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Bangladesh: Climate Resilient Integrated Southwest Project for Water Resources Management

Prepared by Bangladesh Water Development Board (BWDB), Government of Bangladesh for
the Asian Development Bank (ADB).

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Resettlement Framework

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Prepared by the Bangladesh Water Development Board (BWDB) under the Ministry of Water
Resources for the Asian Development Bank

CURRENCY EQUIVALENTS

(as of 5 November 2023)

Currency Unit	–	taka (Tk)
Tk1.00	=	\$0.00905
\$1.00	=	Tk110.4322

NOTES

- (i) The fiscal year (FY) of the Government of Bangladesh and its agencies ends on 30 June. “FY” before a calendar year denotes the year in which the fiscal year ends, e.g., FY2023 ends on 30 June 2023.
- (ii) In this report, “\$” refers to United States dollars.

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Contents

Contents	ii
ABBREVIATIONS	iii
GLOSSARY	4
A. INTRODUCTION	1
A.1 Project Background:	1
A.2 Project Impact and Outcomes	2
A.3 Objectives of Resettlement Framework	2
A.4 Avoidance and Mitigation of Resettlement Impacts	4
B. OBJECTIVES AND LEGAL POLICY FRAMEWORK	4
B.1 Government of Bangladesh Laws on Land Acquisition	5
B.2 ADB Policy Statement on Social Safeguard	6
B.3 Comparison between the GoB policy and ADB SPS 2009	8
B-4. POLICY, PRINCIPLES AND GUIDELINES ADOPTED FOR THIS PROJECT	14
C. PLANNING STEPS AND PROCEDURES	15
D. ELIGIBILITY AND ENTITLEMENTS	16
D-1: Negotiated Settlement	19
D-2: Land Donation	19
E. UNANTICIPATED IMPACTS	20
F. VALUATION OF ASSETS	21
G. CONSULTATION AND DISCLOSURE	22
H. GRIEVANCE REDRESS MECHANISM	22
I. INCOME AND LIVELIHOOD RESTORATION PROGRAM	23
J. INSTITUTIONAL ARRANGEMENTS	23
K. BUDGET	25
L. MONITORING AND EVALUATION	25
APPENDIXES:	27
Appendix-I: IR Screening format/checklists for subproject categorization	27
Appendix-II Guidelines on General Implementation	28
Appendix-III: Outline of a Resettlement Plan	30

Table of Contents

Table 1- The current project interventions and subprojects	Error! Bookmark not defined.
Table 2- :Gaps and Gap Filling Measures to Comply with ADB's Safeguards Policy	11
Table-3: Entitle Matrix	20
Table-4: Institutional Responsibilities in Resettlement Process	24

Figure of Contents

Figure 1: Project Location Map	Error! Bookmark not defined.
Figure 2 Procedure of Determining Valuation of Property	Error! Bookmark not defined.

ABBREVIATIONS

ADB	– Asian Development Bank
AHH	– Affected Household
ARIPA	– Acquisition and Requisition of Property Act
BWDB	– Bangladesh Water Development Board
CCL	– Cash compensation under law
GOB	– Government of Bangladesh
GRC	– Grievances Redress Committee
GRM	– Grievances Redress Mechanism
ISPMC	– Institutional Strengthening and Project Management Consultant
IOL	– Inventory of Losses
IP	– Indigenous People
IR	– Involuntary Resettlement
JVT	– Joint Verification Team
LA	– Land Acquisition
LAO	– Land Acquisition officer
LAR	– Land Acquisition and Resettlement
PMO	– Project Management Office
PVAT	– Property Valuation Advisory Team
SAIWRPMP	– Southwest Area Integrated Water Resources Planning and Management Project
SIP	– Subproject Implementation Plan
SPS	– Safeguard Policy Statement of ADB
WHH	– woman headed household
WMA	– Water Management Associations
WMO	– Water Management Organization
WMG	– Water Management Group

GLOSSARY

Affected household: All members of a household residing under one roof and operating as a single economic unit; who are adversely affected by the Project or any of its components. It may consist of a single nuclear family or an extended family group.

Affected person: All the people affected by the Project due to physical displacement (relocation, loss of residential land, or loss of shelter) or economic displacement ((loss of land, assets, access to assets, income sources or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. affected persons may be of three types (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. affected persons are entitled to receive compensation based on the entitlement matrix.

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

Census: A population record of all affected persons by their residence based on the census. If a census is not conducted prior to project appraisal and the resettlement plan is based on a sample survey, an updated resettlement plan will be prepared based on a census of affected persons after detailed design.

Char or Char land: Char is a Bangla word which is a tract of land surrounded by waters along the river course and can be considered as a “by-product” of the hydro-morphological dynamics of rivers. In the dynamics of erosion and accretion in the rivers of Bangladesh, the emergence of island or chars within the river channel often creates new opportunities to establish settlements and pursue agricultural activities on them. Thus, char land is defined as the river island that emerges from the riverbed as a result of accretion.

Compensation: Payment in cash or kind for an asset to be acquired or affected by a project at replacement cost at current market value.

Cash compensation under law (CCL): CCL comprises all land acquisition compensation under the Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA, 2017).

Cut-off date: The date after which persons coming into the project corridor are NOT eligible for compensation or other assistance, i.e., they are not included in the list of affected persons as defined by the census.

Displaced person: As per ADB Safeguard Policy Statement (SPS) 2009, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

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

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

Eminent Domain: Refers to the regulatory authority of the government to obtain land for public purpose/interest or use as described in the ARIPA 2017 relating to Acquisition of land and properties Law.

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

Head of household: One who makes major decisions within the family structure and generally lead the family as the principal provider.

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

Income restoration: Refers to re-establishment of sources of income and livelihood of the affected households.

Inventory of losses (IOL): This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (project area) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of affected persons are determined.

Land acquisition: Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.

Meaningful consultation: A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

Non-titled: People who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant i.e. those people without legal title to land and/or structures occupied or used by them. ADB's policy explicitly states that such people cannot be denied compensation.

Person(s) having usufruct rights: The right to use land belonging to others - for example, lease from government department or agency or individuals.

Project : Climate Resilient Integrated Southwest Project for Water Resource Management

Information Dissemination: Process of disclosing and sharing project impacts with affected people and disseminating amongst them information on their entitlements, compensation, Resettlement and Rehabilitation measures and project timeline etc.

Rehabilitation: This refers to additional support by means of restoration of income, livelihoods, and reestablishment of socio-cultural system provided to affected persons losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life

Relocation: Moving and rebuilding housing, assets - including productive land, and public infrastructure, in a new location.

Replacement cost: Replacement cost is the rate of compensation for acquired housing, land, and other assets at current market rate. Replacement cost is calculated based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued; (iv) transitional and restoration costs; and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower/client will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information.

Resettlement: Resettlement is one measure to mitigate adverse impacts of a project; refers to rebuilding housing, assets, including productive land and public infrastructure in another location

Resettlement Framework: For loss of land property, income generation opportunity and cultural assets as were adopted at the time of the Loan Agreement, the Resettlement Framework lays out the policy, principles procedures and entitlements, as well as the institutional responsibilities to be followed in preparing project/subproject Resettlement Plan (s).

Resettlement Plan: A time bound action plan with budget setting out resettlement impact strategy, objectives, entitlement, actions, implementation responsibilities, monitoring, and evaluation.

Right of Way: Demarcated land proposed for infrastructure development

Squatters: Refer to non-titled and include households, business and common establishments on public land (including those acquired earlier). Under the project this includes land on part of the crest and slopes of flood control embankments, and similar areas of the drainage channels.

Uthuli (also called Nodibashi): People displaced by flood/erosion, who live on land provided by neighbor or relative free of cost.

Vulnerable Groups: These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) those below the poverty line; (ii) landless; (iii) households headed by the elderly, single women

or children, people with disability, iv) Ethnic communities/Indigenous Peoples, schedule cast; (iv) those without legal title to land, etc. according to ADB SPS 2009.

A. INTRODUCTION

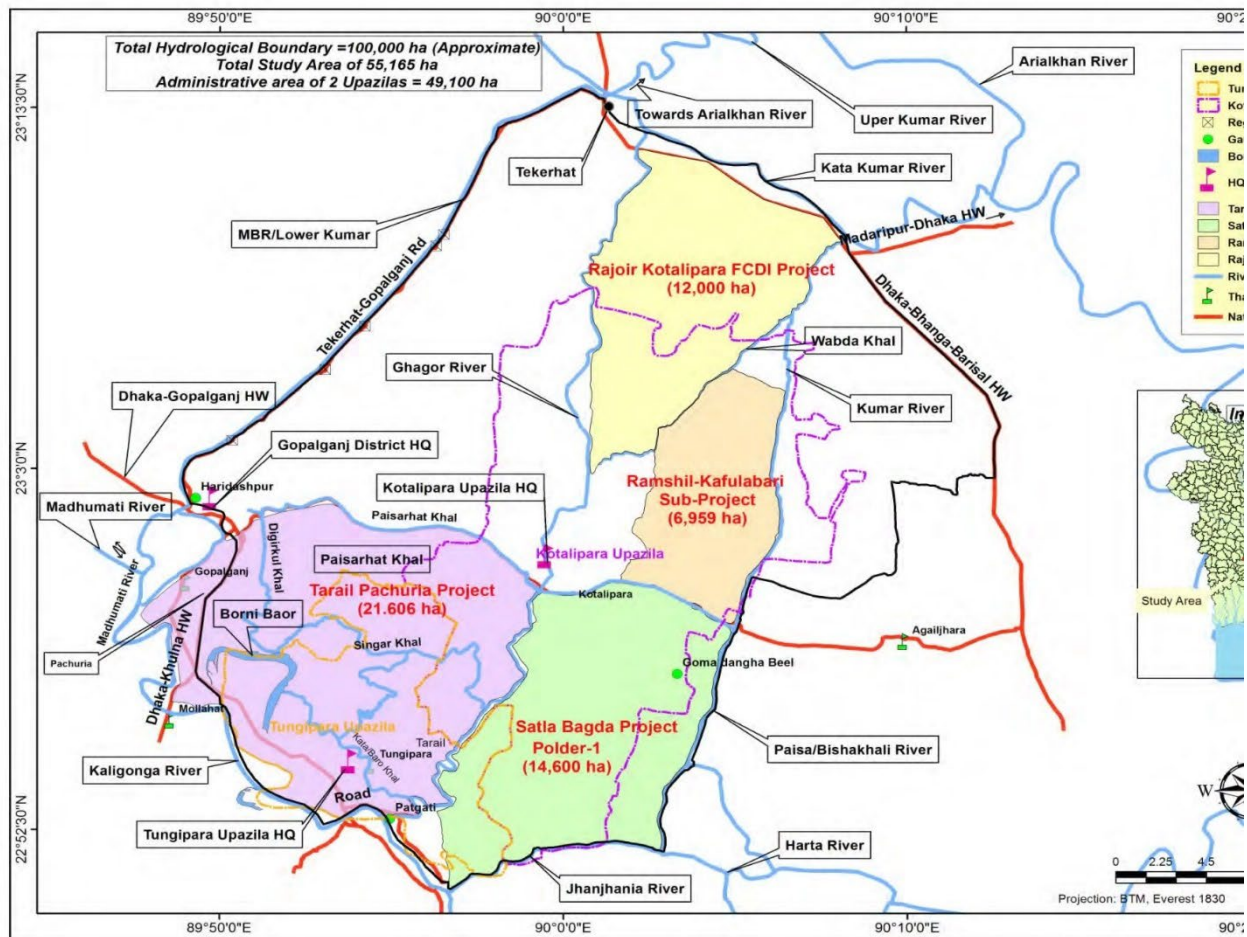
1. The Government of Bangladesh (GOB) requested ADB to finance flood control, drainage and irrigation works in southwest region of Bangladesh. Asian Development Bank is thus processing the project as Climate Resilient Integrated Southwest Project–Water Resources Management.

2. A Resettlement Framework, including two sample Resettlement Plans as guiding documents, has been prepared for subsequent project implementation. This Resettlement Framework has been prepared with the objective to reach an agreement with the executing agency to meet the gaps to fulfil involuntary resettlement mitigation measures according to the national and ADB Safeguard Policy Statement (SPS) 2009 requirements. This will guide and support in preparation of Resettlement Plans with the purpose to mitigate any adverse impacts with subsequent implementation stage of the project following standard policy/principles of the donor and the executing agency in practice.

A.1 Project Background:

3. A feasibility study was conducted in 2018 proposed four sub-projects in Tungipara and Kotalipara *upazillas* with estimated a total area of 55,165 hectares (ha), The four subprojects namely are; Tarail-Pachuria (21,606 ha), Satla-Bagda Polder-1 (14,600 ha), Ramshil-Kafulabari (6,959 ha) and Rajoir-Kotalipara (12,000 ha), which proposed 17 water management associations (WMA) and 172 water management groups (WMG). In addition, a fifth subproject for the preparation and implementation of integrated water management plans (IWMP) for Beel-Kajulia area with a land area of 26,864 ha. also has been included in the project. Based on the feasibility study, Bangladesh Water Development Board (BWDB) prepared the preliminary development project proposal requesting ADB to finance \$70.56 million for the implementation of an integrated water resources management project for improvement of drainage congestion in the aforementioned *Upazillas* under Gopalganj and Madaripur districts to minimize the sufferings of the people of these areas. The location map of the project is in Figure below.

Figure 1: Location map of Project



A.2 Project Impact and Outcomes

4. **Impact and Outcome:** The project is aligned with the following impact: Enhanced climate resilient economic growth and reduced poverty in rural areas of the selected subregions in the southwest area of Bangladesh. The project will have the following outcome: climate resilience and productivity of the selected existing FCD/I systems enhanced.

5. **Project Output and Activities.** The project outputs are: (i) capacity of water management organizations (WMO) capacity for sustainable climate resilient planning and management of water resources and livelihood development strengthened, (ii) adaptive resilience of flood control, drainage, and irrigation schemes in project areas enhanced, and (iii) institutional capacity for mainstreaming climate resilience, and sustainable participatory and integrated water resources planning and management strengthened.

A.3 Objectives of Resettlement Framework

6. This Resettlement Framework is prepared as a guiding document and policy framework for preparation of Resettlement Plans with the purpose to mitigate any adverse impacts with

subsequent implementation following standard policy/principles of the ADB and the executing agency (BWDB) in practice. The basic objectives of the Resettlement Framework are to:

- (i) guide the Executing Agency for compensating project Affected People according to government and ADB SPS 2009,
- (ii) to serve as a binding document to ensure affected persons will be assisted and paid compensation, and
- (iii) to provide direction preparing, implementing, and monitoring subproject Resettlement Plans.

7. To attain the aforesaid objectives, BWDB to ensure the preparation and implementation of required Resettlement Plans consistent with this Resettlement Framework for their respective subprojects. This Resettlement Framework expresses the Government's commitment to avoid any negative impacts due to the project interventions or to mitigate them ensuring that the affected people can maintain or improve their livelihood at the end of the project. The document incorporates an Entitlement Matrix (EM) to mitigate Involuntary Resettlement impacts consistent with this project, to bridge the Government's Land Acquisition and Resettlement (LAR) regulators and the ADB's SPS 2009 relating to safeguard requirements, and is to be implemented uniformly for the whole project.

8. The Resettlement Framework identifies likely impacts of the project, describing anticipated groups of affected persons, clarifies land acquisition and resettlement principles, and assesses the legal framework for land acquisition and resettlement in Bangladesh, including guidance on negotiated settlement and voluntary land donation. This also describes standard procedures and methods of redress, and outlines steps that will be taken to plan, obtain concurrence from ADB, and to implement and monitor the impact of land acquisition and resettlement. This Resettlement Framework also applies to all affected persons affected permanently or temporarily due to the project implementation. During implementation, any subprojects that require involuntary resettlement will need preparation of Resettlement Plans by the Executing Agency based on this Resettlement Framework. Resettlement Plans may be prepared separately for each candidate subproject or for a package of subprojects (based on implementing year) as decided by the Executing agency and institutional strengthening and project management consultant (ISMPC), considering the practical situation. Subprojects that have no land acquisition or involuntary resettlement impacts will require to complete screenings for Involuntary Resettlement and Indigenous People impacts. A standard sample screening form has been attached with this Resettlement Framework in Appendix-I.

9. This Resettlement Framework is a planning document which covers project policy to address for possible project impacts or unanticipated impacts due to involuntary resettlement or land acquisition that cannot be determined at the project preparation stage. The framework has been prepared as a protection tool to screen whether the resettlement plan will be required, in case the works will affect any property (with or without title to land), or in case the works will require temporary or permanent land acquisition. Overall, the Resettlement Framework document also will provide guidance on how to prepare the resettlement plan, if it is required for any subprojects. Therefore, the Resettlement Framework is a set of policy guidelines and procedures to be adopted by the BWDB for screening, and preparing a resettlement plan, as well as revising and updating any plans during project implementation. The Resettlement Framework is a formally agreed document between the Government and ADB. No changes shall be made to the Resettlement Framework without prior approval from ADB.

A.4 Avoidance and Mitigation of Resettlement Impacts

10. During implementation of the project, BWDB through the ISMPC will optimize the detailed designs for all subprojects to avoid and minimize impacts on existing Right of Way/structures and land as far as feasible. At that time, temporary structures shifting and impacts on crops, trees, small scale vegetation to be identified by BWDB. Land acquisition to be avoided through alternative design and schemes as much as possible. Alternatively, options like negotiated settlement, voluntary land donation, community preferences would be assessed to avoid or minimize land acquisition. The subprojects/schemes proposed by BWDB will require advance community consultation for their preference and agreement. Any subproject that entails involuntary resettlement will be subject to a preparation of Resettlement Plan by the BWDB. Impact on structures will be mitigated through cash compensation at replacement cost or reconstruction through the construction team, as preferred by the structure owners. Households those will found to be impacted in different ways particularly with crop, vegetable, forestry activities will be encouraged to become members of farmer groups/WMG for inclusion in income and livelihood restoration program programs.

11. Beginning of initial activities of the resettlement plan preparation, BWDB will carry out a screening survey to identify the land requirement and any resettlement impacts of an individual subproject/schemes following ADB SPS 2009 by using a standard Involuntary Resettlement impact screening checklists forms included in Appendix-I. The level of detail and comprehensiveness of the Resettlement Plans and it's safeguards categorization will be determined considering the significance of the potential Involuntary Resettlement impacts and risks, in the line of SPS-2009.

B. OBJECTIVES AND LEGAL POLICY FRAMEWORK

12. This Resettlement Framework document expresses the Government's commitment for avoidance of any negative impacts due to the project implementations or to mitigate them ensuring that the affected people can maintain or improve their livelihood at the end of the project. The document incorporates an Entitlement Matrix consistent with this project, to bridge the Government's LAR regulators and the ADB's SPS 2009 relating to safeguard requirements, and is to be implemented uniformly for the whole project. The Resettlement Framework identifies likely impacts of the project, describes anticipated groups of affected persons, clarifies land and resettlement principles, and assesses the legal framework for land acquisition and resettlement in Bangladesh, including guidance on negotiated settlement and voluntary land donation. This also describes standard procedures and methods of redress, and outlines steps that will be taken to plan, obtain concurrence from ADB, and to implement and monitor the impact of involuntary resettlement. This Resettlement Framework also applies to all affected persons affected permanently or temporarily due to the project implementation. During implementation, any subprojects requiring involuntary resettlement will require preparation of Resettlement Plans by the Executing Agency based on this Resettlement Framework. Resettlement Plans may be prepared separately for each candidate subproject or for a package of subprojects (based on implementing year or district) as decided by the Executing agency and ISPMC, considering the practical situation. Subprojects that have no land acquisition or resettlement impacts will require only screening for impacts. The basic objectives of the Resettlement Framework are to: (i) guide the Executing agency for compensating project Affected People properly, (ii) to serve as a binding document to ensure affected persons will be assisted and paid compensation, and (iii) to provide direction preparing, implementing, and monitoring subproject Resettlement Plans. For this project, BWDB is the responsible Agency to ensure preparation and implementation of Resettlement Plans consistent with this Resettlement Framework for their respective schemes.

The Resettlement Framework is a formally agreed document between the Government and ADB. No changes shall be made to the Resettlement Framework without prior approval from ADB.

B.1 Government of Bangladesh Laws on Land Acquisition

13. The principal legal instrument governing land acquisition in Bangladesh is the “Acquisition and Requisition of Immovable Property Act of 2017” (ARIPA 2017). Before enacting this law, the principal legal instrument governing land acquisition and compensation in Bangladesh was the “Acquisition and Requisition of Immovable Property Ordinance 1982” (ARIPO) and its subsequent amendments in 1993 and 1994.

14. The government, under ARIPA 2017, has updated the compensation for land from 50% to 200% premium to be added to the one year average to registered value of the land. The philosophy underlying the newly enacted legislation is that the persons whose lands are compulsorily acquired should be compensated at “replacement cost” for their loss of lands including other assets such as houses, trees, standing crops, and any other impact and damages caused by such acquisition. Here the value of land is calculated as the average of transfer deed value over last 12 months for similar land types in that particular area. This definition is the same as earlier legislation. Following are the most significant changes in ARIPA 2017:

- (i) The affected persons will get additional 200% compensation over and above the market value of land in case of acquiring it for any public purpose or in the public interest.
- (ii) The affected persons will get additional 300% compensation in case of acquiring land for any private organization.
- (iii) The lands of religious worship places such as mosque, temple, pagoda, and graveyards and crematories are located, can be acquired if necessary.
- (iv) The time period for the payment of compensation of acquisition has been extended to 120 days instead of 60 days in the prior law.

15. In accordance with the present (and earlier) law, the legal process of land acquisition is initiated by an application by the requiring agency or department to the Deputy Commissioner (DC) of the concerned Districts with a detailed map of the proposed area. The DC determines the amount of Cash Compensation under Law (CCL) of affected assets based on the approved government procedure.

16. One important activity in the acquisition process under ARIPA 2017 is that, “prior to publication of preliminary notice of acquisition, the DC shall take the measure to carry out video filming and still photographing of all the areas of the project Right of Way to display the existing structures, crops, trees and other physical features likely to be affected under the proposed acquisition.”

17. Another major change is that under ARIPA 2017, there is a provision to acquire Common Property Resource like mosque, school, market, etc., though it was mentioned that such acquisition should be discouraged.

18. In cases of lands of such facilities such as mosque, temple, pagoda, graveyards and crematories, the government needs to compensate the owner by relocating or reconstructing the structure. For example, if a mosque is situated in the middle of a proposed road alignment, it is possible to relocate it and free the alignment.

B.2 ADB Policy Statement on Social Safeguard

19. The ADB's SPS 2009 aims to avoid or minimize impacts on people, households' businesses and others affected by the acquisition of land and other assets, including livelihood and income. Where resettlement is not avoidable, the overall goal of the ADB policy is to help restore the living standards of the affected people to at least their pre-project levels by compensating for lost assets at replacement cost and providing other necessary support and assistance. The SPS also strives to help borrowers/clients strengthen their safeguard systems. The SPS also provides a platform for participation by affected people and other stakeholders in project design and implementation. The objectives of the SPS 2009 are as follows:

- (i) to avoid involuntary resettlement wherever possible;
- (ii) to minimize involuntary resettlement by exploring project and design alternatives;
- (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and
- (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

20. The involuntary resettlement safeguards cover physical (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

21. The ADB SPS requires ADB-assisted projects to (i) avoid resettlement impacts wherever possible; (ii) minimize impacts by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons¹ (DP) in real terms relative to pre-project levels; and (iv) improve the standards of living of the affected poor and other vulnerable. It covers both physical displacement and economic displacement. The key principles of the ADB safeguard policy on resettlement are as follows:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks

¹ The term Affected Person is increasingly being replaced by the term "Displaced Person (DP)" following ADB Safeguard Policy Statement, 2009 but is still in common use in the field. The terms of affected persons and DPs are used interchangeably in this document.

are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets.
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a standalone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

B.3 Comparison between the GOB policy and ADB SPS 2009

22. The major differences between ARIPA 2017 and ADB SPS are:

- (i) The ARIPA 2017 does not recognize the entitlement of persons without land ownership title, which is required by ADB policy.
- (ii) Land can be handed over to requiring body once payment of awards has initiated as per the Government of Bangladesh law, however, ADB policy says that no physical or economical displacement can occur prior to full compensation payment.
- (iii) In the ARIPA 2017, there is no direct provision for relocation assistance, assistance to vulnerable groups or income loss, however, it is indirectly mentioned that such provision can be arranged without any elaboration. ADB policy kept provision for such entitlement.
- (iv) Stakeholders' consultation is still not a requirement in new Bangladesh law, while it is an indispensable part of the ADB SPS. (Gap)

23. The major Gap between ARIPA 2017 and ADB SPS and gap filling measures to comply with ADB's Safeguard Policies has included in Table below.

Table 1: Gaps and Gap Filling Measures to Comply with ADB's Safeguards Policy

Objects	Harmonized Policy	GOB ARIPA-2017 and other applicable laws/Guidelines	Gaps between Harmonized Policy and GOB	Safeguard Measures Adopted in the Project
I. Objectives				
1.Avoid involuntary resettlement	Avoid involuntary resettlement and adverse impacts on people and communities, wherever feasible.	Avoidance of resettlement is not specifically mentioned in the ARIPA 2017— focus on mitigation than avoidance.	Gaps with regard to this principle to avoid resettlement impact through alternative options.	RF adheres to this principle - i.e., avoid resettlement impacts where feasible.
2.Minimize involuntary resettlement	If displacement is unavoidable, Minimize Involuntary resettlement by – (i) exploring alternative project designs; (ii) effective Measures to minimize impact in consultation with the people who are affected.	The law only implicitly discourages unnecessary and excess land acquisition, as excess land remains idle and unused and lands acquired for one purpose cannot be used for a different purpose. Land that remains unused should be returned to the original owner(s).	Section-4 of ARIPA, 2017 requires notification only; no consultation is required	Minimize displacement of people as much as possible by exploring all viable design alternatives. – If unavoidable, Provide for prompt payment of just compensation, replacement cost ² (for lost assets and income) and rehabilitation and livelihood assistance, towards better condition than before relocation for all Displaced

² The costs of replacing lost assets (e.g., land, houses/structures, trees and crops) and income, including cost of transaction, equivalent to ADB's SPS definition of replacement cost.

Objects	Harmonized Policy	GOB ARIPA-2017 and other applicable laws/Guidelines	Gaps between Harmonized Policy and GOB	Safeguard Measures Adopted in the Project
				households, regardless of (land) tenure. Unused land be Returned back to the original owners through de-acquisition.
3. Mitigate Adverse Social Impacts	Where IR is unavoidable, effective measures to mitigate adverse social and economic impacts on affected persons by: (a) Providing loss of assets at RV; ³ (b) ensuring that resettlement activities are implemented with Appropriate disclosure of information, consultation, and the informed participation of those affected (c) improve or at least restore the livelihoods and standards of living of displaced persons, and (d) improve living conditions among displaced persons through provision of adequate housing with security of tenure at resettlement sites	The mitigation measures are cash compensation only for lost assets. The complexities of resettlement are not addressed by the Ordinance	Only cash-based compensation for acquired assets. The impacts of loss of land, houses and the need for resettlement are not considered.	Provision for RC for assets lost (i.e., land, structures, trees etc.) at replacement cost.

Objects	Harmonized Policy	GOB ARIPA-2017 and other applicable laws/Guidelines	Gaps between Harmonized Policy and GOB	Safeguard Measures Adopted in the Project
II. Core Principles				
1. Identify, assess and address the Potential social and Economic Impacts	Assess at an early stage of the project cycle the potential social and economic impacts caused by involuntarily taking of land (e.g., relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood	The ARIPA, 2017 requires preparation of a LAP for land acquisition and compensation purposes. However GOB environmental rules/guidelines (1997) synchronize various applicable laws and policy framework of the country for early identification of impacts on biophysical, socioeconomic and cultural environment of a project intervention and their mitigation requires the assessment technical alternatives, including the no action alternative to minimize adverse environmental impacts, include impact on human health and safety EIA identifies measures to minimize the problems and recommends ways to improve the project's sustainability.	Impact assessments are typically done in the case of externally funded projects; otherwise, a land Acquisition plan is prepared for acquisition purposes. Project impacts on properties, livelihoods and employment, health and environment are discussed in IEE/EIA reports, but do not provide enough information to determine losses and basis for compensation. Existing laws do not have provision for identification of indigenous people to recognize their particular problem and inconveniences due to a project.	RF requires Identification of impacts caused by Displacement whether or not through land Acquisition (maintaining the principle that lack of formal title to land should not be a bar to compensation and Resettlement assistance), including number of affected persons. The Framework also addresses both direct and indirect impacts.
2. Prepare mitigation plans for affected persons	Preparation of RP or RF during Project processing to mitigate the negative impacts of displacement. The plan will provide estimate of the extent of total population affected and establish entitlements of all categories of affected persons (including host communities), with particular attention paid to the	The DCs have the mandate in their respective jurisdiction as per law to acquire land for any requiring person (public agency or private person). The requiring body requests the Deputy Commissioners for acquisition of land for their project/scheme. DCs investigate physically the requirement of land and carry out	Existing law and methods of assessment do not ensure full replacement cost (RC) ⁴ of property at current market price. The law does not consider resettlement or rehabilitation of affected persons or their loss of income or livelihood resources "Market Value" of property is	Preparation of RP or RF during Project processing to mitigate the negative impacts of displacement. The plan will provide estimate of the extent of total population affected and establish entitlements of all categories of affected persons (including host communities), with particular

⁴ The costs of replacing lost assets (e.g., land, houses/structures, trees and crops) and income, including cost of transaction.

Objects	Harmonized Policy	GOB ARIPA-2017 and other applicable laws/Guidelines	Gaps between Harmonized Policy and GOB	Safeguard Measures Adopted in the Project
	needs of the poor and the vulnerable.	Joint Verifications of assets and type of land for assessing the quantity of losses (u/s 8(1) of the law). Affected titled holders receive the assessed value and 200% on that for compulsory land acquisition. Fair compensation is required for acquisition of land which is dependent on recorded data with relevant government agencies (sub-registrar's office for land, PWD for structure, DAE for crops, DOF for trees Etc.). Affected owners have the right to appeal on acquisition or on the compensation amounts determined as per law.	often found low in respect of current market price, it can be raised, if appealed, by a maximum of 10 percent each time which in most case is not sufficient to match with real market price	attention paid to the needs of the poor and the vulnerable.
3. Consider alternative Project Design	Multiple alternative proposals must be examined to avoid or minimize involuntary resettlement and physical, or economic displacement and to choose a better project option while balancing environmental social and financial costs and benefits.	Feasibility studies including social, political, cultural and environmental impact assessments, detailed engineering surveys as basis for acquisition of private property or rights.	No specific laws for considering project design to avoid or minimize involuntary resettlement. Feasibility study considers cost benefit more from technical than sociocultural considerations.	RF considers feasible alternative project design to avoid or at least minimize physical or Economic displacement, while balancing environmental, social, technical and financial costs and benefits.
4. Involve and consult with stakeholders	Consult project affected persons, host communities and local nongovernmental organizations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and	The ARIPA, 2017 have provisions (Section 4) to notify the owners of property to be acquired. Any party having any objections can appear to DC for a hearing with 15 days of notification.	There is no provision in the law for consulting the stakeholders but the land allocation committees at district, division and central government level. People have limited scope to negotiate with the government on the price of land, but have no right to refuse acquisition.	RF has provisions for community consultation and public disclosure of impacts as well as mitigation measures, including disclosure of Resettlement Plan. Further, grievances redresser procedures involving cross-section of people, including representative of affected persons, have been established for accountability and democratization of

Objects	Harmonized Policy	GOB ARIPA-2017 and other applicable laws/Guidelines	Gaps between Harmonized Policy and GOB	Safeguard Measures Adopted in the Project
	development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms. Pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.			the development process.
5. Disclose and inform APs of RP and mitigation measures	Disclose the resettlement plan including documentation of the consultation process, in a form and language(s) accessible to key stakeholders, civil society, particularly affected groups and the general public in an accessible place for a reasonable minimum period.	The ARIPA-2017 requires a "notice" to be published at convenient places on or near the property in a prescribed form and manner stating that the property is proposed to be acquired (u/section 4).	Disclosure takes place in case of donor-funded projects.	RF requires disclosure of Draft RPs to the affected communities in a form or language(s) that are understandable to key stakeholders, civil society, particularly affected groups and the general public in a national workshop. Further, updated RPs will be disclosed based on material changes as a result of the concerns of affected families
6. Support existing social and cultural institutions of the affected persons	Ensure that the existing social and cultural institutions of the resettlers and any host communities are supported and used to the extent possible, including legal, policy and institutional framework of the country to the extent that the intent and spirit of the IR policy is		No provision in any existing laws.	

Objects	Harmonized Policy	GOB ARIPA-2017 and other applicable laws/Guidelines	Gaps between Harmonized Policy and GOB	Safeguard Measures Adopted in the Project
	maintained. Projects must be adequately coordinated so that they are accepted in manner that is socially appropriate to the country and locality in which the Project is planned. The SEA should include an assessment of compliance with applicable host country laws, regulations, and permits, and relevant social and environmental impacts and risks of the project.			
7. Supervision	For all interventions that involve resettlement or physical or economic displacement, a resettlement plan will be prepared. The RP will lay down appropriate time bound actions and budgets, and the full costs of resettlement, compensation, and rehabilitation will be included in the presentation of the costs and benefits of the development intervention.	No provision in the ARIPA.	There is no law or directives on the supervision of the land acquisition process by Deputy Commissioner.	
8. Monitoring	Regular supervision on resettlement implementation to determine compliance with the resettlement instrument.	The ARIPA has provision that the DC will monitor and submit a statement to the Government annually about the properties acquired for different requiring bodies and mode of utilization of the land.	Existing laws not have any provision for rehabilitation of project affected persons and therefore, no monitoring is done.	RF has provision for internal, external monitoring. Monitoring results will be shared and findings will be used for enhancement, if needed.
9. Evaluation	The borrower is responsible for adequate monitoring & evaluation of the activities set forth in the resettlement instrument. It is desirable that the project proponents monitor: (i) whether	No provision for evaluations of the post displaced lives of the affected households and communities		ISPMC Safeguard Specialist will conduct annual evaluation of the performance of Resettlement operations as well as impacts of resettlement during and after

Objects	Harmonized Policy	GOB ARIPA-2017 and other applicable laws/Guidelines	Gaps between Harmonized Policy and GOB	Safeguard Measures Adopted in the Project
	any situations that were unforeseeable before the project began have arisen; (ii) the implementation situation and the effectiveness of the mitigation measures prepared in advance, and that they then take appropriate measures based on the results of such monitoring (iii) involve External experts for resettlement monitoring (iv) Monitoring reports must be made public and additional steps to be taken, if required.			implementation of resettlement plans to assess resettlement efficiency, effectiveness, impacts, and sustainability.

AP=affected person, ARIPA= Acquisition and Requisition of Property Act, DC=Deputy Commissioner, EIA=environmental impact assessment, GOB = Government of Bangladesh IEE=initial environment examination, IR=involuntary resettlement, ISPMC=institutional strengthening and project management consultant, RC=replacement cost, RF=resettlement framework, RP=resettlement plan, RV=replacement value, SEA=socioeconomic analysis.

B-4. POLICY, PRINCIPLES AND GUIDELINES ADOPTED FOR THIS PROJECT

24. In view of the harmonization, the project will apply the following policy guidelines and procedures to comply with financiers' safeguard compliance requirements:

- (i) Avoid or minimize impact as much as possible through alternative design options;
- (ii) Screen each civil works to determine whether it will involve land acquisition and/or involuntary resettlement
- (iii) Carry out meaningful consultations⁵ with affected people, host communities, and concerned key stakeholders on compensation options, and prepare resettlement plan in accordance with this framework.
- (iv) Compensation will be paid for acquired assets at market/replacement rates.
- (v) Ensure that displaced persons without titles or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (vi) Payment of compensation must be made for lost land, housing, assets, and resettlement allowances in full prior to the mobilization of the contractor in the stretches requiring land acquisition or taking physical acquisition of the land, and prior to the commencement of any construction activities.

⁵ A process that: (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues

- (vii) All compensation and other assistances will be paid to all displaced persons prior to commencement of civil works.
- (viii) Make resettlement plans and other related documents available at the project sites;
- (ix) Full disclosure will be ensured through distribution of a summary resettlement plan in Bangla to the affected households and other stakeholders;
- (x) Determine the replacement cost of assets acquired and compensate at full replacement costs determined by a property valuation advisory team (PVAT)
- (xi) Provide resettlement assistance to all affected persons, irrespective of their titles to land;
- (xii) Establish grievance redress mechanism (GRM) at the local level for speedy resolutions of disputes;
- (xiii) Provide additional assistance to poor affected woman-headed households (WHHs) and vulnerable groups;
- (xiv) Establish income restoration assistance for alternative income sources and restoration of livelihoods for assisting affected people to restore and/or improve upon their pre-project levels or standards; and
- (xv) Undertake monitoring the implementation of resettlement plan, not only to monitor and provide feedback to improve implementation, but also to monitor the achievement of the objective of the resettlement plan.

25. All affected households (AHHs) and affected persons, as per the above policy/principles and guidelines, will be eligible for compensation and assistance to be provided by the project. In case of land acquisition, the date of notification of Section 3 for acquisition will be treated as the cut-off date while people without titles such as nodibhashis (erosion displaced households squatting on others' land, also called uthuli) or informal settlers/squatters living in the acquired area, the date of census or similar designated date by BWDB will be considered as the cut-off date. Any persons moving into the project area after the cut-off date will not be entitled to any assistance.

C. PLANNING STEPS AND PROCEDURES

26. When the detailed design will be prepared during project implementation, at that time each subproject or scheme will be re-examined whether there will be impacts related to involuntary resettlement conducting a screening exercise. If the screening results shows that subproject will have impacts associated with involuntary resettlement, the resettlement plan will require to prepare. To prepare and update any Resettlement Plans, the following procedures and steps will be followed: (i) any additional new impacts will be identified through proper census survey, community consultations and any other tools and techniques necessary to understand the impacts. In such cases a new cut-off date(s) will be established; (ii) an IOL will be established based on the census survey; (iii) updating entitlement matrix ensuring all new impacts and related losses are covered; (iv) disclosure of impacts and entitlements including incorporation of any suggestions from affected groups and communities; (v) the valuation of all affected assets will be undertaken and a budget will be prepared for payments of compensation; and (vi) the updated resettlement plans will be posted on ADB's website.

Preparing Resettlement Plan

27. The resettlement plan will be prepared based on the results of the census and information drawn from the baseline socio-economic sample survey. The database on displaced persons should be completed before resettlement plan preparation. It will include the results and findings of the census of displaced persons, and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, GRM, and results monitoring mechanisms. The socio-economic census would be designed to enable collecting socio-economic data and information of affected people. The resettlement plan will be disclosed to concerned stakeholders and their view incorporated in the plan.

28. The resettlement plans to be complied with the principles outlined in this agreed resettlement framework (A suggested outline for the plan is attached as Appendix-III). The plans will need to be approved by ADB prior to contract award and disbursement of compensation payments and entitlements will be made prior to displacement before the start of physical construction works.

D. ELIGIBILITY AND ENTITLEMENTS

29. The involuntary resettlement policy for the project will cover all affected persons irrespective of their title to land. Lack of legal documents for customary rights of occupancy/titles shall not affect eligibility for compensation. The Resettlement Framework stipulates payments of compensation as per the assessed value of the land and structure to the affected persons. In addition to compensation paid by the concerned DC, the affected persons will receive additional assistance in cash or kind to match replacement cost, which is the difference between the market value and the assessed value for lost assets (land, houses and trees), transaction costs such as stamps/registration costs (in case of purchase of replacement land) and other cash grants and resettlement assistance such as shifting and reconstruction grant, resettlement benefit for loss of workdays/income due to dislocation. Socio-economically vulnerable households namely: (i) those below the poverty line; (ii) landless; (iii) households headed by the elderly, women, and Indigenous Peoples; (iv) those without legal title to land; and (v) those losing more than 10% of income from acquisition will be given additional cash assistance for relocation.

30. Entitlement matrix (EM) is a compilation of eligibility and entitlement for each type of identified loss category. The matrix describes major types of losses attached to involuntary resettlement. In addition to the CCL, resettlement benefits as per the entitlement matrix will be provided to the affected persons. The matrix also includes provisions for any unanticipated impacts arising during or post project implementation. The mitigation measures in the matrix are consistent with ADB safeguard requirements. The eligibility for entitlement is limited by a cut-off date. (Detail entitlement matrix for the project included as Table below.

Table 2: Land Acquisition and Resettlement Entitlement Matrix

Type of loss	Entitled Person	Entitlement	Implementation Issues/ Guidelines	Organizational Responsibility
1. Agricultural & homestead land, including water bodies	Legal owner/s of land at the time of serving Notice u/s-4 of Land acquisition	1. Replacement cost ⁶ of land/water bodies	a) Assessment of type and quantity of land/water bodies by JVT b) Determination of replacement cost of land	a. DC, BWDB

⁶ In case DC's rates including premium is deemed adequate to PAVT, or otherwise the market rate to be ensured through top-up as compensation.

Type of loss	Entitled Person	Entitlement	Implementation Issues/ Guidelines	Organizational Responsibility
			and water bodies by PVAT though market survey c) Title upgrading ⁷	b. DC c. LAO Revenue Office d. APs
2. Developed Commercial Land (private land on which commercial structure has been constructed)	Legal owner/s of land at the time of serving Notice u/s-4 of Land Acquisition	1. Replacement cost of land	a. Assessment of land by JVT b. Determination of replacement cost of such lands PVAT though market survey c. Title upgrading	a. DC, BWDB b. DC, BWDB c. LAO Revenue Office, BWDB GRC d. APs
3. Share cropping land	Sharecroppers of the affected land	1. Replacement cost at market rate and 60 days advance notice to harvest standing seasonal crops. 2. Additional compensation for vulnerable households	a. Work schedule to allow harvesting prior to acquisition and avoid harvest season b. Vulnerable households to be identified during detailed measurement surveys conducted as part of the RP	a. DC, BWDB
4. Trees and Standing crops on private land	Legal owner/s of land at the time	1. Value of trees and perennial crops on land to be compensated at replacement cost.	a. Assessment of type, size and quantity of trees/perennial	a. DC, BWDB / DOF / DAE
5. Acquired	At the time of serving Notice u/s-4 of Land Acquisition	1. Acquired 2. Perennial standing crops be taken away by the APs for free without disturbing the project work	a. Standing crops valuation by JVT b. Value of trees and perennial standing crops determined by DOF and DAE	a. DC, BWDB / DOF / DAE
6. Trees and standing crops on public land within road alignment	a. Owners of trees/ standing crops on the ROW b. Users of trees crops particularly the poor & vulnerable on the ROW	1. Replacement cost at market rate for affected Share/value of trees and perennial standing crops within the road alignment 2. Perennial standing crops be taken away by the APs for free without disturbing the project works 3. Trees within the project/subproject alignments / areas	a. Ownership of trees determined by JVT b. Assessment of type, size and quantity of trees/Perennial standing crops by JVT c. Value of trees and perennial standing crops determined by DOF and DAE through market surveys Involve in tree plantation programs of the government and will continue to use remaining trees for their livelihood	a. DC, BWDB / DOF / DAE b. DC, BWDB / DPDOF / DAE c. DC, BWDB /DPDOF/DAE
7. Structure (dwelling, commercial or community)	Owners/s of the structure	1. Price of structure at replacement market cost without depreciation cost.	a. Ownership of structure determined by the JVT	a. DC, BWDB, PWD

⁷ Title Upgrading, refers to re-issue of a DPs title (free of taxes or fees) to reflect the changes in land ownership because of involuntary or voluntary acquisition.

Type of loss	Entitled Person	Entitlement	Implementation Issues/ Guidelines	Organizational Responsibility
structure) on private land acquired		2. Salvage structure materials be taken away by the APs for free without distributing the project work. 3. Shifting and reconstruction grants @ 10% of assessed value of structure	b. Type and quality determined by the JVT c. Value of structure determined by executing agency through market survey	b. DC, BWDB, PWD c. BWDB, PWD d. BWDB, PWD
8. Structure dwelling, commercial or community) on public land within road alignment	Owners/s of the structure	1. Shifting and reconstruction grant at the current market price/cost to shift and reconstruct the structure in other locations.	a. Ownership of structure determined by the JVT b. Type and quality determined by the JVT Value of structure determined by executing agency through market survey.	a. DC, BWDB, PWD b. DC, BWDB, PWD c. BWDB, PWD
9. Business/ rental income determined due to acquisition of commercial structure	Proprietor of the business 2. Owner of the commercial structure (if rented)	1. One month net income of business to the business proprietor 2. One month's rental income to the owner	a. Proprietor/owner of rented commercial structure identified by the JVT b. Business/ rental income assessed by market survey by PVAT.	a. DC, BWDB b. DC, BWDB
10. Wage employment diminished due to acquisition of commercial structure	1. Regular employees of the business	1. Three months wages	a. Identification of regular employees by the JVT b. Prevailing skilled and unskilled wage rates determine by PVAT	a. DC, BWDB b. DC, BWDB
11. Vulnerable, handicapped or losing more than 10% of their income due to acquisition	Head of the vulnerable households	Vulnerability assessment will follow the requirements under IR Policy Principle 2 and 5 under SPS. And Additional substance allowance will be ensured to restore their living conditions to pre-project level.	An extra amount of Tk 15,000 as additional substance allowance equals to average income of three months	a. BWDB/DC
12. Poor households to be displaced or losing more than 10% of their income due to acquisition	Head of the poor households affected due to the acquisition	Priority in income generation program or any other poverty reduction support from the project	a. An extra amount of Tk 10,000 as additional substance allowance equals to average income of two months b. Training and support for IGA Priority in the project civil works, if available	a. . BWDB / DC

AP=affected person, BWDB= Bangladesh Water Development Board, DAE=Department of Agriculture Extension, DC= Deputy Commissioner, DOF=Department of Fisheries, DPDOF= , GRC= Grievances Redress Committee, IGA=Income Generation Program, JVT=joint verification team, LAO = Land Acquisition officer, PVAT=Property Valuation Advisory Team, PWD=Public Works Department, ROW=right of way.

31. Lack of legal documents for customary rights of occupancy/titles shall not impede eligibility for compensation. The resettlement framework stipulates payments of compensation as per the

assessed value of the land and structure to the affected persons. In addition to compensation paid by the concerned deputy commissioner, the affected persons will receive additional assistance in cash or kind to match replacement cost, which is the difference between the market value and the assessed value for lost assets (land, houses and trees), transaction costs such as stamps/registration costs (in case of purchase of replacement land) and other cash grants and resettlement assistance such as shifting and reconstruction grant, resettlement benefit for loss of workdays/income due to dislocation. Socio-economically vulnerable households namely (i) WHHs without grown up male in the household, (ii) households below poverty line (BPL); and (iii) households headed by disabled, elderly people. These vulnerable groups will be provided with one-time cash allowance to assist them in improving their livelihoods. While the severely impacted households, those losing more than 10% of income from acquisition will be given additional cash assistance for relocation.

32. Table-3 above, provides the entitlement matrix for different types of losses and dislocation established through IOL. The matrix also includes provisions for any unanticipated impacts arising during or post project implementation. Compensation and other assistance will be paid to the affected persons prior to dislocation and dispossession from acquired assets to construction activities. The eligibility for entitlement is limited by a cut-off date.

D-1: Negotiated Settlement

33. Negotiated settlement of land refers to the process of acquiring land from private landowners willing to sell their property, paying them adequate and fair price and other incentives for the affected land and other assets. This implies that the landowners agree to sell lands on a “willing buyer-seller” basis, and not forced directly or indirectly to sell their lands, or at prices lower than the current market rates. This negotiation process involves meaningful consultation among the willing seller and buyer and full documentation of the consultation process. Based on ADB SPS⁸. In case of negotiated settlement, an independent external party⁹ will be engaged to document the negotiation and settlement processes. Such negotiation and settlement processes will be documented and verified by the assigned independent external party to be engaged by the project. The ADB SPS 2009 on involuntary resettlement does not apply to negotiated settlements unless expropriation would result in the failure of negotiations.

34. The entitlement matrix will be used to standardize calculation of compensation to the eligible project affected people. Nonetheless, a negotiated settlement will offer adequate and fair price for land and/or other assets. The principles of this resettlement framework with regards to meaningful consultation processes, mechanisms for calculating the replacement costs of land and other assets affected and record-keeping requirements, will be followed while handling negotiated settlement. If negotiation fails, the executing agency will acquire land following the national legislation and ADB SPS.

D-2: Land Donation

35. Voluntary donation of land usually involves the contribution by individual owners of land for a project that has community benefits through construction of different structural facilities such as road, embankments and related Flood Control Drainage and Irrigation (FCDI), bridges, school or health care facility etc. that are part of the community driven development. The basic

⁸ ADB Policy Paper, June 2009, Safeguard Policy Statement, Negotiated Land Acquisition, Appendix-II, page 48.

⁹ An independent external party is a person not involved in the day-to-day implementation of the project and can include, for example, a local university professor, local NGO representative, etc

idea is that the project benefits will realistically offset the size of the donated land. In the case of voluntary land donation, eminent domain or other powers of the state should not be involved in the acquisition. Therefore, voluntary land donation is not within the scope of the SPS-2009.

36. In case, land will be acquired for any subprojects from any community people/households as beneficiaries may voluntarily donate any land for the project activities. In that instance, the project will only consider voluntary donation for the community infrastructure component where only small amounts of land may be needed for community infrastructure improvements directly benefiting the affected households. In such cases, agreement should be reached with the community, users, or owners, who will be direct beneficiaries of the schemes in the presence of a third party to be engaged. The third party will be responsible to verify and ensure that there is no forced donation and the donation activities has been properly done and through meaningful consultation. The construction work will only be commenced after the land donated officially and transferred to BWDB.

37. Due diligence to be conducted by the project to avoid adverse impacts on affected persons due to land donation. The project should; (i) verify that the owner of the properties willing to donate in fact voluntarily. The voluntary donation did not result from coercion, using written records and confirmation through an independent third party such as a designated nongovernmental organization or legal authority; and (ii) ensure that voluntary donations do not severely affect the living standards of affected persons and benefit them directly. Verification of voluntary donation is required through an independent third party before award of contracts.

38. Voluntary donation of land by beneficiary households is acceptable where:

- (i) the impacts are marginal (more than 10% of total landholding donated will trigger livelihood restitution measures to be specified in a resettlement plan);
- (ii) impacts do not result in displacement of households or cause loss of household's incomes and livelihood;
- (iii) the households making voluntary donations are direct beneficiaries of the project;
- (iv) land donated is free from any dispute on ownership or any other encumbrances;
- (v) consultations with the affected households are conducted in a free and transparent manner;
- (vi) land transactions are supported by transfer of titles;
- (vii) proper documentation of consultation meetings, grievances and actions taken to address such grievances is maintained;
- (viii) to be ensured that no expropriation would result in the event of failure of voluntary land donation; and
- (ix) voluntary land donation will not result in physical relocation.

E. UNANTICIPATED IMPACTS

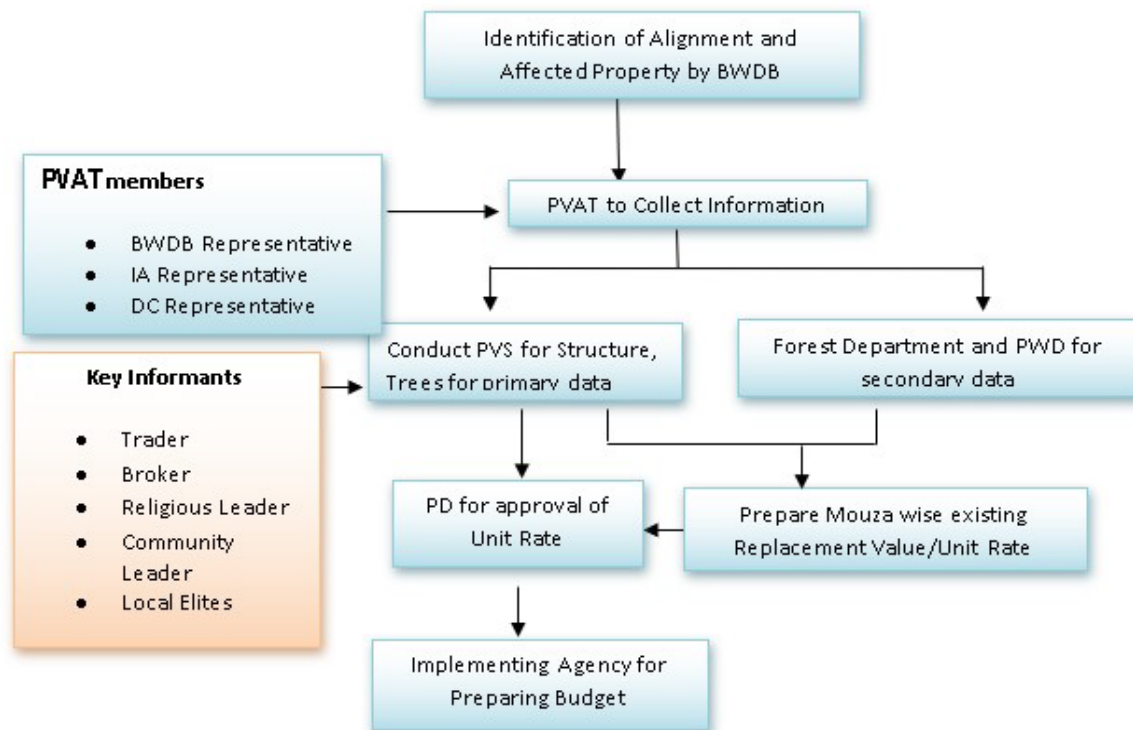
39. During implementation, any involuntary resettlement or land may suddenly be needed in the form of permanent or only for temporary impacts. In that instance, the affected persons should be compensated in accordance to the entitlement matrix described in this report. The PMO will carry out an assessment of the impacts through socio-economic surveys and mitigate losses using the entitlement matrix in this framework.

F. VALUATION OF ASSETS

40. The Deputy Commissioner follows the rules laid down in the “Acquisition and Requisition of Immovable Property Act of 2017” (ARIPA 2017) to determine market prices for assets like land, structures and trees/crops, with assistance from other departments such as Public Works Department for structures, Forest Department for trees, and Department of Agricultural Extension for crops.

41. Where (i) markets provide reliable information about process, and (ii) comparable assets or acceptable substitutes are available for purchase, replacement cost is equivalent to “market value” of the replacement land, plus any transaction costs (such as preparation, transfer, and registration fees and taxes).

42. If the market value is not available, to ensure that the affected persons can replace the lost property, a replacement cost will be provided as determined by a PVAT, which will be constituted by BWDB with (i) representative from BWDB - Convener (Sub-Divisional Engineer /Additional Engineer/equivalent officer); ii) representative from concerned Upazilla Nirbahi Officer (UNO.) – member; (iii) sub-assistant engineer from BWDB - member secretary), and (iv) representative of affected person. The resettlement consultant will provide all technical support to the PVAT to assess the market price through an independent agency and recommend the replacement cost of assets to the project director of the PMO for approval. BWDB will pay the difference between the approved replacement cost and the DC payments under the ARIPA 2017. In addition, affected persons will be allowed to take away reusable materials from their dismantled houses and shops. The procedure of property and assets valuation presented below in figure-2.

Figure 2: Procedure of Determining Valuation of Property

G. CONSULTATION AND DISCLOSURE

43. Consultation and disclosure were initiated at the project preparation stage. At the detailed design stage especially when Subproject Implementation Plan (SIP) prepared, a resettlement plan for each of the subprojects having involuntary resettlement impacts will be prepared, updated and implemented in close consultation with the stakeholders and will involve focus group discussions (FGDs) and meetings, particularly with the AHHs. In addition, a resettlement information brochure containing information on compensation and resettlement benefits will be made available in Bangla and distributed among the affected persons. Project design, impact and policies for mitigation of adverse social and environmental impacts will be disclosed to the influence area people particularly the affected persons. All affected persons will be provided with information regarding specific entitlements. This framework will be made available in local language(s) during the public meetings at the community level. Summary of the draft resettlement plans will be translated in Bangla and will also be made available at the Upazilla office and Union Parishad (local council). The resettlement plans will be disclosed on ADB's website, and the consultation will continue throughout the project implementation period.

H. GRIEVANCE REDRESS MECHANISM

44. BWDB will constitute necessary Resettlement Plan implementation committees such as Joint Verification Team (JVT),¹⁰ Property Valuation Advisory Team (PVAT), GRM and a Grievance

¹⁰ JVT will be constituted of: (i) Representative from BWDB–Convener (Sub-Divisional Engineer /Additional Engineer/Equivalent officer); (ii) Representative from concerned DC–Member; and (iii) Sub Assistant Engineer from BWDB–Member Secretary.

Redress Committee (GRC) under GRM to mitigate the complaints/grievances from affected persons during resettlement plan implementation activities ensuring stakeholder participation. A local GRC gazetted by the government, will be composed of: (i) representative from BWDB—Convener (Executive Engineer (Field)/Equivalent); (ii) Chairman concerned Union Parishad—Member; (iii) Representative from affected persons—Member; (iv) Sub-Assistant Engineer from BWDB—Member Secretary; and (v) resettlement specialist. The local GRC will be meeting all the aggrieved parties informally, as well as formally, to ensure speedy and out of court settlement of as many disputes as possible.

45. The GRM currently in place, which was established by the PMO for the ongoing loan will be continued to provide an avenue for affected persons to submit and obtain resolution for their complaint for the proposed 2nd additional financing project. There will be a local GRC in each subproject, with the team composition as follows: (i) representative from BWDB - convener (executive engineer (field)/equivalent); (ii) chairman of concerned Union Parishad – member; (iii) representative from the affected persons – member; (iv) sub-assistant engineer from BWDB - member secretary. The GRC will conduct a meeting regularly to ensure speedy and out-of-court settlement of as many disputes as possible. The local GRC shall review and resolve grievances within 1 month of receiving any complaints, and will maintain written records of all the appeals received. Minutes of all the meetings will also be duly recorded and maintained, and will also include dated photos of the consultations. Irrespective of the GRC decisions, an aggrieved person will be free to access the country's legal system at any stage of the GRM. In case of any discrepancies regarding quantities and/or quality of affected properties, the joint verification team (JVT) will make an assessment with necessary measures to satisfy the aggrieved persons.

I. INCOME AND LIVELIHOOD RESTORATION PROGRAM

46. As an income restoration measure, people affected by project schemes, will be offered priority to work on project-related employment, as applicable. Appropriate supporting measures will be provided and the PMO will require national contractors to employ displaced persons or their dependents/women on a priority basis in relevant opportunities. Employment in the project construction will be an added source of income in the income restoration processes of the affected persons.

47. The project will engage affected households with impact on income and livelihood including any identified vulnerable persons in livelihood skills development training programs to be initiated by the project. The executive engineers with support from the resettlement consultant to be recruited under the Construction Supervision Consultant firm will coordinate with the project team to ensure inclusion of vulnerable and affected persons in the livelihood skills programs to be implemented under the project.

48. A gender action plan (GAP) has been prepared to enable more participation of women and to empower women in the project areas therefore, women-affected people due to involuntary resettlement will also be included as target participants of activities under GAP.

J. INSTITUTIONAL ARRANGEMENTS

49. BWDB is the executing agency of the project. A PMO, headed by project director will implement the project. One of the executive engineers under the PMO will be responsible for the implementation of resettlement plan – disbursement of compensation and resettlement benefit with assistance of its staff (resettlement consultant). The principal functions of the field offices will be to facilitate land acquisition in case it is triggered and implement the resettlement plan with

assistance from resettlement consultant. The resettlement consultant with the help of field offices will perform monitoring and evaluation of the implementation of resettlement plans. She/he will create and manage resettlement databank on the progress implementing resettlement plans, and prepare quarterly monitoring report as part of the quarterly project progress report.

50. The resettlement consultant in the PMO will carry out the following specific tasks related to involuntary resettlement: (i) in case of Involuntary Resettlement impacts, support Executing agency in RP preparation and implementation; (ii) day-to-day management, supervision, monitoring of resettlement plan implementation work; (iii) ensure timely availability of budget for all activities; (iv) synchronize resettlement activity and handover land as per the construction schedule; (v) ensure consultation and documentation for each meeting and form necessary committees such as PVAT, JVT, assist the executive engineer as focal point for GRC; (vi) monitor the effectiveness of entitlement packages and payment modality vii) in case negotiated arrangements are agreed with the communities, ensure documentation according to guidance of ADB SPS 2009 and the Resettlement Framework. The resettlement consultant will screen all subproject (including its facilities) whether a resettlement plan will be needed, and prepare a plan if required. The resettlement consultant assisted by local engineer and local authority officer will undertake survey, consultation and other field works to prepare the resettlement plan. The resettlement consultant will also liaise with ADB Bangladesh Resident Mission (BRM) to ensure that PMO staff will be able to participate on training related with implementation of ADB safeguard policy.

51. The resettlement consultant will identify the project AHHs/business enterprises and individuals, processing their payment based on an IOL, established by DC and BWDB, and to assist BWDB in making payments to the affected persons for their resettlement related benefits. The Resettlement consultant assisted by local engineer and in close coordination with local authority will carry out an information campaign and involve affected persons, including women in the resettlement implementation processes. The resettlement consultant will also collect, collate, computerize and process data for identification of eligible persons correctly for resettlement benefits and assess their entitlements as per resettlement policy. Further, the resettlement consultant will assist or work with a variety of committees, such as PVAT, JVT and the local GRCs. Finally, the resettlement consultant in close coordination with local authority, affected person will also play an important role in ensuring that vulnerable groups, including woman headed households and persons with disabilities, are given special attention.

52. BWDB will form a JVT for the project through a gazette notification to compare and review the physical verification data collected, comprising a representative from BWDB – convener (Sub-Divisional Engineer /Additional Engineer /equivalent officer); a representative from concerned *Upazilla* – member; and a representative affected person – member secretary. The JVT will be approved by the Ministry of Water Resources. The JVT will determine the loss items and their owners, the entitled persons. These include users with title to the land as well as non-titled but socially recognized user. The scope and responsibility of the JVT will be clearly defined in the gazette. The resettlement consultant will process the entitlements of the project affected persons using the JVT data as one of the determinants.

Table 3- Institutional Responsibilities in Resettlement Process

Related Activates and Responsibilities	Responsibility
Design and reproduction of resettlement plan information brochures	BWDB (PMO)
Disclosure and public consultations	BWDB(PMO)

Formation of committees (JVT, PVAT, GRC)	BWDB
Selection of members of the JVT, PVAT and GRC	BWDB (PMO)
Design and carry out joint verification survey	DC/BWDB/JVT
Market survey on prices of affected structure	PVAT
Establishment of unit prices	PVAT
Processing the joint verification survey data of displaced persons	BWDB (PMO)
Assessing AHHs and vulnerable displaced persons to be relocated	BWDB(PMO)
Determination of entitlements and consultations with individual displaced persons	BWDB(PMO)
Disclosure of the resettlement plan to the displaced persons and stakeholders	BWDB(PMO)
Mobilization of GRC	BWDB(PMO)
Establishment of internal monitoring	BWDB(PMO)
Budget approval for compensation and resettlement benefits	BWDB
Release of funds for payment of compensation/resettlement benefits	BWDB(PMO)
Payment of compensation/resettlement benefits	BWDB(PMO)
Filing and resolution of complaints of displaced persons	BWDB(PMO)/GRC
Confirmation of "No Objection" for the award of civil works contract	ADB
livelihood restoration assistance	BWDB(PMO)
internal monitoring and evaluation	BWDB(PMO)

K. BUDGET

53. Each resettlement plan should have budget to implement the plan that will include the following information: (i) detailed costs of land acquisition, relocation, resettlement compensation, public consultations, and grievance redress; (ii) source of funding; (iii) administrative costs; (iv) monitoring cost; (v) cost of hiring consultants; and (vi) arrangement for approval, and the flow of funds and contingency arrangements. The land acquisition, compensation, relocation and rehabilitation, administrative, monitoring and consultant cost, income and livelihood restoration value will be considered as an integral component of project costs. If there is any other additional cost, the same will be included in the project budget so to ensure timely disbursement of funds for payment to the affected households and individuals.

54. The payment of resettlement compensation and other allowances associated with involuntary resettlement, under the law will be transferred to the concerned Deputy Commissioner's account. The fund for payment of CCL for implementing resettlement plan will be from the government. In case, the fund will be from ADB loan, a special procedure will be developed to ensure its compliance with ADB's disbursement requirements.

L. MONITORING AND EVALUATION

55. The existing monitoring and evaluation report under the ongoing loan will be employed continually. The PMO resettlement consultant, with the assistance of field level engineer will regularly monitor the compensation payment. All data related to involuntary resettlement will be kept systematically. The PMO will develop data management on the following: (i) identity of affected person from each subproject, and based on census data presented in the resettlement plan or updated Resettlement Plan; (ii) data on affected people receive compensation – whom

and when; (iii) record copy receipt, and (iv) also data if any grievance or complaint is submitted, complainants, when and how grievance is resolved. This all information will be treated as data bank related with resettlement plan. The data bank will act as the key source of information for implementation, monitoring and evaluation purposes. These automated files will reflect all the identified losses, all the entitlement, the entitlements paid and the amount pending. There will be a computerized resettlement Management Information System which will enhance the institutional capacity of both BWDB in involuntary resettlement LAR management for the project.

56. Resettlement plan implementation will be supervised and monitored by the resettlement consultant of the PMO through ISPMC Resettlement Specialist in coordination with concerned field division Offices. The monitoring will be done both internally and externally to provide feedback to BWDB and to assess the effectiveness of the resettlement policy and implementation. The ISPMC will also assist in conducting regular monitoring of the resettlement plan implementation.

57. The PMO will submit the following monitoring report on resettlement plan implementation: (i) quarterly report on progress implementation as part of quarterly project progress report. (ii) semi-annual report for overall resettlement plan and resettlement framework implementations, and (iii) when the resettlement plan is fully implemented, compliance report will be submitted to ADB. This report will include assessment on achieving the objective of Resettlement Plan and Resettlement Framework. All the monitoring reports on involuntary resettlement will be disclosed in ADB website.

APPENDIXES:

Appendix-I: Involuntary Resettlement Screening format/checklists for subproject categorization

1. The following checklist helps screen a project to identify its potential resettlement impacts. Any one “Yes” answer will lead the requirement to prepare Resettlement Plan.

No	Screening Questions	YES	NO
i	Will the subproject will require land		
ii	Will the project's Involuntary Resettlement impacts be permanent or temporary?		
iii	Will land acquisition impact on tenants, sharecroppers, leaseholders, encroachers, squatters?		
iv	If state land is acquired, would it affect traditional claims over the land of people?		
v	If state land is acquired, are there any squatters, encroachers or informal settlers?		
vi	Are there any houses, structures, trees and crops that will be affected?		

2. How much land is expected to be acquired? (estimate):
3. How many persons and households are estimated to be affected?

Appendix-II Guidelines on General Implementation

The entitlement matrix presented in the report describes potential types of losses attached to land acquisition and resettlement. If any sub-project involves physical displacement, the Project will assist the affected persons in clustered relocations with community facilities or, alternatively, in self-relocation. Affected persons may be relocated to BWDB land (if available) or to plots purchased (by the affected persons) for which assistance is provided in the form of homestead land development. In addition to the CCL, the following guidelines will be applicable for payment of Resettlement Benefits to the affected persons. .

Guidelines on General Implementation:	
1. PVAT	BWDB will setup a Property Valuation Advisory Team (PVAT) at the BWDB Division level. The tasks of this PVAT are: a) Recommend Resettlement Cost based on Current Market price (CMP) analysis for Land, Structures, Trees and standing Crops and CMP will be assessed for every affected mauza b) In case of Land averaging (i) minimum approved price of land available at respective Sub-registrars' offices, (ii) reported price, and (iii) transacted price of land at those <i>mouzas</i> (CMP should not be less than minimum approved price of land). Resettlement Cost will be obtained by adding the titling cost prorated on the CMP thus obtained (Resettlement Cost=CMP+CMPx$a\%$, where 'a' is the rate of applicable registration cost for purchasing the land for CMP equivalent amount of money). c) For all private land, the market price will be enhanced by 200% for compensation under law (CCL). For <i>khas</i> land (DC is the owner at respective districts on behalf of the government), CCL will be the assessed market price without 200% enhancement. d) Resettlement Cost for structure considering the cost of materials, labor inputs and land development cost at current market rates. e) Resettlement Cost will be approved by the Project Director.
2. Resettlement Consultant	The Resettlement Consultant will responsible to: a) Identify all persons who have interest in the lands that will be acquired under the project (owner, tenants, operators etc.; b) identify all informal occupier/ settler on the right of way of new embankment, rehabilitation embankment and RBP works; c) Make the landowners / tenant/ informal occupier aware about details of land acquisition process, compensation entitlement, payment procedure/ mechanism, resettlement benefit offered by the project. d) To check Legal owners and to organize legal documents in support of their ownership e) identify loss and entitlement of women owners and co-sharers through share determination at the field upon receipt of payment data from the DC office f) inform the affected persons of the details of the land acquisition and compensation process, resettlement g) package and payment procedure.

3. JVT

- a) The loss inventory items and quantities as well as the Entitled Persons (EP) shall be verified in the field through Joint Verification Team (JVT) formed by BWDB. The members of PVAT will attend field verification by JVT.
- b) The JVT will verify the socially recognized User as identified by the Census
- c) BWDB field office (Executive Engineer) will do Title updating for usufruct and other rights before issuance of notice with assistance from local authorities
- d) DC will pay CCL for the Loss Items. If Resettlement Cost is higher than CCL, the difference will be paid by BWDB with assistance from local authorities.

4. Compensation for Structures:

- a) Joint Verification (DC and BWDB) and/or Census will identify (record floor areas and category) of structure
- b) Compensation must be paid before Affected Person dismantle and remove the structures as per civil works requirement
- c) The date of service of notice will be recognized as the cut-off date for structures not recognized by DC. In case of major differences identified between databases, BWDB will verify the data through the Joint Verification Team (JVT).
- d) The owner is allowed to take all salvageable material

Appendix-III: Outline of a Resettlement Plan

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

A. Executive Summary

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

B. Project Description

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

C. Scope of Land Acquisition and Resettlement

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

D. Socioeconomic Information and Profile

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including: (i) define, identify, and enumerate the people and communities to be affected; (ii) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account; (iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and (iv) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation, and Participation

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

F. Grievance Redress Mechanisms

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

G. Legal Framework

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

H. Entitlements, Assistance and Benefits

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

I. Relocation of Housing and Settlements

This section: describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified); (ii) describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs; (iii) provides timetables for site preparation and transfer; describes the legal arrangements to regularize tenure and transfer titles to resettled persons; (v) outlines measures to assist displaced persons with their transfer and establishment at new sites; (vi) describes plans to provide civic infrastructure; and (vii) explains how integration with host populations will be carried out.

J. Income Restoration and Rehabilitation

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

K. Resettlement Budget and Financing Plan

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

L. Institutional Arrangements

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

M. Implementation Schedule

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

N. Monitoring and Reporting

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