

**GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF WATER RESOURCES**



**BANGLADESH WATER DEVELOPMENT BOARD (BWDB)**

**SOCIAL MANAGEMENT AND RESETTLEMENT POLICY  
FRAMEWORK (SMRPF)**

**COASTAL EMBANKMENT IMPROVEMENT PROJECT, PHASE-I (CEIP-I)**

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## Social Management and Resettlement Policy Framework

### EXECUTIVE SUMMARY

E 1. **Introduction.** Bangladesh Water Development Board (BWDB) has developed coastal embankment system (CES) comprising of about 3430 km embankments in 139 polders in 14 coastal districts. Current design of these embankments is not sufficient to withstand severe cyclones and tidal inundation. BWDB therefore, intends to upgrade the CES under the Coastal Embankment Improvement Programme (CEIP) to better withstand severe cyclones and climatic change. CEIP incorporates a long term perspective program spread over a period of fifteen to twenty years and will be comprised of 3 to 4 phases. BWDB has prepared the first phase of the CEIP (CEIP-I) covering 17 polders with a total of 618 km embankments in 13 upazilas (sub-districts) of 6 coastal districts including Bagerhat, Barguna, Khulna, Satkhira, Patuakhali, and Pirojpur. Implementation of the physical components of the project will involve social safeguards compliance issues including land acquisition, involuntary resettlement and other social impacts. The International Development Association (IDA) of the World Bank group is assisting the preparation of the project under the Emergency 2007 Cyclone Recovery and Restoration Project (ECRRP) and will provide financial support to implement it. Under the programmatic planning approach, social impacts including social safeguard compliance issues will be identified when the specific interventions will be selected and designed for implementation. BWDB has therefore, prepared this Social Management and Resettlement Policy Framework (SMRPF) for CEIP to deal with social safeguard compliance and other social issues likely to arise during design and implementation of the phase-wise works packages. A Resettlement Action Plan (RAP) has also been prepared for the first year works under CEIP-I.

E 2. **Objectives of SMRPF.** The SMRPF is intended to provide general policies, guidelines, and procedures for integration of required mitigation measures of possible safeguard impacts into the selection, design and implementation of the project in a number of works packages in each phase of construction. Its objective is to help BWDB to ensure that the project (i) enhances the social development outcomes of implementation activities of the individual existing polder for improvement; (ii) identifies and mitigates adverse impacts that the selected subprojects might cause on people (men & women), including protection against loss of livelihood activities, with culturally, socially and economically appropriate measures; (iii) develops necessary safeguard mitigation measures to adequately disclose and consult with affected people on draft action plans, to replace their lost assets and to improve (or at least restore) their incomes and livelihoods, and (iv) is prepared and implemented in compliance with relevant policies of the GoB and the World Bank.

E 3. **Implications of social safeguard compliance.** The major physical works that may require private land acquisition and taking back of the public land from private uses are the improvement of embankment, construction of retired/new embankments and new hydraulic structures. Social impact assessment (SIA) conducted under the feasibility study in the last quarter of 2011 indicated impact on communities and persons due to the likelihood of land acquisition and population displacement. The census of affected households following the detail design of first year polders conducted in January-February 2012 indicates that a total of 6203 households largely squatters on existing embankments will be affected temporarily in their housing and businesses. The project therefore triggered World Bank Operational Policy (OP) on Involuntary Resettlement (OP 4.12). The extent and magnitude of the overall adverse impacts of remaining polders will however be known only after detailed engineering design of the improvements in subsequent works packages, and finalization of the acquisition requirements for each works package.

E 4. Given the nature of works under the CEIP-I, project interventions are highly unlikely to cause adverse impacts on the Tribal Peoples (TP) that would be substantially different from those on the mainstream communities. A small number of TPs is living in the 6 coastal districts. However, according to social screening during SIA, there is no TPs living in the vicinities of the embankments to be improved and no TPs will be affected. Bank Policy on Indigenous Peoples (OP 4.10) did not, therefore trigger CEIP-I

E 5. CEIP is expected to benefit both men and women in the project areas with improved access to resources, employment and benefit sharing. The project will provide a specific long-term employment opportunity for disadvantaged women, following established BWDB practice, through Labour Contracting Societies (LCS) for equitable physical works in the civil works construction and routine maintenance of polders. However, due to low access to resources and opportunities, women in the project areas may undergo disproportionate impact in the process of land acquisition, resettlement and project construction. The SMRPF, therefore, provides guidelines for gender sensitive actions in preparation, design, implementation, and monitoring and evaluation of RAP for each works package.

E 6. **Social impact assessment (SIA).** When sites for improvement of polders are selected, an initial social screening will be carried out for each polder. When project interventions will be designed for improvement of the selected polders, detailed SIA will be undertaken to identify all project beneficiaries, impacted people and other relevant stakeholders. Once social impacts are noted, census of affected persons and assets will be conducted following the embankment design and land acquisition plan in compliance with the SMRPF guidelines. The affected persons and their communities will be consulted during the census survey to understand the risks and options and devising measures for mitigation of social impacts. The SIA will utilize a well-planned and all-inclusive communication and consultation strategy and survey methodology to assess the prevailing status of income, employment, education, age, skills and other socioeconomic aspects along with cultural and community issues in the areas. The results of the surveys and consultation will be decisive element in selection, design and civil works construction. The SIA will be fed into the individual RAP prepared for each yearly/phased civil works program in the development of mitigation measures, especially livelihood strategies.

E 7. BWDB will prepare and submit to the Bank for safeguards review, clearance and public disclosure of SIA including RAP for each yearly/phased civil works program. A social screening report will be prepared for all specific polders following the SMRPF. All project' SIA and RAP will be disclosed locally and in Bank InfoShop in due course for finalization of the documents before award of civil works contracts.

E 8. **Social management and resettlement policy framework.** The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982 including amendments up to 1994 - ARIPO 1982) and other land laws and administrative manuals relevant to alluvion/diluvion land, char and khas land administration in Bangladesh<sup>1</sup>. The 1982 Ordinance, however, falls short of the requirements of the World Bank social safeguard policies including the Operational Policy (OP) 4.12 on Involuntary Resettlement in terms of participation and social inclusion, recognition of losses, compensation for loss of assets at replacement cost, livelihood restoration and social re-integration. The project land acquisition and resettlement policy has therefore, been developed in compliance with the World Bank's social safeguard requirements including OP 4.12. The project policy has also benefited from the experience in resettlement in similar others projects within BWDB and other infrastructure agencies of the Government of Bangladesh.

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<sup>1</sup> Alluvion, diluvion and char land survey and settlement ( No. 2-2/87/90(1060)/1987; Settlement of char land (No. 2L-3/73/86(19)-R.L/1973; Settlement of Diluviated Lands Reformed in Situ (Memo No. 196(36)-V-177/77-L.S /1978), State Acquisition and Tenancy (Amendment) Act, 1994; Transfer of Khas Land between GoB departments (M:/Sha-10/HUD/general-1/94/345(64)/1994 (source: Land Administration Manual, Vol. 1, Ministry of Land, GoB).

E 9. The principles and guidelines as proposed in this SMRPF will apply to all polders under CEIP-I that will involve land acquisition from private ownership and/or displace people from the existing right of way (public/BWDB land), which they may have been using for residential, agricultural, commercial or other purposes with or without formal authorization. To mitigate adverse impacts, BWDB will prepare and implement Resettlement Action Plans (RAP) documenting the project affected persons (PAP) and valuation of affected assets, impact mitigation measures and budget, and an implementation schedule for each works package. The ARIPO 1982 will be used to legalize acquisition, and the World Bank OP 4.12 will be the basis to adopt and implement impact mitigation measures.

E 10. BWDB will avoid or minimize acquisition of private lands; avoid or minimize (i) displacement from homesteads, (ii) loss of land valued higher in terms of productivity and uses, (iii) loss of buildings/structures that are used for permanent business/commercial activities; dislocation of squatters/encroachers; and impacts on community facilities, such as educational institutions, places of worship, cemeteries, etc., and buildings/structures that are socially and historically important; avoid adverse impacts on the tribal peoples and on cultural property.

E 11. Where adverse impacts are found unavoidable, BWDB will plan to mitigate them in accordance with the principles adopted in the SMRPF. Regardless of their tenure status to the lands used for a subproject, the project affected persons/households will be eligible for compensation and assistance. The private land owners, squatters/encroachers, owners of displaced businesses, employees of affected businesses, rental income earners, owner users of affected vested and non-resident (VNR) property, usufruct rights holders and community and groups will be recognized for compensation and assistance under the policy framework. Non-title holders of lands and informal settlers on embankments will be compensated for their structures/relocation and livelihood restoration. The project policy for resettlement and rehabilitation of the project affected persons are as follows:

- (1) Resettlement of the PAPs will be planned and developed as an integral part of the project design.
- (2) Absence of legal titles in cases of public land users will not be considered a bar to resettlement and rehabilitation assistance.
- (3) Vulnerability, in terms of gender, age, disability and social empowerment of the project affected persons/households, will be identified and mitigated according to the provisions adopted in this SMRPF.
- (4) Homestead-losers, including the poor and vulnerable households squatting on embankments and other public lands, will be compensated for their physical assets on the lands and assisted with physical relocation. Provision of basic facilities like water supply and sanitation will be provided for those squatters relocated in groups of 10-30 households in a cluster.
- (5) The squatters and encroachers will be encouraged for self-relocation and assisted in the process of finding out alternative lands, where necessary. In case, no alternative sites are available and feasible, landless squatters will be allowed back on the embankment slope on raised berm with provision of necessary additional land attached to the slope.
- (6) People squatting public lands/properties under acquisition (without any legal agreement for right to use the land) will qualify for financial or any other form of assistance as per provisions adopted in this SMRPF.

- (7) 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.
- (8) No compensation will be paid for temporary inconveniences faced by business operators and traders, unless they are required to stop completely their operations during the construction period. However, to ensure sustenance of their income streams, BWDB will undertake the following measures in consultation with the concerned communities and construction supervision consultant:
  - Plan and implement the construction works in a manner to avoid/minimize inconvenience and disruption to the embankment/road users, and to business/trading activities where applicable.
  - Ensure spaces for all temporarily displaced business/trading activities in the vicinities of their present locations, or allow them to relocate temporarily to spots they find suitable.
- (9) Where the project activities cause community-wide impacts affecting community facilities, access to common property resources, etc., BWDB will rebuild them with its own resources or provide alternatives in consultation with the user communities.

E 12. **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:

**A. Acquired Lands and Other Assets**

- Replacement costs for an equal amount of land of same use and quality, including the registration costs including stamp duties.
- 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 labour to build them.
- 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.
- Current market prices of crops in the field or on trees, if the lands are used before harvest.
- If the acquired land is agricultural and amounts to 20% or more of the total productive land owned by the affected household, a Transition Allowance (TA) at three times the value of the crops produced in a year on the acquired land.

**B. Displacement from Homesteads**

- *Displaced from private lands:* Relocation assistance to lands the affected households can personally arrange to buy, or to public lands arranged by BWDB.
- *Displaced from public lands:* Relocation assistance` for displaced households due to acquisition of land to alternative public lands arranged by BWDB. Displaced squatters on existing embankments will be assisted for relocation to alternative sites they will buy or arrange with assistance from BWDB. At extreme circumstances of failure to find alternative sites, the squatters will be allowed back on the embankment after construction.
- *Displaced from VNR lands:* Relocation assistance either to lands they can personally arrange to buy, or to public lands arranged by BWDB.

- In case of group relocation outside the existing embankment, provision of pre-acquisition level basic utilities, such as water supply, sanitation, electricity, and other facilities e.g. school, medical facilities, religious centres, etc., if they are not located in the vicinity, may need to be provided.

### C. Loss of Business, Employment and Rental Income

- *Temporarily Closed Businesses:* Where business activities come to a complete closure during construction, the owners will be paid for income loss at rates based on average daily net income for the smaller of the number of days needed to reopen the individual businesses, or to complete the civil works.
- *Partially Affected Businesses:* Where business premises are partially dismantled and the remainder is structurally safe and useable, compensation, calculated as above, for the smaller of the number of days needed to repair and reopen the individual businesses, or to complete the civil works.
- *Businesses Completely Displaced from Present Premises:* Owners of affected business will be compensated for loss of income for 45 days based on average daily net income from the business and assisted in relocating their business in new locations.
- *Loss of Employment Income from Displaced and Temporarily Closed Businesses:* Persons who have been continuously employed by the displaced and 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. The daily rates will be based on their monthly/daily salary paid by the employers.
- *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 on public/BWDB lands.

### D. VNR Properties

#### I. Agricultural lands:

- Owner users will qualify for compensation of three times the value of all crops grown in one year on the acquired lands;
- Current market prices of crops in the field or on trees, if the lands are used before harvest; and
- Where acquisitions affect the lands partially, the owners/users will be allowed to use the remainder.

#### II. Acquired homesteads (including houses/structures):

To deal with partial and full acquisitions, BWDB will consider the following alternatives in consultation with the present owners/users:

- *Partially acquired homesteads (including houses/structures):* Assistance to the owner users to move and rebuild the houses/structures on the remaining land.
- *Fully acquired homesteads (including houses/structures):* Relocation assistance either to lands they can personally arrange to buy, or to public lands arranged by BWDB; or
- Six months' rent for living accommodation, comparable to the affected one, in the nearby towns where such accommodation is available for rental purposes.

### E. Leasehold Lands

- Formally leased-in from any agencies of the Government: Compensation as stipulated in the lease agreement.
- Formally leased-in khas land: Compensation, if any, stipulated in the lease agreement.

### F. Unforeseen Impacts

BWDB will adopt and implement policies, in consultation with the project affected persons/ stakeholders and the World Bank, to mitigate any adverse impacts that may have remained unknown and are not covered in this SMRPF.

E 13. **Cut-off dates.** These will be established to identify the non-land assets that will qualify for compensation and discourage abuse of the mitigation policies by defrauding the project. These are the dates on which censuses of the project affected persons and inventory of assets are commenced on a particular area (mauza/village). No person or his/her assets will qualify for compensation unless they are recorded in the census taken on the cut-off dates.

E 14. **Community consultation and participation.** Selection of polders and civil works will include extensive discussion on social safeguard issues associated with private land acquisition and displacement from BWDB's own and other public lands; minimizing adverse impacts; gaining support and cooperation of local government bodies like UPs; stakeholder groups like beneficiary communities including water management organizations, and any entities looking after community interests; and most of all the affected landowners, squatters, business owners, and traders on embankments and others, who would directly face the adverse impacts and temporary inconveniences. Special consultation will be carried out with the tribal communities when subproject will identify tribal peoples among the beneficiaries.

E 15. The consultation and participation process will continue during implementation of the project and suggestions/feedbacks received from the consultations will be considered in project design, implementation, and monitoring and evaluation. The communities will be engaged through Water Management Organizations (WMO) in the decision-making and implementation of the RAP. The other instruments for engagement of the communities during implementation of the RAP are Grievance Redress Committees (GRC), Property Assessment and Valuation Committees (PAVC) and Physical Relocation Assistance Committees (PRAC).

E 16. **Social inclusion and gender framework.** In compliance with community feedback during consultation, BWDB's gender strategy<sup>2</sup> and Bank strategy on gender mainstreaming, the project proposes the following principles, guidelines and procedures to identify social and gender actions in respect of project interventions and include those actions in SIA and RAP.

- Ensure that selection, design, implementation, and monitoring and evaluation of the polder activities including land acquisition and resettlement are participatory and women are involved among others in the process.
- Carefully screen the project to identify needs and expectations of, and potential adverse impacts on, women and any other groups and document them.
- Identify the impact details and the most appropriate mitigation measures through intensive consultation with the affected women and their communities, NGOs and civil society organizations, professionals, and the like.

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<sup>2</sup> BWDB, 2006, Gender Equity Strategy and Related Action Plan (2006 – 2011)

- Identify appropriate actions to ensure and maximize project benefits to women and vulnerable groups through the consultative process.
- If women are involved in civil works construction, operation and maintenance of polder infrastructure, ensure: (i) equal pay for equal work; (ii) gender friendly work environment; and (iii) work place safety for women and children.

E 17. The project will facilitate socially inclusive design and ensure increased participation of women in project process, maximize project benefits for them and safeguard them against social vulnerability during implementation of subprojects.

E 18. **Institutional and implementation arrangements.** BWDB under the Ministry of Water Resources (MoWR) is the executing agency (EA) of the project on behalf of the Government of Bangladesh (GoB). A Project Steering Committee (PSC) would provide the forum for overall guidance, policy advice and coordination of the project activities and addressing the inter-agency issues. The proposed project will be implemented by BWDB under the MoWR. BWDB shall be responsible for the execution and implementation of the Project through the Project Management Unit (PMU) established at Dhaka and three FOs established at suitable locations in the field.

E 19. The PMU will be headed by a Project Director (PD) of the rank of Chief Engineer, and will report directly to the Director General (DG). The PMU will have a Social, Environment Communication Unit (SECU) having its staff resources at the headquarters and at three FOs, one at Khulna, one at Bagerhat and one at Patuakhali or at Barguna. The FO will be headed by a Project Manager (PM) of the rank of Executive Engineer, recruited by the project. The SECU will be supported by an experienced and reputable NGO for social mobilization, establishment of WMO, and activities related to implementation of the RAP. The NGO activities will be directly supervised by the PMs with assistance from the Design and Supervision Consultant (DSC). A Monitoring and Evaluation (M&E) consultant will provide support in the supervision of RAP implementation. The PMU will also be assisted by an Independent Panel of Expert (IPOE) for oversight of all aspects of the project including social safeguards.

E 20. Land acquisition and resettlement experience in former and on-going projects of BWDB formed the basis for CEIP-I SMRPF. BWDB has prior experience of dealing with land acquisition and resettlement in compliance with OP 4.12 on Involuntary Resettlement. However, the PMU staff will be oriented on preparation of RAP and implementation of them at the field level. An experienced implementing NGO will be employed for social survey and implementation of RAPs.

E 21. **Grievance redress mechanism (GRM).** BWDB will establish a grievance redress mechanism to address grievances and complaints that affected persons or their communities bring during implementation of the project. GRCs will be formed at each union for receiving complaints and grievances related to land acquisition, resettlement and other social issues. All complaints will be received at the GRCs facilitated by the implementing NGO. The aggrieved persons may opt to make complaints directly to the Project Director or Secretary of the MoWR. The NGO will review and sort the cases in terms of nature of grievance, urgency of resolution, and schedule hearings in consultation with the Convener. All cases will be heard within two weeks from the date of receiving the complaints. The GRM will not restrict any aggrieved person in lodging their complaints to the court of law, if the incumbent opts so.

E 22. The affected persons and their communities will be informed of the project's GRM in open meetings at important locations and in PAP group meetings. Bangla translations of the SMRPF and the GRM in the form of information brochures will be distributed among the project affected persons. The PAPs will also be briefed on the scope of the GRC, the procedure for lodging grievances cases and the procedure of grievance resolution at the project level. To ensure impartiality and transparency, hearings on

complaints will remain open to the public. The GRCs will record the details of the complaints and their resolution in a register, including intake details, resolution process and the closing procedures.

E 23. **Resettlement budget and financing.** Given that the land acquisition needs and the associated impacts will be known with the phased selection of polders and design of the civil works, BWDB has kept a provision for land acquisition, resettlement and other social mitigation measures for CEIP-I implementation. An estimated amount of BDT 2613 million has been proposed for land acquisition and resettlement measures for the CEIP-I (17 polders). Funds for land acquisition and resettlement, under the CEIP-I, will be provided from the project credit from IDA.

E 24. **Monitoring and evaluation.** The SECU at PMU will set up a system of monitoring of preparation and implementation of RAPs with assistance from the FOs and the implementing NGO. RAP implementation guideline will be prepared by the DSC and adopted by the PD. The Land Acquisition and Resettlement Specialist of the DSC will supervise and monitor land acquisition, social impact assessment, and implementation of RAPs as per the guideline as well as assessing the ability of PAPs to restore their living standards and livelihoods to pre-project levels. An external monitoring agency will be engaged by BWDB for periodic review of design and implementation of RAP and end-term evaluation.

Table of Contents

A. INTRODUCTION: GENERAL FRAMEWORK .....	1
I. Project Background and Approaches .....	1
II. The SMRPF Objectives .....	2
III. The Project Area .....	2
IV. Project Activities and Social Safeguards Implications.....	3
V. Basic Principles.....	7
VI. Safeguards Screening and Mitigation Guidelines .....	8
VII. Assessment of Impacts and Risks.....	8
VIII. Implementation Arrangement .....	9
a. Project Executing Agency .....	9
b. Project Steering Committee (PSC).....	10
c. Project Management Unit (PMU).....	10
d. Ministry of Water Resources.....	10
e. Water Management Organizations .....	11
f. BWDB Field Offices .....	11
g. Implementing NGO.....	12
h. Deputy Commissioners .....	12
i. Participatory Management Bodies .....	12
IX. Grievance Redress Mechanism .....	14
a. Background and Objectives.....	14
b. Grievance Resolution Process .....	15
c. GRM Disclosure, documentation and monitoring .....	18
X. Training and Capacity Building .....	18
XI. SMRPF Disclosure .....	19
XII. Monitoring and Evaluation.....	19
B. LAND ACQUISITION AND RESETTLEMENT FRAMEWORK.....	20
I. Legal and Policy Framework .....	20
II. Land Acquisition and Resettlement Issues .....	20
III. Impact Mitigation Objectives.....	21
IV. Applicability and Impact Mitigation Plans .....	21
V. Land Acquisition and Impact Mitigation Principles .....	22
a. Land Acquisition Principles .....	22
b. Impact Mitigation Principles .....	23
VI. Eligibility for Compensation and Assistance .....	24
VII. Compensation Principles and Standards.....	24
VIII. Cut-Off Dates .....	27
IX. Compensation Payment .....	27
X. Compensation and Entitlement Matrix .....	27
XI. Preparation of Mitigation Instruments .....	35
XII. Contents of RAP & Abbreviated RAP .....	36
XIII. Community/Stakeholder Consultation.....	38
XIV. Documentation .....	38
XV. Monitoring and Reporting .....	39
XVI. Resettlement Budget and Sources of Finance.....	40
XVII. RAP Implementation Guidelines .....	41
C. SOCIAL INCLUSION, PARTICIPATION AND GENDER FRAMEWORK .....	42
I. Social and Gender Issues .....	42
II. Social and Gender Analysis .....	42
III. Social Inclusion and Gender Actions.....	43
IV. Participatory Scheme Cycle Management .....	44
V. Monitoring Social Inclusion .....	45

LIST OF ANNEXES

ANNEX-01: SCREENING FORM FOR SOCIAL SAFEGUARDS ISSUES .....	46
ANNEX-02: TASKS AND RESPONSIBILITY MATRIX FOR BWDB.....	51
ANNEX-03: BIENNIAL GRIEVANCE REPORT .....	52
ANNEX-04: DRAFT TERMS OF REFERENCE FOR INDEPENDENT .....	53
EVALUATION.....	53
ANNEX-05: SUGGESTED METHODS FOR MARKET PRICE SURVEYS.....	55
ANNEX-06: ROLES AND RESPONSIBILITIES OF BWDB OFFICIALS AND RAP IMPLEMENTING NGO.....	57
ANNEX-07: MONITORING LAND ACQUISITION AND PREPARATION &.....	64
IMPLEMENTATION OF IMPACT MITIGATION PLANS .....	64
ANNEX-08: GENDER ACTIONS IN PROJECT PROCESS.....	66
ANNEX-09: PAP DECLARATION ON SELF-RELOCATION.....	68
ANNEX 10 PAP DECLARATIONS ON TEMPORARY RELOCATION .....	69

### LIST OF TABLES

Table A.1 Selected Polders for Improvement under CEIP-I.....	4
Table A.2 Project Interventions and Land Acquisition for the First Year Works.....	4
Table A.3 Steps in Grievance Resolution Process .....	15
Table B.1 Estimated CEIP-I Cost of Land Acquisition and Resettlement.....	40

### LIST OF FIGURES

Figure-I Location of polders in the coastal zone (139 polders in 14 districts).....	6
Figure II Location of 17 Polders under CEIP-I and the 1st Year Polders.....	7
Figure III Project Institutional Arrangement.....	11
Figure IV Grievance Redress Flow Chart .....	17

## ACRONYMS & ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
ARIPO	Acquisition and Requisition of Immovable Property Ordinance
BBS	Bangladesh Bureau of Statistics
BDT	Bangladesh Taka
BWDB	Bangladesh Water Development Board
CBO	Community-Based Organization
CEIP	Coastal Embankment Improvement Program
CERP	Coastal Embankment Rehabilitation Projects
CHT	Chittagong Hill Tracts
CUL	Compensation-Under-Law
DAE	Department of Agriculture Extension
DC	Deputy Commissioner
DG	Director General
DLAC	District Land Acquisition Committee
DLR	Director Land & Revenue
DMB	Disaster Management Bureau
DSC	Design and Supervision Consultant
EA	Executing Agency
EC	Entitlement Card
ECRRP	Emergency Cyclone Recovery and Restoration Project
EMG	Embankment Management Group
EMP	Environment Management Plan
EP	Entitled Person
FAO	Food and Agriculture Organization
FO	Field Office
GoB	Government of Bangladesh
GPWM	Guidelines for Participatory Water Management
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GTL	Grant to cover temporary loss of income
GWL	Grant to cover loss of workdays
HCG	House Construction Grant
HDA	Homestead Development Allowance
HIES	Household Income and Expenditure Survey
HIV	Human Immunodeficiency Virus
HTG	House Transfer Grant
ID	Identity
IDA	International Development Agency
IPOE	Independent Panel of Expert
IPSWAM	Integrated Planning for Sustainable Water Management
JVS	Joint Verification Survey
LAP	Land Acquisition Plan/Proposal
LARS	Land Acquisition and Resettlement Specialist
LCS	Labour Contracting Societies
LEC	Loss and Entitlement Card
LGI	Local Government Institutions
M&E	Monitoring and Evaluation
MIS	Management Information System
MoWR	Ministry of Water Resources
NGO	Non-Government Organization
PAP	Project Affected Person

PAVC	Property Assessment and Valuation Committee
PD	Project Director
PFS	Market Price of Fish Stock
PMU	Project Management Unit
PRAC	Physical Relocation Assistance Committee
PSC	Project Steering Committee
PSM	Participatory Scheme Cycle Management
PWD	Public Works Department
RA	Rental Allowance
RAC	Regional Accounting Centre
RAP	Resettlement Action Plan
RCC	Reinforced Cement & Concrete
RMS	RAP Management System
SDE	Sub-Divisional Engineer
SGB	Shifting grant for Goods and Belongings
SIA	Social Impact Assessment
SMRPF	Social Management and Resettlement Policy Framework
SSG	Structure Strengthening Grant
SS	Social Specialist
SSS	Senior Social Specialist
STG	Structure Transfer Grant
TA	Transition Allowance
TOR	Terms of Reference
TP	Tribal Peoples
UP	Union Parishad
VNR	Vested and Non-Resident
WB	World Bank
WMA	Water Management Association
WMG	Water Management Group
WMO	Water Management Organization
XEN	Executive Engineer

## DEFINITION OF SELECTED TERMS

**Compensation:** Payment made in cash to the project affected persons/households for the assets acquired for the project, which includes the compensation provided under the *Acquisition and Requisition of Immovable Property Ordinance 1982* and others stipulated in this Social Management and Resettlement Policy Framework (SMRPF).

**Compensation-Under-Law (CUL):** Refers to the compensation assessed for the acquired lands and other assets, such as trees, houses/structures, etc., by different government agencies as per the methods provided in the Land Acquisition Ordinance, and paid by the Deputy Commissioners (DC).

**Consultation Framework:** In view of their stakes and interests in the project interventions in a given polder, the framework is prepared to guide the project preparation/detail design team about who are to be consulted about the project and the positive and negative social impacts of the interventions, and to seek their inputs and feedback in different stages of the project cycle.

**Cut-off Dates:** These are the dates on which censuses of the project affected persons and their assets to be affected are commenced in a particular area (mauza/village). Assets like houses/structures and others which are created after the cut-off dates, and the persons or groups claiming to be affected, become ineligible for compensation and assistance. For private lands, these dates will however not constitute ‘cut-off dates’, if the legal Notice under Section 3 (Notice-3) is already issued before the censuses are taken. In such a situation, the Notice-3 dates are considered ‘cut-off dates’, as the acquisition ordinance prohibits changes in the appearance of the lands after issuance of Notice-3.

**Encroacher:** Households or persons having land of their own attached to the public land/embankment or elsewhere but occupy the land proposed for acquisition or in the existing embankment (for residence and/or income earning) without legal arrangements with the GoB or any of its concerned agencies are defined as encroacher.

**Entitlement:** Refers to mitigation measures, which includes cash payments by DCs and BWDB, as well as any non-cash measures stipulated in this SMRPF e.g., allowing the project affected persons to keep felled trees, salvaged building materials, employment in civil works construction, etc..

**Household:** A household is a group of persons who commonly live together with common incomes and take their meals from a common kitchen.

**Income Restoration:** Refers to re-building the capacity of the project affected households to re-establish income sources at least to restore their living standards to the pre-acquisition levels.

**Involuntary Resettlement:** The situation arises where the State’s power of eminent domain requires people to acquiesce their rights to personal properties and re-build their lives and livelihood in the same or new locations.

**Khas Land:** Khas lands are public lands those are not recorded in the name of any private citizen/entity of the country as per latest settlement record or owned by any government agencies. Deputy Commissioner in a respective district is the custodian of all khas lands in a district.

**Khai-khalashi Right:** It is usufructuary right to a land for a specified period obtained through a loan given to the land owner that is recovered through produces from the land during that period. The lender cultivates the land or leases it out either to the borrower or to any other farmer. Though the land is mortgaged against a specific amount of credit, no interest is paid to the lender for this loan.

**NGO:** Non-Government Organizations (NGOs) are private voluntary organizations registered in Bangladesh with the Department of Social Welfare or with the Joint Stock Company. NGOs, as per World

Bank (WB) definition (WB OD 14.70), pursue activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services, or undertake community development. There are a number of NGOs and firms in Bangladesh having specific experience in dealing with social surveys and involuntary resettlement as per Bank guidelines (OP 4.12).

**Participation/Consultation:** Defined as a continuous two-way communication process consisting of: ‘feed-forward’ the information on the project’s goals, objectives, scope and social impact implications to the project beneficiaries, and their ‘feed-back’ on these issues (and more) to the policymakers and project designers. In addition to seeking feedback on project specific issues, the participatory planning approach also serves the following objectives in all development projects: public relations, information dissemination and conflict resolution.

**Physical Cultural Resources:** Defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or under water. Physical cultural resources are important as sources of valuable scientific and historical information, as assets for economic and social development, and as integral parts of a people’s cultural identity and practices. Their cultural interest may be at the local, provincial or national level, or within the international community.

**Project-Affected Person/Household:** Persons/households whose livelihood and living standards are adversely affected by acquisition of lands, houses and other assets, loss of income sources and the like, due to undertaking of the project.

**Rehabilitation:** Refers to improving the living standards or at least re-establishing the previous living standards, which may include re-building the income earning capacity, physical relocation, rebuilding the social support and economic networks.

**Relocation:** Moving the project-affected households to new locations and providing them with housing, water supply and sanitation facilities, lands, schools and other social and health care infrastructure, depending on locations and scale of relocation. [Homestead losers may also relocate on their own in any location they choose.]

**Replacement Cost:** The World Bank’s OP 4.12 on Involuntary Resettlement describes “replacement cost” as the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets is not taken into account. For losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard.

**Squatter:** Household or person occupying public lands without legal arrangements with the GoB or any of its concerned agencies is a squatter to the lands. Households/persons those displaced by riverbank erosion, cyclones or landlessness squat embankment slopes for residential, commercial and community purposes. In this project, many embankment squatters have their own land elsewhere inside the polder but they took refuge on the embankment during a natural disaster..

**Stakeholder:** Refers to recognizable persons, and formal and informal groups who have direct and indirect stakes in the project, such as affected persons/households, shop owners, traders in *haats/bazaars/kitchen* markets, squatters, community-based and civil society organizations.

**Subproject:** Refers to improvement of individual polders under the Coastal Embankment Improvement Program (CEIP) within the jurisdiction of an O&M Division of Bangladesh Water Development Board in the coastal districts.

**Top-Up Payment:** Refers to BWDB's payment supplement replacement cost of land and other assets where the compensation-under-law (CUL) determined and paid by DCs is less than the replacement cost.

**Tribal Peoples:** Tribes, minor races, ethnic sects and communities living in the Chittagong Hill Tracts and dispersed in other plain districts in Bangladesh are distinct indigenous cultural groups having customary cultural, economic, social, or political institutions separate from those of the mainstream society and culture; and they have their own indigenous language different than the mainstream Bangla language. These small groups of peoples have similar characteristics of indigenous peoples recognized in the World Bank OP 4.10.

**Vested and Non-Resident (VNR) Property:** Originally known as “enemy properties”, these have been left behind by the people of minority communities who migrated to India and other countries as a result of the independence and partition of India in 1947. Some of these properties have been identified through 1984, and have since been leased to private citizens or allocated to various government agencies. The act is known to be controversial and has been widely abused.

**Vulnerable Household:** Households those may suffer disproportionately or face the risk of being marginalized from the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled headed households with dependents, (iii) nationally designated poor households, (iv) elderly headed households with no means of support and landlessness, and (v) poor tribal peoples or ethnic minorities.

## A. INTRODUCTION: GENERAL FRAMEWORK

### I. Project Background and Approaches

1. Bangladesh Water Development Board (BWDB) has developed coastal embankment system constructing a total of 139 polders in 14 coastal districts of Bangladesh (Khulna, Satkhira, Bagerhat, Jessore, Pirojpur, Barguna, Patuakhali, Barisal, Bhola, Noakhali, Laxmipur, Feni, Chittagong & Cox's Bazar) for protecting low-lying areas against flooding and salinity. It has implemented, to this effect, the Coastal Embankment Project (1961-1978) and its subsequent extensions into newly accreted areas. There are about 6,000 km of embankments that protect 1.2 million ha of agricultural lands in the country. Unlike flooding and tidal surge, recent cyclones including the most recent Sidr in 2007 and Aila in 2009 brought substantial damage to these embankments. In response, BWDB re-focused its strategy on protecting against cyclones and developing early warning systems. BWDB implemented the Coastal Embankment Rehabilitation Projects (CERP and 2nd CERP) after the severe cyclones of 1991 and 1997. More recently, the damage caused by Cyclone Sidr prompted BWDB to rehabilitate the coastal embankments under the on-going Emergency 2007 Cyclone Recovery and Restoration Project (ECRRP)<sup>3</sup> to facilitate restoration and recovery from the damage to the infrastructure. BWDB intends to upgrade the coastal embankment system undertaking CEIP so as to better withstand severe cyclones and climate change. CEIP incorporates long term perspective program spread over a period of fifteen to twenty years. A team of consultants has been engaged for preparation of CEIP including development of a Strategic Plan for coastal embankment system and Feasibility Study for Phase-1 works (CEIP-I, the Project) for improvement of selected polders and detailed design of the polders under the first year contract package. The project interventions have been identified and selected in consultation with the communities in the selected polder areas. Implementation of the physical components of the project will involve social safeguards compliance issues including land acquisition, involuntary resettlement and other social impacts. The International Development Association (IDA) of the World Bank group is assisting the preparation of the project under ECRRP and will provide financial support to implement it.

2. CEIP is comprised of 3 to 4 phases while the project interventions will be designed and implemented in several works packages. Under this programmatic planning approach, social impacts including social safeguard compliance issues will be identified when the specific interventions will be selected and designed for implementation. BWDB has therefore, prepared this Social Management and Resettlement Policy Framework (SMRPF) for the program at project preparation stage to deal with social safeguard compliance and other social issues likely to arise during design and implementation of the phase-wise works packages. A Resettlement Action Plan (RAP) has been prepared for the first year works under CEIP-I. The SMRPF will be updated in the subsequent phases based on experience and lessons learnt from preceding phases.

3. Social safeguards compliance issues are generally expected to relate to the World Bank's Operational Policies (OP) on Involuntary Resettlement (OP 4.12) and Indigenous Peoples (OP 4.10). But the details of the impacts will be known as the design of the many individual subprojects, which will involve multiple civil works contracts, progresses. According to the general scope of the civil works, the

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<sup>3</sup> The on-going ECRRP has 6 components: (A) Recovery of Agriculture Sector and Improvement Program, implemented by Food and Agriculture Organization (FAO) on behalf of the Department of Agriculture Extension (DAE); (B) Rehabilitation of Coastal Embankments, implemented by BWDB, (C) Construction and Improvement of Multipurpose Shelters, implemented by BWDB; (D) Long-Term Disaster Risk Management Program, implemented by Disaster Management Bureau (DMB); (E) Monitoring and Evaluation of Project Impact, implemented by Ministry of Planning and (F) Project Management, Technical Assistance, Strategic Studies and Training, and Emergency Support for Future Disasters. Coastal Embankment Improvement Program (CEIP) is being prepared under the Component F.

project triggers OP 4.12 as BWDB will take back its previously unutilized lands along the existing embankments, and work on existing embankment slopes, some of which are likely to be under authorized and unauthorized private uses. There may also be a need for some additional private land at critical sections to meet the new design requirements and construction of new/retired embankments. None of the 17 polders under the CEIP-I will affect any tribal peoples, threaten their cultural way of life or severely restrict their access to common property resource and livelihood activities. The Bank policy on indigenous peoples (OP 4.10) did not trigger the project. As the impact details become available, the SMRPF will provide the basis to prepare and implement RAPs as may be required to mitigate adverse impacts of sub-projects under each works package. This SMRPF has been prepared on the basis of BWDB experience from CERP and ECRP, and consultation at community level in potential project sites of the Phase I CEIP.

## II. The SMRPF Objectives

4. The SMRPF is intended to provide general policies, guidelines, and procedures for integration of required mitigation measures of possible safeguard impacts into the selection, design and implementation of the project in a number of works packages. Its objective is to help BWDB to ensure that the project

- enhances the social development outcomes of implementation activities of the individual existing polder for improvement.;
- identifies and mitigates adverse impacts that the selected subprojects might cause on people (men & women), including protection against loss of livelihood activities, with culturally, socially and economically appropriate measures;
- develops necessary safeguard mitigation measures to adequately disclose and consult with affected people on draft action plans, to replace their lost assets and to improve (or at least restore) their incomes and livelihoods, and
- is prepared and implemented in compliance with relevant policies of the Government of Bangladesh (GoB) and the World Bank.

## III. The Project Area

5. Bangladesh is mainly comprised of the fertile alluvial floodplains of the three large rivers (Ganges, Brahmaputra and Meghna) with over 93% of their catchments situated outside the country. These three rivers combine within the country to form the World's third largest river, the Lower Meghna, which drains into the Bay of Bengal via a constantly changing network of estuaries, tidal creeks and active deltaic coastline of the Bengal. More than fifty other local rivers also flow within Bangladesh and drain into the Bay. This lower part of the country, adjoining with the Bay of Bengal, is commonly known as "Coastal Zone" comprising parts of Khulna, Barisal and Chittagong divisions. The zone varies from a moribund delta formation in the west zone includes ecologically important Sundarbans mangrove forest area. The project covers 17 polders in 13 upazilas (sub-districts) of 6 coastal districts: 3 in Khulna Division and 3 in Barisal Division (see map in Figure I). The project area covers about 18,571 sq. km. Crop production is the major economic activity, complemented by fisheries and small scale industries. Daily wage labouring, business, agriculture and fishing are the major means of livelihood of the communities. Women are mostly housewives and are engaged in domestic chores. Less than a quarter of the lands in a polder, in general, is settlement area while the rest is used for crop production (72%) and shrimp/fish culture (5%).

6. The project area has a population of about 9.32 million people<sup>4</sup>. Population density by district varies significantly between 477 and 1046 persons per sq. km and average population density in the 6 districts is 497 per sq. km. Male female ratio in 4 of the six districts is less than the national average of 100.3. Poverty varies significantly between divisions and districts. According to estimates from the 2010 Household Income and Expenditure Survey (HIES), proportion of rural poor in Barisal division was 39.2% and in Khulna division, it was 31.0% in 2010. The HIES 2010 shows that poverty incidence, at the national level, has declined by 8.5% (approximately 1.7% annually), which is 14.9% in Barisal and 15.5% in Khulna division during 2005 to 2010. There is presence of ethnic minorities or tribal peoples in the coastal districts. Monda, Chakma, Barmon, Khiyang, Sawntal, Malpahari, Dalu, Rakhain and Tripura are major tribes in the area. However, none of the tribal peoples will be affected by the project or by land acquisition for the project in the 17 polders proposed for improvement.

#### IV. Project Activities and Social Safeguards Implications

7. The objective of CEIP is to increase the resilience of coastal population by rehabilitating and improving the polder system in the coastal areato withstand climate change. Against the vulnerability of the polders due to severe attacks of cyclones and increased tidal flooding, the project will improve 17selected polders in the 6 project districts to enhance technical standards including slope correction and raising the embankment crest for climate adaptation. The project components include (i) improvement of existing embankments with more sustainable slopes and increased height, (ii) construction of new/retired embankments with climate resilient design, (iii) construction and repair of water management structures and drainage channels, (iv) protective works for slope protection and bank protection, and (v) afforestation. All these interventions will be gender inclusive in planning, design and implementation.

8. The project (CEIP-I) will be implemented in several works packages. It is understood that implementation of project, especially the improvement of existing embankments and construction of new/retired embankments, will require acquisition of land from private ownership and resumption of public land from authorized and unauthorized private uses. BWDB will apply a consultative and participatory approach to the selection of polders for improvement in order to involve key stakeholder groups, including those who are socio-economically vulnerable, womenand tribal peoples, in the decision-making process and to share benefits of the project.

9. The project is expected to improve the livelihood of the population living along the coastal zone through improving agricultural production, by reducing saline intrusion, during normal weather and reducing losses of life, assets, crops and livestock during cyclonic storm surges. It will provide long term safety to the lands and settlements within the polders against tidal flooding, salinity intrusion and riverbank erosion, and minimize the risks of damages due to cyclonic and tidal surges. The improved embankments will also serve as rural roads. The project will help reduce poverty and stimulate economic development by facilitating growth of farm and non-farm activities in the coastal districts, and increase production and employment in agriculture. The project will generate substantial direct short and long-term employment for the poor, including disadvantaged women. The project will contribute to improve the capability of vulnerable communities including women to cope with the impacts of recurrent tidal flooding and climate change. The project will benefit the population of the target districts irrespective of gender and ethnicity through improved communication and safer environment for increased production.

10. Feasibility study for CEIP-I interventions have been done for 17 polders in 6 south-western districts those protect a gross area of about 100 thousand ha. Total length of embankments of these polders is about 618 km and over 700 thousand people are living inside these polders (Table A.1). Re-sectioning of

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<sup>4</sup> Bangladesh Bureau of Statistics (BBS): Population and Housing Census 2011 (Community Series)

existing embankments, construction of retired/new embankments at open sections and protective works for bank protection and embankment slope protection will be major interventions for these polders.

**Table A.1 Selected Polders for Improvement under CEIP-I**

District	Upazila	Polder No.	Embankment (km)	Gross protected area (ha)	Population living inside the polders
Bagerhat	BagerhatSadar	34/3	17	3,656	65399
		35/3	40	6,790	31075
	Sharankhola	35/1	63	13,058	99182
Barguna	BargunaSadar	41/1	34	4,048	41051
	Phathorghata	40/2	36	4,453	41317
Khulna	Dacope	32	49.5	8,097	38397
		33	52.5	8,100	62305
	Dumuria	17/1	45	5,020	23919
		17/2	11	3,400	34070
	Koyra	14/1	25	2,933	20578
	Paikgacha	23	37	5,910	23888
Satkhira/ Khulna	Tala/Paikgacha	16	45	10,445	118616
	Shyamnagar/ Paikgacha	15	27	3,441	31788
Patuakhali	Galachipa	43/2C	26	2,753	14851
	Kalapara	47/2	17	2,065	5411
		48	38	5,400	26260
Pirojpur	Bhandaria	39/2C	55	10,285	43077
Total		17	618	99,854	721184

Source: Mid-Term Report, Vol. III, Sociological Studies, Dec 2011 (CEIP-I Preparation)

11. Engineering survey and detailed design (and hence the definition of land acquisition requirements) of first year program project has been carried out as part of project preparation. The first year works include improvement of 5 priority polders (Polders 32, 33, 35/1, 35/3 & 39/2C) in Bagerhat, Khulna and Pirojpur districts. The study identified 210.50 km sections of the total 261.0 km embankments for re-sectioning as per new design standard developed under the study<sup>5</sup> to withstand climate change. A total of 32.80km new embankments will be constructed to close the open sections and protective works have been designed for 8.65 km riverbank at risk of erosion and 33.45 km of embankment slopes from wave actions. A total of 146 new water management structures (WMS) will be constructed for improvement of the 5 polders. All the 5 polders will need additional lands and a total of 259 ha of lands have been proposed for acquisition. Census survey of affected persons and inventory of loss of assets (housing, productive land, businesses and social institutions) have been carried out for the first year polders in January-February 2012. Over 6,000 households and other entities are to be displaced in 5 polders most of whom are squatters on existing embankment slope.

**Table A.2 Project Interventions and Land Acquisition for the First Year Works**

District	Polder No.	Total emb. (km)	Emb. re-sectioning (km)	New Emb. construction (km)	Bank Protection work (km)	Slope Protection Work (km)	New Hydraulic (nos)	Land acquisition (ha)	Affected households (nos)
Khulna	32	49.5	47.00	3.00	1.50	4.30	49	67	1521
	33	52.5	51.00	1.00	1.45	6.00	23	20	1246
Bagerhat	35/1	63	51.70	11.30	1.00	17.25	38	60	1266
	35/3	40	32.50	7.50	1.70	0.90	14	15	384
Pirojpur	39/2C	55	22.00	10.00	3.00	5.00	22	97	1786

<sup>5</sup> Technical Feasibility Studies and Detailed Design for Coastal Embankment Improvement Programme (CEIP), Contract Package No. BWDB/D2.2/S3

**Table A.2 Project Interventions and Land Acquisition for the First Year Works**

District	Polder No.	Total emb. (km)	Emb. re-sectioning (km)	New Emb. construction (km)	Bank Protection work (km)	Slope Protection Work (km)	New Hydraulic (nos)	Land acquisition (ha)	Affected households (nos)
Khulna	32	49.5	47.00	3.00	1.50	4.30	49	67	1521
	33	52.5	51.00	1.00	1.45	6.00	23	20	1246
<b>Total</b>		260	210.50	32.80	8.65	33.45	146	259	6203

Source: Draft Detail Design Report of the First Works Package of CEIP-I, May 2012

12. The major physical works that may require private land acquisition and taking back of the public land from private uses are the improvement of embankment, construction of retired/new embankments and new hydraulic structures. Social impact assessment (SIA) conducted under the feasibility study in the last quarter of 2011 and census of affected households following the detail design of first year polders conducted in January-February 2012 indicate that a huge number of embankment settlers (squatters and encroachers) will be affected temporarily in their housing and some of them will also lose their business operated on the embankment slopes. A RAP has been prepared for these displaced households. The extent and magnitude of the overall adverse impacts of remaining polders will however be known only after detailed engineering design of the improvements in subsequent works packages, and finalization of the acquisition requirements for each works package.

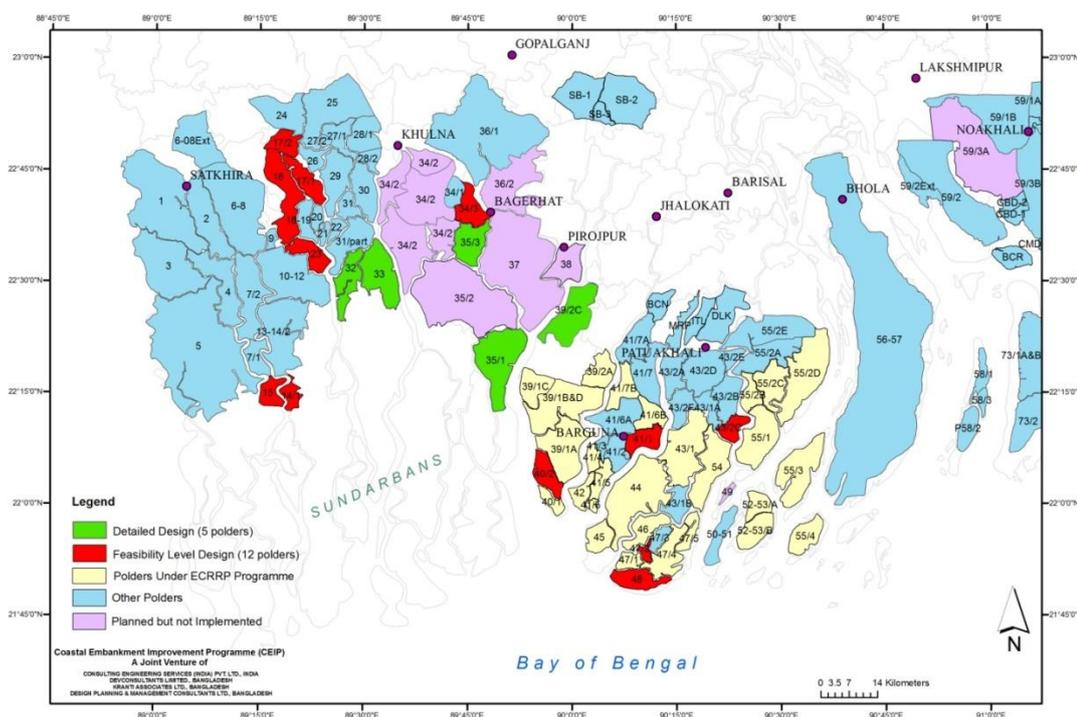
13. Climate change adaptation, being the main purpose of improvement of coastal embankments, land acquisition may be required due to slope protection and raising of crest height of embankments in some sections. Retirement or construction of new embankment sections will obviously involve land acquisition. The project strategy is that:

- As far as possible, acquisition of additional private lands will be avoided by exploring alternative design options to restrict the civil works construction within the existing alignment.
- Reconstruction of breached embankment sections will be encouraged on original alignment instead of retiring it to avoid acquisition of new lands from private owners and displacement of housing and population.
- Public lands and in case of unavailability of such lands, vacant and less productive private lands will be acquired for any new construction or improvement of existing embankments to minimize adverse impact on livelihoods of the community.
- Embankment design, and land acquisition needs will be shared with the community before finalization of land acquisition plan for the project.
- Land acquisition will be completed and RAP for interventions under any works packages in each phase will be prepared in consultation with the community. The draft RAP will be disclosed to the communities after detail engineering design and finalized prior to award of civil works contract with inputs from the consultation process, census and inventory of losses.
- RAP and any tribal peoples plan will be implemented before displacement of peoples from project right of way.

14. As to impacts on tribal peoples (TP), the general nature of works - rehabilitation and improvement - on the existing embankments is highly unlikely to cause adverse impacts that would be substantially different from those on the mainstream communities. A small number of TPs is living in the 6 coastal districts. According to the 2011 population census of Bangladesh Bureau of Statistics (BBS), a total of 10,591 tribal peoples (in 2,477 households) are living in the project districts. It is, therefore, anticipated that the tribal communities will be equally benefited from the project. According to the feasibility survey,

there is no likelihood of relocation impact on the tribal peoples living in the vicinities of the embankments to be improved and no TPs will be affected in the project.

Figure-I Location of polders in the coastal zone (139 polders in 14 districts)



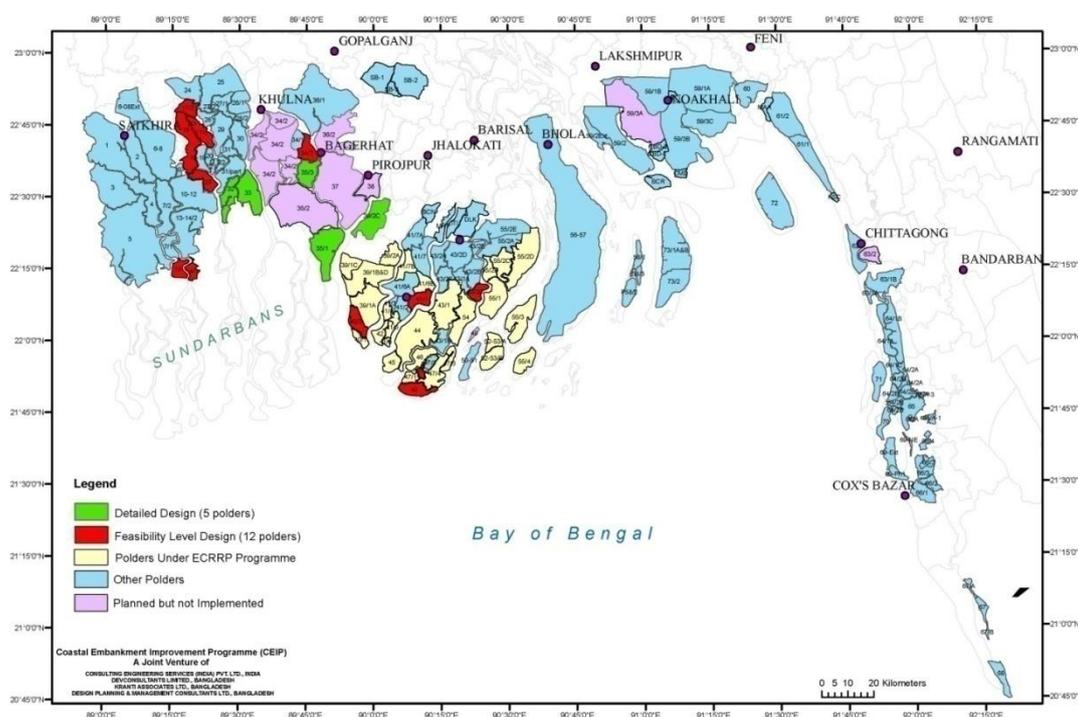
15. Given the involuntary resettlement impact identified on the first year works and anticipated for other works packages, Bank policy on involuntary resettlement (OP 4.12) has triggered. A RAP has been prepared for the first year work following Bank guidelines and Bangladesh legal framework for land acquisition, resettlement and livelihood restoration of the project affected persons losing their lands, housing and productive assets. The RAP will be shared with the Bank and disclosed locally and at Bank InfoShop before Appraisal together with this SMRPF.

16. Women in Bangladesh are at the forefront of awareness and empowerment through equity focused actions in government and in non-government sectors. But women’s access to health services, labour markets and physical security, and their role in decision-making processes still leaves room for improvement. Especially in rural areas, they are lacking adequate access to resources and opportunities. BWDB has its own gender strategy for equal participation by men and women in the development process. As contained in the Gender Equity Strategy for 2006-2011, BWDB will work to ensure gender equity in the efficient development, conservation and management of water resources and in all its activities through empowered participation of staff and communities. CEIP is expected to benefit both men and women in the project areas with improved access to resources, employment and benefit sharing. The project will provide a specific long-term employment opportunity for disadvantaged women, following established BWDB practice, through Labour Contracting Societies (LCS) for equitable physical works in the civil works construction and routine maintenance of polders. However, due to low access to resources and opportunities, women in the project areas may undergo disproportionate impact in the process of land acquisition, resettlement and project construction. The SMRPF, therefore, provides guidelines for gender sensitive actions in preparation, design, implementation, and monitoring and evaluation of RAP for each works package.

17. Beneficiary participation in water management and maintenance of water management structures (embankments, water control structures, drainage and irrigation canals) has been nationally accepted as an

effective tool for sustainable water management. The participatory water management is well established through the National Water Policy and the Guidelines for Participatory Water Management (2008). The methodology to operationalize the guidelines have been piloted under the Integrated Planning for Sustainable Water Management Project and further implemented under the Water Management Improvement Project. The SMRPF refers these guidelines and experiences to pilot participatory scheme cycle management (PSM) in sample schemes and extend further based on successful outcomes.

Figure II Location of 17 Polders under CEIP-I and the 1st Year Polders



## V. Basic Principles

18. In consideration of the potential adverse impacts associated with land acquisition and displacement of authorized and unauthorized private activities from its own (and other public) lands, BWDB will select, design and implement all polders in accordance with the following principles:

- (1) Prior to selection of specific polder, BWDB will undertake community and stakeholder consultations about their objectives, scopes, and social safeguard implications, especially with respect to land acquisition and displacement of businesses, trading and other activities from its own lands (and other public lands, if they are also likely to be used by the project). Consultations will inter alia include,
  - All formal/informal local entities, such as Municipal Committees, Union Parishads (UP), water management organizations (WMO), embankment management groups (EMG), local women’s groups and others with direct and indirect stakes in the project who are deemed key actors to influence project design and implementation.
  - The persons, such as landowners, business owners, traders, embankment settlers (squatters and encroachers) and the like, who would be directly affected by the project.
  - The persons who would be affected in terms of loss of livelihood and/or loss of access to common property resources.

- (2) Unless absolutely required, BWDB will avoid private land acquisition and keep the improvement and rehabilitation works limited, to the extent feasible, to the existing right-of-way to minimize displacement of economic and other activities from private and public lands, including its own.
- (3) BWDB will avoid, to the extent feasible, project activities that will threaten the cultural way of life of PAPs; severely restrict their access to common property resources and livelihood activities; and affect places/objects of cultural and religious significance (places of worship, ancestral burial grounds, etc.).
- (4) BWDB will avoid project activities that will threaten the cultural way of life of the tribal peoples; severely restrict their access to common property resources and livelihood activities.
- (5) BWDB will undertake social screening of all polders to identify potential social safeguard issues, and adopt and implement impact mitigation measures consistent with the Bank policy on social safeguards.
- (6) Special attention will be given to female affected persons in the resettlement process and to the vulnerability of women and children in the project areas to social exclusion, trafficking, risks of HIV/AIDS infection following the policy guidelines of the World Bank on gender.

## VI. Safeguards Screening and Mitigation Guidelines

19. BWDB will screen each polder under each works package to identify potential safeguards compliance issues and social impacts associated with the rehabilitation and improvement works, in order to determine applicability of the OP 4.12 and the required Social Management Plan (a screening format is provided in Annex-1). Where adverse impacts cannot be avoided entirely, BWDB will select, design and implement the project in accordance with the following guidelines:

- *Land Acquisition and Resettlement Framework:* Contains principles, policies and guidelines for private land acquisition and use of public lands and adverse impact mitigation; mitigation measures; and implementation and monitoring arrangements for mitigation plans (Section B); and
- *Social Inclusion and Gender Framework:* Contains principles and guidelines to identify and deal with non-safeguard social issues like gender inclusion, AIDS/STIs, beneficiary participation, benefit sharing, empowerment and vulnerability management (Section C).

20. RAP will be prepared for works packages following the principles, guidelines and procedures outlined in this SMRPF.

## VII. Assessment of Impacts and Risks

21. Social impacts and risks including land acquisition, resettlement and other social impacts will primarily be identified during the initial social screening of subprojects. Once social impacts are noted, census of affected persons and assets will be conducted following the embankment design and land acquisition plan in compliance with the SMRPF guidelines on land acquisition and resettlement (section B), and on social and gender issues (section C). The affected persons and their communities will be consulted during the census survey to understand the risks and options and devising mitigation of social impacts. Land acquisition process will be initiated by BWDB well ahead of time so that assessment of social impacts and risks can be done for preparation and approval of RAP before award of civil works contract and implementation of the same before displacement of people. The screening of social/resettlement impacts will be done using Annex 1 and valuation of assets will be done following the methods in Annex 5.

Land acquisition proposal for respective polders will provide information on land and the census (by BWDB) and joint verification (jointly by DC and BWDB) will provide data on inventory of losses and risks recognized in the SMRPF.

22. With this SMRPF in place, when sites for improvement of polders are determined, detailed SIA following the initial social screening, will be undertaken to identify all project beneficiaries, impacted people and other relevant stakeholders. The SIA will utilize a well-planned and all-inclusive communication and consultation strategy and survey methodology to lay out a detailed socioeconomic survey covering the prevailing status of income, employment, education, age, skills and other socioeconomic aspects along with cultural and community aspects in the areas. The following methodology may be adopted.

- (a) The SIA will be carried out for the first year and subsequent works packages in accordance with the civil works time table.
- (b) Community/stakeholder consultations at locations with habitations and documentation of such consultation.
- (c) Focus group discussions with key affected persons and their community.
- (d) Census and socioeconomic survey among the project affected households.
- (e) Assimilation and analysis of data and information to address key issues following SMRPF.
- (f) The information gathered shall be recorded on strip maps and computerized, and photography/videography will be used to document existing structures and land holding and other impacts in the corridor of impact.
- (g) Update the final alignment on the Mauza maps and finalize the land acquisition plans.

23. All data will be disaggregated by gender and age where necessary. A gender analysis will also be undertaken. The results of the socioeconomic survey and community consultation will be decisive element in selection, design and civil works construction for improvement of the coastal polders. The SIA will be fed into the individual RAP prepared for each yearly/phased civil works program and will be incorporated along with consultation feedback from those identified in the Project Affected Person (PAP) Census and all other relevant stakeholders in the development of mitigation measures, especially livelihood strategies.

24. BWDB will prepare and submit to the Bank for safeguards review, clearance and public disclosure of SIA and RAP for each yearly/phased civil works program. A social screening report will be prepared for all specific polders based on the SMRPF. All project' SIA and RAP will be disclosed locally in Bangla and English and in the Bank InfoShop in English in due course for finalization of the documents before 120 days of award of civil works contracts.

## **VIII. Implementation Arrangement**

### **a. Project Executing Agency**

25. GoB will implement the project under the overall responsibility for project management and coordination through its MoWR. A PSC would provide the forum for overall guidance, policy advice and coordination of the project activities and addressing the inter-agency issues. BWDB under the MoWR is the Executing Agency (EA) of the Project. BWDB shall be responsible for the execution and implementation of the Project through the PMU.

#### **b. Project Steering Committee (PSC)**

26. The PSC would be chaired by the Secretary of Water Resources and will include the Secretaries of Finance, Agriculture, Environment, Public Health Engineering, Forestry and Wildlife, the Chief Executive officer of selected NGO, and representatives of the local/district administration as its members. The PSC will oversee the project; provide policy-level guidance and inter-agency coordination for the project. The PD of the PMU will act as the secretary of the PSC.

#### **c. Project Management Unit (PMU)**

27. BWDB will set up a PMU to oversee the development and management of the project. The PMU will be led by a Project Director (PD) appointed by BWDB. It will have a central project office located at the headquarters of BWDB in Dhaka. The PD will have the rank of Chief Engineer, and will report directly to the Director General (DG). The PMU will have 3 subordinate units: (i) Engineering Unit; (ii) Procurement and Finance Unit; and (iii) Social, Environment & Communication Unit (SECU). In addition to PMU at Dhaka, 3 Field Offices (FO) will be set up, each headed by a Project Manager (PM) of the rank of Executive Engineer, recruited by the project. The FOs will be located in each of the three main project districts, namely Khulna, Patuakhali/Barguna, and Bagerhat. The role of the PMU is, therefore, largely to contract competent organizations, to carefully supervise their performance, to enable them to perform efficiently, and to ensure transparent and regular reporting to MoWR and BWDB.

28. The PMU will be supported by an experienced and reputable Non-Governmental Organization (NGO) with strong presence in the project area for social mobilization including establishment of Water Management Organizations (WMO), and activities related to compensation, resettlement and rehabilitation of project affected persons. The NGO will perform its activities directly under the supervision of the Project Director, but will coordinate with the Design and Supervision Consultant (DSC) acting as the Engineer for the project.

29. A separate consultancy for Monitoring and Evaluation (M&E) would provide support in the supervision of the preparation and implementation of RAPs, and would report to the PMU. The PMU will also be assisted by an Independent Panel of Expert (IPOE) for oversight of all aspects of the project including social safeguards.

#### **d. Ministry of Water Resources**

30. MoWR will provide overall administrative support and inter-ministerial coordination. The ministry through gazette notifications will form various participatory management bodies (committees) for preparation and implementation of the RAPs at the field level. The Implementing NGO will work as the member secretary for all the committees involving representatives from DC, BWDB, LGIs and PAPs. These committees will ensure stakeholders' participation and uphold the interest of the vulnerable PAPs. The powers and jurisdictions of the committees will be clearly defined in the gazette notification.

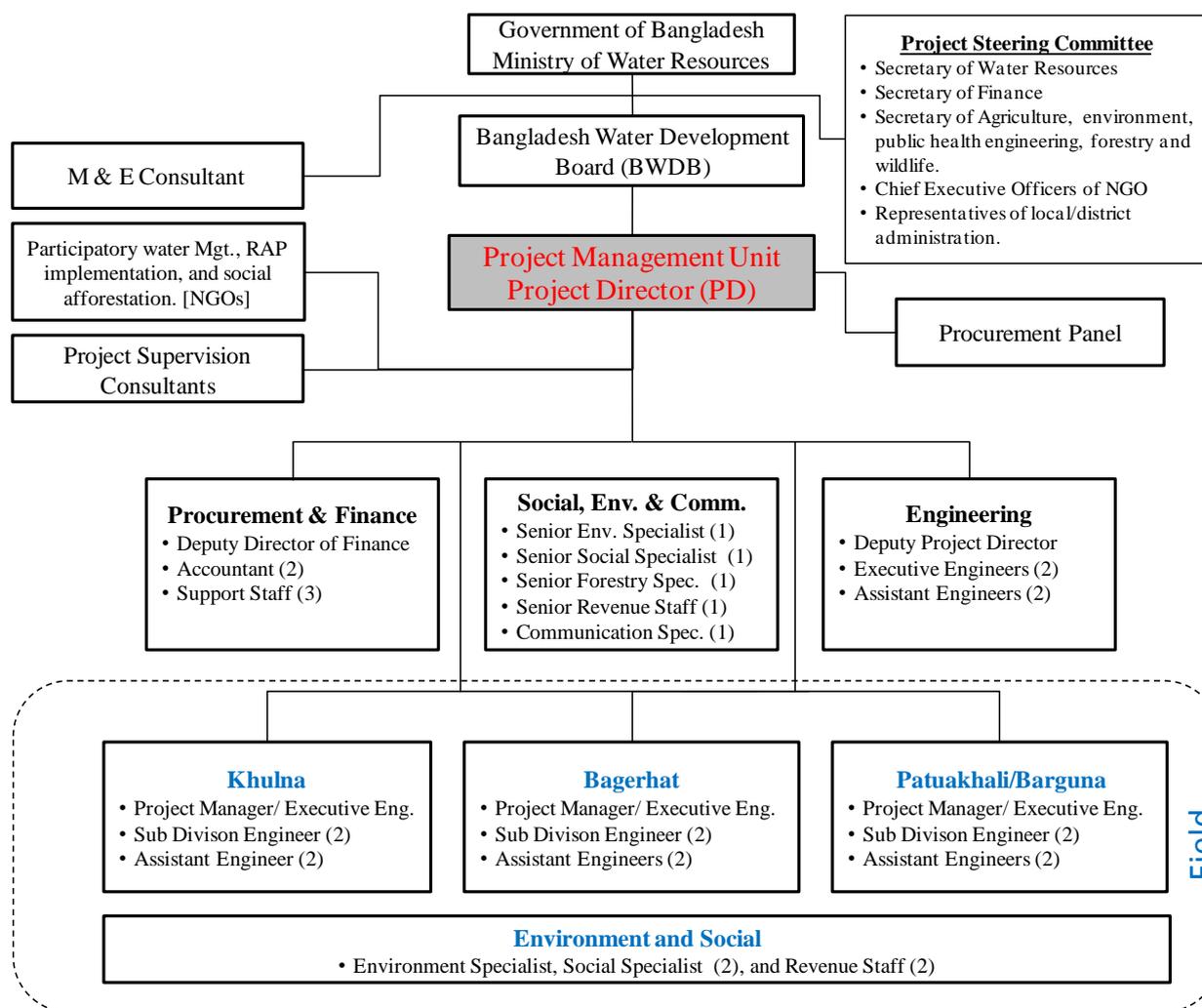


Figure III Project Institutional Arrangement

### e. Water Management Organizations

31. Beneficiary communities and affected persons will be involved in project conceptualization, planning and implementation. Existing water management organizations (WMO) will be strengthened and new WMOs will be established where necessary as per the policy and practices of BWDB.<sup>6</sup> These WMOs will provide input to the design and implementation of the project interventions and participate in preparation and implementation of RAP. The WMOs will also be involved in the monitoring and evaluation.

### f. BWDB Field Offices

32. The Field Offices (FO) of the PMU will be established one at Khulna, one at Bagerhat and one at Patuakhali or Barguna. The FOs will coordinate and manage resettlement and rehabilitation of the PAPs, disburse resettlement benefits, and ensure PAP access to development programs. The field offices will be supported by two Social Specialists and two Revenue Specialists to deal with land acquisition, resettlement and rehabilitation under the SECU at the PMU.

<sup>6</sup> BWDB encourages beneficiary participation in participatory scheme cycle management (PSM) following the Guidelines on Participatory Water Management (GPWM), November 2000. Water Management Organizations (WMO) were instrumental in Integrated Planning for Sustainable Water Resources Management Project, Southwest Area Integrated Water Resources Planning and Management Project, and Water Management Improvement Projects in BWDB. Water management organizations include Water management groups (WVG) on hydrological units in a polder/scheme and an apex body of the groups titled Water management association (WMA). Beneficiaries/WMOs participate in project identification, planning, implementation and operation and maintenance.

### **g. Implementing NGO**

33. The project will finance NGO services for social survey, following up land acquisition and implementation of RAPs for each phase of construction by packages including social mobilization and formation and operation of WMOs. Services of NGOs have been recognized as instrumental in successful implementation of resettlement plans considering their experience of working with the grassroots level people. On the other hand, BWDB has limited manpower in its zone, circle and division levels to take up preparation and implementation of resettlement plans following the local law and the guidelines of the World Bank on social safeguards. It has, therefore, been adopted in this program to engage experienced NGOs to assist PMU and the FOs in the implementation of RAPs .

34. The principal task of the NGO would be to social mobilization, formation of WMOs and training up members of WMOs with assistance from relevant government agencies including the district agriculture extension offices, identify the project affected households/business enterprises and persons relating to the enterprises, estimate their losses and dislocations, and process their entitlement as per the packages contained in the RAPs of annual works packages. The ultimate main task would be to assist FOs in disbursing entitlements, which are provisioned under a polder beyond the provision of the law on land acquisition of the Government of Bangladesh. The NGO would also play an important role in addressing legitimate grievances of the project affected persons and vulnerable groups. The assigned NGO will employ experienced and trained staff for field survey, data collection, data management and development and production of implementation tools in the effect under the leadership of an experienced land acquisition and resettlement specialist and a resettlement information management specialist.

### **h. Deputy Commissioners**

35. The Deputy Commissioners (DC) of the project districts will act to legalize land acquisition and pay compensation under law to the owners of lands proposed for acquisition under their respective jurisdictions. The compensation under law is part of the replacement cost to be disbursed to the affected land owners. Any top-up of the compensation under law to match the replacement value (if the replacement value is higher than the compensation under law) will be provided directly by the BWDB with assistance from NGO. The Ministry of Water Resources will constitute two committees i.e. Property Assessment and Valuation Committee (PAVC) and Grievance Redress Committee (GRC). Among these committees, PAVC will be constituted with representatives of BWDB, implementing NGO and the DCs. The DC office will appoint representatives as member(s) of the committees for quantifying losses and determining valuation of the affected properties. BWDB and NGO shall liaise with concerned DC offices to complete the tasks following the notification of the MoWR.

### **i. Participatory Management Bodies**

#### **a) Property Assessment and Valuation Committee**

36. Deputy Commissioners (DC) and BWDB will conduct joint on-site verification of affected physical properties on private land proposed for acquisition for CEIP in selected polders. DCs will also assess the market price of the affected land, structure, trees and crops with data and assistance from Sub-Registry offices for land, Public Works Department (PWD) for structure, Department of Forest (DoF) for trees, and Agriculture Extension and Agriculture Marketing departments for crops. As per World Bank OP 4.12 on involuntary resettlement, the authorized and unauthorized occupants of public land/BWDB land will also be entitled for compensation and assistance as per RAPs prepared following the SMRPF. These non-titled affected persons (persons without title to the land under acquisition) and their physical and economic losses will be assessed and replacement value of affected physical assets and income will be determined by a Property Assessment and Valuation Committee (PAVC) established for each FO of BWDB under the project. The PAVC will be a 5 member committee at each FO. The members of PAVC

will be nominated by the Executive Engineer of BWDB Division offices and approved by the Project Director, PMU, BWDB, Dhaka.

Membership of PAVC

Sub-Divisional Engineer (PMU Field Office)	:	Convener
Representative of the Implementing NGO	:	Member-Secretary
Representative of concerned DC office	:	Member
Assistant Director, Land and Revenue (BWDB Circle)	:	Member
Ward Member/Councilor (concerned)	:	Member

37. The PAVC will verify and cross check the field book of the joint verification survey (JVS) conducted jointly by BWDB and the Deputy Commissioners at respective project area. The PAVC will also review and certify the census of affected households (titled and non-titled) and assets by the BWDB conducted through NGO/consultant. If there is major variation between Census and JVS data (more than 10%) in assessing affected properties, PAVC will consult the JVS for titled losses and the Census for non-titled losses. PAVC will assess quantity and category of affected physical property (structure, tree, business, common properties, etc.) on BWDB/public lands. Replacement value of the affected physical property will also be determined by the PAVC based on current market price. The PAVC will design and conduct a property valuation survey (PVS) through survey and public consultation and consult secondary data to recommend replacement value of land and structures and market price of trees and crops as well as amount of loss of income at current market price.

**b) Physical Relocation Assistance Committee**

38. A Physical Relocation Assistance Committee (PRAC) will be formed for each polder under improvement with elected representatives from concerned Union Parishads, village leaders, representatives from the affected persons, water management organizations (if any), women and BWDB representations. The PRAC will be headed by the Executive Engineer, BWDB Field Office of the project and authorized to undertake land search and assist the affected squatters in relocation and resettling on a more permanent site. PRAC will look up BWDB's own resources in case of failure in finding out suitable alternative lands for relocation of the affected households, owners of affected businesses and other entities including squatters. They will request the Director, Land and Revenue (DLR) of BWDB at circle office to allow squatters in situ in case no alternatives are found feasible.

Membership of PRAC

1. Executive Engineer (PMU Field Office)	:	Convener
2. Representative of the Implementing NGO	:	Member-Secretary
3. Local UP Member/Ward Councilor (nominated by concerned UP Chairman or Municipal/City Mayor)	:	Member
4. Assistant Director, Land and Revenue, BWDB Circle Office	:	Member
5. Representative from displaced households/persons	:	Member

**c) Grievance Redress Committee**

39. A Grievance Redress Committee (GRC) at local level will be formed for each Union with union level representation to ensure easy accessibility by the project affected persons and communities. This local GRC and the process for resolving land acquisition grievances will be the local focal points of the project Grievance Redress Mechanism (GRM). The GRM sets out the information and communications strategy to ensure that PAPs and communities are fully informed about their rights to offer suggestions and make complaints, and the different mechanisms through which they can do so, including grievances related to the land acquisition process. All grievances received through the GRM process will primarily be forwarded to the GRCs. The Secretariat for each GRC will be at the office of the Executive Engineer, FO. If any grievance is not resolved at GRC, the aggrieved person may request the convener of GRC to forward the case to the Project Director at PMU, Dhaka. The GRC will officially forward the cases with their comments to the Project Director. Hearing of petitions with GRCs will be held at the Convener’s office or at Union Parishad/Ward Councilor’s office as agreed by the committee members. The membership of the GRCs will ensure proper presentation of complaints and grievances as well as impartial hearings and investigations, and transparent resolutions.

Membership of GRC

Executive Engineer (PMU Field Office)	: Convener
Representative of the Implementing NGO	: Member-Secretary
Local UP Member/Ward Councilor	: Member
Teacher from Local Educational Institution (nominated by: Upazila Administration)	: Member
Representative from Local Women’s Group	: Member
Representative from the PAP Group	: Member

40. Members of the GRCs will be nominated by the Executive Engineer at field level and approved by the Project Director, PMU, BWDB, Dhaka.

**IX. Grievance Redress Mechanism**

**a. Background and Objectives**

41. The law on land acquisition allows landowners to object to acquisitions at the beginning of the legal process. Once the objections are heard and disposed of, there is virtually no provision to address grievances and complaints that individual landowners may bring in the later stages of the process. Since the ordinance does not recognize them, there is no mechanism to hear and redress grievances of people who do not have legal titles to the acquired lands. As seen in various projects, complaints and grievances may range from disputes over ownership and inheritance of the acquired lands to affected persons and assets missed by censuses; valuation of affected assets; compensation payment; and the like. Considering the need, BWDB will establish a procedure to answer to queries and address complaints and grievances about any irregularities in application of the guidelines adopted in this RAP for assessment and mitigation of social and environmental impacts. GRC will be formed for each polder at union level for receiving and settlement of grievances from the affected persons and their communities. Based on consensus, the procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal action. The procedure will however not pre-empt a person’s right to go to the courts of law.

### b. Grievance Resolution Process

42. All complaints will be received at the GRCs facilitated by the implementing NGO. The aggrieved persons may opt to make complaints directly to the Project Director or Secretary of the MoWR or even to the court of law for resolution. The Member Secretary will review and sort the cases in terms of nature of grievance, urgency of resolution, and schedule hearings in consultation with the Convener. All cases will be heard within four weeks from the date of receiving the complaints.

43. If the resolution attempt at the local level fails, the GRC will refer the complaint with the minutes of the hearings to the Project Director at PMU for further review. The Project Director will assign the Senior Social Specialist (SSS) at PMU for review the grievance cases and assist Project Director in making decision. The SSS will review the case records and pay field visits for cross examining and consult the GRC members and aggrieved persons, if required. If a decision at this level is again found unacceptable by the aggrieved person(s), BWDB can refer the case to the MoWR with the minutes of the hearings at local and headquarters levels (Figure IV). At the ministry level, decisions on unresolved cases, if any, will be made in no more than four weeks by an official designated by the Secretary, MoWR. A decision agreed with the aggrieved person(s) at any level of hearing will be binding upon BWDB.

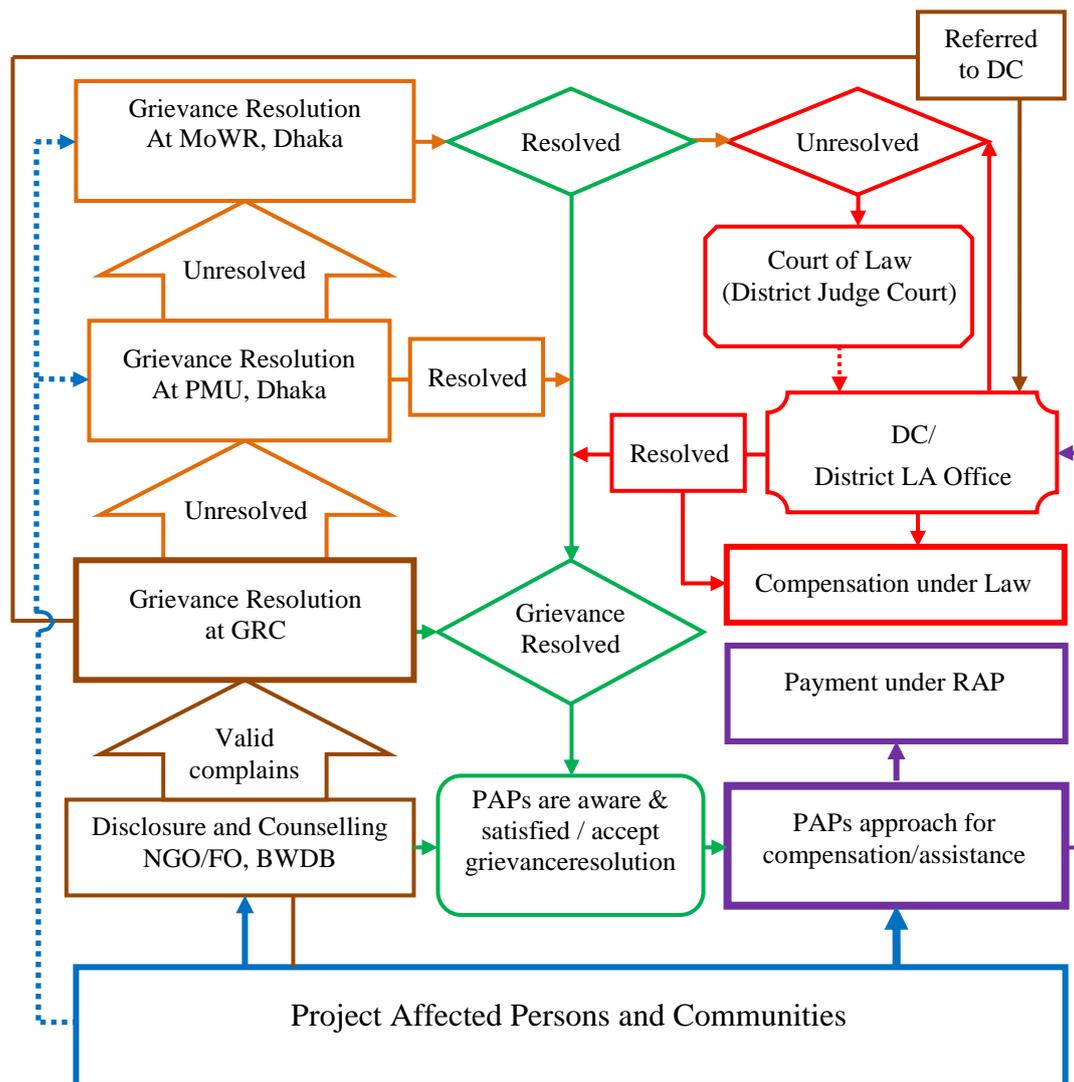
44. Various steps in the grievance process are summarized in the Table A.3 in light of the institutional responsibilities furnished in Figure IV.

**Table A.3 Steps in Grievance Resolution Process**

Step 1	<ul style="list-style-type: none"> <li>• The NGO on behalf of BWDB informs PAPs and counsels them on land acquisition and resettlement policy, compensation and entitlement modalities, entitlement packages, and eligibility and process to obtain the entitlements.</li> <li>• PAPs with clear understanding approach DC and EA for compensation under law and assistance under the RAP as applicable.</li> <li>• PAPs with confusion and valid complaints on land acquisition and resettlement process and entitlements approach GRC for resolution. The aggrieved persons may also opt to produce their grievances directly to the PMU or to the Secretary, MoWR for resolution.</li> </ul>
Step 2	<ul style="list-style-type: none"> <li>• The implementing NGO assists the aggrieved PAPs to produce a written complaint to the convener of GRC with stories, expectations and any parties. The NGO counsels the aggrieved persons on the mandate and procedure of grievance resolution.</li> <li>• GRC scrutinize the case records and sort out cases to be referred to the DC or the court of law and those to be resolved in GRC.</li> <li>• Hearing is organized on cases with merit at the GRC secretariat or at Union Parishad Offices at local level and resolution is given by the GRC in 4 weeks of receiving the complaints.</li> <li>• Aggrieved PAPs satisfied with the resolution approach the EA for resettlement assistance under the provision of the SMRPF. The agreed resolution is forward to PMU for approval by the PD before processing entitlements for the entitled person.</li> <li>• In case the resolution is not acceptable to the aggrieved person, he/she approaches the PMU through the GRC convener with assistance from the implementing NGO for further review.</li> </ul>
Step 3	<ul style="list-style-type: none"> <li>• Cases with all proceedings are placed with the PMU, where the PD reviews them at PMU with assistance from the Senior Social Specialist (SSS). If found necessary, field investigation is carried out and the resolutions are given within 4 weeks of</li> </ul>

	<p>receiving the complaints.</p> <ul style="list-style-type: none"> <li>• Aggrieved PAPs satisfied with the resolution approach the EA for resettlement assistance under the provision of the SMRPF. The resolution will be sent to the Conveners office to communicate to the aggrieved persons for acceptance. The resolution accepted by the aggrieved person is then approved by the PD.</li> <li>• In case the resolution is not acceptable to the aggrieved person, he/she approaches the Secretary, MoWR through the SSS at PMU with assistance from the Social Specialist at the field office.</li> </ul>
Step 4	<ul style="list-style-type: none"> <li>• Cases with all proceedings from GRC and from PMU are placed with the Secretary, MoWR where the Secretary appoints a reviewer to resolve the grievance in view of the merits and redirect the case records to the PD, PMU with written resolutions within 4 weeks of receiving the complaints.</li> <li>• Aggrieved PAPs satisfied with the resolution approach the EA for resettlement assistance under the provision of the RAP. The resolution will be sent to the Conveners office to communicate to the aggrieved persons for acceptance. The resolution accepted by the aggrieved person is then approved by the PD.</li> <li>• Aggrieved PAPs may opt to approach to the Court of Law, if the resolution at MoWR is not acceptable to him/her.</li> </ul>
Step 5	<ul style="list-style-type: none"> <li>• The resolution accepted by the aggrieved persons at any level (GRC, PMU, MoWR) is approved/nodded by the Project Director and forwarded back to the Conveners' office keeping records at his/her office.</li> <li>• Based on the approved grievance resolution, the implementing NGO processes his/her entitlements and assists EA in arranging payment.</li> </ul>

Figure IV Grievance Redress Flow Chart



45. To ensure that grievance redress decisions are made in formal hearings and in a transparent manner, the Convener will apply the following guidelines:

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

### c. GRM Disclosure, documentation and monitoring

46. The affected persons and their communities will be informed of the project's grievance redress mechanism in open meetings at important locations and in PAP group meetings. Bangla translations of the SMRPF and the GRM process in the form of information brochures will be distributed among the project affected persons. The PAPs will also be briefed on the scope of the GRC, the procedure for lodging grievances cases and the procedure of grievance resolution at the project level.

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

- **Intake Register:** (1) Case number, (2) Date of receipt, (3) Name of complainant, (4) Gender, (5) Father or husband, (6) Complete address, (7) Main grievance regarding social (loss of land/property or entitlements) or environmental, (8) Complainants' story and expectation with evidence, and (8) Previous records of similar grievances.
- **Resolution Register:** (1) Serial no., (2) Case no., (3) Name of complainant, (4) Complainant's story and expectation, (5) Date of hearing, (6) Date of field investigation (if any), (7) Results of hearing and field investigation, (8) Decision of GRC, (9) Progress (pending, solved), and (10) Agreements or commitments.
- **Closing Register:** (1) Serial no., (2) Case no., (3) Name of complainant, (4) Decisions and response to complainants, (5) Mode and medium of communication, (6) Date of closing, (7) Confirmation of complainants' satisfaction, and (8) Management actions to avoid recurrence.

48. Grievance resolution will be a continuous process in the implementation of RAPs. The PMU and FOs will keep records of all resolved and unresolved complaints and grievances (one file for each case record) and make them available for review as and when asked for by WB and any other interested persons/entities. The PMU will also prepare periodic reports on the grievance resolution process and publish these on the BWDB website. The format in Annex 3 may be used for periodic grievance reporting.

## X. Training and Capacity Building

49. Land acquisition and resettlement experience in former and on-going projects of BWDB formed the basis for CEIP-I SMRPF. BWDB has prior experience of dealing with land acquisition and resettlement in compliance with OP 4.12 on Involuntary Resettlement and OP 4.10 on Indigenous Peoples. However, the PMU staff will be oriented on preparation of RAPs and implementation of them at the field level. An experienced implementing NGO will be employed for social survey and implementation of RAPs along with other social mobilization and participation activities.

50. However, in monitoring land acquisition and RAP implementation activities, the BWDB SSS at the PMU will identify any issues that may be impeding progress and coordinate them with the PD and FOs for actions by the PMs at the field level. Jointly with the DS Consultant's Land Acquisition and Resettlement Specialist (LARS), the SSS will design and conduct training of BWDB field staff, especially those who will implement the project including the SDEs, on social safeguards compliance issues relating to involuntary resettlement and tribal peoples, as well as implementation of the various impact mitigation policies and measures adopted in this SMRPF. Gender mainstreaming in project activities will be given special attention in all training and capacity building activities.

## XI. SMRPF Disclosure

51. BWDB will disclose a Bangla translation of this SMRPF to the public, and authorize the World Bank to disclose the SMRPF at its Country Office Information Centre and in its InfoShop. BWDB will ensure that copies of the translated document are available at its headquarters and division offices, MoWR, public libraries and local government offices in the project districts, and other places accessible to the general public. BWDB will inform the public through notification in two national newspapers (one Bangla and one English) about the SMRPF and where it can be accessed for review and comments. The draft RAP and any tribal people's plans for works packages will be translated into Bangla and made available at public places accessible to the PAPs and other stakeholders for comments. The Bangla versions of the final RAP will be placed in the same venues before award of civil works contract for any reference by the PAPs and their communities. The SMRPF and any RAP or IPP will be posted in the BWDB website along with their Bangla translations.

## XII. Monitoring and Evaluation

52. BWDB will set up its own monitoring and evaluation (M&E) system under the PMU to report quarterly involving the XENs at the Field Offices. The RAP implementing NGO will primarily be responsible for collection of monitoring data on land acquisition and implementation of RAPs and gender actions in the process. BWDB will engage a M&E consultant to assist PMU in day to day monitoring and management support for implementation of CEIP-I. The DS Consultant includes a senior, experienced LARS who will prepare six-monthly reports on monitoring of land acquisition and implementation of RAP, tribal peoples plans (if any) and gender action plans in the process. The PMU will be responsible for monitoring, reporting and evaluation, including the design of the M&E system.

53. An independent review will be carried out on 20% sample polders (one out of five) under each of the works packages under each phase of the program to evaluate the adequacy of the mitigation policies, the socio-economic impact of the project on the persons affected, and the achievement of the social development outcomes as well as lessons for future projects. This independent review will require inputs at project-start (to collect baseline data), during implementation (to expand the baseline data base and collect interim evaluation data) and at project-end (for evaluation). BWDB will have contract with local consultants to carry out the independent evaluation. A terms of reference (TOR) for independent Monitor will be prepared and enclosed with the procurement documents. A draft TOR for the independent evaluation consultant is given at Annex4.

## B. LAND ACQUISITION AND RESETTLEMENT FRAMEWORK

### I. Legal and Policy Framework

54. The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982 including amendments up to 1994 - ARIPO 1982) and other land laws and administrative manuals relevant to alluvion/diluvion land, char and khas land administration in Bangladesh<sup>7</sup>. 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 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. However, it is well known in Bangladesh that people devalue land during transactions to pay lower registration fees. As a result, compensation for land paid by DC including premium remains less than the real market price or replacement value. The 1994 amendment made provisions for payment of crop compensation to tenant cultivators.

55. The Ordinance, however, does not cover project-affected persons without title or ownership record, such as informal settler/squatters, encroachers, occupiers, and informal tenants and lease-holders (without legally constituted agreements) and does not ensure replacement market value of the property acquired. The act has no provisions for resettlement of the affected households/businesses or any assistance for restoration of livelihoods of the project affected persons. As a result, land acquisition potentially diminishes productive base of farm families and those affected and displaced by development projects.

56. Since the 1982 Ordinance falls short of the requirements of the World Bank safeguard policies, the project land acquisition and resettlement policy has been developed in compliance with the World Bank's social safeguard requirements including OP 4.12. The project policy has also benefited from the experience in resettlement in similar others projects within BWDB and other infrastructure agencies of the Government of Bangladesh.

### II. Land Acquisition and Resettlement Issues

57. The project interventions are improvement of coastal embankments so as to withstand incessant cyclonic storms and tidal surge of higher degree of devastation. This necessitates strengthening of embankment slopes and increasing crest height to a level resilient to the cyclonic events. New water management structures will also be constructed to restore the performance of the polders on current conditions. As discussed in the preceding section, pending final selection of the project and finalization of the engineering designs, it is assumed that potential resettlement issues are expected to be associated with (i) private land acquisition; (ii) displacement of squatters and encroachers from BWDB's own land including the existing embankment slopes and other public lands; and (iii) resumption of leased-out public lands from private citizens.

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<sup>7</sup> Alluvion, diluvion and char land survey and settlement ( No. 2-2/87/90(1060)/1987; Settlement of char land (No. 2L-3/73/86(19)-R.L/1973; Settlement of Diluviated Lands Reformed in Situ (Memo No. 196(36)-V-177/77-L.S /1978), State Acquisition and Tenancy (Amendment) Act, 1994; Transfer of Khas Land between GoB departments (M:/Sha-10/HUD/general-1/94/345(64)/1994 (source: Land Administration Manual, Vol. 1, Ministry of Land, GoB).

58. Considering the potential impacts, BWDB proposes to obtain private and public lands, which may have been under authorized and unauthorized private uses, by using the following means:

**Private Lands:** Wherever found absolutely necessary, BWDB will use the present *Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982)*, and mitigate the associated adverse impacts in compliance with the Bank's OP 4.12 on Involuntary Resettlement.

**Public Lands (Including Embankment Slopes and BWDB's Own Lands elsewhere)**

- **Under Authorized Use:** If the required lands are presently under lease from any government agency, BWDB may seek to use them by fulfilling the lease conditions.
- **Under Unauthorized Use:** BWDB will take them back and vacate the embankment slopes by mitigating the associated adverse impacts consistent with the World Bank's OP 4.12.

### III. Impact Mitigation Objectives

59. The principles and guidelines proposed in this framework are to avoid or minimize adverse impacts on private landowners and public/BWDB land users; mitigate the adverse impacts that are unavoidable by adequately compensating for or replacing lost assets; and assist the PAPs to improve, or at least to restore, their living standards and income earning and production capacity to the pre-project levels. To achieve these objectives, BWDB will consistently adhere to the following guidelines:

- Avoid or minimize private land acquisition;
- Avoid or minimize displacement of persons and households who may have been using public/BWDB lands and embankment slopes for residential, commercial and other purposes; and
- Mitigate adverse impacts associated with private land acquisition; displacement from public lands/embankment slopes; use of common property resources; and temporary displacement/closure of businesses and livelihood activities during implementation of civil works.

### IV. Applicability and Impact Mitigation Plans

60. The principles and guidelines as proposed in this SMRPF will apply to all polders under CEIP-I that will involve land acquisition from private ownership and/or displace people from the existing right of way (public/BWDB land), which they may have been using for residential, agricultural, commercial or other purposes with or without formal authorization.

61. To mitigate adverse impacts, BWDB will prepare and implement one of the following instruments documenting the project affected persons and valuation of affected assets, impact mitigation measures and budget, and an implementation schedule for each works package:

- **Resettlement Action Plan (RAP).** Where land acquisition and resumption of public lands, including BWDB's own, for the project undertaken in a project phase affect 200 or more persons; or
- **Abbreviated RAP.** Where the subprojects in an works package displace fewer than 200 persons.

62. The number of project affected persons consists of all affected persons including their dependents and heirs, irrespective of their tenure status to the lands they use for any purposes.

## V. Land Acquisition and Impact Mitigation Principles

63. As stated under Legal and Policy Framework, the ARIPO 1982 is used to legalize acquisition in the country's land administration system, and the World Bank OP 4.12 provides the basis to define resettlement policy objectives, and adopt and implement impact mitigation measures. In keeping with OP 4.12, BWDB will use the following principles and guidelines to acquire private lands and resume public lands from private uses, and adopt impact mitigation measures.

### a. Land Acquisition Principles

64. BWDB will select the polders and consider alternative designs with an emphasis on avoiding or minimizing adverse impacts on private landowners and those who have been using its own and other public lands with and without authorization.

65. BWDB will undertake land acquisition well ahead of award of civil works contracts so that Deputy Commissioners can complete land acquisition for respective polders before start of civil works construction. Given the timeline under legal framework for acquisition of land, BWDB should request the DCs for land acquisition at least 12 months before the expected date of award of civil works contract. If any change in design and alignment happen during construction, BWDB will prepare land acquisition proposals for the same and submit to concerned DC office for processing with prior consultation with the land owners. An informed agreement will be documented with the potential land owners that civil works construction will continue pending compensation payment but compensation will be paid to all legal owners without dispute on titles within a reasonable period of time acceptable to them. Compensation funds will be placed with the DCs for payment and the payment process will be coordinated to ensure timely disbursement to the land owners.

66. In addition to the above, BWDB will use the following principles to minimize adverse impacts on affected persons and their community:

- Avoid or minimize acquisition of private lands;
- Use as much public land as possible;
- Avoid or minimize:
  - Displacement from homesteads,
  - Loss of land valued higher in terms of productivity and uses,
  - Loss of buildings/structures that are used for permanent business/commercial activities.
  - Dislocation of squatters/encroachers; and
  - Impacts on community facilities, such as educational institutions, places of worship, cemeteries, etc., and buildings/structures that are socially and historically important.
- Sections of the embankments will be re-designed only where it is necessary to meet the required technical and safety standards for climate change adaptation, or to avoid affecting concentrations of commercial activities.
- Option to offer residual plots for acquisition: 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.

67. Avoid adverse impacts on Tribal Peoples. Where adverse impacts are found unavoidable, BWDB will adopt alternative project design to avoid the impacts including impact on land, language, culture and livelihood resources.

68. Avoid or mitigate impacts on Cultural Property. According to the general scope of the civil works, the project will not trigger OP 4.11 on Physical Cultural Resources. However, in special unwarranted circumstances, BWDB will plan, design and implement subprojects in compliance with the OP 4.11 and include the actions in the Environmental Management Plan (EMP) of the subprojects.

#### **b. Impact Mitigation Principles**

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

- (1) Resettlement of the project affected persons will be planned and developed as an integral part of the project design.
- (2) Absence of legal titles in cases of public land users will not be considered a bar to resettlement and rehabilitation assistance.
- (3) Vulnerability, in terms of gender, age, disability and social empowerment of the project affected persons/households, will be identified and mitigated according to the provisions adopted in this SMRPF.
- (4) Homestead-losers, including the squatters on embankments and other public lands, will be compensated for their physical assets on the lands and assisted with physical relocation. Provision of basic facilities like water supply and sanitation will be provided for those squatters relocated in groups of 10-30 households in a cluster outside the existing embankments.
- (5) The squatters will be encouraged for self-relocation and assisted in the process of finding out alternative lands, where necessary. PRACs will undertake land search and assist the affected households/squatters in relocation and resettling on a more permanent site. The potential relocation sites can be vacant public land or unused BWDB land, untitled new lands suitable for settlement, and unproductive private lands. In case, no alternative sites are available and feasible, landless squatters (squatters having no alternative lands for homestead) will be allowed back on the embankment slope on raised berm with provision of necessary additional land attached to the slope.
- (6) People squatting public lands/properties under acquisition (without any legal agreement for right to use the land) will qualify for financial or any other form of assistance as per provisions adopted in this SMRPF.
- (7) 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.
- (8) No compensation will be paid for temporary inconveniences faced by business operators and traders, unless they are required to stop completely their operations during the construction period. However, to ensure sustenance of their income streams, BWDB will undertake the following measures in consultation with the concerned communities and construction supervision consultant:
  - Plan and implement the construction works in a manner to avoid/minimize inconvenience and disruption to the embankment/road users, and to business/trading activities where applicable.

- Ensure spaces for all temporarily displaced business/trading activities in the vicinities of their present locations, or allow them to relocate temporarily to spots they find suitable.
- (9) Where the project activities cause community-wide impacts affecting community facilities, access to common property resources, etc., BWDB will rebuild them with its own resources or provide alternatives in consultation with the user communities.

## VI. Eligibility for Compensation and Assistance

70. Regardless of their tenure status to the lands used for a subproject, the project affected persons/households will be eligible for compensation and assistance. Pending further investigations to identify other impacts and impacted persons, BWDB will mitigate impacts on the following:

- Private Landowners. Persons who have legal rights to the affected lands and other assets, such as houses, other structures, trees, etc., built and grown on them.
- Squatters and encroachers. Squatters of existing embankment and of any other public land under acquisition and encroachers of public and private land under acquisition or of the existing embankment (both without any legal title to the land but use them for residential, commercial or livelihood purpose) will not be compensated for land, but for the assets built and grown on the lands.
- Owners of Displaced Businesses. Compensation for income loss from businesses that are: (i) displaced from private lands, embankment slopes, and those belonging to BWDB 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.
- Employees of Affected Businesses -who are employed in the above two types of affected businesses.
- Rental Income Earners. Persons losing rental income from built premises situated on private lands and on public/BWDB land affected due to the project interventions.
- VNR Owners/Users. Current users of the acquired lands and other properties designated VNR properties during acquisition for the current project.
- Usufruct Rights Holders. Owners of affected business, agricultural, fisheries and other activities on formally leased-in government land, where lessees (formal or informal) stipulate compensatory conditions in cases where lands are taken back or acquired before lease expiration.
- Community 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.

## VII. Compensation Principles and Standards

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

**(1) Acquired Lands and Other Assets**

- Replacement costs for an equal amount of land of same use and quality, including the registration costs including stamp duties.
- 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 labour to build them.
- 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.
- Current market prices of crops in the field or on trees, if the lands are used before harvest.
- If the acquired land is agricultural and amounts to 20% or more of the total productive land owned by the affected household, a Transition Allowance (TA) at three times the value of the crops produced in a year on the acquired land.

*Valuation principles and methods to determine the replacement costs of lands, houses/structures and other replaceable assets, and market prices of trees, crops and other irreplaceable assets are suggested in Annex5.*

**(2) Displacement from Homesteads**

- *Displaced from private lands:* Relocation assistance to lands the affected households can personally arrange to buy, or to public lands arranged by BWDB.
- *Displaced from public lands:* Relocation assistance` for displaced households due to acquisition of land to alternative public lands arranged by BWDB. Displaced squatters on existing embankments will be assisted for relocation to alternative sites they will buy or arrange with assistance from BWDB. At extreme circumstances of failure to find alternative sites, the squatters will be allowed back on the embankment after construction.
- *Displaced from VNR lands:* Relocation assistance either to lands they can personally arrange to buy, or to public lands arranged by BWDB.
- In case of group relocation outside the existing embankment, provision of pre-acquisition level basic utilities, such as water supply, sanitation, electricity, and other facilities e.g. school, medical facilities, religious centres, etc., if they are not located in the vicinity, may need to be provided.

**(3) Loss of Business, Employment and Rental Income**

*Temporarily Closed Businesses:*

Where business activities come to a complete closure during construction, the owners will be paid for income loss at rates based on average daily net income for the smaller of the number of days needed to reopen the individual businesses, or to complete the civil works.

*Partially Affected Businesses:*

Where business premises are partially dismantled and the remainder is structurally safe and useable, compensation, calculated as above, for the smaller of the number of days needed to repair and reopen the individual businesses, or to complete the civil works.

*Businesses Completely Displaced from Present Premises:*

Owners of affected business will be compensated for loss of income for 45 days based on average daily net income from the business and assisted in relocating their business in new locations.

*Loss of Employment Income from Displaced and Temporarily Closed Businesses:*

Persons who have been continuously employed by the displaced and 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. The daily rates will be based on their monthly/daily salary paid by the employers.

*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 on public/BWDB lands.

**(4) VNR Properties**

Lands and other properties that were not declared VNR –(previously ‘enemy properties’ under the *Enemy Properties Act of 1965*)<sup>8</sup> through 1984, and are found to be VNR during acquisition for any polders under CEIP-I, the following guidelines will apply:

*Agricultural lands:*

- Present users/owners will qualify for compensation of three times the value of all crops grown in one year on the acquired lands;
- Current market prices of crops in the field or on trees, if the lands are used before harvest; and
- Where acquisitions affect the lands partially, the owners/users will be allowed to use the remainder.

*Acquired homesteads (including houses/structures):*

To deal with partial and full acquisitions, BWDB will consider the following alternatives in consultation with the present owners/users:

- *Partially acquired homesteads (including houses/structures):* Assistance to the present owners/users to move and rebuild the houses/structures on the remaining land.
- *Fully acquired homesteads (including houses/structures):* Relocation assistance either to lands they can personally arrange to buy, or to public lands arranged by BWDB; or
- Six months' rent for living accommodation, comparable to the affected one, in the nearby towns where such accommodation is available for rental purposes.

**(5) Leasehold Lands**

- *Formally leased-in from any agencies of the Government:* Compensation as stipulated in the lease agreement.
- *Formally leased-in khas land:* Compensation, if any, stipulated in the lease agreement.

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<sup>8</sup> These properties have been left behind by the people of minority communities who migrated to other countries as a result of the independence and partition of India in 1947. An investigation through 1984 designated some of such properties as ‘vested and non-resident (VNR)’, which have since been leased to private citizens on an annual basis, or allocated to various government agencies. There still remains an unknown amount of such properties, which are used by people claiming to be related to the original owners. If the legal documents possessed by the present users are found unsatisfactory *during acquisition for the CEIP subprojects*, DCs will declare them VNR property and disqualify them for the compensation-under-the-law. BWDB will however implement the proposed mitigation measures on the ground that without the proposed project the current users would still be using the properties.

## (6) Unforeseen Impacts

BWDB will adopt and implement policies, in consultation with the project affected persons/stakeholders and the WB, to mitigate any adverse impacts that may have remained unknown and are not covered in this SMRPF.

## VIII. Cut-Off Dates

72. These will be established to identify the non-land assets that will qualify for compensation and discourage abuse of the mitigation policies by defrauding the project. These are the dates on which censuses of the project affected persons and inventory of assets are commenced on a particular area (mauza/village). No person or his/her assets will qualify for compensation unless they are recorded in the census taken on the cut-off dates.

## IX. Compensation Payment

73. In cases of acquisitions, a part of the compensation for lands and other affected assets built or grown thereon will be assessed and paid to the title holding PAPs by the DC, the head of the Acquiring Body. If this payment, CUL, is found to be lower than the replacement costs of land/structure and market prices of trees/crops/perennials, BWDB will directly pay the difference as ‘Top-up’ to make up for the shortfall.

74. With and without acquisition, compensation/assistance due to all other PAPs, such as squatters, encroachers, business owners and employees and those who are not covered by the acquisition ordinance, but qualify according to this SMRPF, will also be directly paid by BWDB.

75. Determination and Payment of Top-up: Where an owner loses lands and other assets in more than one mauza or land administration unit, the person will be counted once, and his/her top-up will be paid as a single amount. The amount of top-up due to the affected person will be determined by comparing the total amount of CUL paid by the DCs for lands and other assets acquired in all mauzas with the total replacement costs and/or market prices thereof.

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

77. Compensations/entitlements due to the PAPs, including those who are not covered by the acquisition ordinance, but eligible according to this SMRPF, will be paid in full before they are evicted from the acquired private and public lands.

78. Based on the principles proposed for impact mitigation, the following matrix defines the specific entitlements for different types of losses, EPs, and the institutional responsibility to implement them (Annex 6). Further explanations and application guidelines are given in Annex 7.

## X. Compensation and Entitlement Matrix

79. Following tables (Tables I – XI) represent compensation and entitlement matrices for various categories of impacts so far assessed at project preparation in the light of those have been seen under several Bank supported projects in Bangladesh. Any other impacts that might be identified during social screening of the individual polders and PAP Census, as well as those that might be encountered during implementation of the civil works will be mitigated through measures in compliance with these SMRPF policy guidelines. A person could be eligible for compensation/entitlement in more than one category of

impacts and in more than one mauza. DCs will pay CUL for each mauza separately for one person whose lands/assets have been acquired in more than one mauza.<sup>9</sup>BWDB will consult WB for any modifications to the guidelines as and when found necessary for better implementation of the mitigation measures.

<b>I. LOSS OF AGRICULTURAL, HOMESTEAD AND OTHER LANDS</b>	
<b>a. <u>Entitled Person</u></b>	<b>b. <u>Entitlement</u></b>
<ol style="list-style-type: none"> <li>1. Legal owner(s), including mortgagors, as determined by DC during CUL payment, or by court in cases of legal disputes.</li> <li>2. Co-sharers to be determined by title deeds/records and mortgage documents.</li> </ol>	<ol style="list-style-type: none"> <li>1. Compensation under law (CUL), which includes 50% premium on current market price, or replacement value, whichever is higher.</li> <li>2. Transition allowance (TA) for income loss from productive lands.</li> </ol>
<b>c. <u>Application Guidelines</u></b>	<b>d. <u>Implementation Issues</u></b>
<ol style="list-style-type: none"> <li>1. Current market prices of land determined by the PAVC to be the basis for determining replacement value and top-up payment.</li> <li>2. Replacement Value includes current market price and applicable registration cost for titling.</li> <li>3. Advance notice to be issued in time to harvest standing crops. If not possible, the value of crop at full harvest value is to be paid.</li> <li>4. Top-up will be paid by BWDB and calculated when CUL is less than Replacement Value.</li> <li>5. TA will be paid to a person losing more than 20% of his/her total productive land area @ Bangladesh Taka (BDT) 1000 per decimal of acquired agriculture land.</li> </ol>	<ol style="list-style-type: none"> <li>1. PAPs to be informed of the details of compensation policies after issuance of Notice u/s 3.</li> <li>2. Landowners to be assisted to procure any missing legal documents required to claim compensation from DCs.</li> <li>3. Mauza-wise current market prices of lands to be determined, considering their quality in terms of number and types of crops produced a year, flooding, irrigation facilities, accessibility and other factors influencing market prices.</li> <li>4. The project will not be used to collect outstanding dues or taxes on the acquired or other lands.</li> <li>5. In case PAP losses his/her land in more than one plot, Top-up will be calculated based on total CUL and total replacement value for the total land acquired from the owner.</li> </ol>
<b>e. <u>Responsibility</u></b>	
<ol style="list-style-type: none"> <li>1. BWDB is responsible for overall execution and coordination, ensuring GoB's support and timely financial disbursements.</li> <li>2. DC will pay CUL to all legal owners, and those with the legal evidence of interest in the lands.</li> <li>3. BWDB/NGO to inform PAPs of RAP policies, assist in updating records, pay Top-up and TA, and monitor and report progress on RAP implementation.</li> <li>4. DC will determine CUL and BWDB will determine replacement value with assistance from the projects' Property Assessment and Valuation Committee and the NGO.</li> </ol>	

<sup>9</sup> The awards or CULs 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 CULs as the number of mauzas where hi/her property are acquired. The awards are paid separately for each mauza.

<b>II. LOSS OF PONDS/GHER (SHRIMP CULTURE BED) AND FISH STOCK</b>	
<b>a. <u>Entitled Person</u></b>	<b>b. <u>Entitlement</u></b>
<ol style="list-style-type: none"> <li>1. Legal owner of the pond to get compensation for land area, while usufruct right holder(who rents or leases in), legal or socially recognized, to get compensation for fish stock.</li> </ol>	<ol style="list-style-type: none"> <li>1. Compensation under law (CUL) which includes 50% premium or replacement cost of pond, including cost of land and digging, whichever is higher.</li> <li>2. Market price of fish stock (PFS) and PAPs are allowed to harvest and take away the fish stock.</li> <li>3. If the pond is under lease from any GoB agencies, compensation from DC as per lease conditions.</li> </ol>
<b>c. <u>Application Guidelines</u></b>	<b>d. <u>Implementation Issues</u></b>
<ol style="list-style-type: none"> <li>1. Guidelines 1, 2 and 3 as indicated for Loss Category I.</li> <li>2. 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, but is allowed to retain the entire fish stock.</li> <li>3. Legal owner(s) will get compensation for fish stock if he/she operate the pond/gher by him/herself.</li> <li>4. Usufruct right holders will receive compensation for fish stock and any other compensation as per agreement.</li> </ol>	<ol style="list-style-type: none"> <li>1. Magnitude of fish stock and value to be determined by PAVC according to Fishery Dept. standards and market prices.</li> <li>2. PAVC will assess the stake of the usufruct rights holders in affected pond/gher.</li> </ol>
<b>e. <u>Responsibility</u></b>	
<ol style="list-style-type: none"> <li>1. BWDB is responsible for overall execution and coordination, ensuring GoB's support and timely financial disbursements.</li> <li>2. DC will pay CUL to all legal owners, and those with the legal evidence of interest in the lands.</li> <li>3. BWDB/NGO to inform PAPs of RAP policies, assist in updating records, pay Top-up and PFS, and monitor and report progress on RAP implementation.</li> <li>4. DC will determine CUL and BWDB will determine current market price of fish stock and replacement value of pond with assistance from the projects' Property Assessment and Valuation Committee and the NGO.</li> </ol>	

<b>III. LOSS OF HOUSES/STRUCTURES USED FOR LIVING &amp; COMMERCIAL ACTIVITIES</b>	
<b>a. <u>Entitled Person</u></b>	<b>b. <u>Entitlement</u></b>
<ol style="list-style-type: none"> <li>1. Legal owner as determined by DC during the CUL payment process and/or determined by court in cases of legal disputes.</li> </ol>	<ol style="list-style-type: none"> <li>1. Compensation under law (CUL) which includes 50% premium, or the replacement value, whichever is higher.</li> <li>2. House Construction Grant (HCG).</li> <li>3. All house/structure owners are permitted to retain the salvageable building materials.</li> </ol>
<ol style="list-style-type: none"> <li>1. Non-titled persons and squatters/encroachers those own houses/structures built on public lands/embankment slopes as found during the</li> </ol>	<ol style="list-style-type: none"> <li>2. Replacement value of structures determined by PAVC.</li> </ol>

<p>PAP Census.</p> <p>2. Owner users of vested and non-resident property land without lease.</p>	<p>3. House transfer grant (HTG) and HCG for houses/structures.</p> <p>4. Structure transfer grant (STG) for shifting of temporary structures on legs.</p> <p>5. Homestead Development Allowance (HDA) for land development or house platforms.</p> <p>6. Structure strengthening grant (SSG) for temporary relocation of landless squatters.</p> <p>7. Vulnerable and female headed households will get one time special subsistence allowance.</p> <p>8. All house/structure owners are permitted to retain the salvageable building materials.</p>
<p>3. Tenants (those renting premises for residential and/or commercial purposes).</p>	<p>1. Tenants will be given advance notice and assisted with finding alternative accommodation and be given shifting grant for goods and belongings (SGB).</p>
<p><b><i>c. <u>Application Guidelines</u></i></b></p>	<p><b><i>d. <u>Implementation Issues</u></i></b></p>
<p>1. Legal Owners: Applies to all houses/structures standing on the acquired private lands at the time of issuance of Notice-3.</p> <p>2. Squatters/encroachers will be eligible for compensation for all structures built on public lands/BWDB embankments displaced permanently for project purpose.</p> <p>3. HTG for (a) shiftable structures (constructed with bamboo, thatch or other non-breakable walls and GI sheet or straw/leaf roofs and the like) will be @ 5% of the replacement value of structures and HCG @ 10% of the replacement value of structures; and (b) non-shiftable structures (constructed with expensive materials e.g., brick walls with reinforced cement and concrete (RCC) roof, brick walls with GI sheet roof, cemented floor, etc.), HTG @ 5% of replacement value of the structure.</p> <p>4. Vulnerable households (very poor, physically handicapped and over aged headed households) and female headed households without any adult earning member will be provided with additional one-time special subsistence allowance @ BDT 5,000 (five thousand).</p> <p>5. Landless squatter households opting for permanent relocation outside the embankment will be provided with HDA @ BDT 50 (fifty) per sq. ft. of floor areas of affected structures, if developed relocation sites are not available for them.</p> <p>6. Small 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 (roadside small pan-bidi shops, groceries, tea stalls, etc.) but will be assisted in finding alternative location and given the STG at current market price to cover any damage and cost of shifting @ 5% of the replacement cost of structures.</p> <p>7. Landless squatters failing permanent relocation will be allowed back on the embankment after full sectioning.</p>	<p>1. PAVC to verify floor areas and materials based on Census data and recommend replacement value assessed through market survey.</p> <p>2. The PAP Census will establish the cut-off date for all structures not covered under CUL.</p> <p>3. PAVC, during joint assessment for physical structures, will categorize affected structures under non-shiftable, shiftable and mobile structures.</p> <p>4. BWDB, in collaboration with local authorities (PRACs) will make best efforts to identify alternative housing sites for landless squatters.</p> <p>5. All compensation will be based on replacement value to be determined through market survey.</p>

8. All compensation will be based on replacement value to be determined through market surveys.	
<b>e. <u>Responsibility</u></b>	
1. DC will pay CUL for structures to all legal owners, and those with the legal evidence of interest in the lands.	
2. BWDB/NGO to inform PAPs of RAP policies, assist in updating records, pay Top-up, HTG, HCG, STG, HDA and SGB, and monitor and report progress on RAP implementation.	
3. DC will determine CUL and BWDB will determine replacement value of structures with assistance from the projects' Property Assessment and Valuation Committee and the NGO.	

<b>IV. LOSS OF TIMBER AND FRUIT TREES (INCLUDING BAMBOO AND BANANA GROVES)</b>	
<b>a. <u>Entitled Person</u></b>	<b>b. <u>Entitlement</u></b>
1. Legal owners as determined by DC during CUL assessment process.	1. Current market price of trees at the time of dispossession.
2. Socially recognized owners, such as squatters and encroachers.	
3. People with valid lease from GoB agencies.	
4. Groups sponsored by public agencies/ NGOs. <sup>10</sup>	
<b>c. <u>Application Guidelines</u></b>	<b>d. <u>Implementation Issues</u></b>
1. Current market price of trees will be determined based on the following criteria a) Net Present Value (NPV) or b) Current age, life span, productivity, current market price of outputs.	1. Where ownership belongs to groups, the project authority will ensure that the compensation is distributed among the members as per agreements. 2. PAVC will identify the affected persons by the existing usufructuary rights (lease holder, NGO groups, etc.)
<b>e. <u>Responsibility</u></b>	
1. DC will determine market price of trees and pay CUL to all legal owners, and those with the legal evidence of interest in the lands.	
2. BWDB/NGO to inform PAPs of RAP policies, assist in updating records, pay market price Top-up and monitor and report progress on RAP implementation.	
3. DC will determine CUL and BWDB will determine replacement value of structures with assistance from the projects' Property Assessment and Valuation Committee and the NGO.	

<sup>10</sup> 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.

<b>V. LOSS OF STANDING CROPS</b>	
<b>a. <u>Entitled Person</u></b>	<b>b. <u>Entitlement</u></b>
<ol style="list-style-type: none"> <li>1. Cultivator (person who planted the crop) whether owner, lease holder, tenant, sharecropper, etc. (formal or informal arrangements) identified by PAVC.</li> </ol>	<ol style="list-style-type: none"> <li>1. Compensation for standing crops affected at the time of dispossession of land.</li> <li>2. Cultivator will retain the crops and plants.</li> </ol>
<b>c. <u>Application Guidelines</u></b>	<b>d. <u>Implementation Issues</u></b>
<ol style="list-style-type: none"> <li>1. Estimated market value at harvest, to be determined by PAVC.</li> <li>2. Advance notice to be issued in time to harvest the standing crop. If not possible the value of the crop at full harvest price is to be paid.</li> <li>3. Share-croppers may avail of livelihood restoration Program</li> </ol>	<ol style="list-style-type: none"> <li>1. Market value at harvest will be established by PAVC through on-site verification before dispossession of land.</li> <li>2. Verify whether or not crop is in existence on the acquired lands at the time of dispossession.</li> <li>3. PAVC will verify owner and tenant cultivators.</li> </ol>
<b>e. <u>Responsibility</u></b>	
<ol style="list-style-type: none"> <li>1. DC will determine market price of crops with assistance from District Agriculture Marketing and District Agriculture Extension and pay CUL to all legal owners, and those with the legal evidence of interest in the lands.<sup>11</sup></li> <li>2. BWDB/NGO to inform PAPs of RAP policies assists in updating records, pay Top-up or market price, and monitor and report progress on RAP implementation.</li> <li>3. BWDB will determine market price of crops using data on yield and market price from the same sources used by DCs and compare with the actual market price available from local market places with assistance from the projects' Property Assessment and Valuation Committee and the NGO.</li> </ol>	

<b>VI. LOSS OF BUSINESS INCOME FROM DISPLACED COMMERCIAL PREMISES</b>	
<b>a. <u>Entitled Person</u></b>	<b>b. <u>Entitlement</u></b>
<ol style="list-style-type: none"> <li>1. Business operators in the affected permanent premises (title-holders and squatters/encroachers without titles; whether owning or renting premises), identified at the time of issuance of Notice-3, or during PAP Census.</li> <li>2. Owner of the rented-out premises situated on private lands and owners of rented out premises on public/BWDB land.</li> </ol>	<ol style="list-style-type: none"> <li>1. Compensation for loss of business/trading income.</li> <li>2. Compensation for loss of rental income from rented-out premises on the right of way.</li> </ol>
<b>c. <u>Application Guidelines</u></b>	<b>d. <u>Implementation Issues</u></b>
<ol style="list-style-type: none"> <li>1. Compensation for loss of business income for fully displaced premises based on average daily net income for 45 days as determined by PAVC.</li> <li>2. Affected business squatters/encroachers opting for temporary relocation will receive compensation for the actual number of days the businesses remain closed or</li> </ol>	<ol style="list-style-type: none"> <li>1. Eligible premises are permanently fixed to the ground with walls and roofs (not shift able in intact condition).</li> <li>2. Business type, floor area and capital investment to be recorded during PAP Census.</li> </ol>

<sup>11</sup>Interest in land in terms of legal ownership and usufructuary rights through lease, rent or customary rights.

<p>needed to complete the civil works not exceeding 45 days.</p> <p>3. Partially affected business owners will receive compensation for the number of days needed to repair and reopen the businesses not exceeding 45 days.</p> <p>4. Three months' rent to owner of the premise on acquired land or on the existing embankment, as determined by PAVC.</p> <p>5. Affected households losing income permanently may avail of livelihood restoration program.</p>	<p>3. Eligibility of business owners, and premise owners and tenants to be verified by PAVC.</p>
<p><b><i>e. Responsibility</i></b></p>	
<p>1. DC may determine compensation for loss of business income based on onsite verification jointly with BWDB or only consider business structures.</p> <p>2. BWDB will determine average net daily income from affected businesses with assistance from the projects' Property Assessment and Valuation Committee and the NGO and based on findings will determine compensation for loss of business/rental income.</p> <p>3. BWDB/NGO to inform PAPs of RAP policies assists in updating records, pay Top-up or market price, and monitor and report progress on RAP implementation.</p>	

<p><b>VII. TEMPORARY LOSS OF INCOME (WAGE EARNERS IN COMMERCE &amp; INDUSTRY) AND LOSS OF WORK DAYS</b></p>	
<p><b><i>a. Entitled Person</i></b></p>	<p><b><i>b. Entitlement</i></b></p>
<p>1. Adult persons employed continuously for at least six months in businesses displaced from private and public lands.</p> <p>2. Household heads losing workdays due to relocation of housing premises.</p>	<p>1. Grant to cover temporary loss of income (GTL) from wage employment.</p> <p>2. Grant to cover income from loss of workdays (GWL) during relocation of housing premises.</p>
<p><b><i>c. Application Guidelines</i></b></p>	<p><b><i>d. Implementation Issues</i></b></p>
<p>1. Length of employment to be counted backward from the cut-off date.</p> <p>2. GTL will be equivalent to 90 days wage at the rate of daily wage at current market price determined by PAVC.</p> <p>3. GWL will be for actual number of days required for relocation of housing (minimum 10 days and maximum 30 days) at the rate of daily wage at current market price.</p> <p>4. Minor children of the business owners, who assist on a part time basis, are not eligible for this grant.</p>	<p>1. The PAVC to verify these information in relation to the number of employees in the displaced business.</p> <p>2. PAVC will also assess the daily wage rates at the time of dispossession and the number of days required for physical relocation of households.</p>
<p><b><i>e. Responsibility</i></b></p>	
<p>1. BWDB will determine average daily wage rate in the polder area with assistance from the projects' PAVC and the NGO and based on findings will determine compensation for loss of business/rental income.</p> <p>2. BWDB/NGO to inform PAPs of RAP policies assists in updating records, pay GTL and monitor and report</p>	

progress on RAP implementation.

<b>VIII. LOSS OF USUFRUCT RIGHTS IN MORTGAGED-IN, LEASED-IN AND KHAI-KHALASHI LANDS</b>	
<b><i>a. Entitled Person</i></b>	<b><i>b. Entitlement</i></b>
<ol style="list-style-type: none"> <li>Persons with legal agreements.</li> <li>Persons with customary rights (verbal agreements or traditional rights).</li> </ol>	<p>Compensation as per Loss Categories I above, to be shared as per usufruct/mortgage contracts.</p>
<b><i>c. Application Guidelines</i></b>	<b><i>d. Implementation Issues</i></b>
<ol style="list-style-type: none"> <li>Legal Agreement: Legal owner and mortgagee/leaseholder will be paid CUL by DC as per the law.</li> <li>Customary right: Legal owner will pay the outstanding liabilities to the customary rights holder upon receipt of CUL from the DCs.</li> <li>In cases where CUL is smaller than replacement value, legal owner will get the top- up from BWDB (i) if all liabilities are already paid up; (ii) if not, the legal owner will get the residual after all liabilities are paid up. If the liability exceeds the amount to be paid by the BWDB, the landowner will pay it.</li> </ol>	<ol style="list-style-type: none"> <li>PAVC will verify the persons with interests in the acquired assets due to mortgage, lease or khai- khalashi right.</li> <li>Any disputes over customary rights to be resolved through grievance redress procedure.</li> </ol>
<b><i>e. Responsibility</i></b>	
<ol style="list-style-type: none"> <li>DC will determine and pay compensation to persons with legal agreement as per conditions laid down in the agreements.</li> <li>BWDB with the help of implementing agency will determine and pay compensation to persons with verbal agreement as per agreed conditions.</li> <li>BWDB will ensure that the liabilities to the lease holder are paid completely.</li> </ol>	

<b>IX. LOSS OF ACCESS TO VESTED AND NON-RESIDENT PROPERTY LANDS</b>	
<b><i>a. Entitled Person</i></b>	<b><i>b. Entitlement</i></b>
<ol style="list-style-type: none"> <li>Present users of the VNR properties found during the PAP Census. or</li> <li>Identified during payment of compensation by DCs or at court of law.</li> </ol>	<ol style="list-style-type: none"> <li>Agricultural Land: Three times the estimated value of all crops produced in the acquired land in the year or preceding year of acquisition.</li> <li>Homestead Land: (a) If only a portion of the land is acquired, the user is allowed to live on the remaining land and assisted to relocate his/her houses with HTG and HCG as stipulated for Loss of Houses/structures.  (b) if full land is acquired, the user will get six months' Rental Allowance (RA) for comparable living accommodations to owner users of lands under vested</li> </ol>

	property status without lease.
<b>c. <u>Application Guidelines</u></b>	<b>d. <u>Implementation Issues</u></b>
<ol style="list-style-type: none"> <li>1. Apply only to those cases that are identified by DCs during the acquisition for this project.</li> <li>2. Will not apply to those VNR cases which were identified through 1984. Leaseholders of such lands will be treated by DCs as per agreement, and the project authority will have no obligation to deal with them to avoid duplication of measures.</li> </ol>	<ol style="list-style-type: none"> <li>1. PAVC will verify whether the property was designated Vested earlier (1984 or before), or designated during acquisition for CEIP-I.</li> </ol>
<b>e. <u>Responsibility</u></b>	
BWDB will review VNR status of acquired property and determine eligibility for compensation and make payment of the same.	

<b>X. OTHER/UNKNOWN LOSSES</b>	
<b>a. <u>Entitled Person</u></b>	<b>b. <u>Entitlement</u></b>
Legal owners, squatters and others with an interest on the lands.	Other impacts that may have remained unknown shall be mitigated based on the same principles applied for other impacts described in the Policy Matrix. The nature of entitlements and support mechanism shall be approved by GoB and WB.
<b>c. <u>Application Guidelines</u></b>	<b>d. <u>Implementation Issues</u></b>
To be based on PAP Census and nature of the impacts	To be agreed upon by GoB and WB.
<b>e. <u>Responsibility</u></b>	
As applicable.	

## XI. Preparation of Mitigation Instruments

80. The nature and scope of the improvement and rehabilitation works will be determined in consultation with the community and stakeholders and in accordance with the principles (subsection V under sections A and B) to minimize private land acquisition and displacement from BWDB's own and other public lands. Once the improvement works are finalized and land acquisition needs determined, the major preparation tasks will consist of:

- *Land acquisition proposals (LAP).* Where lands from private and public ownership, excepting those owned by BWDB itself, are to be acquired, LAPs will be prepared as per the standard requirements of the acquisition authority.
- *PAP census and fixing the cut-off dates.* To prepare RAP, the censuses will assess details of the impacts and impacted persons/households with respect, but not limited, to the impact categories and compensation/assistance eligibility criteria proposed in this SMRPF. The commencement dates of censuses at a particular area (mauza) will be considered as the cut-off dates for squatters, and those on which the legal notice under Section 3 of the acquisition ordinance (Notice-3) is served will be the cut-off dates for private landowners. (Private

landowners are not allowed to alter the appearance of the lands by erecting new structures or otherwise, after the Notice-3 is served.)

- *Market surveys.* To determine the replacement costs of lands, houses/structures and other replaceable, and market prices of irreplaceable, affected assets (Survey methods suggested in Annex5).
- *Relocation and livelihood restoration.* The affected squatters to be relocated will be given the option for self-relocation on the places of their choice. In case of inability of the squatters in self-relocation, group-relocation will be assisted through land development and civic facilities by BWDB. Squatters failing to succeed in self-relocation or group relocation will be allowed back on the embankment after construction, if they opt so. They will be assisted with cash assistance for transfer and reconstruction of their structures. The affected households to be relocated will be consulted for options and a written consent/declaration (in form as given in Annex9) will be taken on self-relocation chosen by the PAPs. Owners of affected businesses or sources of income will be provided with subsistence allowance for a reasonable period of time. BWDB will develop and implement feasible livelihood restoration program in consultation with the affected persons with permanent loss of income. The relocation plan and livelihood restoration program will be included in the RAP.

## XII. Contents of RAP & Abbreviated RAP

81. The RAP or Abbreviated RAP will be prepared in view of the number of the persons affected by the civil works undertaken in each works package of the Project. With the principles and guidelines proposed in this SMRPF, the mitigation plans will include the following:

### *Resettlement Action Plan (RAP)*

Project Background	Brief introduction about the project, description of project interventions and areas of jurisdiction of BWDB, description of project components causing land acquisition and resettlement, scope of land acquisition and resettlement, an account of the alternatives considered to avoid and/or minimize the adverse impacts
Census and Socioeconomic Surveys	Identify all categories of project affected persons and their vulnerability, identify all categories of impacts (loss of property and assets, loss of livelihood; impacts on groups and communities, impact on physical cultural resources)  An account of impacts by gender and vulnerability due to project and the special assistance that is to be provided
Participation and Consultation	An account of the disclosure of SMRPF and consultations with the project affected persons/households about the mitigation measures and implementation procedure;
Legal and policy framework	Analysis of the legal framework for compensation, applicable legal and administrative procedures, gaps between local laws and the Bank's resettlement policy, and the mechanisms to bridge such gaps;
Compensation Entitlements	Description of compensation and other resettlement assistance that will be provided according to the principles and guidelines adopted in this SMRPF;

Relocation and Livelihood Restoration	Description of resettlement sites and programs for improvement or restoration of livelihoods and standards of living
Resettlement Budget	Resettlement budget with breakdowns by loss categories and the number of persons entitled to compensation/assistance  Specific compensation rates and standard of entitlements and EPs/households for different types of losses  Fund flow and disbursement procedures
Implementation Arrangement	Institutional arrangement and management of preparation and implementation of resettlement activities, grievance resolution, property assessment and valuation, and implementation time schedule
Monitoring and Evaluation	Describe monitoring arrangement involving PMU and SMOs and mechanism for independent review and evaluation as well as reporting

Abbreviated RAP

Project Background and Impacts	Description of project interventions, assessment of land needs (private and public lands, including BWDB's own) for the civil works in each polder, screening of physical cultural resources, a census survey of affected persons, and valuation of the affected assets;
Legal and policy framework	Analysis of the legal framework for compensation, applicable legal and administrative procedures, gaps between local laws and the Bank's resettlement policy, and the mechanisms to bridge such gaps;
Compensation Entitlements	Description of compensation and other resettlement assistance that will be provided according to the principles and guidelines adopted in this SMRPF;
Participation and Consultation	An account of the consultations with the displaced persons/households about acceptable alternatives;
Grievance redress mechanism	Describe specific arrangement and procedure for receiving and resolution of complaints and grievances from the PAPs and their community
Budget and Implementation Schedule	A resettlement budget with breakdowns by loss categories and the number of persons entitled to compensation/assistance, and an implementation schedule;
Monitoring and Evaluation	Describe monitoring arrangement involving PMU and SMOs and mechanism for independent review and evaluation as well as reporting

82. For convenience of review during implementation, the following from the SMRPF may be annexed to RAP: Entitlement Matrix; Annex 6 on Implementation Arrangements including roles and

responsibilities of BWDB officials; and Annex 7 on Monitoring Land Acquisition and Preparation and Implementation of impact mitigation plans.

### **XIII. Community/Stakeholder Consultation**

83. Selection of polders and civil works will include extensive discussion on social safeguard issues associated with private land acquisition and displacement from BWDB's own and other public lands; minimizing adverse impacts; gaining support and cooperation of local government bodies like UPs; stakeholder groups like beneficiary communities including water management organizations, and any entities looking after community interests; and most of all the affected landowners, squatters, business owners, and traders on embankments and others, who would directly face the adverse impacts and temporary inconveniences. Suggestions/feedbacks received from the consultations will be considered in project design.

84. Consultations will primarily include the following topics as they relate to project preparation and implementation:

- Project objectives, scope and implications with respect to its socioeconomic impacts; community inputs/feedback on design; and the rights and responsibilities on the parts of the communities themselves and of the agencies involved in its preparation and implementation, such as GoB, BWDB, World Bank, Design & Supervision Consultants, etc.
- Potential impacts and their sources relating to the scope of the civil works required for specific polders. Once the would-be PAPs are identified, BWDB will,
  - Consult and provide information to the PAPs on specifics of the mitigation measures and the processes that will be followed to implement them;
  - Inform the affected landowners of the legal documents required to claim compensation from DCs, and explain the procedure where the landowners may need to have them processed anew (BWDB will actively assist the landowners procure any documents required for CUL payment);
  - Explain the functions and limitations of the Grievance Redress Committees, and how the aggrieved PAPs could lodge their complaints and grievances; and
  - Ensure contacts and information to all the PAPs eligible for compensation and assistance through all possible means of communication including radio broadcast, newspaper advertisement, local notification, personal mails and any other feasible means.

85. Stakeholder consultation will be a two way mechanism where obtaining feedback from PAPs will be considered equally important and regarding as providing information to them. The consultation process will continue throughout the project preparation and implementation period and BWDB will consider stakeholders' inputs and feedback to minimize the project's adverse social impacts at any stage of the project cycle.

### **XIV. Documentation**

86. While RAPs will include summaries of the impacts and impacted persons/ households, BWDB, assisted by the SSS (deployed by the BWDB at PMU level) , will ensure availability of the following and any other documentations as and when requested by WB:

- Minutes of stakeholder consultation on matters like selection of rehabilitation/ improvement works, social safeguards implications of private land acquisition and displacement from public lands, mitigation measures adopted in the SMRPF, etc.
- Inventory of different categories of PAPs based on the census of affected persons/ households and assets.
- Reports on all market price surveys conducted to determine replacement costs and current market prices of different types of assets.
- Entitlement files of individual PAPs, with the accounts of losses, CUL payment by DCs, and top-up and any other entitlements payment by BWDB.
- Records of complaints and grievances and the decisions given by Grievance Redress Committees or by BWDB.

## **XV. Monitoring and Reporting**

87. Monitoring will consist of an array of steps related to land acquisition, and preparation and implementation of RAP. BWDB will establish an internal monitoring system for routine internal monitoring of land acquisition and implementation of RAP. The RS will assist BWDB to set up and operate a computerized system to monitor and report progress and performance in land acquisition and resettlement activities.

88. BWDB will carry out internal monitoring through the PMU that will involve the division level responsible staff (Executive Engineers, Sub-Divisional Engineers, Assistant Engineers, Sub-Assistant Engineers), the Assistant Director (land and revenue) at the circle level, and the implementing NGO. Monitoring data on land acquisition will be available from the DC offices and on implementation of RAP from the subproject management offices (division office) and from the RAP implementing NGO. The NGO and the subproject management offices will maintain registers for data on developments in land acquisition and on components of RAP implementation separately. These registers will be open for review by interested parties and the World Bank. Monitoring will be done quarterly including a mid-term review and an end-term evaluation.

89. Internal monitoring of land acquisition and resettlement will be carried out monthly by the subproject management offices and the NGO for developments on following indicators for each contract package:

- Progress in land acquisition and CUL payment by DCs, and any issues that are to be addressed to facilitate the acquisitions;
- Updates on BWDB's part of the payment: (i) top-up and other applicable entitlements to the CUL recipients; (ii) compensation/entitlements to the affected squatters; and (iii) compensation/entitlements to any other persons/groups not covered in this SMRPF, but found later to be affected by the project works.
- Accounts of GRC activities and their impact on project management.
- Implementation problems identified on site and the corrective measures including policy decisions to rectify any inconsistencies.

90. BWDB will produce quarterly progress monitoring reports to the Bank and its implementation support missions covering the entire resettlement program, which will include, among other information, the latest status in land acquisition and compensation payment by DCs and BWDB; implementation of any

other stipulations adopted in the RAP; accounts of the GRC activities; and any issues that are to be addressed to improve performance of the resettlement program.

91. BWDB will engage an Independent Monitor during RAP implementation period. The major tasks that are to be monitored and TOR of the Independent Monitor would be annexed to the RAP. The regular independent review of social issues will include evaluation of effectiveness and efficiency in land acquisition, and implementation of impact mitigation plans (RAPs or Abbreviated RAPs). It will identify any problems and issues arising to be addressed by BWDB in order to improve the procedure and ensure compliance with safeguard policies. The evaluation will focus on the adequacy of the mitigation policies, the socio-economic impact on the persons affected by land acquisition, and the extent to which the intended social development goals have been achieved. It will identify lessons to make recommendations for improving BWDB land acquisition processes for CEIP-I and subsequent other projects.

## XVI. Resettlement Budget and Sources of Finance

92. Given that the land acquisition needs and the associated impacts will be known with the phased selection of polders and design of the civil works, BWDB has assessed a tentative budget for land acquisition, resettlement and other social mitigation measures for CEIP-I implementation. An estimated amount BDT 2613 million has been proposed for land acquisition and resettlement measures for the CEIP-I (17 polders). All funds for land acquisition and resettlement will be provided from IDA credit proposed for the project. Tentative budget for land acquisition, resettlement and rehabilitation for CEIP-I is presented in Table B.1.

**Table B.1 Estimated CEIP-I Cost of Land Acquisition and Resettlement**

Sl. No.	Category of loss	Amounts(BDT)
A.	Budget for land acquisition including price of land, structure, trees, crops and fish stock	2,041,300,000
B	Stamp Duty & Registration Cost @ 7.5% of the land value	95,860,000
C	Other Resettlement Assistance	127,500,000
D	Income and livelihood restoration	10,000,000
	<b>Sub-Total (A-C)</b>	<b>2,274,660,000</b>
E	Contingency @ 10% of the Sub-total A-C	227,466,000
F	Capacity building training for officials of Executing Agency (EA)	1,000,000
G	Operation cost for Implementing NGO	100,000,000
H	Operation cost for External Monitoring Agency	10,000,000
	<b>Sub-Total (D-H)</b>	<b>348,466,000</b>
	<b>Grand Total (A-H)</b>	<b>2,613,126,000</b>

93. The budget for land acquisition and resettlement for a works package will be determined after selection of polders and design of civil works ensuring the following:

- The RAP or abbreviated RAP prepared for each construction year, which is to be subjected to Bank review and clearance prior to accepting the work packages for Bank financing, will include a precise budget for land acquisition and resettlement; and
- The project funding approval process of the GoB, which may involve other ministries, will provide funds to finance land acquisition and resettlement activities that could not be identified at this stage of project preparation.

94. The budget for each works package will be detailed with breakdowns in terms of various types of losses with their replacement costs/market prices and the number of persons entitled to compensation in each loss category.

95. Provision for an SSS is included in the PMU BWDB to assist the PD and for LARS is included in the design and supervision consultancy package.

## **XVII. RAP Implementation Guidelines**

96. BWDB does not have any set codified rules for payment of benefits for resettlement to affected persons. Under the circumstances, a detail administrative guideline (payment modality) will be required to implement the RAP for the works packages. BWDB, with the help of the LARS of DS Consultant will prepare the administrative guideline (payment modality) for implementation of RAP. Both BWDB- and the NGO will follow the administrative guideline after its approval from the PD. The modality should include definition of various resettlement terms, the entitlements, detail procedure for identification of eligible persons for resettlement entitlements as per the RAP of a works package, and assess loss and entitlement of individual PAPs entitled for compensation and assistance, process of payments, effecting their disbursement and documentation.

97. BWDB, with assistance from DS Consultant and the implementing NGO, will develop automated resettlement management system (RMS) and instruments for documents individual loss and entitlements and payment of entitlements. Each eligible affected person (EP) will be given an Identity Card (ID Card) for ensuring entitlements to the right persons and to avoid manipulation. Entitlement Card (EC) for an individual EP will be developed to accumulate, requisition and disburse payment of entitlements. The EC will reflect all entitlements of an EP listed in a table following the inventory of losses (IOL) incurred by the EP under a subproject.

98. The PMU with requisition of payments from Field Offices will place fund with Regional Accounting Centre (RAC) to make payment of compensation/resettlement benefits. The RAC will prepare bank cheques for EP<sup>12</sup> according to indent/demand note (prepared by the NGO) to be sent from PMU. The administrative guidelines will contain details of the management aspects and monitoring mechanism. The RAC, according to their procedure, will make payment and debit vouchers will be signed by concerned officials of BWDB and the NGO processing the payment on behalf of BWDB.

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<sup>12</sup> EPs are PAPs eligible for compensation and assistance under the provision of the RAP of the works packages under CEIP-I in compliance with the SMRPF.

## C. SOCIAL INCLUSION, PARTICIPATION AND GENDER FRAMEWORK

### I. Social and Gender Issues

99. People in the coastal areas are living with natural disasters where women and children are most at risk. People are particularly exposed to coastal erosion and land loss, inundation and flooding, and saline contamination of fresh water sources. The coastal polders were, therefore, designed and constructed to protect the population from tidal flooding and saline contamination. But climate change impacts posed a threat to the objectives for which those polders were constructed. At the event of any cyclonic storm and tidal flooding people are more vulnerable due to poor design of the embankments in the context of sea level rise. Other than ensuing risks of natural disasters, social structure in the coastal communities is weak to ensure equitable access to water resources by different social and economic groups. Water management in some of the polders is restrictive, and the poor and vulnerable groups cannot raise their voice for equitable shares. Water logging due to shrimp cultivation is obvious in some the polders. They are unable to raise their homestead as there is lack of money and availability of sufficient earth. Women are particularly impacted for water logging and lack of homestead produces.

100. The shrimp fish farms did not create employment for the local community who migrate outside their area for seasonal and perennial employment. Majority of the communities are looking for environment friendly development that will reconstitute vegetation that will facilitate incomes to the small and medium farmers from farm grown rice, home-grown vegetables, cow milk from own cattle herds, poultry birds, and fuel from crop residues and homestead trees. People with access to sweet water in the polders will be able to cultivate grain crops facilitated employment for the locals and even for outsiders.

101. Improvement of coastal embankments should therefore take into account participation of local community with particular emphasis to women and the excluded groups in polder design including the water management structures. BWDB will explicitly take into account social and gender concerns into project design and implementation. In this regard, extensive community consultations would be a key to understanding how the different community groups (in terms of socioeconomic characteristics, gender differentiation, ethnicity and other relevant attributes), perceive of climate change impacts and current state and use of polders. However, women are now increasingly recognized to play an effective and critical role in the process for sustainable and equitable development for men and women in the country. The project under CEIP-I in each phase will therefore include social assessment and gender analysis for socially inclusive design, implementation and operation including beneficiary participation.

### II. Social and Gender Analysis

102. The objective is to identify the differences and provide evidence for gender roles, activities, needs and available opportunities for men and women. This will provide the information necessary for effective integration of gender issues into project design and will be a key to promoting social inclusion. BWDB, in the course of project implementation, will undertake an assessment of the target communities to gather gender-disaggregated views and preferences of the different stakeholder groups, including women, in order to improve project design and establish a participatory process for implementation and monitoring. This will require analysing the existing conditions that indicate vulnerability of the different community groups; their capacity to cope with and/or adapt to the climate changes; and their ability to share the benefits of the improved polders. Analysis may include, but not limited to, the following information:

- Polder location, describing physical characteristics (topography and other features) of the settlements with a polder

- Community profile, indicating population size, ethnicity, education, major economic activities, formal/informal institutions and rules and behaviour, and the scope of strengthening them to assume ownership of the project, and other aspects that may indicate effectiveness of the polder design
- Vulnerability to natural disasters, indicating equity/inequity in access to and control over land and other resources of different community groups, such as landless, women, ethnic minorities and the like
- Occupational groups among landless persons/households, including women
- Existence of common property resources like rivers and other water bodies, forests, etc., that are used by the poor in general, and women in particular
- Existing and potential gender issues and concerns related to the roles women play in the household and how they cope with the changes, as well as feedback on alternatives that would lessen their burden

103. Assess how women could be integrated into the decision-making process involving project screening, preparation and implementation.

### III. Social Inclusion and Gender Actions

104. In compliance with community feedback during consultation, BWDB's gender strategy<sup>13</sup> and Bank strategy on gender mainstreaming, the project proposes the following principles, guidelines and procedures to identify social and gender actions in respect of project interventions and include those actions SIA and RAP.

- Ensure that selection, design, implementation, and monitoring and evaluation of the polder activities including land acquisition and resettlement are participatory and women are involved among others in the process.
- Carefully screen the project to identify needs and expectations of, and potential adverse impacts on, women and any other groups and document them.
- Identify the impact details and the most appropriate mitigation measures through intensive consultation with the affected women and their communities, NGOs and civil society organizations, professionals, and the like.
- Identify appropriate actions to ensure and maximize project benefits to women and vulnerable groups through the consultative process.
- If women are involved in civil works construction, operation and maintenance of polder infrastructure, ensure: (i) equal pay for equal work; (ii) gender friendly work environment; and (iii) work place safety for women and children.

105. The project will facilitate socially inclusive design and ensure increased participation of women in project process, maximize project benefits for them and safeguard them against social vulnerability during implementation of subprojects.

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<sup>13</sup> BWDB, 2006, Gender Equity Strategy and Related Action Plan (2006 – 2011)

*Increasing participation of women*

106. Participation of women will be ensured during the design phase by stimulating their participation in all community meetings and also consulting them separately in focused group discussions to learn their preferences, experiences and needs. During the implementation process, women will be encouraged to participate in all community meetings, to be represented in decision-making for implementation of RAP/abbreviated RAP and to contribute in safeguarding themselves from health and social vulnerabilities. Women will be fully informed about entitlements, timetable of compensation delivery and relocation activities. The District Sociologists will engage local women members to engage in community-led monitoring.

*Maximizing women's access to project benefits*

107. Local affected people, including women will be encouraged to take up construction employment through LCS. BWDB will monitor the employment of women through LCS. After construction of the embankment a group of destitute women will be deployed as EMG for slope turfing, tree plantation and taking care of, etc. One EMG may be assigned for maintenance of 5 km embankment.

*Safeguarding women against social vulnerability*

108. Social vulnerability of women in the context of project under CEIP-I may include domestic violence, sexual harassment, vulnerability to sexually transmitted infections (STI) including Human Immunodeficiency Virus (HIV)/Acquired Immune Deficiency Syndrome (AIDS), and human trafficking. Public awareness campaign will be conducted during implementation of the subprojects with focus to risks of STI and HIV/AIDS, trafficking in women and children, and public health. Contractors will implement a zero tolerance policy against sexual harassment at work places.

#### **IV. Participatory Scheme Cycle Management**

109. Beneficiaries will be mobilized for participation in the identification, design, construction of civil works and operation and maintenance of polders after improvement. Polder Committees will be strengthened or established in all Polders to determine the competing needs and uses for water resources, and to decide on the operation of hydraulic infrastructure. Intensive social mobilization will be piloted in 4-6 polders to establish participatory water management organizations (WMO) that will be responsible for the operation and minor maintenance works of the polders. The establishment of WMOs will follow an eight step process, as identified in the Guidelines for Integrated Planning for Sustainable Water Resources Management, published by BWDB in 2008. Social mobilization is expected to last around two years, during which time the WMOs will be established and trained in participatory planning, as well as in operation and minor maintenance activities. It is expected that where WMOs are piloted, the detailed design of polders will be discussed in a participatory manner with BWDB to ensure their full participation at early stage. Small works, including minor periodic maintenance and operation of minor hydraulic infrastructure would be undertaken by the WMOs under a memorandum of understanding with BWDB.

110. BWDB will engage an NGO for social mobilization and engagement of beneficiaries into WMOs including Water Management Groups (WMGs) at the hydraulic unit level and Water Management Associations (WMA) at the polder level. The WMA at the polder level will represent the beneficiary communities having representatives from the WMGs in its general council.

## V. Monitoring Social Inclusion

111. Social inclusion will be monitored in line with the social and gender analysis and consistent with the activities/issues that have been integrated into project design. BWDB will monitor the issues on a regular basis and include the results in the quarterly reports. Social inclusion will also be included in the independent review and evaluation of RAP implementation. The monitoring framework and indicators at various stage of project process have been proposed at Annex 8.

112. Social and gender analysis will be carried out during detail design of subprojects and measurable indicators on social inclusion will be set to gather information during implementation as essential inputs for evaluation and impact assessment. Depending on the project contents and objectives, subproject indicators for evaluation should take into account, among other relevant aspects, the following points:

- Specific needs of men and women and incorporation of those into project design.
- Local knowledge and inputs for improvement of project outcomes.
- Project impact on reduction of vulnerability of men and women to climate change.
- Intended and unintended gender effects of the project.
- Lessons learned and good practices which can help mainstreaming gender in any future projects in water sector.

**ANNEX-01: SCREENING FORM FOR SOCIAL SAFEGUARDS ISSUES**

*[The filled out forms will be reviewed and evaluated by the Land Acquisition and Resettlement Specialist of the Detail Design Consultant. The consultant will include a summary estimate of the impacts and mitigation requirements for each polder in the Screening Report. Impacts identification and the mitigation eligibility and requirements should follow the principles adopted in this SMRPF.]*

REVIEW and EVALUATION

Name of polder: .....

Name of District: .....

Union/Municipality: .....

Upazila: .....

I. Resettlement Impacts

*In respect of the social impacts and community concerns, is there a need to,*

Undertake an in-depth social impact assessment study?  Yes  No

Prepare a Resettlement Action Plan?  Yes  No

II. Impacts on Tribal Peoples

*Project activities will be excluded if they affect any tribal peoples (TP), their language or culture or sources of livelihoods or access to common property resources.*

Are there any TPs in the project impact area?  Yes  No

Will any of the TPs be affected by project interventions?  Yes  No

***On behalf of the consultant, the attached filled out format has been reviewed and evaluated by:***

Name: .....

Designation: .....

Signature: .....

Date: .....

## SOCIAL SAFEGUARDS SCREENING OF SUBPROJECT

[To be filled in for each polder jointly by BWDB, Consultants and NGO (if engaged). Where private lands are to be acquired or public lands (including BWDB's own) are to be resumed from authorized and unauthorized private users, census of affected persons and inventory of losses to be carried out.]

### A. Identification

1. Name of polder: ..... Name of District: .....

Union/Municipality: ..... Upazila: .....

2. Embankment section screened: .....

.....

3. Project component: .....

4. Brief description of the physical works: .....

.....

.....

.....

5. Screening Date(s): .....

### B. Participation in Screening

6. Names of Consultants' representatives who screened the subproject:

.....

.....

7. Names of BWDB officials participated in screening: .....

.....

.....

8. Local Government representatives and community members & organizations participated in screening:

List them in separate pages with names and addresses, in terms of embankment sections/spots and any other information to identify them during preparation of impact mitigation plans.

9. Would-be affected persons participated in screening: List them in separate pages with names, addresses in terms of embankment sections/spots where they would be affected, and any other information to identify them during preparation of impact mitigation plans.



Partially affected, but can still live on the present homestead: # of structures: .....  
# of structures built with brick, RCC, & other expensive and durable materials: .....  
# of structures built with inexpensive salvageable materials (bamboo, GI sheets, etc.): .....

18. # of business premises that would be affected on BWDB's own & other public lands:

Entirely affected and will require relocation:  
# of these structures: .....  
# of businesses housed in these structures: .....  
# of persons presently employed in the above businesses: .....  
# of these structures built with brick, RCC, & other durable materials: .....  
# of structure built with inexpensive salvageable materials (bamboo, GI sheets, etc.): .....

Partially affected, but can still stay in the present premises:  
# of these structures: .....  
# of businesses housed in these structures: .....  
# of persons presently employed in these businesses: .....  
# of these structures built with brick, RCC, & other durable materials: .....  
# of structure built with inexpensive salvageable materials (bamboo, GI sheets, etc.): .....

19. # of businesses/trading activities that would be displaced from make-shift structures on the embankment, and other areas/spots: .....

20. Do the proposed project works affect any community groups' access to any resources that are used for livelihood purposes?  
 Yes  No

21. If 'Yes', description of the resources: .....  
.....  
.....  
.....  
.....

22. Do the proposed works affect community facilities like school, cemetery, mosque, temple, or others that are of religious, cultural and historical significance?  
 Yes  No

23. If 'Yes', description of the facilities: .....  
.....  
.....  
.....

.....  
.....

24. Describe any other impacts that have not been covered in this questionnaire?

.....  
.....  
.....  
.....

25. Describe alternatives, if any, to avoid or minimize use of additional lands:

.....  
.....  
.....  
.....  
.....

***On behalf of the consultant, this Screening Form has been filled in by:***

Name: ..... Designation: .....

Signature: ..... Date: .....

**ANNEX-02: TASKS AND RESPONSIBILITY MATRIX FOR BWDB**

Main tasks	Specific activities	PMU, BWDB HQ	BWDB Field Offices	Consultant/ NGO
Social impact assessment	Selection of polders and other components	PD, SSS	PM, SDE, SS	TL & LARS
	Identification of land requirements	PD, SSS, SRS	PM, SDE, SS	TL & LARS
	Social screening and public consultation	PD, SSS	PM, SDE, SS	LARS
	Census and inventory of losses	PD, SSS	PM, SDE, SS	LARS
	Preparation of resettlement plans	PD, SSS, SRS	PM, SDE, SS	LARS
Land acquisition	Preparation of land acquisition proposals	PD, SSS, SRS	PM, SDE, SS	LARS, NGO
	Obtaining administrative approval on land acquisition	PD, SRS	PM, SDE, SS	
	Participation in joint verification and valuation	SSS, SRS	PM, SDE, SS	LARS, NGO
	Providing funds for land acquisition	PD, SRS	PM, SDE, SS	
	Following up land acquisition process by DCs and ensure payment to all affected persons	PD, SSS, SRS	PM, SDE, SS	LARS, NGO
	Taking over land and handing over to contractors	PD, SRS	PM, SDE, SS	LARS
Implementation of mitigation plans	Identification of affected persons entitled for resettlement assistance	SSS, SRS	PM, SDE, SS	LARS, NGO
	Preparation of resettlement budgets and requisition to PMU		PM, SDE, SS	LARS, NGO
	Allocation of funds for resettlement & rehabilitation	PD		
	Payment of top-up and other cash assistance to PAPs		PM, SDE, SS	LARS, NGO
	Relocation of PAPs	SSS, SRS	PM, SDE, SS	LARS, NGO
Supervision and monitoring	Land acquisition	PD, SSS, SRS	PM, SDE, SS	LARS
	Social impact assessment	PD, SSS	PM, SDE, SS	LARS
	Implementation of mitigation plans	PD, SSS	PM, SDE, SS	LARS

PD = Project Director, SSS = Senior Social Specialist, SRS = Senior Revenue Staff, SS = Social Specialist, SDE= Sub-divisional Engineer, PM = Project Manager (Executive Engineer) LARS = DS Consultant's Land Acquisition and Resettlement Specialist, TL = Team Leader of NGO



## ANNEX-04: DRAFT TERMS OF REFERENCE FOR INDEPENDENT EVALUATION

### Objectives

The primary objectives for engaging independent evaluation consultant are to review the planning and implementation of land acquisition and involuntary resettlement and its results, and provide feedback to BWDB and the World Bank on: (a) the project's achievements and shortcomings in respect of land acquisition; and (b) policy improvement and enhancement of the implementation process. The consultants will review the implementation process as per the policies set out in the SMRPF, assess the achievement of resettlement objectives, the changes in living standards and livelihoods, the restoration of the economic and social base of affected people with special focus on women and vulnerable groups, the effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and identify strategic lessons for future policy formulation and planning.

### Scope of Work

The scope of work of the consultants will include the following tasks:

- Review the policies and procedures for land acquisition and involuntary resettlement under CEIP-I, and the monitoring processes and their outputs, and summarize the results based on the available monitoring data.
- Evaluate and assess the adequacy of compensation given to the PAPs and the livelihood opportunities offered, including those for vulnerable women and TPs, and the effects on incomes as well as the quality of life of PAPs of project-induced changes.
- Review the quality and suitability of the relocation sites from the perspective of the both affected and host communities.
- Identify the categories of impacts and evaluate the quality, timeliness and sufficiency of delivery of entitlements (compensation and rehabilitation measures) for each category in relation to the approved policy. Assess how the entitlements were used and evaluate their impact and adequacy to meet the specified objectives of the Plans.
- Review the results of internal monitoring and evaluate the claims through checks at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups, including vulnerable women and TPs, in assessing the impact of land acquisition.
- Evaluate the adequacy and effectiveness of the participatory and consultative process with PAPs, particularly vulnerable groups and women, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.
- Provide a quantified assessment of the types of conflicts and grievances reported and resolved and the consultation and participation procedures.
- Assess the adequacy of budget for resettlement activities.
- Evaluate whether land acquisition and involuntary resettlement was implemented (a) in accordance with the RAPs, and (b) in accordance with the stated policy, define the socio-

economic impacts on PAPs, and assess whether the project social development goals were achieved and adverse impacts avoided.

- Identify the strengths and weaknesses of the land acquisition/resettlement policies, objectives and implementation strategies applied, and make recommendations on policy improvement and enhancement of the implementation process.

### **Qualification and experience**

The independent consulting organization that carries out the evaluation will have extensive experience in SIA including census and socio-economic surveys, stakeholder consultation, and analysing social impacts including gender issues in compliance with the social safeguard policies of international development financing institutions and in planning, implementation and monitoring of RAP. Institutional capacity analysis and implementation arrangements for preparation and implementation of tribal peoples plans, gender action plans etc. will be treated as an additional qualification. It is required to have knowledge of the latest social safeguard policies of the World Bank.

The consultant team should constitute with a livelihood specialist, a land acquisition and RS and a computerized database specialist. The livelihood specialist should have at least masters in economics and 5 years' experience in livelihood related operation. The land acquisition and RS should have masters in sociology or any other social sciences and 10 years practical experience in relevant field. The database specialist should be a science graduate with professional experience of 5 years in development and management of computerized database including at least 2 years in management of involuntary resettlement.

### **Time Frame and Reporting**

At the commencement of each works package the consultants will: (a) review the CEIP-I land acquisition/resettlement policies, objectives, implementation strategies and procedures; (b) design in consultation with BWDB the impact evaluation methodology, sampling frame and field survey procedures; and (c) collect and analyse baseline data.

Prior to project mid-term of each works package the consultant will expand the collection and analysis of baseline data, and conduct and analyse sample impact evaluation surveys including field consultations.

Towards end of each works package, the consultant will carry out all additional work necessary, including field data collection and analysis and field consultations, to complete the evaluation study.

At each of the three stages of the work the consultants will submit a draft report for review by BWDB and the World Bank, and finalize the report incorporating the comments and feedback received.

## ANNEX-05: SUGGESTED METHODS FOR MARKET PRICE SURVEYS

In line with the proposed compensation principles, BWDB, assisted by the DS consultant, will conduct market price surveys to determine replacement costs of the acquired lands, and where necessary of houses/structures and other replaceable assets and market prices of irreplaceable assets. A PAVC will design market survey following the methods suggested below.

### *Lands of All Kinds*

The surveys will explicitly take into consideration the quality of the lands under acquisition. Quality will take into account current uses, cropping intensity and value of crops produced, accessibility from the existing roads, and any other characteristics that influence the market value. The surveys will be conducted with the following three groups of respondents:

- A random sample of 10-15 landowners in the mauza in which the lands under acquisition are located and in those adjacent to it along the embankment;
- As many of most recent buyers and sellers of similar lands (last 12 months from the date of survey) as can be found in the same and adjacent mauzas along the embankment or near the subproject; and
- Deed writers, as many as can be found and agree to be interviewed at the land registration offices, who recently handled transactions of embankment side lands in the same or adjacent mauzas. (They will be asked about the actual prices, not those written in the deeds executed during the last 12 months from the date of survey.)

Market value of the lands will be determined in the following manner:

- If variations in average prices reported by the three respondent groups are insignificant (or, are 10% or less), current value of the lands will be fixed at the average of the prices reported by the three groups.
- In cases of significant differences (more than 10%), the current prices will be negotiated in open meetings with the affected and other landowners, community leaders, CBOs/NGOs and the like.

*Replacement costs of land will equal the market price, plus the registration cost or stamp duty. The registration cost will be calculated on the current market price.*

### *Houses and Other Built Structures*

Replacement costs will be based on the current prices of various building materials, labour and other cost items in the local markets. The costs of building materials, such as bricks, cement, steel, sand, bamboo, timber, CI sheet, roofing materials like straw, golpata, etc., and labour will be based on:

- Survey of current prices of different types of materials with five or so dealers/manufacturers in the local markets.
- The replacement cost of the house/structure will be based on the lowest quoted price for each type of material, plus their carrying costs to the sites.
- The current costs of labour with different skills will be determined by interviewing local contractors, BWDB staff, or local construction workers.

*Replacement costs of any other replaceable affected assets will also be based on the current prices of materials, transportation and labour costs, etc.*

### ***Trees & Other Irreplaceable Assets***

Market prices of different species of trees will be determined based on (a) Net present value (NPV) or (b) Current age, life span, productivity and current market price of output.

*Compensation for all other irreplaceable assets will also be based on survey of their prevailing prices with dealers/traders in the local markets.*

### ***Fruits and Other Crops***

Compensation will be fixed at the harvest prices of the fruits and other crops. Harvest prices of different varieties of fruits and crops will be collected from a sample of 7-10 dealers in the local markets. *The compensation for each type of fruit and crop will be fixed at the highest price offered by a trader.*

The market price surveys will begin as soon as locations of the required acquisitions are identified on the ground. BWDB will approve replacement value of land and structures and market price of trees and crops following the recommendation from the PAVC for each RAP. BWDB will document the replacement costs and market prices of various affected assets for each RAP and make them available as and when asked for review by WB.

## ANNEX-06: ROLES AND RESPONSIBILITIES OF BWDB OFFICIALS AND RAP IMPLEMENTING NGO

### 1. Project Management Unit, BWDB

#### A. Project Director

**Overall responsibility:** Coordinating preparation and implementation of the land acquisition and resettlement activities in time.

**Specific responsibility:**

- Routinely reviews and updates the schedules for polders selection, and design & implementation of civil works and other tasks, and coordinates them with the process tasks required for land acquisition, and RAP preparation and implementation.
- Coordinates, facilitates and monitors all activities performed at PMU and Field Office (FO) levels and ensures that all process tasks leading to polder selection; design of the rehabilitation/improvement works with land acquisition needs and their ground locations; and placement of acquisition funds with DCs, are all completed in time.
- Monitoring the PAP censuses and other tasks for RAP preparation and implementation, and that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensures that the phase-wise RAPs are prepared in time for review and approval by the Bank before the civil works packages are accepted for IDA financing.
- Liaises with and appraises the Ministry of Water Resources to resolve any issues that are deemed instrumental for land acquisition and preparation and implementation of the resettlement activities.
- Ensures that all information on land acquisition, RAP preparation and implementation activities, which are transmitted from Zone and Circle levels, are collated and reported to IDA on a monthly basis, and status reports are prepared for all formal review missions.

#### B. Senior Social Specialist (SSS)

**Overall responsibility:** Responsible for overseeing and coordinating the process tasks required for preparation and implementation of land acquisition and resettlement activities in time, analyzing and collating all related information in the PMU and transmitting them to FO.

**Specific responsibility:**

- Review, update and coordinate with project schedules for polder selection, design and implementation of civil works and other tasks, vis-a-vis the process tasks required for land acquisition, and RAP preparation and implementation.
- Coordinate and facilitate all activities contained in Resettlement planning such as social survey, public consultations etc. and land acquisition plan (LAP) preparation by respective Project Manager at FO level in association with the LARS of Design Supervision Consultant

(DSC) and approval thereof by MoWR and DCs/DLACs; and placement of funds for acquisition.

- Coordinate and -facilitate PAP censuses, market price surveys and other process tasks for RAP preparation and implementation, and monitors the RAP implementation process ensuring that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands. Ensure that all information related to land acquisition and resettlement are generated and collected from the field and secondary sources and are analyzed, collated and instruct DSC to prepare the phase-wise RPs. Routinely monitor progress in land acquisition and RAP implementation activities and keep Project Director informed on a monthly basis, and assist with the preparation of formal status reports for IDA review missions.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments in the District level.

## 2. BWDB Zonal Office

### A. Chief Engineer

**Overall responsibility:** Overseeing and coordinating the process tasks required for civil construction and preparation & implementation of land acquisition and resettlement activities in time, analyzing and collating all related information in the Zones and transmitting them to PMU.

**Specific responsibility:**

- Review, update and coordinate with PD the Zonal schedules for polder selection, design and implementation of civil works and other tasks required for land acquisition, and RAP preparation and implementation under the CEIP.
- Coordinate and facilitate all activities contained in the project polders, social screening and public consultations; design of the civil works identifying the land acquisition needs and their ground locations; LAP preparation by respective Executive Engineers (XENs) in association with the Assistant Director Land and Revenue, and approval thereof by MoWR and DCs/DLACs; and placement of funds for acquisition.
- Coordinate and -facilitate PAP censuses, market price surveys and other process tasks for RAP preparation and implementation, and monitors the RAP implementation process ensuring that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensure that all information related to land acquisition and resettlement are generated and collected from the Circles and Divisions, and are analyzed, collated and sent to PMU to prepare the phase-wise RAs.
- Routinely monitor progress in land acquisition and RAP implementation activities and keep PMU informed on a monthly basis, and assist with the preparation of formal status reports for IDA review missions.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments in the Zone

## **B. Superintending Engineer**

**Overall responsibility:** Coordinate with Chief Engineers and XENs at Zone and Division levels the process tasks leading to, and oversee preparation of the land acquisition proposals by DLR staff, review and approve the land acquisition budgets from DCs, and actively assist DLR staff and XENs follow through the acquisition process.

**Specific responsibility:**

- Oversee LAP preparation by DLR staff in coordination with engineering design of the rehabilitation/ improvement works and their ground locations.
- Reviews and approves land acquisition budgets prepared received by XENs, and monitors placement of acquisition funds with DCs. a Review and approve the top-up and other compensation (for those not covered by the acquisition law, but provided in the Resettlement Policy Framework) budgets.
- Facilitate the overall acquisition process by helping the XENs and DLR staff resolve any acquisition-related issues.

## **C. Assistant Director, Land and Revenue**

**Overall responsibility:** Prepare Land Acquisition Proposals (LAPs), liaise with the land acquisition officials and follow through the acquisition process, and assist affected landowners in procuring any missing legal documents required to claim CUL.

**Specific responsibility:**

- In close consultation with the PM and SS, prepare the formal Land Acquisition Proposals including all the documents as required by the acquisition authority (acquiring body).
- Liaise with the land acquisition officials and follow through the acquisition process, including CUL payment by DCs.
- Monitor the NGO activities in assisting PAPs in procuring any missing legal documents that are required to claim CUL from DCs.
- Assist SS (at FO), SSS (at PMU) and others in collecting CUL payment information from DCs by keeping liaison with Land Acquisition section of DC office.
- Participate in Physical relocation assistance procedure of the displaced households. Play role as member of the Physical Relocation Assistance Committee (PRAC) and make aware of the affected people in relocation process.
- Perform other tasks that are pertinent to land acquisition and resettlement.

### 3. Field Office (FO)

#### A. Project Manager (XEN)

**Overall responsibility:** Monitoring the process tasks of preparing and implementing land acquisition and resettlement activities in time, analyzing and collating all related information in the FO and report to PMU.

**Specific responsibility:**

- Review, update and coordinate with Project schedules for polder selection, design and implementation of civil works and other tasks, vis-a-vis the process tasks required for land acquisition, and RAP preparation and implementation.
- Coordinate preparation of land acquisition proposal in association with the LARS of Design Supervision Consultant (DSC) and send them to the PMU for getting approval from MoWR and sending to DCs for necessary acquisition process.
- Perform as convener of the grievance redress committee and ensure that all APs are aware of their right to make grievance on valid ground regarding land acquisition, resettlement and environmental issues. Ensure that all grievances so far received by the GRC are heard and resolved in time in a transparent manner as prescribed in the RAP.
- Coordinate and -facilitate PAP censuses, market price surveys and other process tasks for RAP preparation and implementation, and monitors the RAP implementation process ensuring that 'the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensure that all information related to land acquisition and resettlement are generated and collected from the field and secondary sources and are analyzed, collated and instruct DSC to prepare the phase-wise RAPs.
- Routinely monitor progress in land acquisition and RAP implementation activities and keep SSS and Project Director informed on a monthly basis, and assist with the preparation of formal status reports for IDA review missions.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments in the District level.

#### B. Sub-Division Engineer (SDE)

**Overall responsibility:** Monitoring the data collection and assessing valuation of affected property, providing assistance to DC office regarding land acquisition and to SSS in resettlement activities, analyzing and collating all related information in the FO and reporting to PMU.

**Specific responsibility:**

- Assist SS in project schedules for polder selection, design and implementation of civil works and other tasks, vis-a-vis the process tasks required for land acquisition, and RAP preparation and implementation.

- Preparation of land acquisition proposal in association with the LARS of Design Supervision Consultant (DSC) and other officials of F and submit to SS for sending them to the PMU.
- Perform as convener of the Property Assessment and Valuation Committee (PAVC) and ensure that all properties within the proposed area have been enumerated and replacement value of the affected properties has been determined in a transparent manner.
- Coordinate and -facilitate PAP censuses, market price surveys and other process tasks for RAP preparation and implementation, and monitors the RAP implementation process ensuring that the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
- Ensure that all information related to land acquisition and resettlement are generated and collected from the field and secondary sources and are analyzed, collated and instruct DSC to prepare the phase-wise RAPs.
- Routinely monitor progress in land acquisition and RAP implementation activities and keep SS informed on a fortnightly basis, and assist with the preparation of formal status reports for IDA review missions.
- Facilitate the land acquisition activities by liaising, as and when necessary, with the Deputy Commissioners and other GoB departments in the District level.

### C. Social Specialist

**Overall responsibility:** Prepare LAPs, liaise with the land acquisition officials and follow through the acquisition process, and assist affected landowners in procuring any missing legal documents required to claim CUL with assistance from the AD, Land and Revenue at the zonal office.

**Specific responsibility:**

- In consultation with the XENs, prepare the formal LAPs with the documentation as required by the acquisition authority (acquiring body).
- Liaise with the land acquisition officials and follow through the acquisition process, including CUL payment by DCs.
- Assist PAPs in procuring any missing legal documents that are required to claim CUL from DCs.
- Assist XENs, SDEs, and others in collecting CUL payment information from DCs which are required to determine top-up payment. Participate in grievance redress procedure as member-secretary and keep detailed records of grievances and the hearings, and assist to report the outcomes as per the format provided in the Resettlement Policy Framework.
- Perform other tasks that are pertinent to land acquisition and resettlement.

### 4. Implementing NGO

**Overall responsibility:** Assist BWDB in social mobilization, formation and operation of water management organizations, preparing/updating and implementing the resettlement plans for subprojects/works packages. The principal tasks will be to identify the project affected households/business enterprises and persons relating to the enterprises, estimating their losses and

dislocations, and processing their entitlements. The next main tasks would be to assist BWDB in disbursing entitlements.

***Specific responsibility:***

- Social Mobilization
  - Review rules, regulations and policy guidelines on participation water management applicable for the project and identify areas of participation by the beneficiary communities in project implementation process.
  - Review and analyze project objectives and approach of social mobilization in the light of the GPWM and experience of IPSWAM.
  - Develop workable approach and interventions for social mobilization under guidance of the design and supervision consultant and the PMU.
  - Identify the beneficiaries, existing water management organizations, demarcate areas for water management groups and motivate them on participatory water management.
  - Educate and refresh the BWDB relevant staff in division offices on social mobilization and participation of beneficiaries in project process through personal contact and local level meetings and consultation workshops.
  - Develop awareness on social mobilization and participation of WMOs through formal or informal meetings, discussion sessions, training, and workshops.
  - Review and study the identified problems related to social mobilization and assist BWDB to overcome the problems.
  - Monitor the roles of WMOs in context of their development, performance, relation with the community people/other stakeholders related to water management issues.
  - Prepare position and progress reports on social mobilization and participation for the Project Director.
  - Any other activities as instructed by the Project Managers at field offices and the Project Director, PMU.
- Resettlement and Rehabilitation of PAPs
  - Design and carry out disclosure campaign including tools for disclosure and information dissemination among the potential displaced persons and their feedback.
  - Liaise with the Deputy Commissioners' offices in the process of land acquisition including joint verification, notifications and payment of cash compensation.
  - Carry out social surveys and public consultations under the guidance and supervision of the Social Specialist at FO level and the LARS of DSC.
  - Carry out PAP censuses, market price surveys and other process tasks under the guidance of the Property Assessment and Valuation Committee (PAVC) for RAP preparation or updating and implementation ensuring that 'the PAPs are paid their compensations/entitlements in full before they are evicted from the acquired lands.
  - Assist BWDB in preparation of land acquisition plan and following up of the land acquisition process by Deputy Commissioners.
  - Participate in grievance redress process and facilitate the aggrieved PAPs and their communities in producing grievance petitions to the GR focal points. Communicate GRC decisions to the PAPs and take necessary measures as per the decisions agreed by the aggrieved persons.
  - Develop PAP database tapping information from the Deputy Commissioners' payment of compensation under law, PAP census and inventory of losses by the PAVC and design and

- operate automated Management Information System (MIS) for determining and making payment of entitlements to the eligible PAPs and generate reports on progress monitoring and evaluation.
- Identify eligible PAPs and determine their loss and entitlements based on DC's payment data, updated inventory of losses and GRC decisions. Assists the MIS staff at PMU to process the data for cross checking the resettlement budgets, as required to prepare and implement the phase-wise RAPs.
  - Identify relocation sites and facilitate eligible PAPs in finding alternative sites for lone or group relocation with project support as per RAPs and the SMRPF.
  - Prepare loss and entitlement cards (LEC) for individual entitled persons (EPs) and process payment of entitlements on behalf of the BWDB division offices.
  - Assist BWDB division offices in documenting issuance of photo ID cards and payment of entitlements including ID register, payment register, payment vouchers and advice notes.
  - Assist eligible PAPs in opening Bank accounts for receiving payment of entitlements.
  - Assist titled PAPs in organizing documents for receiving compensation under law from the respective Deputy Commissioners' offices.
  - Identify problems and place them with the resettlement officers of BWDB and the resettlement specialist of the DSC for corrective measures.
  - Document updates on land acquisition, payment of compensation under law, identification of EPs, payment of entitlements, grievance resolution and relocation, and include them in the monthly progress reports for submission to the PMU and the SMOs.
  - Assist BWDB in preparing any updates and reports time to time required.

## ANNEX-07: MONITORING LAND ACQUISITION AND PREPARATION & IMPLEMENTATION OF IMPACT MITIGATION PLANS

The following indicators will be used to monitor the status of major tasks involved in land acquisition and in preparation and implementation of resettlement activities.

**A. Land Acquisition:** *Engineering Designs* are a pre-requisite for starting the land acquisition activities. Once the design decisions are finalized determining the acquisition needs and their ground locations, the following tasks will be monitored to assess progress in land acquisition:

- Preparation of the LAPs, by using standard formats required by land acquisition authority.
- Dates LAPs submitted to the MoWR for administrative approval.
- Dates LAPs submitted to the Deputy Commissioners (DCs).
- Dates LAPs approved by the District Land Allocation Committees (DLACs) and, if required, the Ministry of Land.
- Dates Notice-3 issued by DCs of the project districts (These dates serve as cut-off dates for the legal owners of the lands under acquisition).
- Dates Joint Verifications by acquisition officials and BWDB completed in the individual project districts.
- Dates Notice-6 issued by DCs of project districts.
- Dates Compensation Estimates submitted by DCs to BWDB.
- Dates BWDB sent the Compensation Estimates to MOWR.
- Dates MOWR approved the Compensation Estimates.
- Dates BWDB placed the compensation funds with DCs.
- Dates Notice-7 issued by DCs in the project districts.
- Dates DCs started the CUL payment process in the project districts.
- Continuing monitoring of progress in CUL payment by DCs.

**B. Preparation & Implementation of Mitigation Plans.** Preparation of impact mitigation plans begins once decisions on engineering designs are finalized and ground locations of the acquisitions are identified. The following are the major tasks that will be monitored during preparation and implementation:

- Census of the project affected persons (PAPs) and assets, and fixing of the cut-off dates for squatters.
- Survey of replacement costs and market prices of the affected lands and other assets.
- Consultation and information dissemination with regard to compensation payment procedure and the documents required to claim compensation from the DCs (a continuing activity).
- Formation of the GRCs.

- Preparation of Compensation Budgets for squatters and others not covered by the acquisition ordinance, and top-up for titleholders.
- Preparation and submission of RAP/abbreviated RAP for WB review and clearance.
- Preparation of the individual entitlement files for different PAP groups, with all applicable entitlements.
- Approval of the Compensation Budgets by BWDB.
- Continuing monitoring and reporting of progress in payment of CUL, top-up and other applicable entitlements to titleholders and squatters and similar PAPs; and relocation of homestead losers, and displaced businesses and other activities. Data on following indicators will be essentially collected for continuous monitoring and reporting:
  - PAPs are aware of their entitlements, and of the procedures for receiving them, before start of land acquisition;
  - PAPs are satisfied that they were properly consulted at all relevant stages of project identification, selection, design and implementation with focus on land acquisition;
  - PAPs are aware of the Grievance Redress Mechanism and their grievances are satisfactorily resolved;
  - PAPs are fully compensated in accordance with the entitlement matrix for all assets at full replacement cost;
  - Valuation of land and other assets was done in a participatory method to ensure replacement cost;
  - PAPs receive their entitlements (CUL, top-up, & other allowances) prior to taking possession of land for project civil works construction; and
  - Livelihoods of the PAPs are fully restored.

Any other tasks that may have remained unknown will be included in the monitoring system. Progress in land acquisition and RAP and implementation activities will be reported in appropriate formats on land acquisition and resettlement. Format on land acquisition process will update on the status of land acquisition including preparation of LAP, administrative approval, submission of LAP to DCs, notifications under the law, assessment, valuation, placement of fund and disbursement of compensation under law. Format on resettlement will provide updates on payment of resettlement assistance including top-ups for replacement value after compensation under law, relocation assistance, vacating project right of way and livelihood restoration measures.

**ANNEX-08: GENDER ACTIONS IN PROJECT PROCESS**

**Detail Design Phase**

<b>Aim</b>	<b>Method</b>	<b>Target</b>	<b>Indicator</b>
Ensure gender inclusive design	Maximize participation of women in design activities through household surveys, focused group discussions, key informant interviews at community level.	30% female response in field surveys, focus group discussions to boost participation as required	Number of female respondents to household survey, list of women in focused group discussions, and list of key informants
Plan for and advocate involvement of women in subsequent Project phases	Project gender actions and participation strategy, plus specific gender actions in Project documentation	Monitorable Project gender actions	Specific mention of gender outcomes in Project documentation
Provision of baseline gender disaggregated information for subsequent monitoring of gender outcomes	Creation of a socio-economic baseline for the Project from household surveys	Gender disaggregated Project M&E framework	Project documentation and logical framework
Ensure gender mainstreaming of Project RAP and land acquisition process	Attention to poor women as a vulnerable group, consideration of low female literacy rate when disseminating public information i.e. through individual contacts or focused group meetings.	20% female response in RAP/abbreviated RAP survey, incorporation of at least one woman on resettlement committees, public notification via community meetings - separate meetings for women	Number of female headed households in RAP/abbreviated RAP survey  Female attendance at public meetings  Membership of various RAP/abbreviated RAP implementation committees

**Project Implementation Phase**

<b>Aim</b>	<b>Method</b>	<b>Target</b>	<b>Indicator</b>
Ensure both women and men benefit from jobs arising from Project construction	Explicit clause in works contract to employ PAPs, women, ethnic minorities and other local people in the order of preference where labour is required, and to report labour hire disaggregated by gender.  Specify equal rates for men and women for equal work.	20% female workers on works contracts.  Equal rate for equal work for male/female workers	Contractor's monthly reports and external monitor's periodic reports.
Protect vulnerable	Implementation of the	HIV/AIDs, Anti-	Monitoring and

women and children from trafficking and HIV/AIDS infection as a result of construction activity/influx of people to the Project area.	Project HIV/AIDS and Anti-Trafficking awareness program. Include this program in the Project information dissemination, monitoring and evaluation work, and in work contracts	Trafficking, and disaster risks are agenda items at every community meeting.	evaluation picks up good awareness of HIV/AIDS, Anti-Trafficking, and disaster risk information.  No. of reported incidences of these issues in M&E reports.
Ensure that both male and female are benefited from the Project	Gather local level data of male and female population receiving medical services and education  Gather local level data on male and female population getting increased employment opportunities and income from the Project.  Payment of compensation and resettlement assistance to both spouses or one male and one female in an affected family.	Improvement and balanced enrolment of girls and boys at schools  Men and women get equal treatment for health problems  Men and women get equal treatment for employment  Men and women get equal treatment for resettlement	Monitoring and evaluation reports.

**Project Monitoring & Evaluation**

<b>Aim</b>	<b>Method</b>	<b>Target</b>	<b>Indicator</b>
Ensure that the Project complies with the stated aims of government and WB gender policies	Periodic analysis of Project gender practices and outcomes, changes to Project practices as appropriate to enhance positive and mitigate negative gender outcomes.	Quarterly gender analysis may be incorporated into monitoring of construction, external monitoring of resettlement and income restoration programs as per RAP/abbreviated RAP.	Gender disaggregated M&E data in M&E consultant's and implementation reports (for RAP/abbreviated RAP).  Annual and periodic WB portfolio reviews.  Reports of Executing Agency (EA) on the Project loan.

**ANNEX-09: PAP DECLARATION ON SELF-RELOCATION**

Declared by: Name: \_\_\_\_\_ Age: \_\_\_\_\_ Years

Sex: Male/ Female Father's/Husband's Name: \_\_\_\_\_

ID No.: \_\_\_\_\_

Location of Affected Structure:

Embankment Chainage: \_\_\_\_\_ m Village: \_\_\_\_\_

Union: \_\_\_\_\_ Upazila: \_\_\_\_\_

Polder No.: \_\_\_\_\_ BWDB Division: \_\_\_\_\_

Description of Structures: Use: [ 1 ] Residential/ [ 2 ] Commercial/ [ 3 ] Community

Dimensions: Length: \_\_\_\_\_ ft. Width: \_\_\_\_\_ ft., Floor Area: \_\_\_\_\_ sq. ft.

Construction materials: Fence: \_\_\_\_\_ Roof: \_\_\_\_\_

I, the undersigned, hereby declare that I am aware of the need for improvement of the embankment section I am using and have taken the option for self-relocation at my own discretion. I have arranged alternative site for reconstruction of my structure(s).

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Witnessed by (signed with date):

\_\_\_\_\_  
Union Parishad/Municipality  
Chairman/Mayor/Member/Councillor

\_\_\_\_\_  
SDE, \_\_\_\_\_ Field Office,  
\_\_\_\_\_, BWDB

**ANNEX 10 PAP DECLARATIONS ON TEMPORARY RELOCATION**

Declared by:      Name:      Age:      Years

Sex: Male/ Female      Father's/Husband's Name:

ID No.:

Location of Affected Structure:

Embankment Chainage: \_\_\_\_\_ m      Village: \_\_\_\_\_

Union: \_\_\_\_\_ Upazila: \_\_\_\_\_

Polder No.: \_\_\_\_\_ BWDB Division: \_\_\_\_\_

Description of Structures: Use:    [ 1 ] Residential/ [ 2 ] Commercial/ [ 3 ] Community

Dimensions: Length: \_\_\_\_\_ ft.      Width: \_\_\_\_\_ ft.      Floor Area: \_\_\_\_\_ sft

Construction materials: Fence: \_\_\_\_\_      Roof: \_\_\_\_\_

I, the undersigned, hereby declare that I am aware of the need for improvement of the embankment section I am using and have taken the option for TEMPORARY RELOCATION at my own discretion. I have arranged alternative site for temporary shelter during construction.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Witnessed by (signed with date):

\_\_\_\_\_  
Union Parishad/Municipality  
Chairman/Mayor/Member/Councillor

\_\_\_\_\_  
SDE, \_\_\_\_\_ Field Office, BWDB  
\_\_\_\_\_