or renting premises) • Owner of the rented-out premises situated on private and public lands	• Compensation for loss of business/ trading income. • Cash assistance for 30 (thirty) days for temporarily relocation business • Cash assistance for 60 (sixty) days net income for Permanently relocated business • Compensation for loss of rental income from rented-out premises on the right of way.	• Compensation for loss of permanent loss of business income for large-scale[8] business premises based on average daily net income but not over 1000 (one thousand) per day for 45 (forty five) days as determined by PAVC. • Compensation for loss of permanent loss of business income for small and medium business premises based on average daily net income but not over BDT 500 (five hundred) per day for 60 (sixty) days as determined by PAVC. • Partially and temporarily affected business owners will receive compensation for the number of days needed to repair and/or reopen the businesses not exceeding 30 (thirty) days @ daily net income but not over BDT 500 (five hundred)/day. • Three months' rent to owner of the rented out premises on private land, as determined by PAVC.	• DC may determine compensation for loss of business income based on onsite verification jointly with BLPA or only consider business structures. • BLPA will determine average net daily income from affected businesses with assistance from the projects' Property Assessment and Valuation Committee and the IA and based on findings will determine compensation for loss of business/rental income. • BLPA to inform PAPs of RAP policies assists in updating records, pay Top-up or market price, and monitor and report progress on RAP implementation.
C 2: Temporary Loss of Income (Wage Labors in affected shops)	•	•	•
• Adult persons employed continuously for at least six months in businesses displaced from private and public lands.	• Grant to cover temporary loss of income (GTL) from wage employment	• Length of employment to be counted backward from the cut-off date. • GTL will be equivalent to 30 days wage at the rate of daily wage at current market price determined by PAVC.	• BLPA will determine average daily wage rate in the project area with assistance from the projects' Property Assessment and Valuation Committee and the IA

[8] Business premises operating large business such as industry, wholesale depot, etc. and having Income Tax certificate

			and based on findings will determine compensation for loss of wage.
• Women and other Disadvantaged persons	• Additional allowance of 30% over and above the entitlements • Women will be actively considered and will get employment opportunities in created by project and as specified in RPF.	• RPF guidelines for women and other disadvantaged • Specific complementary/supplementary income restoration programmes such as, business grants, agricultural grants, income generation activities, etc.	• BLPA Environment and Social Cell
• Any other impacts	• To be decided in keeping with the principles of this RPF.	• To be decided in keeping with the principles of this RPF.	• MoS/ BLPA

Note: The entitlements for loss of livelihoods needs to be decided on a case to case basis, appropriate to mitigate/ offset the severity of impacts, based on the findings of social assessment.

5.6 Community Engagement

BLPAwill ensure the engagement of target communities through continued consultations for planning and full community management of implementation and monitoring of sub-project activities. Consultations will be held at regular intervals with target communities, GS/ GP/UP members, Women, etc. In general, the following consultations will be carried out during the project cycle. In the case of CHTs and tribal communities in general, this will include their representative institutions such as Karbari, Headmen, Circle Chiefs and representatives of other traditional social structures.

- Socio-economic survey for preparing the baseline of the PAPs and disadvantaged families
- Estimation of land requirement; possibilities of willing sale
- Motivation of titleholders to facilitate the willing sale
- Implementation of the IEC/ Communication plan for awareness creation about project activities
- Identifying livelihood support programs
- In order to keep the momentum of engagement, activity specific consultations and a quarterly overall consultation will be held with all community groups.

5.6.1 Stakeholder Participation

BLPA recognizes the fact that affected communities are primary and key stakeholders of the project. Hence, the BLPA would ensure that these stakeholders are consulted on issues and they participate in all the sub-project activities including planning and implementation. The BLPA would address the legitimate concerns of community members and provide opportunities and avenues for consultation and their participation. In order to provide a sense of ownership and ensure sustainability, the community members would be a part of the decision making process. The project has a commitment for community participation in each of the sub-projects taken up.

5.7 Special Attention to Women and Other Disadvantaged Groups

The disadvantaged groups include Women Headed Households, Destitutes, Below Poverty Line families, Small Ethnic Communities, Old Aged, Differently Abled, Chronically Ill and Orphans. It is envisaged that in the course of conducting Social Assessment and preparing and implementing Social Management Plans and Resettlement Action Plans, interests of these disadvantaged groups would be adequately addressed and protected.

5.7.1 Disadvantaged Groups

Like in other projects, as per available experience, in these sub-projects as well, women are likely to experience differential socio-economic setbacks due to their disadvantaged positioning within socio-economic structures and processes. This is likely to be manifested most in the adverse conditions to their participation and engagement. In

order to mitigate such impacts, BLPA during verification and socio-economic survey shall collect information on the following:

- Number of women headed households and Small Ethnic Communities households and other disadvantaged persons
- Socio-demographic characteristics of affected women and Small Ethnic Communities and other disadvantaged groups
- Health status including number of children per woman
- Women's role in household economy by collecting information on usual activity; occupation; etc.
- Time Disposition
- Decision making power among women

As women are often the worst victims of transition between poverty and alleviation, they have to be integrated in the project as full-fledged participants taking part in all the stages of the project starting from planning through implementation and on to the post-project stages. This is the only way to make sure that the process of restoring living standards an exercise in equitable distribution of resources and benefits in a gender sensitive manner.

5.7.2 Actions to be taken

The BLPA and its representative offices has to perform following tasks:

- Ensure participation of disadvantaged groups in project activities
- Ensuring project benefits to disadvantaged persons
- Carrying out other responsibilities towards disadvantaged groups

Participation and engagement of women and other disadvantaged groups can be ensured specifically in the following ways:

- During the project initiation, conduct a survey and identify Women and Other Disadvantaged Groups in the village. Document their details, socio-economic status, poverty, vulnerability, etc. during this survey.
- Ensure that the women and other disadvantaged groups are consulted and invited to participate in group-based activities, to gain access and control over the resources.
- Ensure that women and other disadvantaged groups are actually taking part in issuance of identify cards, opening accounts in the bank, receiving assistance amounts through cheques in their name, etc. This will further widen the perspective of participation by the women and other disadvantaged groups in the project implementation. While registering properties make sure they are registered in both the spouses names.
- Provide separate trainings to women and other disadvantaged groups for upgrading the skill in the alternative livelihoods and assist throughout till the beneficiaries start up with production and business.
- Initiate women's Self-Help Group linking with special development schemes of the Government. Also form special SHGs for other disadvantaged groups where possible and required.

- Encourage women and other disadvantaged groups to evaluate the project outputs from their point of view and their useful suggestions should be noted for taking necessary actions for further modifications in the project creating better and congenial situation for increasing participation from women and other disadvantaged groups.
- Wherever possible, women and other disadvantaged groups involvement in construction activities should be encouraged in order to help them have access to benefits of project activities.

All these done in a participatory manner might bring sustainable results in positive outcomes including income improvement of women and other disadvantaged groups.

5.7.2.1 Other Actions

The following actions would result in women and other disadvantaged groups' participation and their engagement.

- Cases of assistance to disadvantaged groups/ persons should be handled with care and concern considering their inhibited nature of interaction.
- All assistances would be paid in a joint account in the name of both the spouses; except in the case of women headed households and women wage earners.
- BLPA representatives shall prepare a list of able bodied and willing women and other disadvantaged persons for constructional activities and utilize their services.
- At present there are not many women among the project staff. It should be noted that this project primarily interacts and deals with women at village level, but the number of women staff at cluster, district and regional level is far below that of men. Hence, at least half (subject to a minimum of one third) of the project staff and all other involved agencies (including consulting agencies) staff should be woman. When qualified/ skilled women are not available, women with lesser qualifications/ skills may be employed and trained. They may be encouraged and facilitated to obtain the necessary qualifications and/or skills during the employment. Women personnel may be replaced during the period of project contract, only with women persons of equivalent qualifications and experience.
- Same wage rate for men and women must be ensured.
- Small ethnic communities' population identified and they should be given first preference in selection for any project benefit, viz., infrastructure, demonstration projects, tube wells, livelihoods, etc.
- The petty contracts arising out of the sub-project should be considered for entrusting to SHGs on community contract basis.
- While selecting community members for training at least half of them should be women and disadvantaged persons.

5.8 Small Ethnic and Disadvantaged Communities Development Framework

A stand-alone SEDCDF is prepared for the project.

5.9 Grievance Redress Mechanism (GRM)

5.9.1 Objective of the GRM

The Project will establish a project level Grievance Redress Mechanism (GRM) which will be implemented by Project Implementation Unit (PIU) at BLPA with an aim to respond to queries or clarifications about the project, resolve problems with implementation and addressing complaints and grievances. The GRM will focus on corrective actions that can be implemented quickly and at a relatively low cost to resolve identified implementation concerns before they escalate to the point of harm or conflict. GRM will serve as a channel for early warning, helping to target supervision to where it is most needed and identify systemic issues.

The GRM will directly focus on and seek to resolve complaints (and requests for information or clarification) that pertain to outputs, activities and processes undertaken by the Project, i.e., those which (i) are described in the Project Implementation Manual; (ii) are funded through the Project (including counterpart funds); and (iii) are carried out by staff or consultants of the organization, or by their partners and sub-contractors, directly or indirectly supporting the project. It is envisaged that such cases would fall under (but are not limited to) the following categories:

- request for information, comment or suggestion, e.g., request for clarification as to the delay in reimbursing expenses of participants in a given training event;
- violation of rights or non-performance of obligations, e.g., complaint by consultant or firm whose contract is suspended as a result of presumed poor performance or non-delivery of agreed-upon outputs;
- grievances or offenses involving a violation of law, e.g., allegations of corruption; and
- complaints against project staff, members of project committees, consultants, and sub-contractors involved in project implementation

GRM will be implemented in two phases: 1) Phase 1 to support safeguards implementation, 2) Phase two of GRM will cover all components and overall project implementation. A formal grievance redress process for phase two will be outlined in the project's operational manual and a protocol will be set up and distributed to project staff and implementers. The project level protocol will build on existing GRM system developed by BLPA and experience of the initial GRM protocol which supports implementation of the safeguards explained below. The GRM will be IT based supported by toll free helpline.

It is envisage that the Project Implementing Unit (PIU) will have a dedicated person who can oversee the preparation of the guidelines and rollout of the project GRM. The Secretary of BLPA will be responsible for overseeing the overall GRM.

5.9.2 Scope of GRM

In the first phase the project will focus on establishing protocol and procedures for GRM related to safeguards as required per Bank policies. Bank-financed projects that trigger the OP 4.12 on Involuntary Resettlement require projects to establish a GRM in order to collect grievances related to the resettlement process which applies to this project. The scope of such GRM is relatively narrow, as it only solicits complaints from project beneficiaries that are affected by project activities and covered by dedicated Resettlement Action Plans (RAPs) thus the project protocol will be extended and expanded later to cover all project related grievances throughout project cycle.

In phase two, the project-level GRM will not only aim to address social but also environmental, financial management, procurement and other issues and will build on grievance system practices set up to meet requirements of OP 4.12.It will also build on existing informal and traditional structures of grievance redress—such as village committees and local user groups involved in delivery of the project and may be a cost-effective and a more accessible approach to grievance redress. However, its impartiality would need to be carefully examined before relying on traditional systems. Given that poor and marginalized communities often face the most obstacles in accessing and using GRMs, throughout the design process special attention must be given to integrating design features that make GRMs participatory and socially inclusive.

5.9.3 Phase One - GRM under Safeguard Issues

In the first phase of the GRM, the proposed GRM will build on existing BLPA GRM system and will be supported to setting up of Toll Free number to register complaints for which the back of system will need to be developed to ensure that the following steps are followed:

A. List of front line staff, district and PIU with clear roles and responsibilities and the contact details. This is required to forward the complaint to the concerned official responsible for the task that may generate complaint and will be responsible for resolving too.
B. Outsource only the management of the system "receiving, registering, forwarding and closing the grievance".
C. Grievance will be addressed by the concerned person responsible for the task.
D. During this phase the GRM would cover all grievances apart from the resettlement related issues.

Given below is the suggested work-flow:

- Receive Complaint through the toll free number.
- Register Case no by issuing a complaint number to the complainant; Date and channel of receipt; Name of complainant; Gender, Father or husband, Complete address,
- Nature of compliant – list of options (loss of land/property or entitlements),
- Forward the compliant to the concerned person immediately via SMS.

- Within five days complain examined and resolved and reported on line.
- If not resolved within five days, SMS alert is sent out by the system to senior management.
- Complaint investigated and resolved within seven days from the date of receiving the complaint.
- Confirmation received from complainant on grievance redress and ticket number closed.
- Monthly reports to be generated from the system that provides feedback to improve the process of implementation of RPF.

Option for the complainant to move to the court is available under the existing laws

5.9.4 Phase Two – Establishment of Implementation Arrangements for Setting up Project Level GRM

This phase will start along with the start of civil works/ contracts. Experience from the phase one of GRM implemented to support social and environment safeguards will be used to extend the protocol and inform the design of project wide GRM. The project PIU will need to identify groups of users that are likely to use the GRM and assess the resources—human, financial, and technological—that are available (and required) for the GRM to function effectively while establishing the protocol to support all project components and implementation. PIU will need to develop standard operating procedures and flowcharts to detail how the grievance redress process will unfold within the project's operating structures and how it will be monitored and reported on. In the case of the CHTs and tribal communities, the GRM will include representatives from their traditional social/customary institutions and will give due importance to alternative dispute resolutions mechanisms practiced by communities through their customary leadership. The overall process will be overseen by BLPA Chairman. More specifically;

- Assign a dedicated GRM officer at the PIU (e.g. drafting operating procedures, guidelines and manual, and stand-alone information for GRM staff and users); and assign grievance redress responsibilities and train staff at the local level to handle grievances
- Raise awareness of the availability of the GRM through project-related events and by posting information about the GRM in public locations / project sites(e.g. via project boards)
- The communications strategy should aim to reach out to poor and marginalized groups and communication materials should be translated into local language
- Accept grievances through a variety of locally-appropriate channels (e.g., in-person, phone – set up toll free number, email);
- Register all grievances (e.g., ensure that all complaints lodged through local authorities are logged and tracked, and that data on resolutions is made public)
- Follow a clear and transparent procedure of complaint investigation (e.g., field visits, inspection of contractors and/or local project implementation teams, discussion with relevant service providers, etc.)
- Take a remedial action within a specified amount of days

- Monitor and evaluate grievance-related data

5.9.5 Legal Options to Aggrieved Parties

The aggrieved parties will have two kinds of options for addressing their grievances. One is the grievance redress mechanism incorporate in this framework as above. The other is the general legal environment consisting of court of law to address their grievances. These options will be disclosed to the communities during the public consultation process.

5.9.6 Grievance Redress Service of The World Bank

In addition to seeking to resolve their grievances through the GRM established at the government level, "communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project such as this operation may also submit complaints to the Grievance Redress Service (GRS) established by the World Bank. The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may also submit their complaint to the WB's independent Inspection Panel, after having brought the complaint to the World Bank's attention through its GRS. Information on how to submit complaints to the World Bank's Grievance Redress Service is available athttp://www.worldbank.org/GRS. Information on how to submit complaints to the World Bank Inspection Panel is available atwww.inspectionpanel.org.

5.10 Institutional Arrangements and Capacity Enhancement

BLPA will arrange for RPF/ RAP/ ARAP implementation and monitoring mechanism. The Project Implementation Unit (PIU) will have a Environmental and Social Cell in the PIU. These arrangements are given in Figure 3. At overall project level all RPF/ RAP/ ARAP oversight will be ensured by BLPA. A Joint Director of BLPA will head the Environmental and Social Cell of BLPA. Two Deputy Directors, one each in charge for Environment and Social aspects of the project. The Deputy Director Social will be assisted by a Senior Land Acquisition and Resettlement Specialist and two other consultants each in charge for Community Engagement and Gender. The ESIA consultants will conduct ESIAs for sub-projects and prepare RAPs. The Supervision Consultants and Contractors will have Environmental and Social Specialists to supervise and implement RAP/ARAP provisions. NGOs will be commissioned for implementation of RAPs/ ARAPs. M&E Consultants will do the quarterly monitoring and mid-term and end-term impact evaluation and assessments. The arrangements for overseeing RPF compliance and RAP/ ARAP implementation are given in Table 13.

The following are the functions of Senior Land Acquisition and Resettlement Specialist and Social Team:

- Ensuring overall implementation of the RFP/ RAP/ ARAP in the project.

- Coordinating on a day-to-day basis with the implementing agencies for implementation of the RFP/ RAP/ ARAP.
- Advising and assisting the BLPA and implementing agencies during the appraisal of the sub-projects to be taken up.
- Acting as an early warning system for the BLPA with regard to the actions to be taken as per the RFP/ RAP/ ARAP.
- Preparing regular quarterly reports on the social compliance for the BLPA for its own use or for transmission to The World Bank
- Ensuring that recommendations from supervision and monitoring are integrated into the project and the RFP/ RAP/ ARAP is updated periodically as necessary.
- Conducting social supervision of sub-projects on a quarterly/ half yearly basis.
- Taking all those actions which are necessary for effective implementation of the RFP/ RAP/ ARAP.
- Training and orientation of the PIU and implementing agencies' teams on the requirement, application and implementation of the RFP/ RAP/ ARAP.
- Reviewing the monitoring and evaluation reports submitted by the M&E Consultants to check compliance with the RFP/ RAP/ ARAP, as applicable to the sub-component/activity.
- Regularly visit project sites to review compliance with RFP/ RAP/ ARAP.
- Provide guidance and inputs to the BAPEPS and implementing agency teams on social management aspects.
- Ensure that GRM is functioning and act as a single point of contact for resolving queries related to social issues.

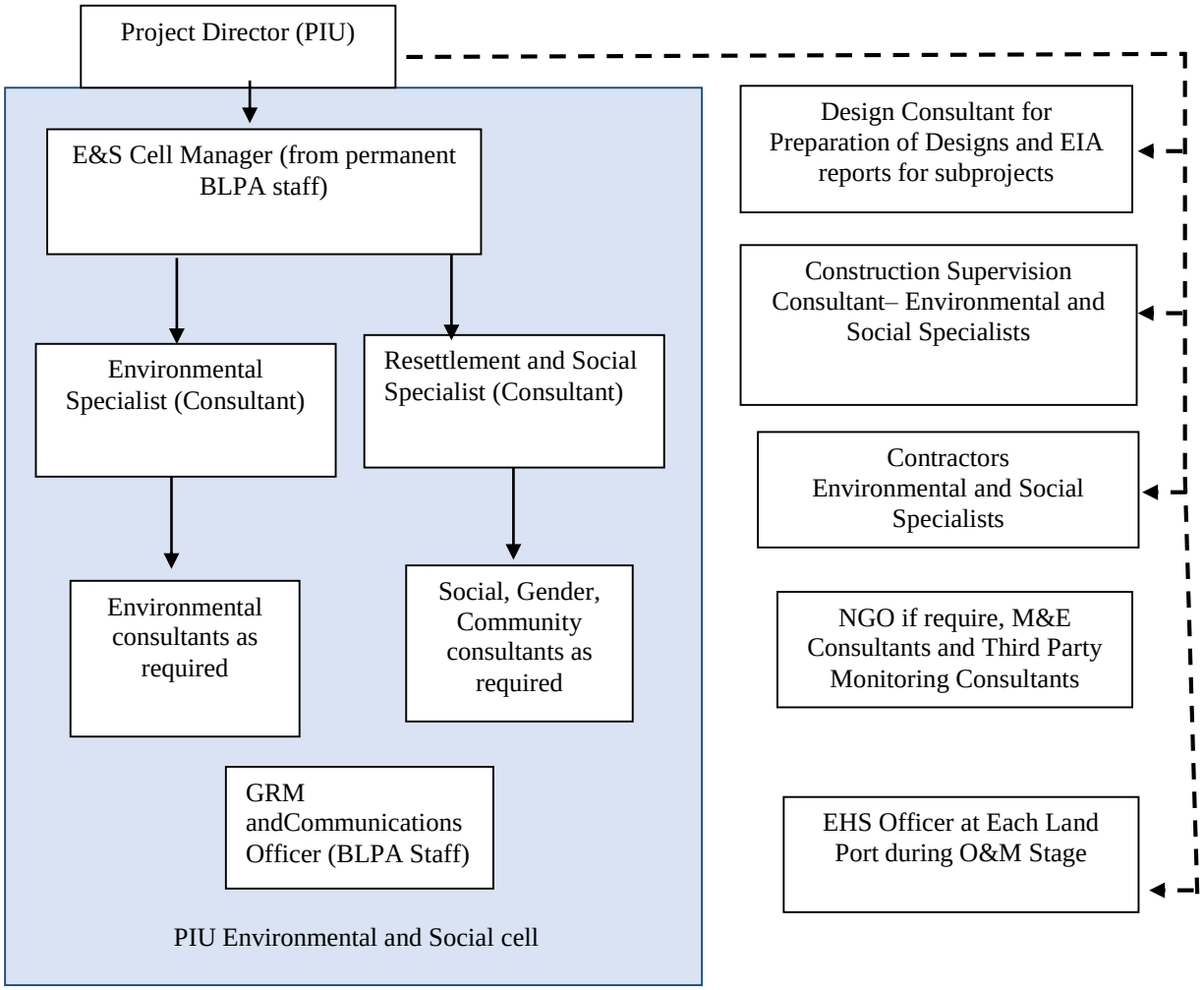


Figure 5:Institutional Structure for Environmental and Social Management ofthe Project

Table 10: Institutional Arrangements and Functions for RPF Compliance

Level	Organisation	Functions
Project	BLPA Environment and Social Cell	➢ Orientation and training to Field Units on RPF/ RAP/ ARAP and providing oversight on the SIA process and its outputs. ➢ Assisting in fulfilling requirements for all Category sub-projects ➢ Review of monitoring reports submitted by the M&E Consultants on RAP/ ARAP implementation. ➢ Regularly visiting sub-project sites to review RPF compliance during sub-project planning and implementation. ➢ Providing guidance and inputs to the Field Units on social management aspects. ➢ Managing Monitoring Evaluation of RPF/ RAP/ ARAP implementation. ➢ Preparing Quarterly Compliance Reports and sharing them with The World Bank. ➢ All the actions related to ensure compliance with RPF.
Field	NGO	➢ Managing RPF/ RAP/ ARAP implementation and monitoring ➢ Collecting data for monitoring. ➢ Providing social assistance to communities. ➢ Coordination with the other agencies for RPF compliance. ➢ Monthly reporting on RPF compliance to BLPA. ➢ All the actions related to ensure compliance with RPF as directed by BLPA. ➢ Compliance screening and Categorization of all sub-Projects and support in preparation of RAPs/ ARAPs.

5.11 Monitoring, Evaluation and Assessment

An M&E Consultants will be commissioned to conduct quarterly monitoring and evaluation and report to BLPA. The quarterly monitoring and evaluation will be done by these consultants. They will visit about an appropriate percentage of all category sub-projects, as decided byBLPA. They will prepare appropriate formats for monitoring. BLPAwill send quarterly Monitoring Reports on RPF compliance to The World Bank. The M&E Consultants will conduct mid-term and end-term evaluation of RAPF/ RAP/ ARPA implementation. There is a need to internalize the Social Safeguards Management processes at all levels, as these cannot be treated as stand-alone and parallel functions any more. This internalization of social processes helps in better implementing the safeguards provisions, provided the capacity of implanting supervising agencies is adequately built in Safeguards Management.

Given the complexity of the project, there will be periodic independent monitoring by external expert(s), recruited by BLPA. The frequency, for the first year will be once in every 4 months in the first year and subsequently every six months. The monitoring reports by the independent external experts will be shared with the relevant stakeholders including the World Bank.

5.11.1 Social Monitoring Indicators

The monitoring indicators are presented in table 14. While these are general, indicators can be added based on the sub-projects.

Table 11: Social Monitoring Indicators		
Monitoring Indicators	**Frequency**	**Agency**
• Payment of compensation and entitlements before replacement • Time taken for land acquisition • Number of grievances registered and resolved • Number of court cases • Income patterns • Land holding status • Income from land • Changes in occupations • Housing status (area, floor, walls, roof, etc.) • Ownership of household assets • Length of rural roads (connectivity to nearest land ports) • Journey time • No. of training programs conducted • No. of personnel trained • Trainees' understanding of the training content • Achievement of learning objectives • Adherence to contract conditions and standards (housing, sanitation, crèches, use of local labour, equal wages to men and women, avoidance of child labour, etc.) • Absence of inconvenience and nuisance during implementation • Adherence to RPF/ RAP/ ARAP provisions/ guidelines during sub-project preparation and implementation	• Quarterly by Independent Consultants • Annually by PIU	• PIU guiding the collection of information on indicators • M&E Consultants • Implementing NGO

5.11.2 Capacity Enhancement

In order to enhance the capacity of BLPA in social safeguards implementation several measures are proposed. These include a). orientations on RPF/ RAP/ ARAP and its components, b) national and international trainings on Social Assessment, Social Management and RAP Implementation. A detailed Capacity Enhancement Needs Assessment (CENA) need to be taken up for this purpose. The training programs will need to be designed as per the recommendations of this CENA. However, lump sum budget is provided for these initiatives.

5.12 RPF Budget

The total administrative budget for RPF implementation and social management activities under this project has been worked out as US$. 3.25Million. The cost of implementing the proposed mitigation measures under respective Resettlement Action Plans (RAPs/ ARAPs), staff costsare not included in this costing. The detailed breakup of the administrative budget is presented in the table below.

Table 12: Administrative budget for RPF activities

S No.	Activity	Amount in US$
1	Social Safeguards Capacity Enhancement Needs Assessment	**50,000**
2	Orientations and workshops on RPF/ RAP/ ARAP	**50,000**
3	Safeguards Training– National and International	**150,000**
4	International Consultant for Monitoring and Evaluation and Mid-term and End-term Impact Evaluation and Assessment at US$. 75,000 per year for 6 years	**600,000**
5	Preparation of specific social related community awareness materials (lumpsum) for communication campaign	**100,000**
6	NGO for RAP/ ARAP implementation assistance at US$ 25,000 per year for 6 years	**300,000**
7	Outsourced Staff Costs 5 persons* 7 years * US$20,000 per year	**700,000**
8	Land requirement – Purchase LS Provision	**2,500,000**
9	R&R Assistance LS Provision	**1,000,000**
10	International Social Consultant to Support PIU, BLPA	**250,000**
11	Sub Total	**5,700,000**
12	Contingencies @ about 10%	**570,000**
	Total **Say US$ 6.3 Million**	**6,270,000** **US$ 6.270 Million**

5.13 Non-Negotiables

The following non-negotiable principles will be adhered to by the project at all times:

1. No construction works will be started and no one will enter affected lands, until all compensation including all entitlements has been paid and all rehabilitation and resettlement activities completed.
2. All RAPs will be reviewed and cleared by The World Bank before any civil works for each sub-project.
3. Specific measures will be planned in order to reach out to women during consultations, with every effort made.

6. Annexures

6.1 Annexure 1: Social Screening Data Sheet

Part a: General Information

1. Location of the sub-project	
• Name of Sub-Project	
• Name of the Division	
• District	
• Block	
• Location	
2. Implementing Agency Details (sub-project level)	
• Name of the Department/Agency	
• Name of the designated contact person	
• Designation	
• Contact Number	
• E-mail Id	

Part b: Social Impacts Information

1. Land Requirement for the sub-project:

Details	Unit	Quantity	Classification/ Category	Present Usage and Users
Government Land	Acres			
Private Land	Acres			
Title Holders	Number			
Non-Titleholders – Encroachers	Number			
Non-Titleholders – Persons without title to the land (Squatters)	Number			
Various users of Govt. Land under various tenures	Number			
People losing livelihoods/ access due to loss of Govt. Lands project	Number			

2. Agricultural Land affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders – Encroachers	Number	
Non-Titleholders – Persons without title to the land (Squatters)	Number	
BPL Families losing Agricultural Land	Number	

3. Dwellings affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders – Encroachers	Number	
Non-Titleholders – Persons without title to the land (Squatters)	Number	
BPL Families losing Dwellings	Number	

4. Commercial properties affected due to sub-project:

Details	Unit	Quantity
Total Affected	Number	
Title Holders	Number	
Non-Titleholders – Encroachers	Number	
Non-Titleholders – Persons without title to the land (Squatters)	Number	
BPL Families losing Commercial Properties	Number	

5. Common Property Resources Affected: (Please give each type by number)

Type	Unit	Quantity
	Number	
	Number	
	Number	
	Number	
	Number	

S No	Items	Results
1.	Total no of HH affected due to proposed project activity (Single or multiple impacts)	
2.	Total no of disadvantaged HH affected due to proposed project activity (Single or multiple impacts)	
3.	Total number of Community Property Resources affected	

Part c : Result/Outcome of Social Screening Exercise		
1.	No SA Required	
2.	SA Required	

Part d: Transect Walk Map

While filling in this data sheet, the implementing agency should hold a consultation with the local community through the Gram Parishad/ Ward in order to determine and sort out issues of land availability (including forest land), moderate any adverse social and environmental impacts and elicit necessary community participation in the programme. For this purpose the implementing

agency should organise an informal 'Transect Walk' and prepare a map (Not To Scale) of this and attach the same to this data sheet. The following points should be borne in mind while preparing this map.

- The Transect walk shall be undertaken by the Officer filling in this data sheet, accompanied by the member of Parishad/ Ward and other community members after adequate advance publicity.
- During the Transect Walk, issues relating to land requirements and its impact on landowners, encroachers, Persons without title to the land, etc. need to be discussed with members of the local community present. Collect all land related revenue records, maps and gazettes for supporting the claims and attach to this report. To this check list attach a typical cross section of the structure at its widest and note the land required.
- Environmental impact on vegetation, land, soil and water etc. shall be identified and noted for resolution.
- During the walk, due opportunity shall be given to interested persons to put forward their points of view.
- At the end of the walk and after recording the issues that arose during the walk, the action taken/ proposed to resolve the issues be noted. This shall be recorded by the official of the Parishad and countersigned by the members of Parishad/ Ward. A copy of this document shall be attached to the data sheet.
- During or after (as convenient) the Transect Walk, a map (Not To Scale) with the location of buildings, the features around the site, ownership of land need to be prepared. Identify all structures, viz., places of worship, schools, hospitals and other common property resources, forest land, etc. and locate on this Transect Walk Map.
- To this map attach some photographs showing and highlighting the most critical places.

6.2 Annexure 2: Scope of Work for Rapid Social Assessment (RSA) and Resettlement Action Plan (RAP)

A. Specific Tasks

1. Review the Project details

Review the proposed developments and their social, and temporal context, including any offsite investments that may be required. Work closely with BLPA and its design consultants to identify the need for any additional land requirements for proposed developments, including associated facilities or other directly related investments. Review the RPF studies for investments (documents are available on BLPA website). Define 'project influence area' on the basis of the project scope and extent.

2. Review of the Legislative and Regulatory Framework

Review the policy, legal, and administrative framework within which the RSA is carried out. Review the national social requirements. Identify relevant international agreements to which the country is a party. Review the country's resettlement and rehabilitation policies. Also review the WB OPs and their triggering status for the Project. Also state the policy requirements as applicable to the proposed investments, and actions taken/planned in response to each OP triggered.

Review existing systems on grievance management and citizen's feedback within BLPA, and suggest measures for strengthening to ensure access to community and timely response during both construction and operation phases of the proposed subprojects.

3. Scoping

Scoping is the first step of the RSA and is essentially the process of identifying the significant issues relating to the proposed action and of determining the scope of the issues to be addressed in the RSA. The key tasks include: i) carry out reconnaissance field visits; ii) carry out stakeholder mapping, hold initial stakeholder consultations, and develop a stakeholder participation plan for the completion of the studies; iii) identify the key aspects to be studied during the detailed RSA, iv) finalize RSA Tools in consultation with the stakeholders for approval; v) prepare work plan for the subsequent RSA tasks; and vi) prepare the Scoping Statement compiling the process and outcome of the scoping tasks described above. Review the definition of project influence area and revise if necessary.

4. Project Planning and Analysis of Alternatives

Provide input to the BLPA and its design consultants for inclusion of female and physically disabled friendly facilities(such as separate toilets, waiting areas and counters, inspection areas, adequate lighting and safety features, etc.), relocation of public facilities, and access roads to public facilities to be incorporated in the project planning and design. In addition to these, study integrating the resettlement aspects into the design process,

for e.g. provision for building of shops and facilities (that affected people can be given priority to occupy) in the terminal designs.

5. Detailed Baselines Studies and Analysis

Review relevant physical and socioeconomic conditions of the study area, including any changes anticipated before the project commences. Also identify current and proposed development activities within the project area but not directly connected to the project. Also analyze the trends in the key social parameters of the area. Data should be relevant to decisions about project location, design, operation, or mitigatory measures.

Socio-Economic Baseline. The socioeconomic baseline should identify and characterize all affected households as well as general socioeconomic aspects of the area of influence of each project investment location. This shall include using mobile application to geo-tag all affected households with Photographs of household members and the asset(s) affected, prepare maps of affected households and communities, and describe their present socioeconomic conditions, mobility, livelihoods, gender and vulnerability based on household surveys of all directly and indirectly affected households, and consultations with communities and key stakeholders. The data will also cover:

- population and demography;
- use of land, river and natural resources in the project area including for agriculture, fishing, livestock, grazing;
- other economic activities e.g. sand quarrying/extraction, trade, services;
- existing river traffic (both commercial and recreational) and navigation routes, etc; existing traffic patterns on access routes;
- social infrastructure and services including education, health, communications, others;
- economic activities;
- identification of direct and indirect beneficiaries;
- access and security;
- community organizations;
- disadvantaged groups and poverty situation;
- gender aspects;
- Physically disabled;
- recreation areas;
- cultural heritage and cultural property;
- objects of special interest, e.g. cultural practices, graveyards and monuments; and
- others as identified by the consultant.

6. Stakeholder Consultations

The consultants need to identify all the stakeholders; both direct and indirect, and carry out a detailed stakeholder analysis and identify key stakeholders at each site. Continued consultations are required during the project preparation with the affected communities and relevant stakeholders. In addition, at least two major consultation meetings are to be

held at the project sites (the first one during the initial stages of RSA study and the second one after preparation of draft RAP report) with the affected communities and businesses as well as other relevant stakeholders including traders associations, commuters, transport unions, women, institutional stakeholders and local nongovernmental organizations, etc. Consultation methodologies should also include Focus Group Discussions (FGD) and key informant interviews, which shall be briefly documented using mobile application and geo-tagged, to complement larger consultation events and ensure social inclusion of the consultation process. FGD should include in particular different user groups of the facilities, including specific FDGs with women only, as well as with stakeholders with physical disabilities. All consultations shall be fully documented, including with photolog, and included in an annex to the final RSA report. Documentation should include dates and locations of consultation events, stakeholder groups consulted, information shared and issues raised, and how feedback received will be taken into account in the analysis and design of the project.

7. Social Impact Assessment

Assess the impacts of land acquisition (if any) and land use change (even if it is government land) on the livelihoods of the affected people and their socioeconomic conditions through detailed census surveys, and identify the options for resettlement of affected people and restoration of their livelihoods through focused consultation with affected groups. Assess the impact of proposed developments on the access to public facilities, community health and safety, gender and employment.

The social research and census surveys should cover the squatters living in the proposed development areas owned by BLPA. The common property resources need to be considered during the assessment. A robust socio-economic baseline of all these affected people will form the backbone of this assessment. The assessment should not limit the surveys to the impacts cited here, but list all the direct and indirect impacts due to the proposed project. All socio-economic survey should be carried out using mobile device for real time data collection.

The social impact assessment will cover the directly affected people and affected communities to formulate development strategies in order to assist in determining project impacts on the social, economic, cultural, and livelihood activities of affected communities. This will establish a social baseline against which changes resulting from the intervention can be measured in the future. A socio-economic survey of the area to analyse the demographic, socio-economic cultural and other social relations and stakeholders needs to be conducted. Local tenure and property rights arrangements, which may include usufruct or customary rights to the land or other resources taken for the project including common property resources needs to be assessed.

8. Cumulative and Induced Impacts

Consider and assess the cumulative impacts of other development projects in the area (on-going and planned). In particular, review the projects and facilities associated with proposed development and consider and assess any potential interaction of impacts of those projects with those of proposed facilities.

9. Resettlement Action Plan (RAP)

A stand-alone Resettlement Action Plan shall also be prepared, in accordance with World Bank OP 4.12 on Involuntary Resettlement, as well as applicable Bangladeshi land acquisition, resettlement and rehabilitation laws, regulations and guidelines.

Aside from the RAP (described below), the social management plan should be delivered as a stand-alone section of the RSA and should include, among other aspects: (i) Social mitigation and enhancement measures for the proposed investments, ii) Grievance redressal mechanism, iii) Monitoring protocol, and iv) Strategies and plans for a) Community consultation and engagement, b) Women engagement, c) Small, ethnic and disadvantaged communities development, d) Communication plan and e) Capacity building.

In preparation of the RAP and any other social management plan, the tasks to be performed are as below:

- To photograph the affected/displaced family with the affected assets and number each asset; to videograph the entire affected area including the affected land and assets.
- To conduct census survey of all PAPs residing/ using the corridor of impact to collect an inventory of types and extent of losses of each affected household, family composition and details on age and sex of all the members of the household, income and expenditure levels and occupational patterns, vulnerability status, legal ownership status (private, traditional and customary ownership, lease), asset ownership status and skills possessed. Prepare a fact sheet and attach the photograph of each project-affected person/family.
- Assess in detail all the adverse impacts and categorise each type of losses specific to the project area.
- To conduct focus group discussions on the preliminary designs options such as on location, accessibility, facilities, safety and others and integrate the outputs in the technical design with that of the mitigation measures proposed.
- To carry out public consultations with different project affected social groups about their options and rights pertaining o resettlement and with other stakeholders like NGOs, District Administration, etc., and provide a plan for continuous public consultation during implementation.
- Identification of key formal and informal institutions operating at village, up-zilla and regional levels and assessment of their role in community

decision making processes as these affect project activities.

- To carry out market survey and focus group discussion with different social groups including women and disadvantageds to prepare socially, technically and economically feasible income generations schemes including skill upgradation plans.
- To determine the legal framework of private land, customary and traditional laws governing land tenure, usufruct rights, leasehold and land acquisition, or transfer plans for the total project including for tree plantation, if any, according to the revenue records (including acquisition for temporary purposes).
- Based on draft detailed designs conduct field verification and consultation to identify locations for further minimization of social impacts if any, and integrate with final designs.
- To establish the legal status of the affected people and carryout joint verification with the revenue department and implementing agency, of the project affected area to pre- pare land acquisition plans and provide specific details on the gaps between physical ownership and revenue records; identify land allotted to affected people by government departments and other agencies, if any.
- Modify and update database of project affected persons on a user friendly platform.
- To finalize estimate of land required for resettlement and for economic rehabilitation.
- To identify the land and prepare a plan for relocation in consultation with the project displaced people with different social groups including women and local administration.
- To prepare a plan that ensures the host population will not be adversely impacted and plan for consultation on the impact on resources and infrastructure with increase in population of the host areas.
- Based on project RPF policy provide an appropriate action plan for additional support for the disadvantaged, and other action plans if necessary.
- To determine the impact on community assets/ cultural property and prepare a management plan for relocation and restoration in consultation.
- To develop terms of reference for NGOs, external evaluation consultants, and for any other study identified for impact evaluation.
- To assess institutional capacity and propose the institutional arrangement for implementation of RAP, addressing grievances, and ensuring gender equity, and identify the roles and responsibilities of each agency.
- To identify various formal and informal institutions that may provide support for the implementation of RAP.
- To develop a training program on R&R, based on the assessment of the capacity of the implementing agency.

- To develop monitoring indicators and formats for physical and financial progress, process monitoring and impact evaluation and indicators to for other stakeholders and finalize the same.
- To prepare an implementation schedule synchronized with time frame of civil works, and ensure that no civil works will begin until people are fully compensated and adequately rehabilitated.
- Conduct risk assessment for proposed mitigation measures.
- To develop detailed budget based on the based on the outcomes of study.
- Develop a mobile based web based interactive application for monitoring, grievance redressal and feedback, which can be used by the community including PAPs, during preparation and implementation.

6.3 Annexure 3: Format for Preparation of Resettlement Action Plan

As per the impacts of the sub-projects, i.e., if the number of PAPs exceeds 20, then a comprehensive Social Impact Assessment needs to be conducted and a Resettlement Action Plan (RAP) needs to be prepared, following the guidelines given in this RPF.

1. Introduction

1. Brief Introduction of the sub-project
2. Description of Component(s) that cause land acquisition/alienation and resettlement
3. Overall Estimates of Land Acquisition and R&R

2. Rapid Social Assessment

1. Baseline description/analysis (Study area, Demographic Profile, Socio-economic profile, Socio-economic analysis based on primary data, Cultural aspects (cultural heritage; archaeology; and other objects of special interest, e.g. graveyards, monuments))
2. Stakeholder Analysis (Stakeholders at different levels, Stakeholder expectations, Overall issues emerged during consultations)

3. Measures to Minimize Resettlement

1. Potential Social Impacts
2. Description of Efforts Made for Minimizing Displacement
3. Description of the Results of these Efforts
4. Description of Mechanisms to Minimize Displacement and Loss of Livelihood/Income during Implementation

4. Census and Socio-Economic Surveys

1. Provide the results of the census and socio-economic surveys
2. Identify all categories of impacts and the extent of impact on each affected
3. Documentation on Public consultations

5. Consultation and Involvement of PAPs

1. Describe various Stakeholders
2. Summarize process of consultation on the results of socio-economic surveys
3. Describe the need and mechanisms to conduct updates to socio-economic surveys
4. Describe how this process of consultation would be continued through implementation and monitoring
5. Describe the plan for disseminating information to Project Affected Persons

6. Entitlement Matrix

1. Provide a definition of PAFs and PAPs together with their categorization based on impacts
2. Describe R&R entitlements for each category of impact

3. Describe method of valuation used for affected land, structures and other assets
4. Using Entitlement Matrix, present a table of all PAFs/PAPs and their losses/ impacts and entitlements

7. Relocation (if applicable)

1. Does the Project need community relocation sites? If yes, have they been inspected and accepted by PAPs?
2. Have the Project Affected Persons agreed to the strategy for housing replacement? Will new housing be constructed/allocated? If PAPs are to construct houses, explain if compensation entitlement for housing is sufficient to help them construct houses.
3. List of proposed sites along with number of affected families to be relocated
4. Describe respective mechanisms for (i) procuring/acquiring/alienating ; (ii) developing and (iii) allotting resettlement sites
5. Provide detailed description of arrangements for development of resettlement sites including provision of social infrastructure
6. Describe the feasibility studies conducted to determine the suitability of the development of sites.

8. Income Restoration

1. Are the compensation entitlements sufficient to restore income streams for each category of impact? If not, what additional economic rehabilitation measures are necessary?
2. Briefly spell out the restoration strategies for each category of impacts, and describe institutional, financial and technical arrangements/aspects involved
3. Describe the process of consultation with PAPs to finalize strategies for income restoration
4. How do strategies for restoration vary with the area/locality of impact
5. If income restoration involves change in livelihoods or other economic activities allow substantial amount of time for capacity building, accessing institutional funds/credits/markets, preparation and implementation. Work out the rate of returns for each of the economic activities opted by the entitled person.
6. How are the risks of impoverishment proposed to be addressed?
7. Explain the main institutional and other risks for effective implementation of plans for restoration of livelihood
8. Describe the process for monitoring the effectiveness of income restoration activities

9. Institutional Arrangements

1. Describe institution(s) responsible for: (a) delivery of each item/activity in the entitlement policy; (b) implementation of resettlement and rehabilitation programs and (c) coordination of all other activities as described in the Rehabilitation Action Plan
2. State how coordination issues will be addressed in cases where resettlement and rehabilitation are spread over a number of institutional/departmental jurisdictions
3. Indicate the agency that will coordinate all implementing agencies – do they have the necessary mandate and the resources
4. Describe the external (non-Project) institutions/departments involved in the process of resettlement and restoration of income such as land development, land allocation, credit,

training for capacity building and the mechanisms in place to ensure adequate cooperation and performance of these institutions/departments
5. Describe the results of the institutional capacity assessment and give the institutional development plans including staffing schedule and training requirements
6. Discuss institutional capacity for, and commitment to, resettlement and rehabilitation

10. Monitoring and Evaluation

1. Describe the internal monitoring process
2. Define key monitoring indicators for resettlement, rehabilitation and participation and provide a list of these indicators which would be used for internal monitoring
3. Describe institutional (including financial) arrangement
4. Describe frequency of reporting and contents of reports
5. Describe the process for integrating feedback from internal monitoring into implementation
6. Describe financial arrangements for external monitoring including process for awarding and maintenance of contracts for the entire duration of R&R
7. Describe the methodology for external monitoring
8. Describe frequency of external reporting and its contents

11. Redress of Grievances

1. Describe the structure and process of grievances mechanisms at various levels including step-by-step process for registering and addressing grievances and provide specific details regarding registering complaints, discussing them with PAPs, response time, communication modes etc.
2. Describe the mechanism for appeal
3. Describe the provision, if any, to enable PAPs to approach civil courts in case these provisions fail.

12. Implementation Schedule

1. List the chronological steps in implementation of R&R Action Plan including identification of agencies responsible for each activity along with a brief explanation of each activity
2. A month-wise implementation schedule (Gantt chart) of activities to be taken as part of R&R Action Plan
3. Description of the linkage between R&R implementation and initiation of civil works for each of the Project component

13. Costs and Budgets

1. Clear statement of financial responsibility and authority
2. List the sources of funds for R&R and describe the flow of funds
3. Indicate if costs of R&R are included in the overall Project costs
4. Identify R&R costs, if any, to be funded by the WB
5. Provide a cost-wise, item-wise budget estimate for the entire R&R costs including administrative expenses, monitoring and evaluation and contingencies

6. Describe the specific mechanisms to adjust cost estimates by *inflation* factor
7. Describe provisions to account for different types of contingencies

14. Information Disclosure

6.4 Annexure 4: Format for Preparation of Abbreviated Resettlement Action Plan

When the impacts are limited, i.e., if the number of PAPs are less than 20, then an Abbreviated Resettlement Action Plan (ARAP) needs to be prepared, following the guidelines given in this RPF.

1. Introduction

1. Brief Introduction of the sub-project
2. Description of Component(s) that cause land acquisition/alienation and resettlement
3. Overall Estimates of Land Acquisition and R&R

2. Census and Socio-Economic Surveys

1. Provide the results of the census and socio-economic surveys
2. Identify all categories of impacts and the extent of impact on each affected

3. Consultation and involvement of PAPs

1. Describe various Stakeholders
2. Summarize process of consultation on the results of socio-economic surveys
3. Describe the plan for disseminating information to Project Affected Persons

4. Entitlement Framework

1. Describe R&R entitlements for each category of impact
2. Describe method of valuation used for affected land, structures and other assets
3. Using Entitlement Matrix, present a table of all PAFs/PAPs and their losses/ impacts and entitlements

5. Income Restoration

1. Are the compensation entitlements sufficient to restore income streams for each category of impact. If not, what additional economic rehabilitation measures are necessary.
2. Briefly spell out the restoration strategies for each category of impacts, and describe institutional, financial and technical arrangements/aspects involved
3. Describe the process of consultation with PAPs to finalize strategies for income restoration
4. If income restoration involves change in livelihoods or other economic activities allow substantial amount of time for capacity building, accessing institutional funds/credits/markets, preparation and implementation. Work out the rate of returns for each of the economic activities opted by the entitled person.
5. How are the risks of impoverishment proposed to be addressed?

6. Institutional Arrangements

1. Describe institution(s) responsible for: (a) delivery of each item/activity in the entitlement policy; (b) implementation of resettlement and rehabilitation programs and (c) coordination of all other activities as described in the Rehabilitation Action Plan

7. Monitoring and Evaluation

1. Describe the internal monitoring process

8. Redress of Grievances

1. Describe the structure and process of grievances mechanisms at various levels including step-by-step process for registering and addressing grievances and provide specific details regarding registering complaints, discussing them with PAPs, response time, communication modes etc.
2. Describe the mechanism for appeal
3. Describe the provision, if any, to enable PAPs to approach civil courts in case these provisions fail.

9. Implementation Schedule

1. List the chronological steps in implementation of R&R Action Plan including identification of agencies responsible for each activity along with a brief explanation of each activity.

10. Costs and Budgets

1. Clear statement of financial responsibility and authority
2. List the sources of funds for R&R and describe the flow of funds
3. Indicate if costs of R&R are included in the overall Project costs
4. Identify R&R costs, if any, to be funded by the WB
5. Describe the specific mechanisms to adjust cost estimates by *inflation* factor
6. Describe provisions to account for different types of contingencies

6.5 Annexure 5: Format for Voluntary Land Donation

Voluntary Donation of Land
On a BDT. 100/- Stamp Paper

1. This deed of voluntary donation is made and executed on …..... day of ….....……. between Mr/Mrs….....S/o / D/o / W/o……. Age…… Occupation ……. Resident of …..... herein after called the "Title holder / Encroacher" on one part. This expression shall mean and include his legal representatives, successors – in-interest, heirs, assignees, nominees etc.

AND

Mr/Mrs. ……..……. S/o / D/o / W/o …….. Aged…… Designation……. Herein after called the "Recipient" which term denotes to "for and on behalf of PIU, BLPA, Government of Bangladesh" on the other part and shall mean and include his successors –in-office, nominees and assignees etc.

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

Location Details		
Village		
Gram Parishad		
Block		
District		
Title Holder/ Encroacher Details		
Name of Title Holder/Encroacher		
Father/ Husband's Name of Title Holder/Encroacher		
Status:		Title Holder/ Encroacher
Age: occupation: Residence:		
Gender:		
Schedule –Land Details/Structure		
Land in Question		
Area		
Location		
North Boundary		
East Boundary		
West Boundary		
South Boundary		

Note: Detailed Map to the scale is appended.

3. Where as the Title Holder is presently using/ holds the transferable right of the above mentioned piece of land in the village mentioned above. Whereas the Encroacher does not hold

any transferable rights of the above mentioned piece of land in the village mentioned above but has been a long standing encroacher, dependent on its usufruct hereditarily.

4. Whereas the Title Holder/Encroacher testifies that the land is free of encumbrances and not subject to other claims/ claimants.

5. Whereas the Title Holder/Encroacher hereby voluntarily surrenders the land/structure without any type of pressure, influence or coercion what so ever directly or indirectly and hereby surrender all his/her subsisting rights in the said land with free will and intention.

6. Whereas the Recipient shall construct and develop infrastructure facilities under the project, Bangladesh Regional Connectivity Project 1, and take all possible precautions to avoid damage to adjacent land/structure/other assets.

7. Whereas both the parties agree that the infrastructure so constructed/developed shall be for the public purpose.

8. Whereas the provisions of this agreement will come into force from the date of signing of this agreement.

Signature of Title Holder/Encroacher		Signature of BDO	
Name of Title Holder/Encroacher		Name of BDO	
Date		Date	
Identified by			
1. Name:	Signature:		
2. Name:	Signature:		
Witnesses			
Signature of Gram Sabha President			
Gram Sabha President Name			
Signature of GSMember			
Name of GSMember			
Signature of PIU, BLPA Representative			
Name of PIU, BLPA Representative			
Designation of PIU, BLPA Representative			

6.6 Annexure 6: Glossary of Terms used in RPF

1. **Agricultural land** means lands being used for the purpose of : (i) agriculture or horticulture; (ii) raising of crops, grass or garden produce; and (iii) land used by an agriculturist for the grazing of cattle, but does not include land used for cutting of wood only;
2. **Assistance** refers to the support provided to PAPs in the form of ex-gratia payments, loans, asset services, etc. in order to improve the standard of living and reduce the negative impacts of the project.
3. **Businesses completely displaced from present premises:** Owners of affected business will be compensated for loss of income for 60 days in case of small businesses and 45 days in case of large scale business based on average daily net income from the business. They will be assisted in relocating their business in new locations. Owners of businesses opting for permanent relocation will be entitled for this assistance.
4. **Communities and Groups:** Where local communities and groups are likely to lose income earning opportunities or access to crucial common property resources used for livelihood purposes.
5. **Compensation** refers to the amount paid for private property, structures and other assets acquired for the project.
6. **Cut off Date:** the date of Notification will be the cut off date where the land acquisition will be required. In case of squatters and encroachers and unauthorized occupants the date of socio-economic survey will be considered as the cut off date for entitlements under the project.
7. **Employees of Affected Businesses:** Persons who are employed in the affected businesses enterprises being operated on private or public lands.
8. **Encroachers** are those persons who have extended their building, business premises or work places into government lands. Assistance will be provided to these persons, based on their loss.
9. **Family** includes a person, his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother and other relatives residing with him or her and dependent on him or her for their livelihood; and includes "nuclear family" consisting of a person, his or her spouse and minor children;
10. **Government** refers to the Government of Bangladesh
11. **Landowners under customary/communal ownership:** This is particularly relevant to the cases of CHTs and will take into account the prevailing practice of customary/communal land ownership by the ethnic minorities, a large number of whom do not have legally valid ownership documents.
12. **Loss of employment income from displaced businesses (Temporary or Permanent):** Persons who have been continuously employed by the displaced or temporarily closed businesses for at least six months up to the day of the PAP census (cut-off date) will be compensated for the period until their employers restart their operations, or for a maximum of 30 days at the rate of current daily wage rate in the Project area.

The daily wage paid by the employers will be the basis for assessing wage rates for the employees.

13. **Loss of income from rented-out premises:** Three months' rent at the current rates for loss of rental income from premises affected on private lands and disadvantaged households on public lands. PAPs' land holdings and total income from all sources have to be captured during RPF implementation for determining vulnerability. **Marginal farmer** means a cultivator with an unirrigated land holding up to one hectare or irrigated land holding up to half hectare;
14. **Major Impacts**: are those persons who loose their total house or livelihood, or those who become marginal farmers
15. **Minor Impact:** all other impacts which will be limited to one-time payment of cash or giving advance notice.
16. **Minimum Wages:** The wage of a person for his/her services/labour as fixed by the Labour Bureau, Department of Labour, GoB.
17. **Non-Perennial Crop:** Any plant species, either grown naturally or through cultivation that lives for a season and perishes with harvesting of its yields has been considered as a non-perennial crop in the project. For example, paddy, sugarcane, groundnut, etc.
18. **Notification** means a notification published in the Gazette of Bangladesh, or as the case may be, the Gazette of State;
19. **Partially affected businesses:** Where business premises are partially dismantled and the remainder is structurally safe and useable, compensation, calculated as above, for the minimum number of days needed to repair and reopen the individual businesses or to complete the civil works but not over 30 days.
20. **Perennial Crop:** Any plant species that live for years and yields its products after a certain age of maturity is a perennial crop. Generally trees, either grown naturally or by horticultural and yield fruits or timber have been considered as perennial crop in the project. For example, tamarind, coconut, mango, teak, neem etc. are perennial crops.
21. **Project Affected Family (PAFs)** means- (i) a family whose primary place of residence or other property or source of livelihood is adversely affected by the acquisition of land for a project or involuntary displacement due to any other reason; (ii) any tenure holder, tenant, lessee or owner of other property, who on account of acquisition of land (including land without valid documents) in the affected area of otherwise, has been involuntary displaced from such land or other property; (iii) any agricultural of non-agricultural labourer, landless person (not having homestead land, agricultural land, or either homestead or agricultural land), rural artisan, small trader or self-employed person; who has been residing or engaged in any trade, business, occupation or vocation continuously for a period of not less than five years in the affected area, and who has been deprived of earning his livelihood or alienated wholly or substantially from the main source of his trade, business, occupation or vocation because of the acquisition of land in the affected area or being involuntarily displaced for any other reason;

22. **Project-Affected Persons (PAPs),** any persons who have economic interests or residence within the project impact corridor and who may be adversely affected directly by the project. Project-affected persons include those displaced, those losing commercial or residential structures in whole or part, those losing agricultural land or homesteads in whole or part, and those losing income sources as a result of project action.
23. **Private Landowners:** Persons who have legal rights to the acquired lands and other assets, such as houses, other structures, trees, etc. built and grown on them.
24. **Persons without title to the land (Squatters):** Socio-economically disadvantaged persons/ households including informal settlers, who do not have legal rights to the lands, but use them for residential, commercial or livelihood purposes. They will not be compensated for land, but for the assets built and grown on the land.
25. **Rental Income Earners:** Rental income from built premises situated on private lands by any displaced persons and on public land by disadvantaged displaced persons.
26. **Replacement Cost** of the acquired assets and property is the amount required for the affected house hold to replace/reconstruct the lost assets through purchase in the open market. Replacement cost will be calculated at current Schedule of Rates without depreciation. Replacement cost will be in line with the provisos of the Entitlement Matrix of the project.
27. **Small farmer** means a cultivator with an un-irrigated land holding up to two hectares or with an irrigated land holding up to one hectare, but more than the holding of a marginal farmer.
28. **Squatter** means those persons who have illegally occupied government lands for residential, business and or other purposes. They are not eligible for compensation but will qualify for assistance from the project.
29. **Temporarily closed businesses:** Where business activities come to a complete closure temporarily during construction, the owners will be paid for income loss at rates based on average daily net income for the minimum number of days needed to reopen the individual businesses or to complete the civil works but not over 30 days. This will be applicable to owners opting for temporary relocation too.
30. **Tenants** are those persons having *bonafide* tenancy agreements, written or unwritten, with a private property owner with clear property titles, to occupy a structure or land for residence, business or other purposes. They are eligible for certain compensation or assistance as per the existing norms and practice.
31. **Disadvantaged groups**: persons such as disabled, widows, or persons above sixty years of age, who are not provided or cannot immediately be provided with alternative livelihood and who are not otherwise covered as part of a family.
32. **Women Headed Household:** A household that is headed by a woman and does not have a male earning member is a Woman Headed Household. This woman may be a widowed, separated or deserted person.

6.7 Annexure 7: National Public Consultation Workshop – Clarifications

Sl. No.	Name	Position	Organization and address	Email and Mobile	Question	Reply/Response
1	Akhtar Zaman	Social development Specialist	World bank	01715201759	How did you define Replacement Cost? And what is the level of impact on livelihoods?	The replacement is estimated based on the actual present cost to buy or re-build same thing that was lost due to resettlement, and this has been estimated based on market rates. This has been given in details in RPF. The impact on livelihood from development of Sheola Land Port is severe on 12 persons who are in restaurant business (4 tenants and 8 employees)
2	Md. Rejaul Islam	President	Bhomra Handling Worker Union Bhomra Tax Station, Satkhira	01740552359	It has always been seen that facilities for workers are neglected while designing facilities for land port. Is there any resing space for workers in your proposed land port?	Workers waiting room with toilet facilities are provided in the land ports.
3	Kazi Nawshad Dilwour (Raju)	President	C & F Agents Association, Bhomra. Bhomra land port, Satkhira	01711351030	We cannot see the building design for Bhomra land port right now. How much time is required to complete the design?	Detailed design of Sheola land port is in final stage, but the design of Bhomra land port is expected to be completed by next year

4	Nasim Mostafizur	General	Bhomra land port C & F Agents Association Bhomra	01713919585	1) In 1996 in the present land port the development which was supposed to be done has not yet been delivered. Moreover, it is my observation that government is putting too much enphasis building the new service and not providing importance in the existing facilities. How long it will take todevelop the existing facilities? 2)in which side of the road land acqisition will occur for the present north side facilities?	The proposed development of Bhomra land port will consider the improvement of existing facilities including providing drinking water supply and santation, drainage, and dust control measures. The extension of Bhomra land port will be done in phases and will include towards both northern and sourthern areas of the existing port facilities.
5	Abu Saleh	Public Relation Officer	Bangladesh Land Port Authority TCB Bhaban 5th floor, Kawran Bazar, Dhaka.	junnunbadeshi@gmail,com 01710741728	It has not been possible to build the Benapole land port as well Equipped, modernized and environment friendly port after 35 years of liberation war. So, will it be possible to build the sheula land port as ecofriendly and organized land port as mentioned your speech?	The project will stregthen the existing facilities in terms of drainage improvement, dust control measures, water supply and sanitation. The land will be acquired both north and southside of the road, however the northside is major part.

6	M.A.Hashem	Suter Kandi / sh	Suter Kandi Dubogh Beanibazar	01712647012	1. The lands that are already developed in Sheola (filled areas of low land) should be given more compensation than the low lying lands. 2. For compensation of buildings right amount should be calculated. 3. Compensation should be given to shops that will be affected by land acqusitoin 4. Right Amount of land price should be Given.	Compnesation will be provided to all the structures including shops that are affected by the land acqusiton. Compensation for structures have been estimated at a replacement cost. Compensation will also be provided for the loss of businesses.
7	Mst. Foijunnahar	Additional Director of traffic	Authority of land port		Have you considered the effect of radioactive and hazarders chemicals to the surrounding areas which will be imported to the port?	Hazardous materials such as fuels will be stored in the warehouses. No radioactivie materials will be transported through the ports.
8	Meher Moni	Reporter	Boishakhi TV	01744356217	1) From Sheola port how mach revaeve Revenue will earn government that is forecasted 2) From Bhomra port has mach revenue will come every year?	According to the feasibility study of Sheola land port, the revenue o will be initially 1.4 million USD per year, and in 2049 it will 10.23 million per year

9	Md. Ali Ashraf		Auditor Bangladesh land port Authority		We have show that you are providing different facilities for the stake holder but what you think about the facilities for the employer who will do the job.	The BLPA staff will have office building, dormatories, guest house, restaurent, water supply and sanitation facilities.
10	Md. Monir Hossain Mojumder	Traffic Inspector			There should be hospital facilities in every land port.	First aid facilities will be provided at the land ports. Hospital facilities are available within 13 km distance from the proposed Sheola and existing Bhomra land ports
11	Quazi Sarwar Imtiaz Hasmi	Additioanl Director General	DoE Agargaon, Dhaka	02 8181767	Is there Sulphur pollution from coal dust. DoE is now revising the ECR, Involve local DoE office for public consultation meting, Check the land issue (RAP), air pollution should be considered. CAM station at Shymnagar at Satkhira district.	Only low grade coal having sulphur content. Coal wash water wil be acidic and should be neutralize before filtration and discharge after meeting DoE compliance. Will be invited in the PC Meeting. Land issue will be checked. Air pollution issue considered in the detail design.

Annex 8: Consultation Report on Ramgar Land Port held on 2 January 2017 in Khagrachari

Report of Stakeholders Consultation on the Proposed Ramgar Land Port

2 January 2017

DC Office,
Khagrachari Sadar,
Khagachari Hill District

Background notes

The Bangladesh Regional Connectivity Project 1 includes several components and one of the components support to construction of land ports along the border with India. Bangladesh Land Port Authority (BLPA) will implement the component under the Ministry of Shipping.

The project's component includes construction of 3 land ports; at Sheola (in Beanibazar, Sylhet) and Bhomra (in Satkhira), with the third land port yet to be decided but likely to be in Ramgarh, Khagrachari Chittagong Hill District in the region of Chittagong Hill Tracts. The region has unique administrative and governance setup different from the rest of Bangladesh and majority of its inhabitants belong to as many as 11 ethnic minority groups, who would be recognized as 'tribal peoples' as per World Bank's OP/BP 4.10. The region has been until recently mired in low intensity conflicts which formally ended with the signing of a peace accord in December 1997, although the legacy of the insurgency continues to affect the region and its people till today.

The location of the proposed land port is in Ramgarh, an upazila (sub-district) in Khagrachari to the north-eastern corners of the district and shares common border with Sabrum sub-division of the state of Tripura (India) and Fatikchari upazila of Chittagong district. Three ethnic minority groups live in Ramgarh, indeed in the entire Khagrachari district; Chakma, Marma and Tripura.

Objectives

Although some very initial level consultations were held with the grassroots communities at Ramgarh by a team of BLPA consultants in late 2015 and subsequently, was briefly discussed in a larger regional level consultation in Rangamati in June 2016 on the proposed Thegamukh land port, no specific consultation with the institutional stakeholders in Ramgarh and Khagrachari including the ethnic minority representatives and the relevant regional and national level stakeholders, was previously held by BLPA.

The present consultation was held to seek preliminary opinions of the institutional stakeholders in the Chittagong Hill Tracts including representatives of the region's ethnic minorities and local government institutions on the proposed Ramgarh Land Port. Prior to the consultation, the participants were informed by phone and subsequently advance notice was served to them by writing. Further, newspaper advertisements were published on two well-known dailies; Daily Financial Express and Daily Amader Shomoy respectively on 23December 2016 and 22 December 2016 to inform the larger public about the consultation. The copy of the newspaper advertisement is attached as Annex 4 to this report.

During the consultation it was also made clear that this was a very initial level of consultation and further consultations will take place when the works on the land port starts based on the decision made in the present consultation.

The Consultation

The consultation was held on 2 January 2017 in the Conference Room of the Khagrachari DC Office, and was organized by Bangladesh Land Port Authority (BLPA). It was represented by its Chairman Mr. Tapan Kumar Chakravarty and Executive Engineer Mr. Hassan Ali. In addition, Dr. Nurul Islam, Environmental Safeguards Consultant and Kirti Nishan Chakma, Social Safeguard Consultant, attended the consultation as observers from World Bank.

Prior to the consultation, the Bangla and English versions of the project's Executive Summary of Environmental Management Framework (EMF), Resettlement Policy Framework (RPF) and Small Ethnic and Disadvantaged Community Development Framework (SEDCDF) were disclosed on the BLPA website (www.bsbk.gov.bd) and the participants were informed of the disclosure of the 3 documents beforehand.

The Consultation was presided over by the Khagrachari Deputy Commissioner (DC) and the BLPA Chairman Mr. Tapan Kumar Chakravarty as Chief Guest. Mr. Hassan Ali of BLPA made a PowerPoint presentation on the proposed Regional Connectivity Project and relevant sections of the above-mentioned 3 safeguards documents. The copy of the presentation is attached to this report as Annex – 3.

In total **35 participants** attended the Consultation. This includes traditional leaders from the ethnic minority communities (Circle Chief, Headmen and Karbari), representatives of the local institutions (MoCHTA, CHTRC, HDC, CHTDB, Upazila, Union Parishad) Government Departments/Agencies (DC, SP, Agriculture Office), NGOs, Local Women Leaders from both Bengali and ethnic minority communities and local media.

The list of the participants with copy of the attendance sheets are attached in Annex 1 and 2.

The Consultation was recorded in video and copy of it is kept by BLPA and also at the Bank office. It engendered a lively discussion by the participants. **All of them unanimously expressed their support to the construction of the land port.** Alongside, a lively discussion was followed where they also raised many issues and concerns. The participants in the discussion are

1. Mr. Mathura Tripura, Executive Director, Zabarang (local NGO)
2. Shahidul Islam Bhuiyan, Ramgar Upazilla Chairman

3. Sudarshan Datta, Local Entrepreneur and member, Khagrachari Chamber of Commerce & Industries
4. Mongsui Prue Chowdhury, Member, Khagrachari Hill District Council
5. Arun Kanti Chakma, Executive Director, ALO (local NGO)
6. Kanan Acharya, Mashranga Television
7. Abu Taher Mohammad, Khagrachari correspondent, NTV
8. Dhiman Khisha, Local entrepreneur
9. Dr. Sudhin Kumar Chakma, ex-Principal, Khagrachari Government College
10. Md. Moinuddin Khan, Officer-in-Charge, Ramgar Thana
11. Shah Alam Mazumder, Ramgar Union Parishad Chairman
12. Md. Nurul Alam Chowdhury, Member (Planning), CHT Development Board
13. Md. Lutfor Rahman, Deputy Secretary, Ministry of CHT Affairs
14. Raktotpal Tripura, Member, CHT Regional Council

The issues and concerns raised in the discussion are provided below, along with responses from BLPA:

Observation/comment raised	BLPA response
• All the participants requested for further consultation with the stakeholders including the grassroots communities and the institutions as the project goes ahead.	The present consultation is a very preliminary level consultation and only with the institutional stakeholders. More consultations including with the grassroots communities, affected persons and the area's ethnic minority inhabitants will be held as part of the social and environmental assessment of the proposed land port when the project activity starts.
• The participants emphasized the importance to BLPA to work closely with the local institutions (HDC, CHTRC, Upazila Parishad, etc.) during the implementation of the project and during its subsequent operation.	It is the intention of BLPA to work closely with all the relevant stakeholders of the project. BLPA considers it important to ensure that the project's benefits reach equally to all the stakeholders and it is also aware of the specific context of the CHT region.
• The project should include specific plan for the disadvantaged and tribal communities. The plan should include proper compensation to them and as well as support for livelihood restoration.	BLPA will prepare such a plan as part of the project social and environmental impact assessment which will detail the mitigation measures for any potential negative impacts, compensation plan/mechanisms to the affected persons and as well as specific plan for the ethnic minority and disadvantaged communities so that they can benefit in equal measures from the project's interventions.
• The participants made it a point that in order to ensure maximum impacts/benefits of the project there should be specific measures for the PAPs in particular but also the larger development of the Khagrachari District.	BLPA is aware of the specific context of the CHT region and its recent history. For this purpose, the project will be carefully designed to minimize the negative impacts, if any, and to maximize the potential benefits for all. The social and

Many reminded of examples from the recent history where the region saw little benefits for large development project. They mentioned the example of the Kaptai Dam which submerged one third of the region whereas, vast areas of the region still have not got electricity, and more recently, the development of the Semutang gas field (in Manickchari upazila, Khagrachari) from which hardly anyone in the Khagrachari/CHT benefited. Many said that the region is left with the long term devastating consequences of these interventions and emphatically told that "similar history must not repeat once more".	environmental impact assessment of the proposed land port will explore in-depth the various issues in this regard and will lay down the specific recommendations for this purpose.
• The participants all raised demands for job reservation for the local people and more specifically, the PAPs (Project Affected Persons).	BLPA is sympathetic to this proposal and indeed, in a number of other land ports, it has followed similar measures and made provisions for jobs in relevant positions to the affected persons.
• The participants also raised the need of a detailed socio-economic study about the impact of the land port. They said that although the land port will be located in Ramgarh, its impacts will be much wider in the region. The assessment should spell out in detail so that appropriate measures could be taken by the government/project.	BLPA is aware of the larger impacts that the proposed land port might impact in the CHT region. The social and environment impact assessment will ensure this issues and including the necessary measures for it to adopt.
• Many participants raised the issue of tourism and said that, while, in general, tourism should be welcome the socio-economic assessment should include the issue to understand its long-term impacts and in particular for the disadvantaged communities. They also asked to put more emphasis on eco-tourism.	BLPA understands that tourism has great potential in the CHT region. However, it is also aware of the potential negative impacts that tourism could produce if it grows in unplanned and unchecked manner. BLPA is not involved in tourism promotion but it is aware that the proposed land port can boost greater mobility of the people including tourism. The social and assessment will look into the matters.
• The participants raised the concerns that while the proposed land port will surely generate economic opportunities, jobs and incomes, special measures should be included to promote/support the local businesses so that not only the Dhaka and Chittagong big business houses monopolize all the available opportunities.	BLPA understands the demands of the participants and will encourage the stakeholders to raise these demands to the government.

• Many participants raised the issue of the connecting road and the need for expansion of the current road from Ramgarh to Baraiyarhat. They also raised the importance of developing a second connecting road through Nazirhat/Fatikchari and also to explore extension of rail link which currently extends upto Nazirhat, some 30/40 kilometers from Ramgarh at Nazirhat in Chittagong.	BLPA expects a somewhat low volume of trades through the proposed land port at the initial stage. However, it agrees that the current connecting road might face increased traffic including heavy trucks from the construction of the land port. However, BLPA is also confident that the government will take appropriate measures in this regard based on the project's feasibility studies.
• What will be the rate/measures of compensation for land acquisition?	BLPA will follow the government approved laws in this regard. Further where applicable, it will also comply with Work Bank safeguards policies.
• The funding by World Bank, is it grant or loan? What are the conditions? What are objectives of World Bank for financing the project?	The Government of Bangladesh is seeking the funding from World Bank for the proposed land port. It'll be low interest loan, as all the World Bank funding to Bangladesh usually are. However, there is, at this stage, still no commitment by the World Bank to finance the proposed Ramgarh Land Port. The project will enhance greater connectivity with India which will be in turn generate more economic activity and employment in the CHT region and Bangladesh
• How will the co-location of the land ports between India and Bangladesh work?	This is a very new concept both to Bangladesh and India. As such there is still no definite answer at present about how it will function. But if the modality works smoothly, it will create a milestone in regional cooperation.
• The land under acquisition are prime agricultural land in Ramgarh. The land port should have proper drainage system so that it does not create waterlogging or dirty water from the land port does not flood the nearby agricultural land. There is also a risk of bank erosion by the Feni river if it is located nearby.	BLPA is aware of these potential issues and will specifically ask the feasibility study to look into these concerns.
• There are 3 graveyards (Muslim, Christian and Buddist) on the riverside and crossing the road, Muhamoni Church just opposite to Indian establishment for Land Port.	The Chairman of BLPA said that BLPA would try to avoid all these kinds of religious sensitive locations.
• Even if BLPA provides appropriate compensation to the affected persons and communities, it should be mindful that these people are poor and many not have the skill and capacity to handle the sudden amount of compensation cash effectively. BLPA should	The feasibility study and the social and environmental assessment will look in-depth to these concerns. Based on the recommendations of these studies, BLPA will consider appropriate measures and seek necessary funding from the

think about implementing a skill development program to the affected communities and in the wider Khagrachari district	government, World Bank or other development partners.
• CHT region is one of the poorest areas in Bangladesh. The revenue/taxes generated from the port activity should be shared with the region's local government institutions such as the Upazilla and District Council	The government has specific policy in this regard. BLPA will encourage the stakeholders to raise their concerns to the government.

Concluding Observations

The participants very clearly expressed their support to the proposed land port at Ramgar. The opinions of the participants may guide the future steps for BLPA as it works on preparing the project document.

Annex -1: List of Participants

SL	Name	Designation	Name of the Institution
1	Raktotpal Tripura	Member	CHT Regional Council
2	Mong Sui Pru Chowdhury	Member	Hill District Council, Khagrachari
3	Md. Shahidul Islam Bhuiyan	Chairman	Ramgar Upazilla
4	Md. Lutfor Rahman	Deputy Secretary	Ministry of CHT Affairs
5	Mohsih Hossain Talukdar	District Information Officer	Khagrachari district
6	Ms. Khadiza Akhter	Women Vice Chairman	Ramgar Upazilla
7	Md. Moinuddin Khan	Officer-in-Charge	Ramgar Thana
8	Nurul Alam	President	Khagrachari Journalist Union
9	Prantar Chakma	Headman and Representative	Chakma Circle Chief
10	Jugantar Tripura	Coordinator	KMKS
11	Md. Shah Alam	Chairman	Ramgar Union Parishad
12	Md. Al-Mamum Mia	Upazilla Rirbahi Officer	Ramgar Upazilla
13	Md. Muntasir Hassan	Assistant Commissioner	DC Office
14	Dr. Sudhin Kumar Chakma	Retired Principal	Khagrachari Government College
15	Sudardhan Dutta	Local entrepreneur	Khagrachari Chamber of Commerce
16	Mathura Bikash Tripura	Executive Director	Zabarang
17	Arun Kanti Chakma	Executive Director	ALO
18	Dhiman Khisa	Local Entrepreneur	Civil Society
19	Ranik Tripura	President	Khagrachari Karbari Association
20	Khetra Mohan Roaza	President	Khagrachari Headmen Association
21	ATM Kawser Hossain	ADC, Revenue	DC Office
22	Md. Abul Kalam Bhuiyan	Field Officer	NSI
23	Ms. Jayanti Dewan	Journalist	Daily Prothom Alo
24	Kanan Acharya	Journalist	Mashranga Television
25	H M Prafulla	Journalist	BanglaVision TV
26	Saikat Dewan	Journalist	DBC News
27	Abu Taher Mohammad	Journalist	NTV
28	Biplab Talukdar	Journalist	Ekattor TV
29	Md. Moin Uddin	Journalist	Daily Aranya Barta
30	Md. Nurul Alam Chowdhury	Member, Planning	CHT Development Board
31	Hassan Ali	Executive Engineer	BLPA
32	Kirti Nishan Chakma	Social Safeguard Consultant	World Bank
33	Dr. Nurul Islam	Environment Consultant	World Bank
34	Md. Wahiduzzaman	Deputy Commissioner	Khagrachari
35	Tapan Kumar Chakravarty	Chairman	BLPA

Annex – 2: Attendance Sheet

বাংলাদেশ স্থলবন্দর কর্তৃপক্ষ
টিসিবি ভবন(৬ষ্ঠ তলা), কাওরান বাজার
ঢাকা-১২১৫, ফ্যাক্স: ৯১২২৬২৭
www.bsbk.gov.bd

উপস্থিতির তালিকা ঃ

বিষয় ঃ রামগড় স্থলবন্দর উন্নয়ন বিষয়ে ০২/১১/২০১৭ তারিখে অনুষ্ঠিত গণ পরামর্শ সভায় উপস্থিতির তালিকা।

স্থান ঃ কনফারেন্স রুম, জেলা প্রশাসকের কার্যালয়, খাগড়াছড়ি।

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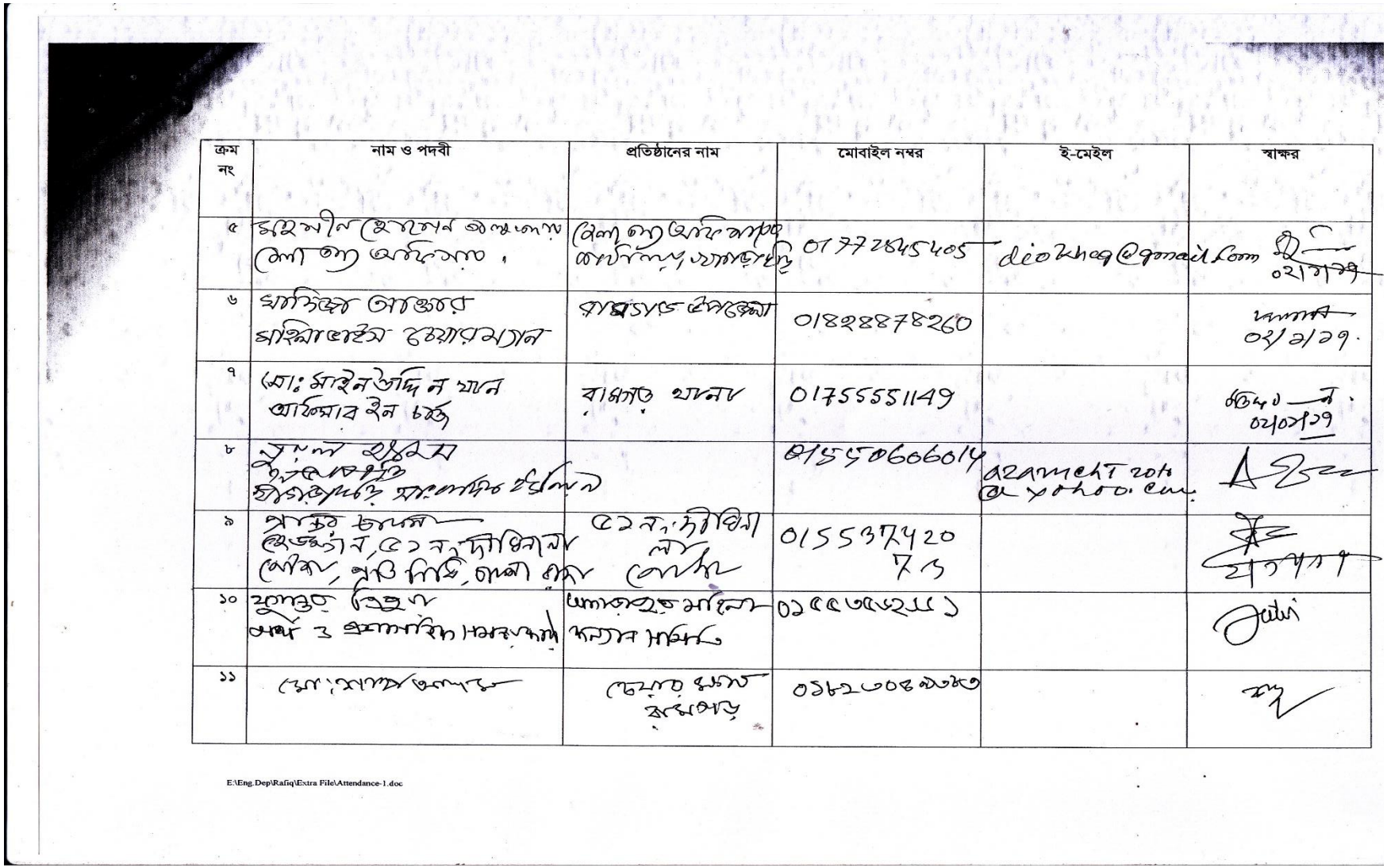

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৬			01828878260		
৭			01755551149		
৮			01570666014	azamcat2014@yahoo.com	
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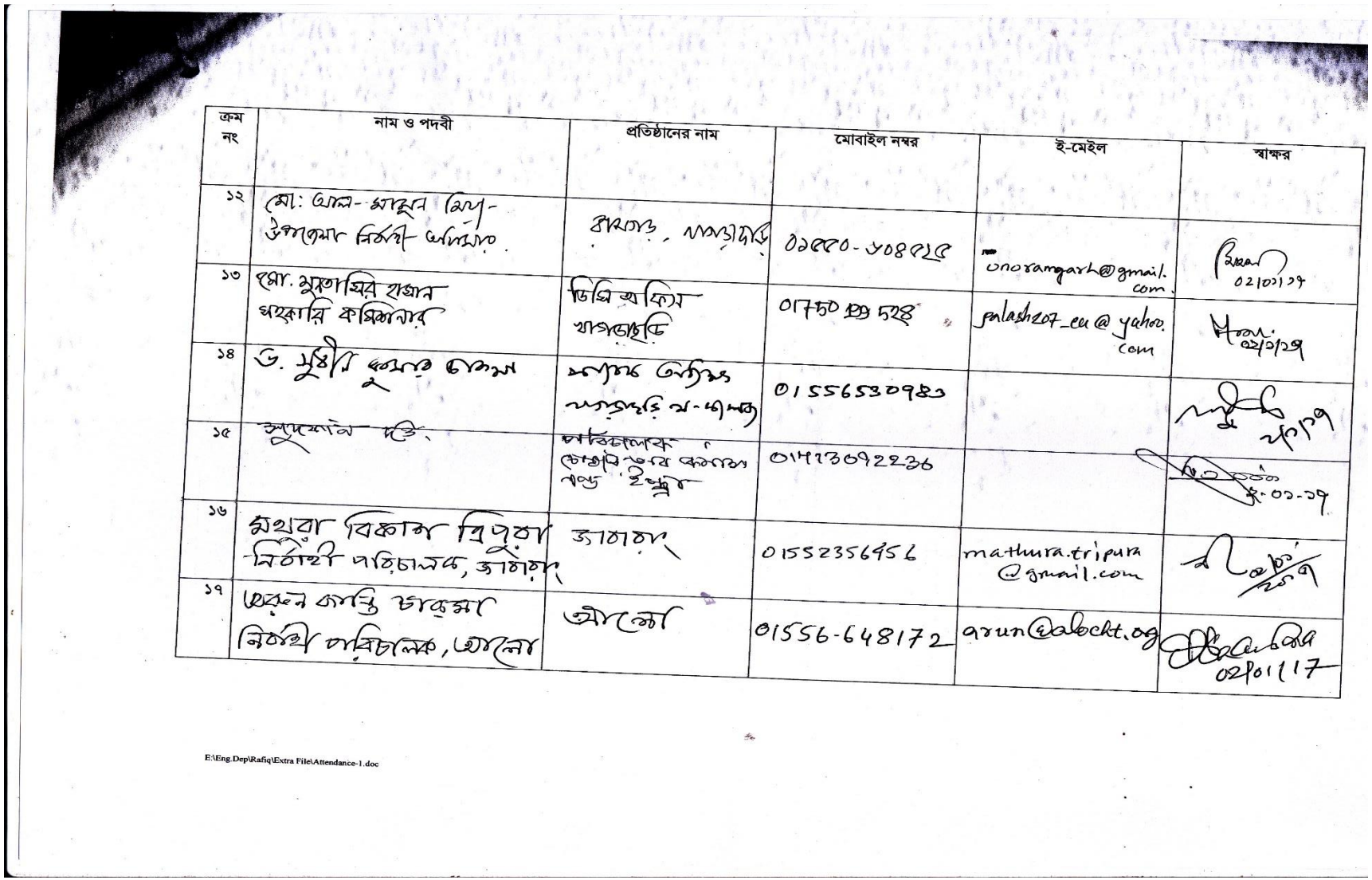

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১২	মো: ওমর- ফারুক মিয়া- উপজেলা নির্বাহী কর্মকর্তা	বাঘারপাড়া, মাগুরা	০১৭৭০-৬০৪৭৫	unoramgarh@gmail.com	০২/০১/১৭
১৩	প্রো. মুকতাফির হাজান খন্দকার কমিশনার	ডিজি অফিস খাগড়াছড়ি	০১৭৫০ ৪৯ ৫২৪	palash207_cu@yahoo.com	০২/১/১৭
১৪	ড. সুধীর কুমার চাকমা	সদস্য (সচিব) সড়ক বিভাগ	০১৫৫৫৩০৭৪৩		
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১৭	[illegible] নির্বাহী পরিচালক, আলো	আলো	০১৫৫৬-৬৪৮১৭২	arun@aalockt.org	০২/০১/১৭

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ক্রম নং	নাম ও পদবী	প্রতিষ্ঠানের নাম	মোবাইল নম্বর	ই-মেইল	স্বাক্ষর
১৮	ধীমান খীসা Local enterprenewr and Civil Society Activist	Khagrachari Sadar	0167 5005923	Khisa.dhiman@gmail.com	০২.০৩.১৭
১৯	হারুণী মোহাঃ - লিয়াকত (নাম) [illegible] - খাগড়াছড়ি সভাপতি-খাগড়াছড়ি-নগর ব্যবসায়ী সমিতি		01814323522	—	২.২.১৭
২০	রুনিক ত্রিপুরা ভাইস চেয়ারম্যান জেলা সদর সমবায় খাগড়াছড়ি জেলা-কারকরী-অফিসিয়েশন		0১৫৫৬৭৪১১০২	—	২.৩.১৭
২০	প্রীতি মোহন চাকমা সহ-সভাপতি, জেলা ছাত্রলীগ খাগড়াছড়ি-পূর্ব	খাগড়াছড়ি	01747706713.	—	
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২৪	A.T.M. Kawsar Hossain ADC (Rev.). Khagrachari		01550604503		
২৫	Dr. Md. Nurul Islam, P.Eng. Consultant, Environmental safeguards, World Bank	World Bank	01767455846	mislam23@worldbank.org	
২৬	Md. Abul Kalam Bhuiyan Field officer.	NSI	01673754932		
২৭	[illegible]	[illegible]	[illegible]		
২৮	[illegible]	[illegible]	01553128723	[illegible]	
২৯	[illegible]	[illegible]	[illegible]	[illegible]	

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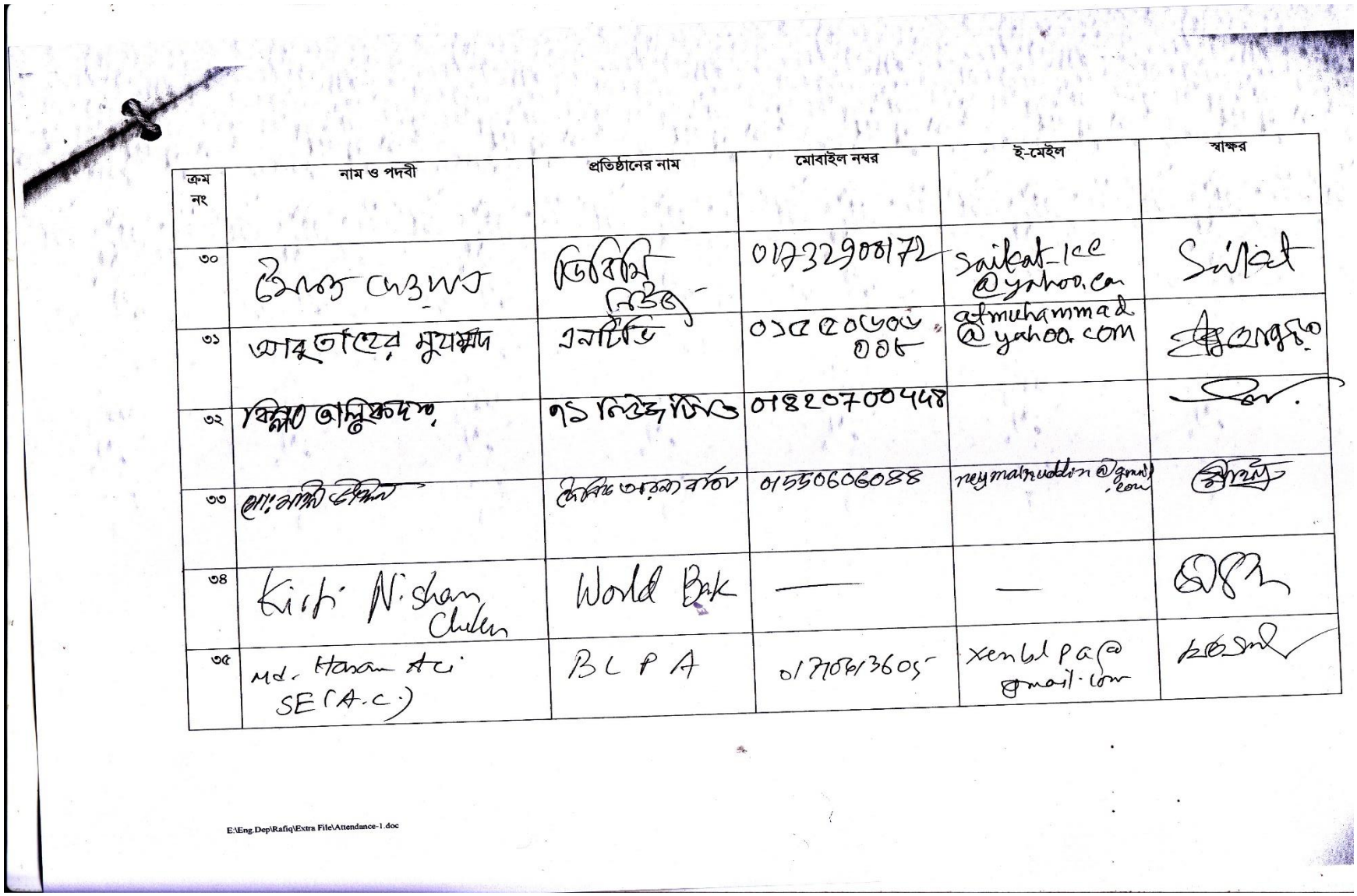

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৩০	[illegible]	[illegible]	01732908172	saikat_ice@yahoo.com	Saikat
৩১	[illegible]	[illegible]	[illegible]	atmuhammad@yahoo.com	[illegible]
৩২	[illegible]	[illegible]	01820700448		[illegible]
৩৩	[illegible]	[illegible]	01550606088	reymatruddin@gmail.com	[illegible]
৩৪	Kishi Nishan Chakma	World Bank	—	—	[illegible]
৩৫	Md. Hasan Ali SE (A.C.)	BLPA	01710613605	xenblpa@gmail.com	[illegible]

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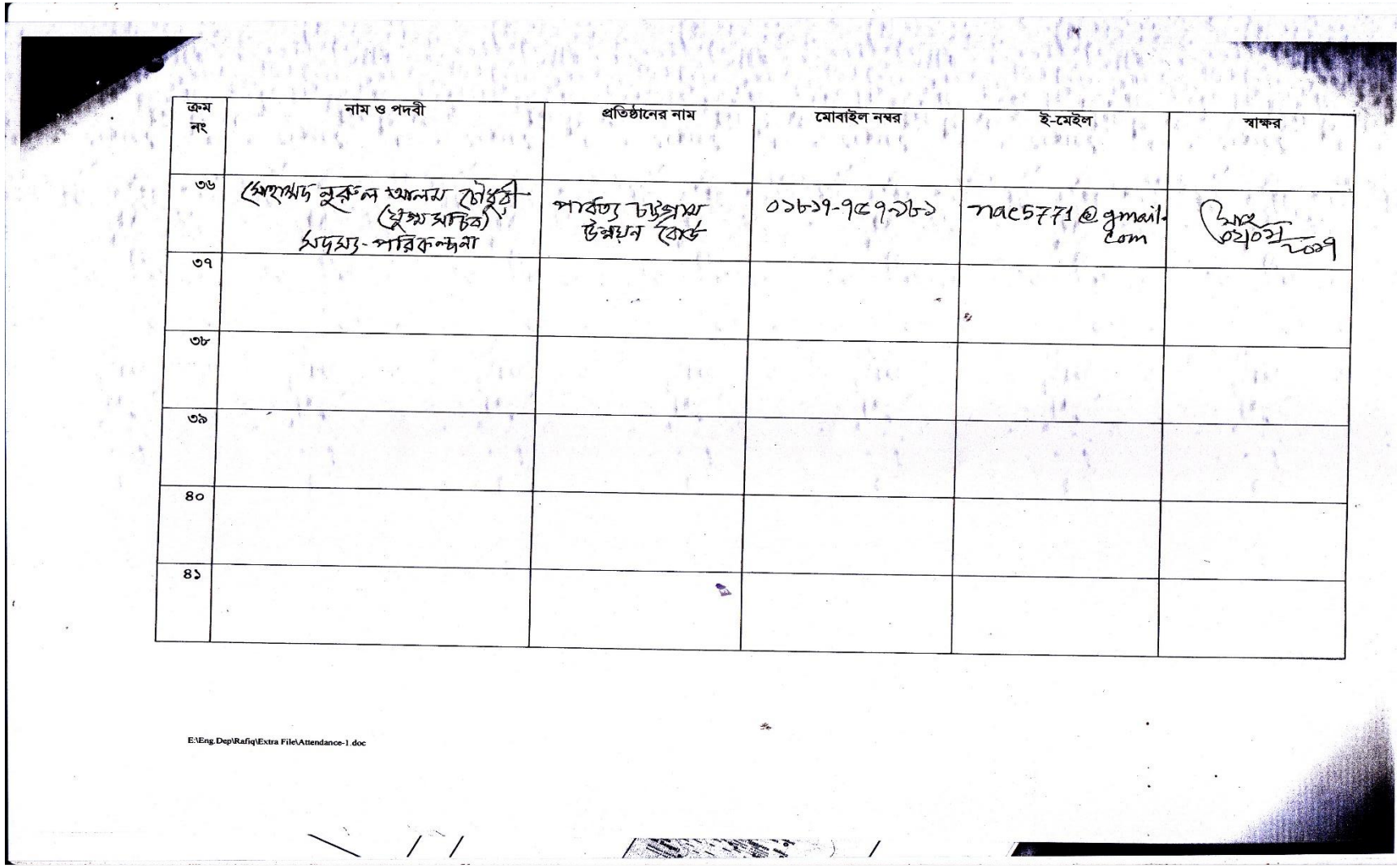

ক্রম নং	নাম ও পদবী	প্রতিষ্ঠানের নাম	মোবাইল নম্বর	ই-মেইল	স্বাক্ষর
৩৬	মোহাম্মদ নুরুল আলম চৌধুরী (যুগ্ম সচিব) সদস্য-পরিকল্পনা	পার্বত্য চট্টগ্রাম উন্নয়ন বোর্ড	০১৮১৭-৭৫৭৬৮১	nac5771@gmail.com	
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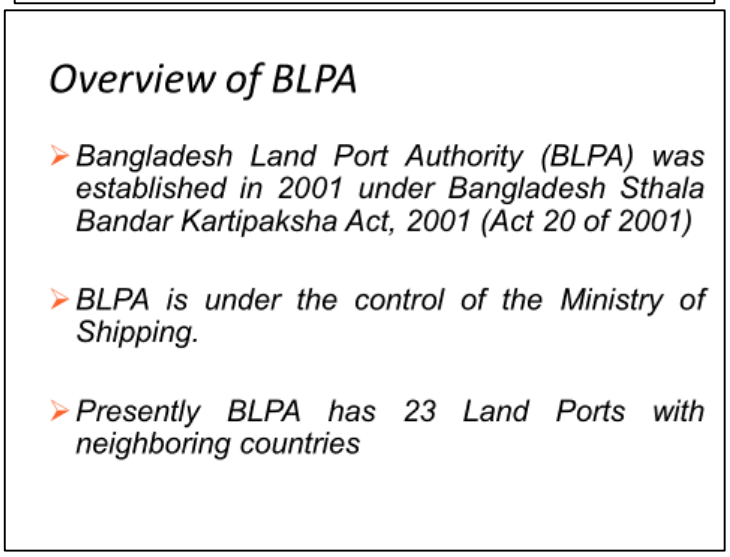
Annex -3: Presentation of the Consultation by BLPA



Location of 23 Land Ports

Objectives of the Consultation

- *To inform the stakeholders about the possible interventions and activities at Ramgarh under the proposed Bangladesh Regional Connectivity Project 1 by BLPA*
- *To seek preliminary opinions about the proposed land port, including environmental and social aspects*
- *And potential impacts on 'ethnic minority' communities in Ramgarh*

Consultation Process

A. Initial screening-stage consultation :

- *An initial screening-stage consultation was already held at Ramgarh in October 2015, attended by about 30 local people;*

B. Preliminary level discussion:

This consultation is a very preliminary level discussion about the possible development of Ramgarh land port;

C. Detail Consultation:

More consultations with all the relevant stakeholders, including with the grassroots communities, women and ethnic minority communities will be held during the preparation of feasibility study and detailed design (if Ramgarh selected as a site);

D . Decision about World Bank funding depends on the opinions of the Stakeholders.

Proposed Bangladesh Regional Connectivity Project 1

***Objective**: Improve conditions for trade through improving connectivity, reducing logistics bottlenecks and supporting the adoption of modern approaches to border management and trade facilitation.*

***Component 1**: Investments in infrastructure, systems and procedures to modernize and improve connectivity of key land ports essential for trade with India and Bhutan (BLPA-managed Component). This will include:*

a. *Development of **Sheola** land port*
b. *Expansion and upgrading of **Bhomra** land port*
c. *Improvements to security systems at **Benapole** land port*
d. *Development of **Ramgarh** **land port(if agreed)**.*

Proposed Bangladesh Regional Connectivity Project 1

- ***Component 2**: Support coordination for trade, and economic empowerment opportunities for women (Ministry of Commerce, WTO Cell – managed component)*
  - *Support to strengthen (Inter-ministerial) National Trade and Transport Facilitation Committee*
  - *Capacity development programs for female traders and entrepreneurs (through Ministry of Commerce)*
- *Component 3: National Single Window Implementation and Strengthening Customs Modernization. (Customs Department in NBR - managed component)*
  - *Technical support to improve trading performance, customs modernization and ICT infrastructure for selected land ports*

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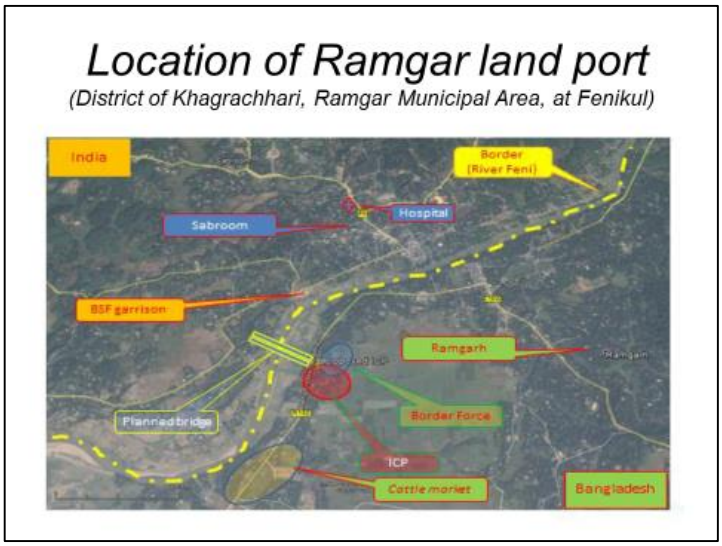
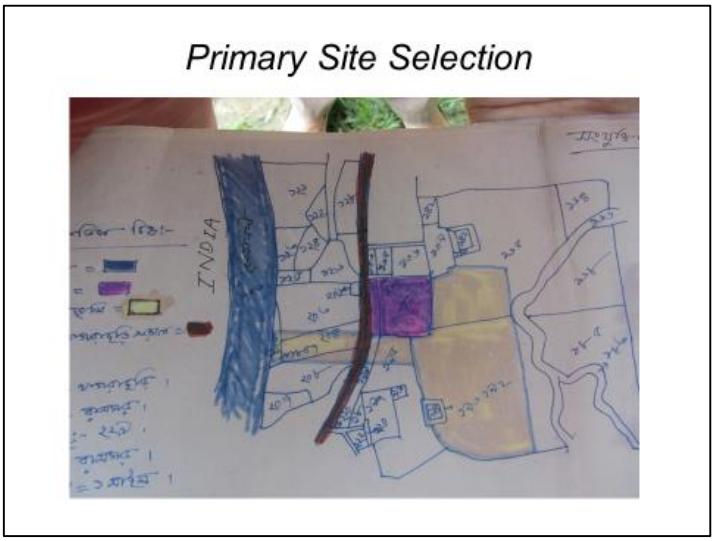
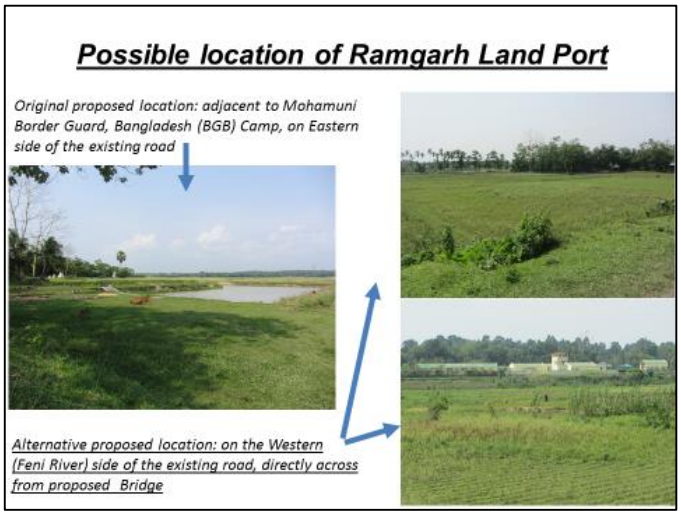
Component 1a: Land Port Infrastructure

- *Typical facilities to be built:*
  - ***Port facilities**: administrative building, warehouses, transshipment sheds, open stack yards, truck terminals;*
  - ***Service Areas**: barrack, dormitory, restaurant, substation/generator and fuel house, and mosque;*
  - ***Infrastructure**: fencing/boundary wall, internal roads, drains, footpath, parking, and landscaping*
  - ***Electrification Works;***
  - ***Water Supply and Sanitation Works***
  - ***Safety and Security**: fire protection and detection, CCTV system, alarm and access control systems*
- *Potentially a co-located land port, i.e. both Bangladesh and India to jointly share a common space for Customs and other clearance functions*
- *Expected to boost bilateral trade and cross-border visits/tourism*
- *Land acquisition expected: 10 acres (for Ramgarh)*

9


Location of Ramgar land port
(District of Khagrachhari, Ramgar Municipal Area, at Fenikul)
India
Border (River Feni)
Hospital
Sabroom
BSF garrison
Ramgarh
Border Force
Plannedbridge
ICP
Cattle market
Bangladesh


Primary Site Selection
INDIA


Possible location of Ramgarh Land Port
Original proposed location: adjacent to Mohamuni Border Guard, Bangladesh (BGB) Camp, on Eastern side of the existing road
Alternative proposed location: on the Western (Feni River) side of the existing road, directly across from proposed Bridge

Early preparation in support of the Regional Connectivity Project 1

- *3 key safeguards documents prepared for the project, as per national and World Bank standards:*
  1. *Resettlement Policy Framework (RPF)*
  2. *Small Ethnic and Vulnerable Community Development Framework (SEVCDF)*
  3. *Environment Management Framework (EMF)*
- *All the 3 documents are currently publicly disclosed along with Bangla translations on BLPA website (www.bsbk.gov.bd)*

Proposed Institutional Setup for E&S management of Land Ports

- ***BLPA Project Implementation Unit (PIU)**: Environmental and Social Cell within PIU with environmental and social specialists*
- ***Construction Supervision Consultants**: Environmental and social consultants to supervise implementation of EMPs, RAPs, SEVCDP as required*
- ***Contractors**: Environmental Health and Safety Specialists to implement EMPs*
- ***Port Offices**: BLPA Environmental Health and Safety Officer to be permanently at ports during Operation Stage.*

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Main Highlights of the RPF

Potential Project Impacts

- Likely reductions in transports costs
- Likely reductions in border trade costs
- Better connectivity
- Better transportation
- More trade
- Higher income generation
- Overall, improved livelihood
- Land Acquisition and subsequent resettlement
- Loss of Livelihood of the affected persons
- Inconvenience and nuisance during construction

Mitigation Measures

- The design will consider minimization of land acquisition and related impacts
- Integrate the rehabilitation of livelihoods into design of terminals
  - Livelihoods: such as integrating shops and vendors
  - Facilities for women such as: separate counters, waiting areas, sanitation, seating arrangements
  - Facilities for disabled people
  - Arrangements to continue cultural practices
  - Design and general arrangement to be ready for impact identification and resettlement plan preparation

Mitigation Measures (2)

- Alternate temporary transit arrangements before resettlement
- Resettlement Policy Framework and Plans with clear entitlements and public disclosure
- Small Ethnic Vulnerable Communities Development Plan
- Grievance Redressal Mechanism
- Community Engagement in planning and implementation
- Gender Mainstreaming Plans

RPF Principles 1

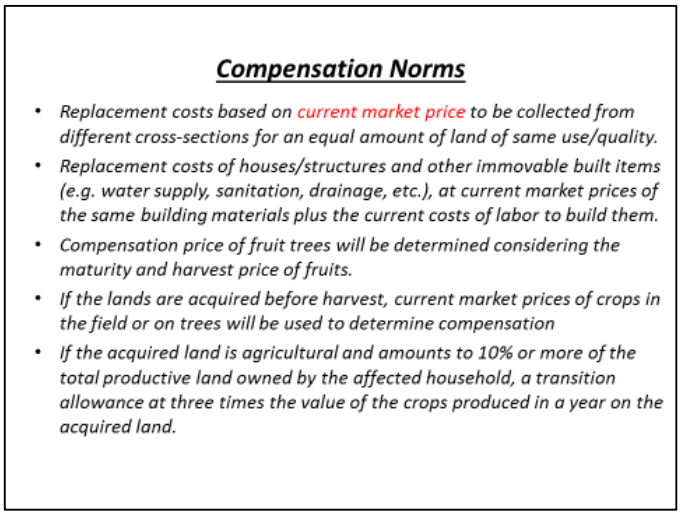
- *Avoid or minimize acquisition of private lands and use as much public land as possible;*
- *Avoid or minimize displacement of people from homesteads, land valued higher in terms of productivity and uses, buildings/structures that are used for permanent business and/or commercial activities*
- *Minimize impacts on community facilities, such as educational institutions, places of worship, cemeteries, etc., and buildings/structures that are socially and historically important.*
- *Where the portion of a plot remaining after acquisition becomes economically unviable, the landowner will have the option to offer the entire plot for acquisition.*
- *The policy principles adopted are inclusive and cover both titled and non-titled persons. The affected persons without title will also be entitled for resettlement benefits.*

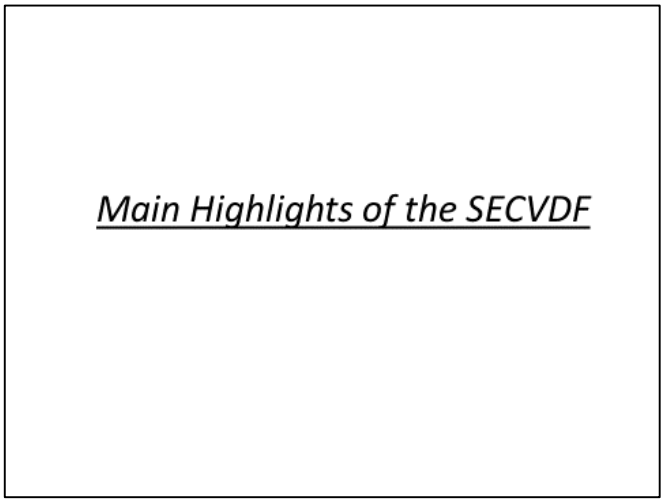
RPF Principles 2

- *Resettlement of project-affected persons will be planned and developed as an integral part of the project design.*
- *Absence of legal titles in cases of public land users will not be considered a bar to resettlement and rehabilitation assistance, especially for the socio-economically vulnerable groups.*
- *Homestead-losers, including the poor and vulnerable households squatting on public lands, will be compensated for their physical assets and provided relocation assistance.*

RPF Principles 3

- *Assets like equipment, machinery or parts that can be dismantled and moved intact will not be eligible for compensation, but the owners will be paid the actual costs of dismantling and moving them.*
- *Where the project activities cause community-wide impacts affecting community facilities BLPA will rebuild or provide alternatives in consultation with user communities.*


Compensation Norms
Replacement costs based on current market price to be collected from different cross-sections for an equal amount of land of same use/quality.
Replacement costs of houses/structures and other immovable built items (e.g. water supply, sanitation, drainage, etc.), at current market prices of the same building materials plus the current costs of labor to build them.
Compensation price of fruit trees will be determined considering the maturity and harvest price of fruits.
If the lands are acquired before harvest, current market prices of crops in the field or on trees will be used to determine compensation
If the acquired land is agricultural and amounts to 10% or more of the total productive land owned by the affected household, a transition allowance at three times the value of the crops produced in a year on the acquired land.


Main Highlights of the SECVDF

Key legal provisions for the SEVCDF
Constitution of Bangladesh
Acquisition and Requisition of Immovable Property Ordinance, 1982
National Land Use Policy, 2001
East Bengal State Acquisition and Tenancy Act, 1950
Bangladesh Labour Act, 2006

Key legal provisions for SEVCDF (cont.)

- **For CHT only**
  1. CHT Regulations 1900
  2. Forest Act, 1927 (as amended in 2003)
  3. Bazar Fund Rules, 1936
  4. CHT (Land Acquisition) Regulation, 1958
  5. HDCs (Bandarban, Rangamati and Khagrachari) Act, 1998 (along with the Schedule – 1)
  6. CHT Accord 1997
  7. CHT Regional Council Act, 1998
  8. CHT Land Commission Act, 2001 (as amended 2016)

Key legal provisions for SEVCDF (cont.)

- **Other Laws and policies**
  1. The Employment of Children Act 1938
  2. The Factories Act 1965
  3. Shops and Establishment Act 1965
  4. National Child Labour Elimination Policy 2010
  5. The Children Act 2013
  6. Women and Children Repression Prevention Act, 2000
  7. Domestic Violence (Prevention and Protection) Act, 2010
  8. Citizenship Act (amended), 2009
  9. Mobile Court Act, 2009

World Bank Operational Policy/Process

Directive	Policy	Applicability for the Project
Environmental Assessment	OP/BP 4.01	Triggered.
Natural Habitats	OP/BP 4.04	Triggered.
Indigenous People	OP/BP 4.10	Triggered. Based on the field visits, there are indigenous people in the project area. For this reason an Small Ethnic Vulnerable Communities Development Framework (SEVCDF) is prepared separately and will be integral to the RFP during implementation.
Physical Cultural Resources	OP 4.11	Triggered.

World Bank Operational Policy/Process

Directive	Policy	Applicability for the Project
Involuntary Resettlement	OP/BP 4.12	Triggered. Land is required for project infrastructure facilities. First option would be to reduce land requirement and the next would be to go for government land. In case of private land acquisition the affected people will be compensated at replacement cost. Those who lose their livelihoods will be rehabilitated with their living standards restored or increased (in case of below poverty line people) as per the RPF. Affected people, women and other vulnerable will be engaged fully in the project activities as per RPF.
Access to Information	===	The RPF will be disclosed on BLPA and World Bank website and in hard copy in the project area, including BLPA offices at all the existing and proposed terminals, shelters and landing stations. All these documents will be translated into Bangla and disclosed through above channels.

Key measures in the SEVCDF

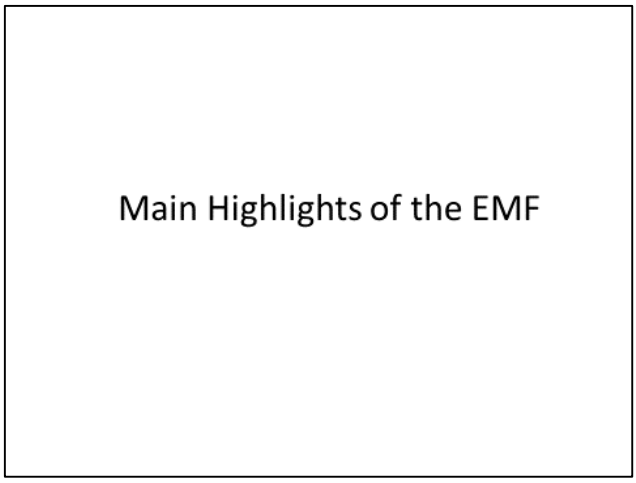
- Facilitate a development process with full respect for dignity, human rights and cultural integrity of SECs, minimizes adverse impacts, and supports culturally and socially compatible economic development programs
- Ensure consultation and participation, and information disclosure
- Recognize SEC's traditional institutions
- Institutionalize grievance redress (also through the traditional tribal justice system and/or alternative dispute resolution mechanisms)

* A *SEVCDP will be prepared for each village where the small ethnic minority population constitutes more than 5% of the village population*

Minimizing negative impacts

BLPA will minimize impacts that:

- Threaten cultural tradition and way of life for SECs
- May severely restrict access to common property resources and livelihood activities
- May affect places/objects of cultural and religious significance (places of worship, ancestral burial grounds, etc.)
- That will require involuntary land donation, "contribution against compensation" and purchases that are not offered on "willing buyer-seller" basis
- Affect private homesteads
- Render households using public lands homeless or impact livelihood activities ongoing there
- Significantly restrict access to common property resources and livelihood activities of groups and communities
- Cause adverse impacts on physical cultural resources like buildings and objects that bear cultural and historical significance



Environmental Management Framework (EMF)

Lays out requirements, processes and institutional arrangements for proper Environmental Assessment of the land port developments, including:

- Environmental Screening
- Identification of key environmental issues to be considered during project planning, design and implementation
- Requirements for Environmental Impact Assessments (EIAs) for the proposed ports in compliance with national and World Bank requirements

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EIA Process

- *Environmental screening – including initial public consultation*
- *Assessment of potential impacts and mitigation measures*
- *Mainstreaming environmental and social issues in the Project design*
- *Development of Environmental Management Plan (EMP)*
- *Public Consultation and Disclosure of draft EIA*
- *Finalizing the EIA based on feedback received*

Key potential environmental impacts and mitigations at Ramgarh Land Port (1)

- ***Drainage***: *storm water drains will be required to prevent water logging and to ensure runoff does not pollute Feni river. The port site will be developed above the 100-year flood level and will consider the climate change impacts.*
- ***Protection of cultural heritage***: *An ashram (hermitage), a culturally important area is located near the original proposed port area. To minimize dust and noise pollution on this area, adequate control measures such as developing buffer zones around the port facilities will be considered during the design of the port.*
- ***Control of dust:*** *Measures will be required such as concrete pavement of transhipment yard, pavement of internal roads and sidewalks, covering storage areas and spraying of water, etc.*

Key potential environmental impacts and mitigations at Ramgarh Land Port (2)

- ***Control of noise***: *Tree plantation/buffer areas around the port facilities to minimize dust and noise will be proposed.*
- ***Solid waste***: *Waste collection and disposal facilities may need to be developed for the port.*
- ***Facilities for women***: *Separate facilities for women travellers/traders may be needed at the port. At Ramgar, this might include a footbridge for pedestrian traders who are largely women.*
- ***Water and Sanitation***: *Safe drinking water and sanitation facilities for workers and truck drivers need to be established and maintained.*

Improperly managed solid waste (example)

Next steps for potential Ramgarh Land Port Development

- *Stakeholder consultations based on the principles of "free, prior and informed consultations', which will inform:*
  - *Feasibility and design studies*
  - *Environmental Impact Assessment (EIA), incl EMP*
  - *IEE (for environmental clearance by Dept. of Environment)*
  - *Social Impact Assessment (SIA)*
  - *Resettlement Action Plan (RAP)*
  - *Small Ethnic & Vulnerable Community Development Plan (SEVDCP)*
- *Disclosure of draft safeguards documents (also in Bangla) for public review and comments*
- *Approval of studies by World Bank, and of IEE/EIA by Government of Bangladesh*
- Land acquisition and resettlement must be carried out before construction can begin

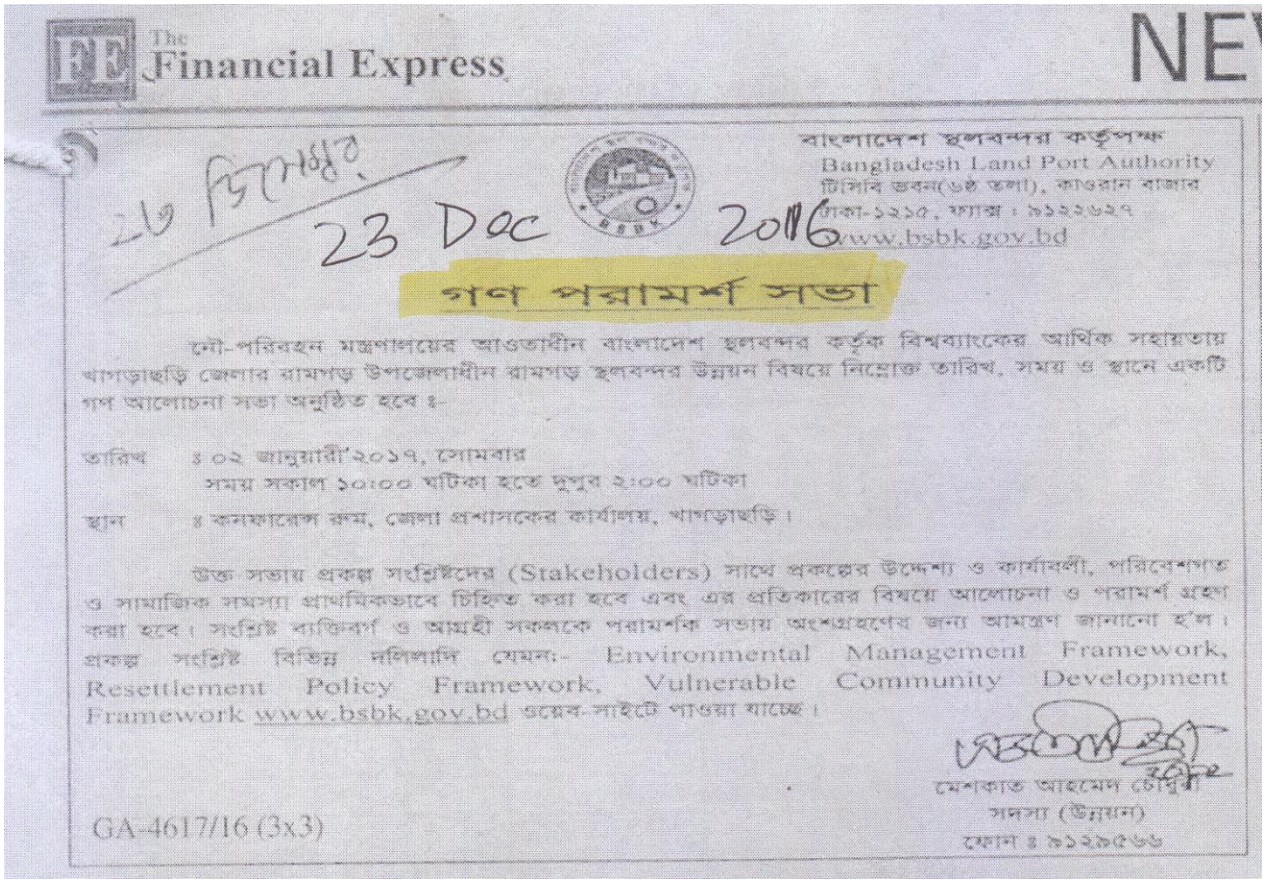
Timeline

- End-February, 2017: The Regional Connectivity Project will be considered for financing by the World Bank.
- Studies for Ramgar land port, including safeguards studies and additional consultations, may get underway by early 2018.
- Timeline is subject to delay, depending on formal decision with Government of India on whether to develop a co-located facility.

Thank You

Annex – 4: Copy of News Paper advertisements on the consultations

Daily Financial Express (Published on 23 December 2016)



The Financial Express

NE

বাংলাদেশ স্থলবন্দর কর্তৃপক্ষ
Bangladesh Land Port Authority
টিসিবি ভবন(৬ষ্ঠ তলা), কাওরান বাজার
ঢাকা-১২১৫, ফোন : ৮১২৬৬২৭
www.bsbk.gov.bd

23 Dec 2016

গণ পরামর্শ সভা

নৌ-পরিবহন মন্ত্রণালয়ের আওতাধীন বাংলাদেশ স্থলবন্দর কর্তৃক বিশ্বব্যাংকের আর্থিক সহায়তায় খাগড়াছড়ি জেলার রামগড় উপজেলাধীন রামগড় স্থলবন্দর উন্নয়ন বিষয়ে নিম্নোক্ত তারিখ, সময় ও স্থানে একটি গণ আলোচনা সভা অনুষ্ঠিত হবে ঃ-

তারিখ ঃ ০২ জানুয়ারী'২০১৭, সোমবার
সময় সকাল ১০:০০ ঘটিকা হতে দুপুর ২:০০ ঘটিকা

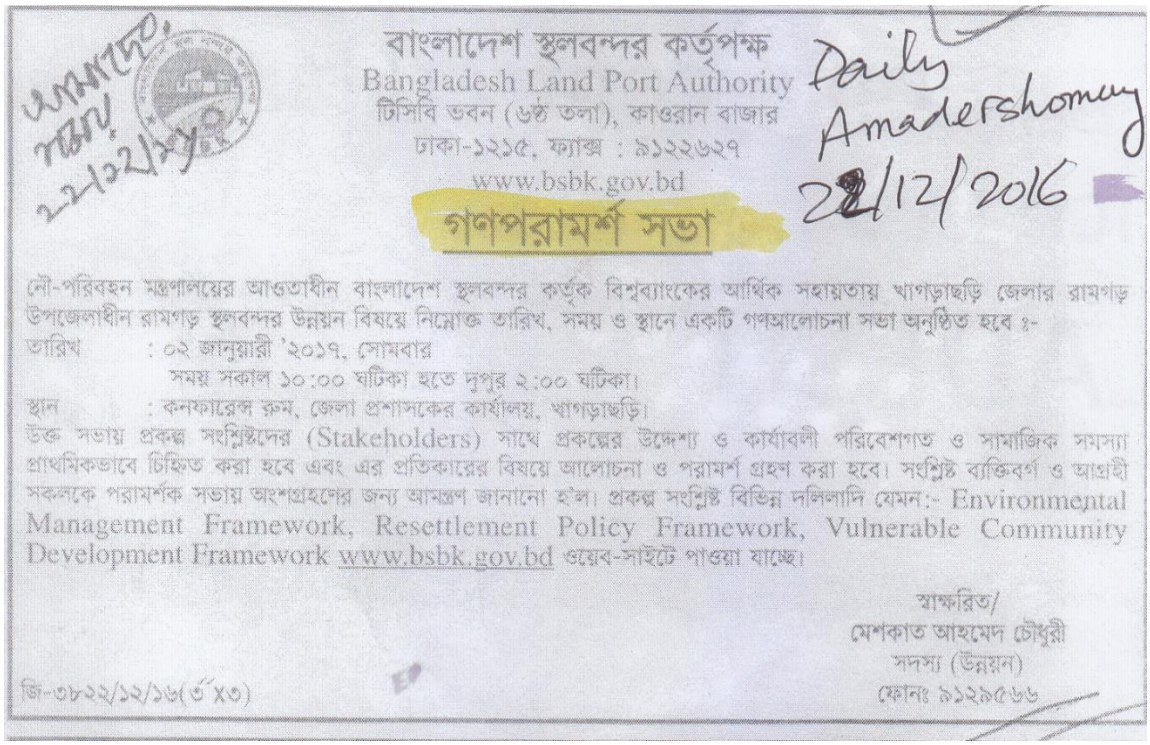
স্থান ঃ কনফারেন্স রুম, জেলা প্রশাসকের কার্যালয়, খাগড়াছড়ি।

উক্ত সভায় প্রকল্প সংশ্লিষ্টদের (Stakeholders) সাথে প্রকল্পের উদ্দেশ্য ও কার্যাবলী, পরিবেশগত ও সামাজিক সমস্যা প্রাথমিকভাবে চিহ্নিত করা হবে এবং এর প্রতিকারের বিষয়ে আলোচনা ও পরামর্শ গ্রহণ করা হবে। সংশ্লিষ্ট ব্যক্তিবর্গ ও আগ্রহী সকলকে পরামর্শক সভায় অংশগ্রহণের জন্য আমন্ত্রণ জানানো হ'ল। প্রকল্প সংশ্লিষ্ট বিভিন্ন দলিলাদি যেমন:- Environmental Management Framework, Resettlement Policy Framework, Vulnerable Community Development Framework www.bsbk.gov.bd ওয়েব সাইটে পাওয়া যাচ্ছে।

মেশকাত আহমেদ চৌধুরী
সদস্য (উন্নয়ন)
ফোন ঃ ৮১২৬৫৬৬

GA-4617/16 (3x3)

Daily Amader Shomoy (Published on 22 December 2016)



বাংলাদেশ স্থলবন্দর কর্তৃপক্ষ
Bangladesh Land Port Authority
টিসিবি ভবন (৬ষ্ঠ তলা), কাওরান বাজার
ঢাকা-১২১৫, ফ্যাক্স : ৯১২২৬২৭
www.bsbk.gov.bd

Daily Amadershomoy
22/12/2016

গণপরামর্শ সভা

নৌ-পরিবহন মন্ত্রণালয়ের আওতাধীন বাংলাদেশ স্থলবন্দর কর্তৃক বিশ্বব্যাংকের আর্থিক সহায়তায় খাগড়াছড়ি জেলার রামগড় উপজেলাধীন রামগড় স্থলবন্দর উন্নয়ন বিষয়ে নিম্নোক্ত তারিখ, সময় ও স্থানে একটি গণআলোচনা সভা অনুষ্ঠিত হবে ঃ-

তারিখ : ০২ জানুয়ারী '২০১৭, সোমবার
সময় সকাল ১০:০০ ঘটিকা হতে দুপুর ২:০০ ঘটিকা।
স্থান : কনফারেন্স রুম, জেলা প্রশাসকের কার্যালয়, খাগড়াছড়ি।

উক্ত সভায় প্রকল্প সংশ্লিষ্টদের (Stakeholders) সাথে প্রকল্পের উদ্দেশ্য ও কার্যাবলী পরিবেশগত ও সামাজিক সমস্যা প্রাথমিকভাবে চিহ্নিত করা হবে এবং এর প্রতিকারের বিষয়ে আলোচনা ও পরামর্শ গ্রহণ করা হবে। সংশ্লিষ্ট ব্যক্তিবর্গ ও আগ্রহী সকলকে পরামর্শক সভায় অংশগ্রহণের জন্য আমন্ত্রণ জানানো হ'ল। প্রকল্প সংশ্লিষ্ট বিভিন্ন দলিলাদি যেমন:- Environmental Management Framework, Resettlement Policy Framework, Vulnerable Community Development Framework www.bsbk.gov.bd ওয়েব-সাইটে পাওয়া যাচ্ছে।

স্বাক্ষরিত/
মেশকাত আহমেদ চৌধুরী
সদস্য (উন্নয়ন)
ফোনঃ ৯১২৯৫৬৬

জি-৩৮২২/১২/১৬(৩ X৩)

Photos of the proposed land port site