

**Government of the People's Republic of Bangladesh**



**Bangladesh Water Development Board**

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**Flood and Riverbank Erosion  
Risk Management Investment Program  
Project-2**

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**ADB Loan Number 4107- BAN (COL) & GoN Grant 0799-BAN (EF)**

**Semi-annual Social Safeguards Monitoring Report  
Period: July - December 2023**



## **Abbreviations and Acronyms**

ADB	:	Asian Development Bank
AHH	:	Affected Household
AP	:	Affected Person
ARIPA	:	Acquisition and Requisition of Immovable Property Act
BWDB	:	Bangladesh Water Development Board
CRO	:	Chief Resettlement Officer
CPR	:	Common Property Resource
CSRN	:	Consulting Service Recruitment Notice (CSRN)
DC	:	Deputy Commissioner
DDM	:	Department of Disaster Management
DLAC	:	District Land Acquisition Committee
DPP	:	Development Project Proforma
FGD	:	Focus Group Discussion
FHH	:	Female Headed Household
FRERMIP	:	Flood and Riverbank Erosion Risk Management Investment Program
GoB	:	Government of Bangladesh
GoN	:	Government of Netherlands
GRC	:	Grievance Redress Committee
HH	:	Household
INGO	:	Implementing Non-Government Organization
ISPMC	:	Institutional Strengthening and Project Management Consultant
JVT	:	Joint Verification Team
LAP	:	Land Acquisition Plan
LR	:	Livelihood Restoration
MFF	:	Multi-tranche Financing Facility
MIS	:	Management Information System
MoWR	:	Ministry of Water Resources
NGO	:	Non-Government Organization
PAM	:	Project Administration Manual
PD	:	Project Director
PMO	:	Project Management Office
PVAT	:	Property Valuation Advisory Team
RF	:	Resettlement Framework
RP	:	Resettlement Planning
SMO	:	Sub-Project Management Office
SPS	:	Safeguard Policy Statement

## Glossary of Terms

**Affected Person (AP):** includes any person, affected households (AHs), firms or private institutions who, on account of changes that result from the project will have their (i) standard of living adversely affected; (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing land), water resources, or any other movable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with physical or economic displacement

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

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

**Entitlement:** means 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 AHHs, depending on the type and degree /nature of their losses, to restore their social and economic base

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

**Inventory of losses:** mean the pre-appraisal inventory of assets as a preliminary record of affected or lost assets

**Project:** Flood and Riverbank Erosion Risk Management Investment Program (FRERMIP)-Project-2 Project funded jointly by Asian Development Bank (ADB) and Government of Netherlands.

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

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

**Resettlement:** means mitigation of all the impacts associated with land acquisition including restriction of access to, or use of land, acquisition of assets, or impacts on income generation because of land acquisition

**Structures:** mean all buildings including primary and secondary structures including houses and ancillary buildings, commercial enterprises, living quarters, community facilities and infrastructures, shops, businesses, fences, and walls, tube wells latrines etc.

**Vulnerable Person:** The vulnerable group/persons may include (i) persons below nationally defined poverty line; (ii) indigenous people or adibasis; (iii) poor women-headed households; (iv) landless and marginal farmers; (v) people with disability (vi) elderly; (vii) people without legal title to land; (viii) any other groups or persons found to be disproportionately affected by project impacts.

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## Executive Summary

After the successful completion of the Tranche-1 project (Project 1) of the Flood and Riverbank Erosion Risk Management Investment Program (FRERMIP) under the Multi-tranche Financing Facility (MFF) agreement between the Government of Bangladesh (GoB) and the Asian Development Bank (ADB) that started in July 2014, the Tranche-2 project (Project-2) has been approved by ADB and the loan became effective in April 2022. The associated Resettlement Framework was prepared in May 2021<sup>1</sup>.

The Bangladesh Water Development Board (BWDB) is the executing agency of the project under the Ministry of Water Resources of GoB. The Department of Disaster Management (DDM) under the Ministry of Disaster Management and Relief is the implementing agency for community-based flood risk management activities. The MFF availability period and Project 2 both end on 26 June 2024. Project 2 has a total cost estimated at \$212.8 million (reduced to \$182.8 million after partial loan cancellation of \$30.0 million) and applies the same technologies and methodologies developed under Project 1, except for minor improvements that consider the actual site conditions, such as latest erosion and river morphology, and lessons learned from Project 1. The structural measures under Project 2 consist of:

- (i) 51.52 km of riverbank protection with innovative technologies
- (ii) 2.53 km of climate-resilient flood embankment.
- (iii) 20.94 km of strengthening of underwater riverbank protection works following an adaptive approach.

A Resettlement Framework (RF) had been developed during project preparation in concurrence with ADB and approved by Government of Bangladesh<sup>2</sup>. The primary objective of the RF is to provide guidance in:

- i) project resettlement planning on policy and entitlements.
- ii) resettlement planning for possible project impacts.
- iii) resettlement planning for any unanticipated impacts, particularly during project construction.

The Project Management Office (PMO) has approved the ISPMC to carry out the update of the resettlement plan for the 830 meters reach of proposed embankment at Shahjadpur which needs land acquisition and resettlement. The RP is in the verge of finalization by the project and ADB (already approved by ADB on 29 January 2024). Some key findings of the survey are provided below with details in the main report:

- Land acquisition for construction of river embankment spanning 830 meters in Shahjadpur will affect 129 households with 645 affected persons, 1,572 structures and 9,717 trees.
- Based on the update RP survey and considering current price, the draft budget for RP implementation is estimated to be Tk 653,893,789 or about \$5,944,489.

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<sup>1</sup> The resettlement framework is under <https://www.adb.org/projects/documents/ban-44167-015-rf>, a draft resettlement plan is under <https://www.adb.org/projects/documents/ban-44167-015-rp-0> and other related documents are under <https://www.adb.org/projects/44167-015/main>

<sup>2</sup> The RF was approved by GoB on 24th January 2023 via Letter 42.00.0000.035.14.029.22.4

The reduced alignment width and subsequent changes in the RP has resulted in changes in the terms of reference for the implementing NGO. It is to be noted that the Consulting Service Recruitment Notice (CSRN) for the same was advertised in ADB's website on 5<sup>th</sup> July 2023 and the NGO is expected to be in place by February 2024.

Moreover, the individual consultant for external monitoring of social safeguards under package C-17 has been engaged. The grievance redress committee has been formed at the project and sub-project levels.

In conclusion, the priority activities for the on-going project 2 would be to:

- Ensure timely procurement of RP-INGO to implement resettlement and livelihood restoration activities before commencement of construction works.
- Ensure timely processing of the Demand Notice for Resettlements Funds in order that the Land Acquisition can be implemented as soon as possible within the fiscal year 2023-2024.

# 1. Introduction

## 1.1 Project Background

The Flood and Riverbank Erosion Risk Management Investment Program (FRERMIP) is financed by the Asian Development Bank (ADB), Government of The Netherlands (GoN), and GoB. The Bangladesh Water Development Board (BWDB) is the executing agency. The DDM under the Ministry of Disaster Management and Relief is the implementing agency for community-based flood risk management activities. The investment program is to be financed through an MFF. The MFF provides loan amounts of up to a maximum of \$255 million; further financing is provided by the GoB and GoN. The investment program total cost is approximately \$480 million. The objectives of the program are to:

- sustain economic growth, poverty reduction and livelihoods of people, living in the areas threatened by riverbank erosion
- enhance resilience to flood and riverbank erosion risks through strengthening the flood and riverbank erosion management system, including the knowledge base and underlying institutions
- establish integrated non-structural and structural risk management measures at priority erosion sites and addressing their sustainability

The investment program was designed to be implemented over nine years and financed in three tranches. Due to implementation delays experienced under Project 1 and preparation of the subsequent tranches, which have been exacerbated by COVID-19 induced lockdowns, the government proposed to: (i) combine the remaining tranches into a single and final tranche (hereinafter known as Project 2), and (ii) to extend the MFF availability period until 26 June 2024. The Government Development Project Proforma (DPP) however, ends in June 2025, providing one more year of project implementation period, albeit from Government financing<sup>3</sup>.

## 1.2 Project 2 Interventions

Proposed structural interventions under Project-2 fall into three categories:

- (i) riverbank protection
- (ii) construction / reconstruction of flood embankments
- (iii) drainage sluices

The works under Project 2 are a continuation of those under Project 1, which will continue the actions of the road map of the Framework Financing Agreement (FFA) of the MFF by integrating the long-term stabilization approach beyond emergency response to critical erosion and introducing suitable measures for more systematic river stabilization to result in a more stable river corridor. The major construction work under FRERMIP Project-2 under five sub-projects are:

- (i) 51.52 km of riverbank protection with innovative technologies
- (ii) 830 m of climate-resilient flood embankment.

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<sup>3</sup> The loan agreement states in Schedule 4, Clause 11: 'The Borrower agrees that, should any Project activities remain uncompleted prior to the conclusion of the availability of the Facility, it shall make available to BWDB on a timely basis all necessary funds and other resources to ensure completion of the Project activities and achievement of the Project objectives.'



- (iii) two regulators to improve drainage and river-floodplain connectivity.
- (iv) 20.94 km of strengthening of underwater riverbank protection works following an adaptive approach.

Project 2 will apply the same technologies and methodologies as developed during Project 1, except for minor improvements that consider the actual site conditions, such as latest erosion and river morphology, and lessons learned from Project 1. Importantly, Project-2 applies a different approach to construction as a lesson learned from the Project-1 (Tranche-1) project and comply with the Loan Agreement, Schedule 4, Section 6, which states:

*'The Borrower shall ensure, or cause BWDB to ensure, that no Works contract is awarded which involves involuntary resettlement impacts until the Borrower has caused BWDB to prepare and submit to ADB the final version of the relevant RP based on the detailed design for the activities to be implemented in the relevant Subproject area and obtain ADB's clearance of such RP.'*

A Resettlement Framework (RF) for FRERMIP was originally formulated and adopted in 2014 following SPS 2009 and Bangladesh legal and policy framework and subsequently revised in 2018 for Tranche 1. The RF was updated for Project 2 in May 2021<sup>4</sup> and the RP based on the 2021 updated version has been prepared to guide, screen, categorize, prepare, and implement the respective sub-project resettlement plans under Project 2 in accordance with the legal and policy framework of GoB, and ADB's SPS (2009).

To clearly define the resettlement requirements, the contract for underwater works (below low water level or 'deluvion') and above water works (requiring land acquisition as part of the 'alluvion' or floodplain) are separated into different packages. This allows protecting the underwater part, including providing temporary wave protection along the existing bank line above low water level to stop the ongoing erosion process first, while providing the time to complete land acquisition and resettlement before constructing the above water protection, which requires to work on an approximately 25-30 meter-wide strip of the floodplain bordering the river.

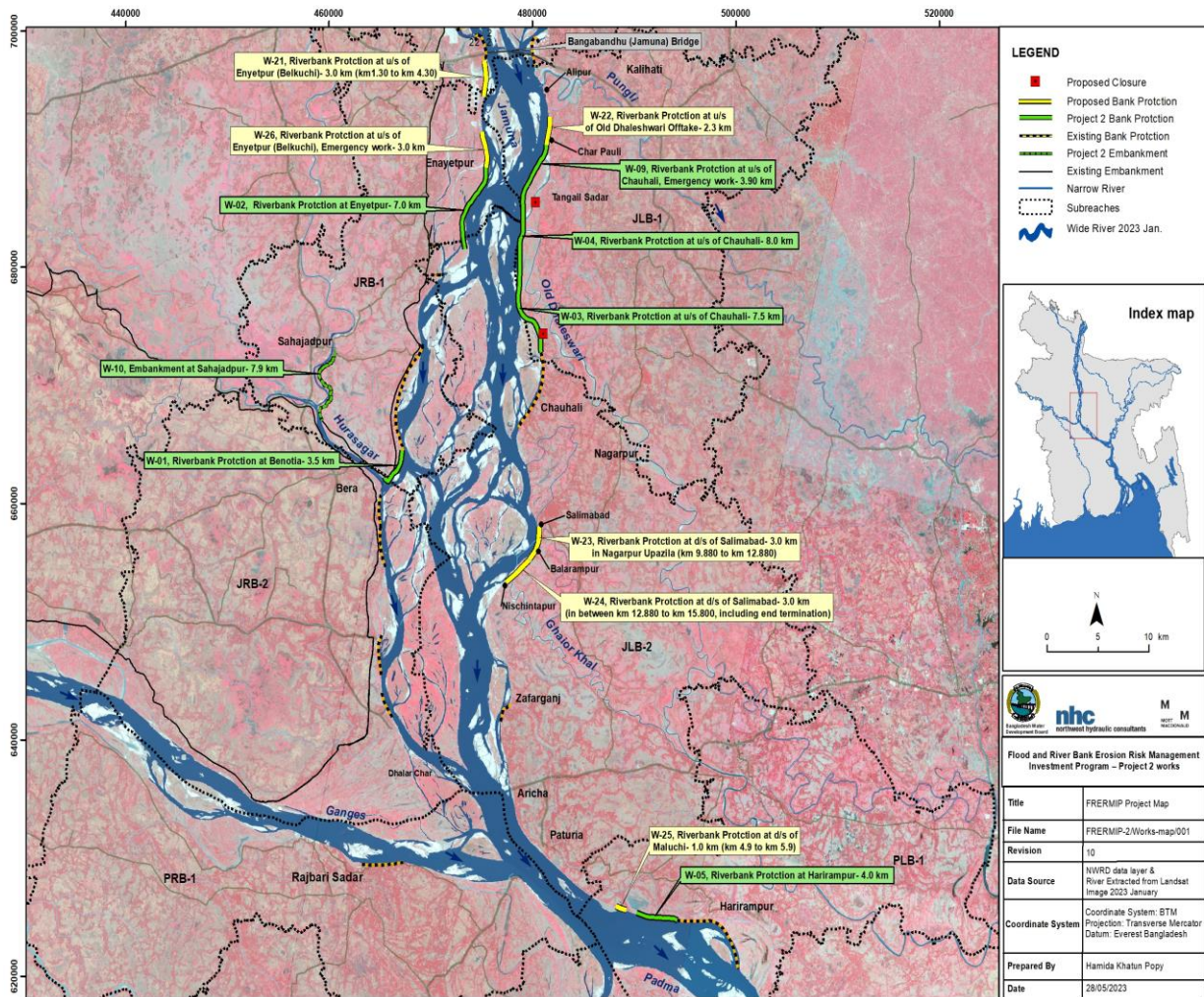
### **1.3 FRERMIP Location and Area**

The investment program is the follow-on project of the Jamuna-Meghna River Erosion Mitigation Project (JMREMP). It aims to sustain incomes and livelihoods of people living along the three main rivers of Bangladesh—the Jamuna, the Ganges, and the Padma. The planned and on-going work sites are shown in Map 1 below.

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<sup>4</sup> The RF was approved by GoB on 24th January 2023 via Letter 42.00.0000.035.14.029.22.4

**Map 1: Locations of ongoing and proposed interventions**



#### 1.4 Project Implementation Arrangements

A Project Management Office (PMO) integrated into BWDB administration has been set up, headed by a Project Director (PD) who is a Superintending Engineer or an Additional Chief Engineer (with powers like the zonal Chief Engineer); supported by two Superintending Engineers as per Project Administrative Manual (PAM) whereas approved post as per DPP is one only. The PMO will be converted to the proposed office of the Chief Engineer River Management and River Management Wing. It must be noted that the position of Chief Engineer (CE) has been filled by the BWDB. The office of the CE has seven staff including three female staff. The River Management Wing will be responsible for national river management activities such as char reclamation and materials procurement and strategic stockpiling, and for implementing works through existing zonal divisions (whose staff levels will be increased) that already construct embankments and revetments. In addition to the PMO in Dhaka, sub-project management offices (SMO) have been established in the divisional offices located in the project sites areas of Koitala, Tangail and Manikganj. In addition to the PD and the two Superintending Engineers, the PMO is expected to be staffed with four Executive Engineers (as per PAM but two as per DPP approved), two Sub-

Divisional Engineers and two Assistant Engineers. All PMO staffs work full time on the project.

Three SMOs, each headed by an Executive Engineer supported by one Sub-Divisional engineer, one Assistant Engineer, and Sub-assistant Engineers are to assist PMO in implementing resettlement activities of the Project. A Resettlement Plan Implementation Non-Governmental Organization (RP-INGO) engagement is under process for the 830 meters of climate-resilient flood embankment to be constructed under Project 2 in Shahjadpur. The PD of PMO, implements the RP with the appointed RP-INGO and monitors implementation through the ISPMC. The livelihood restoration activities for the affected households were to be implemented by engaging a firm for carrying out related skill training activities.

## **2. Social Safeguard Policies**

### **2.1 Resettlement Framework (RF) and Entitlement Matrix**

A Resettlement Framework (RF)<sup>5</sup> had been prepared during PPTA study including an “Entitlement Matrix” (*Annex-I*) compiling the requirements stated in Project Administration Manual (PAM) of ADB. Revised RF has been prepared in concurrence with ADB and approved by Ministry of Water Resources (MoWR)<sup>6</sup>. This ensured the resettlement needs of the project following the procedures for involuntary resettlement in compliance with GoB applicable laws and regulations and existing ADB SPS 2009. The identification of the affected populations and consultations will be conducted as a routine activity of local people consultation process, mainly by the engaged INGO, in cooperation with the officials of BWDB and other relevant government agencies. The Resettlement Specialists of the ISPMC team will assist systematically in all cases.

The Deputy Commissioner (DC) will pay compensation of the affected people under CCL following the Land Acquisition Act 2017. The ADB has its own integrated safeguard policy statement (SPS) to minimize displacement and require time-bound action plans with measures to restore or improve livelihood and income of those affected people by development projects. Since the LA ordinance 1982 and Act 2017 falls short of the requirements of the ADB’s safeguard policies in some respects, the project land acquisition and resettlement policies have been harmonized with ADB’s SPS. To do so, the RF sets out the policies and procedures to be adopted by BWDB for revising and updating any RPs during project implementation. The RF stipulates payments of compensation as per the assessed value of the land and structure to the affected persons (APs). In addition to compensation paid by the concerned DC, the APs will receive:

- additional assistance in cash or kind to match replacement cost (RC) 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)

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<sup>5</sup> <https://www.adb.org/projects/documents/ban-44167-015-rf>

<sup>6</sup> The RF was approved by GoB on 24th January 2023 via Letter 42.00.0000.035.14.029.22.4

- other cash grants and resettlement assistance such as shifting and reconstruction grant, resettlement benefit for loss of work - days / income due to dislocation.

Socio-economically vulnerable households namely, female-headed households (without grown up male in the household), households below poverty line, households headed by disabled, elderly and those losing more than 10% of income from acquisition will be given additional cash assistance for relocation. The detailed entitlement matrix is annexed at the end of this report.

## 2.2 Land Acquisition

The Land Acquisition process is one aspect besides the resettlement process and complex in nature in terms of following the administrative procedures from the beginning to the end. Several mandatory steps are required to complete the Land Acquisition process involving the District Land Acquisition Committee (DLAC) administered by DC in line with the Land Acquisition Acts 1982 and LA Act, 2017 of the GoB. A flow chart of different steps in the LA process that need to be chronologically followed is given below:

Figure 1: Land Acquisition Flow Chart

<b>Stage 1</b>	Finding suitable land at various locations for project purposes subsequently submit the proposal to the Ministry by MoWR	➔	Reconnaissance Survey
<b>Stage 2</b>	Administrative Approval given by the Ministry	➔	From Govt. (Ministry of Water Resources) through BWDB
<b>Stage 3</b>	Plot wise Topographic survey	➔	By Surveyors
<b>Stage 4</b>	Preparation of Mouza-wise maps and proposals for Land Acquisition	➔	Mouza (area)-wise map
<b>Stage 5</b>	Submission of proposals to D.C through BWDB	➔	BWDB to D.C
<b>Stage 6</b>	Review by D.C	➔	Proposal Review
<b>Stage 7</b>	Feasibility Study by D.C Office	➔	Field Visit
<b>Stage 8</b>	DLAC Meeting and Approval	➔	District Land Allocation Committee meeting to approve or reject
<b>Stage 9</b>	File LA Cases and Issue Notice under Section 4	➔	Notice under section 4 of the Acquisition and Requisition of Immovable Property Act/2017
<b>Stage 10</b>	Joint field verification	➔	By D.C and BWDB
<b>Stage 11</b>	Objection hearing – under Section-5 if objection is raised	➔	From affected landowner within 15 days period
<b>Stage 12</b>	Preparation of estimate and approval	➔	Sent to the div. commissioner if any objection in case of above 50 bighas (16.5 ac)
<b>Stage 13</b>	Sent to the Prime Minister through Ministry of Land for approval in case above 50 bighas (16.5ac) – 30 days	➔	Goes back to D.C after approval
<b>Stage 14</b>	Notice Under Section -7	➔	2nd Notice to landowners
<b>Stage 15</b>	Land value and compensation data collection	➔	Done locally by D.C / government
<b>Stage 16</b>	Preparation of estimate and approval	➔	Documentation sent to D.C office
<b>Stage 17</b>	Demand Notice for Fund	➔	D.C to BWDB and payment based on BWDB approval Stage 18 Fund Placement
<b>Stage 18</b>	Fund Placement	➔	Payment to D.C by issuing Demand Draft
<b>Stage 19</b>	Fund Collection and preparation of award	➔	Done by D.C office
<b>Stage 20</b>	Notice Section 8- 3rd and final Notice to landowners	➔	3rd and final Notice to landowners
<b>Stage 21</b>	Start payment by D.C (10 days) to Landowners & Possession Hand over -6 days	➔	Land possession handover to BWDB by D.C then BWDB to user department
<b>Stage 22</b>	Gazette Notification – by DC under 90 days	➔	Done afterwards through D.C
<b>Stage 23</b>	Mutation – no time frame	➔	To mutate land in the name of BWDB, then yearly Government Land Development Tax is to be paid by BWDB

## **2.3 Relevant Government Orders**

The GoB will form three different committees and issue office orders regarding composition and tasks of these committees for implementing the RPs. The teams will be constituted as follows:

- 1) Joint Verification Team (JVT)
- 2) Property Valuation Advisory Team (PVAT)
- 3) Grievance Redress Committee (GRC)

### **Joint Verification Team (JVT)**

BWDB will form a Joint Verification Team (JVT) for the FRERMIP project through a notification after identification of the PAPs through a survey by the implementing NGO. The team will compare and review the physical verification data collected by the RP-INGO along with the DCs' assessment of losses of physical assets and their owners. The JVT will conduct property assessment and evaluation and both the JVT and the concerned party will sign the verification record. Disputes on property rights will be recorded. The RP-INGO will process the entitlements of the project-affected persons using the JVT data as one of the determinants. The JVT has been constituted as follows:

- a) Convener: Representative of BWDB (Sub-Divisional Engineer/Assistant Engineer or equivalent officer)
- b) Member: Representative of concerned Deputy Commissioner
- c) Member-Secretary: Representative of RP-INGO recruited by BWDB (Deputy Team Leader, Area Manager, or equivalent Officer of INGO/Specialist)

### **Property Valuation Advisory Team (PVAT)**

The PVAT will review the assessment of the market price of the property affected by the project and the replacement cost. The Implementing Agency will process the entitlements of the project-affected persons using the PVAT data as one of the determinants. The PVAT will be formed as follows:

- a) Convener: Representative of BWDB (Sub-Divisional Engineer/Assistant Engineer or equivalent Officer)
- b) Member: Representative of concerned Deputy Commissioner, Representative of RP-INGO recruited by BWDB (Deputy Team Leader, Area Manager or equivalent Officer of RP-INGO) with option for representative by co-opting with the Departments of Agriculture, Forestry, Finance and Public Works Department
- c) Member-Secretary: Sub-Assistant Engineer, concerned SMO

### **Grievance Redress Committee (GRC)**

GRCs will be formed at local level for any grievances involving resettlement benefits, relocation, and other assistance. The local GRC shall review and resolve grievances within ten days of receiving any complaints and will maintain written records of all the appeals received. 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 APs—Member

- (iv) Representative of RP-INGO recruited by BWDB (Deputy Team Leader, Area Manager or equivalent Officer of RP-INGO) and
- (v) Sub Assistant Engineer from BWDB–Member Secretary

## **2.4 Income and Livelihood Restoration Program (ILRP)**

In addition to the compensation to be paid to APs, vulnerable groups will receive other support and get preference, for income restoration assistance<sup>7</sup>. This will be through linking resettlement activities with gender and livelihood component of the project as the formation of community groups operating livelihood support programs. The livelihood program will target heads and members of the affected households to receive on-site trainings and residential trainings. A single NGO will be engaged for both the RP and LR implementation for Shahjadpur.

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<sup>7</sup> The Loan Agreement, Schedule 4, Clause 15 states: ‘... the Borrower shall ensure, or cause BWDB to ensure, that no physical or economic displacement takes place in a Subproject area until: (a) ... (b) a comprehensive income and livelihood program has been established in accordance with the relevant RP.’

### **3. Status of Institutional Structure for Implementation of Safeguards**

#### **3.1 Engagement of Institutional Strengthening and Project Management Consultant (ISPMC)**

Since contract signing on 21 August 2022, the Institutional Strengthening and Project Management Consultant (ISPMC) is providing consultancy services to support project implementation in a variety of ways, including the services of a specialist to conduct resettlement monitoring, planning and management to support the PMO.

#### **3.2 Engagement of Implementing NGO**

In November 2022, the PMO advertised the tender for package C-10: Consulting Services for Resettlement Solution through NGO. As mentioned earlier, during the ADB Mid-term review mission visit in May 2023 that since the RP NGO is yet to be engaged, the scope will be combined with that of the LR activities for Shahjadpur and hence a single NGO will be engaged for both the RP and LR for Shahjadpur. It is to be noted that the Consulting Service Recruitment Notice (CSRN) for this package with updated scope of works was advertised in ADB's website on 5<sup>th</sup> July 2023 with the last date for submission of proposal as 19<sup>th</sup> July, 2023. The RFP has already been issued to the 1<sup>st</sup> ranked NGO. The NGO is expected to be in place by February 2024.

#### **3.3 Engagement of External Social Safeguards Monitor**

The individual consultant for External Monitoring of Social Safeguards has been contracted on 9 January 2024 and he started his assignment on the same day.

#### **3.4 Formation of JVT, PVAT and GRC for the project area with land acquisition and resettlement**

Once awarded, the RP-INGO will participate as a member of the JVT, PVAT and GRC; until the RP-INGO is on-boarded these committees cannot yet be formed.

#### **3.5 Grievance Redress Committee (GRC)**

A circular dated 16<sup>th</sup> November 2023 has been issued by the BWDB notifying the formation of the GRCs at the PMO and SMO levels to review and resolve environmental and social grievances arising out of project interventions. This GRC is working for all the project areas except the area required land acquisition and resettlement. Till now no grievance has been found in any of the packages under this project.

## 4. Status of Land Acquisition

During the ADB inception mission in February 2023, it was noted that there is no longer sufficient time to acquire the land for contracts W 12 to W 15 (wave protection on the upper slope of the riverbank protection works).

The Mission agreed that if the contract award for engaging a Resettlement Plan – Implementing Non-government organization (RP-INGO) requires much more time, the update of the RP for Shahjadpur embankment could instead be carried out by ISPMC to expedite the RP implementation process. On 11 May 2023 the Project Management Office (PMO) approved the ISPMC to carry out the update of the resettlement plan for the 7.9 km proposed embankment at Shahjadpur. A draft resettlement plan (RP) has already been prepared in May 2021 for Shahjadpur, in accordance with the legal and policy framework of the government and ADB’s Safeguard Policy Statement (SPS) (2009).

Later, the planned reach for land acquisition was reduced to 830 meters to accommodate budget availability with the BWDB. Therefore, the RP for Shahjadpur was updated in line with the reduced length. The key details of the RP are:

- The RP (830 meters) identified 4.52 hectares (ha) of land acquisition affecting 129 households with 645 affected persons, 297 structures and 3,686 trees. The land acquisition plan (LAP) of Shahjadpur embankment for 830 meters submitted to the Deputy Commissioner office in November 2023.

The Cut-off Date is the date after which eligibility for compensation or resettlement assistance will no longer be considered. For legal titleholders, the date of publication of the notice by the Deputy Commissioner under Section 4 of ARIPA, 2017 will be considered as the cut-off date<sup>8</sup>. In accordance with the ADB integrated Safeguard Policy Statement (SPS, 2009) and FRERMIP Resettlement Framework (RF, 2021), the Notice under Section 4 of ARIPA 2017 (‘the Cut-off Date’) cannot be issued before the updated census and Inventory of Loss survey is carried out and necessary meaningful consultation is completed. This is dependent on the timely mobilization of the RP-INGO.

The timeline provided **Error! Reference source not found.**demonstrates that it will not be possible to take possession of the land for construction of Shahjadpur embankment by March 2024 unless the Cut-off Date is issued by the end of February 2024.

**Figure 2 Social Safeguards Timeline for Shahjadpur (reduced) Embankment Construction (Contract W-10)**

Activities	Status	Date	Year 2023												Year – 2024				
			May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May				
<b>RP update</b>																			
Mobilisation of enumerators	Actual	9 <sup>th</sup> May 2023																	
Training of enumerators	Actual	10 <sup>th</sup> May 2023																	
Launching of survey activities	Actual	14 <sup>th</sup> May 2023																	
Updated census and IoL survey	Actual	14 <sup>th</sup> May –13 <sup>th</sup>																	

<sup>8</sup> As per PAM Section VII.C Paragraph 99



Activities	Status	Date	Year 2023												Year - 2024						
			May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May						
Project information dissemination	Actual	June 2023																			
FGDs with APs	Actual																				
Quality check and monitoring of survey	Actual																				
Survey completion	Actual	13 <sup>th</sup> Jun. 2023																			
Approval of updated RP	Actual	19 <sup>th</sup> Jan 2024																			
<b>RP INGO procurement</b>																					
CSRN publication	Actual	5 <sup>th</sup> Jul. 2023																			
EOI submission by NGO	Actual	19 <sup>th</sup> July 2023																			
EOI Evaluation report to ADB (1 <sup>st</sup> submission)	Actual	30 <sup>th</sup> Oct 2023																			
EOI Evaluation report to ADB (revised submission)	Actual	28 <sup>th</sup> Dec 2023																			
ADB's concurrence on EOI Evaluation report	Actual	15 <sup>th</sup> Jan 2024																			
RFP Evaluation	Planned	7 <sup>th</sup> Feb. 2024																			
ADB's Concurrence	Planned	9 <sup>th</sup> Feb. 2024																			
Contract Signing	Planned	15 <sup>th</sup> Feb 2024																			
<b>Formulation of Teams</b>																					
JVT	Planned	29 <sup>th</sup> Feb. 2024																			
PVAT	Planned	29 <sup>th</sup> Feb. 2024																			
GRC for the area with land acquisition	Planned	29 <sup>th</sup> Feb. 2024																			
<b>RP activities</b>																					
JVT Survey	Planned																				
RP budget preparation	Planned	15 <sup>th</sup> Mar. 2024																			
RP finalisation	Planned	30 <sup>th</sup> Mar. 2024																			
RP implementation	Planned	Feb-Jun 24																			
Monitor and report progress	Through-out																				
<b>LR activities</b>																					
Mobilisation of skill training agencies	Planned	10 <sup>th</sup> Apr. 2024																			
Confirmation with AHHS on skill training	Planned	15 <sup>th</sup> Apr. 2024																			
Finalisation of skill training plans with budgets	Planned	20 <sup>th</sup> Apr. 2024																			
Implementation of skill training	Planned	Apr-May 24																			
Monitor and report progress	Planned	Through- out																			
<b>Land acquisition process</b>																					
DLAC meeting for 830-meter LAP	Planned	22 <sup>nd</sup> Jan. 2024																			
Identification of present status of land, structures, trees through videos and photos prior to publication of section 4(1) notice	Actual	22 <sup>nd</sup> May 2023																			
Preparatory work and release of compensation amount to DC	Planned	5 <sup>th</sup> Mar. 2024																			
Publication of preliminary notice of acquisition of property for public purpose [section 4 (1)]	Planned	15 <sup>th</sup> Mar. 2024																			
Completion of joint verification after publication of Section 4(1) notice, objection, hearing, report by DC, decision by government and including activities under sections 4-7	Planned	30 <sup>th</sup> Mar. 2024																			
Monetary compensation to affected household	Planned	Apr- May 2024																			
Continual support in providing CCL	Planned																				
<b>External safeguards monitor selection</b>																					
Shortlisting of external safeguards monitor	Actual	Dec. 2023																			
Signing of contract with shortlisted monitor	Planned	12 <sup>th</sup> Jan. 2024																			

## **5. Status of Resettlement Plan**

### **5.1 ISPMC update of RP of Shahjadpur**

The update of the RP of the Shahjadpur embankment (830 meters) was the key activity carried out during the period of this report. The key details of the updated RP by the ISPMC are presented in the following.

#### **5.1.1 Census and Inventory of Losses (IoL)**

- Land acquisition for construction of the reduced river embankment spanning 830 meters in Shahjadpur will affect:
  - 129 affected households (AHHs) comprising a population of 645, of which 319 are females and 326 are males. Among the 129 AHHs, nine are female-headed households (FHHs), of which two are housewives. Among the 129 AHHs, two are in ultra poor category (significantly below poverty line) with less than Tk 60,000 annual income and 15 are below poverty line, with an annual income of Tk 60,000 – 140,000.
  - Number of structures will be affected are 297 comprising pacca, semi-pacca, tin-made and thatched houses, septic tank, boundary walls (pacca, tin-made), toilets, tube-wells, animal sheds.
  - The inventory of the various trees will be affected are a total of 3,686 including 35 saplings, 223 small trees, 2,753 medium trees and 675 fully grown trees. From the total 674 are fruit trees, 206 are timber trees, 2,401 groves, and the rest are medicinal, vegetable (sajna)

#### **5.1.2 Identification and Verification of APs**

The identification and verification of APs and setting up of an updated AP management information system (MIS) database are carried out too. Key socio-economic profile of the affected population has been presented in the updated RP.

#### **5.1.3 Identification of Loss and Entitlement**

Based on the update RP survey and considering current price, the draft budget for RP implementation is estimated to be Tk 653,893,789 or about \$ 5,944,489. Most of the resettlement budget is allocated for land acquisition (62%) followed by replacement cost of structures (22%), trees comprising 0.15%, crops about 0.12%, top-up for land about 6.2% and the resettlement grant constitutes about 0.4% of the total costs.

#### **5.1.4 Meaningful Consultations, Disclosure and Participation**

Public consultation meetings (PCMs) and focus group discussions (FGDs) were carried out during the RP update survey and provided the AHHs opportunities to express their concerns about land acquisition, compensation, and resettlement. The participants were however, concerned about the compensation and the livelihoods restoration and the activities proposed under the project which were clarified in detail.

Further leaflets were prepared and distributed to the AHHs before the survey. It must be noted the households were aware of the project owing to the RP survey carried out earlier and were in positive acceptance of the project.

The summary of the resettlement plans will be disclosed on the ADB's website, and the consultation will continue throughout the project implementation period. There is constant informal communication between stakeholders and local BWDB staff.

### 5.1.5 Income and Livelihood Restoration Program (ILRP)

The investment program recognizes diminishing income and dislocation of livelihoods during and after relocation of Affected Persons (APs). As a result, in addition to providing compensation and resettlement benefits, appropriate supporting measures will be included for income and livelihood restoration of APs particularly targeting the poor and the vulnerable groups, including poor FHHs. During the RP update survey, information regarding the preferred skill training to improve livelihoods was collected from the affected households. The most preferred training is tailoring for both males and females followed by cultivation skills and computer training among males.

### 5.1.6 Summary of Progress

The Progress during July - December 2023 is furnished in detail in Table 1.

Table 1: The overall physical progress of resettlement in Shahjadpur

S. No	Key implementation activities	Cumulative Status up to December 2023
1.	Verification of Census / IoL Survey	The updated census and IoL survey for the 830 metres embankment submitted to the Project and ADB in December 2023 and feedback awaited
2.	Stakeholders' consultation ('Meaningful Consultation')	Two public consultation meetings, five focus group discussions made as part of the updated RP prepared in June 2023
3.	Information Campaigns	In addition to public consultations, leaflets distributed for information dissemination about project, in addition to personal interactions with affected during the survey
3.	Approval Status of RP	Approval on updated RP is expected to be approved by ADB in January 2024 (approved on 29 January).
6.	Preparation of land acquisition plan (LAP)	Updated/ revised LAP submitted to DC office for approval
7.	Identification and verification of APs	Completed as part of the updated RP survey; will be implemented by JVT and implementing NGO, once it is onboarded
8.	Identification of loss and entitlement	Completed as part of the updated RP survey; will be implemented by PVAT and NGO, once it is onboarded
9.	Payment of resettlement benefits	Will commence once NGO is onboarded

Table 2: Status of Payment of Compensation for sub-reach as per Resettlement Plan

Location of Intervention with sub-reaches	Upazilla / District	Type of Loss	Approved by PVAT and JVT	No. of APs and CPR Title/ Non-title / Tenants					Affected Households		Status of Compensation			
				Title	Non-Title	Tenants	CP R	Total	Male	Female	Cumulative		July to December 2020	
											CCL	Resettlement Grant	CCL	Resettlement Grant
Shahjadpur Embankment under JRB-1: 830 meters	Shahjadpur of Sirajganj	Residence, business, structure, business loss, agriculture plot		94	34		1	129	326	319	NY	NY	NY	NY

\*All figures pending approval of updated census / IoL in 2024

Table 3: On going monitoring and Action Plan for Land Acquisition and Resettlement Process

Name of the Sub-Reach	Location (Dist. and Upazilla)	LA Case	Total land to be acquired (Hectare)	First Proposal Submitted	Feasibility Completed	Date of DLAC meeting	Notice under section 4 served	Joint Verification Completed	Notice under section 7 served assessment	Notice under section 8 served	Remarks
Shahjadpur Embankment under JRB-1: 830 meters	Shahjadpur, Sirajganj	31/7/22	4.52*	31.7.22		22 January 2024	NY	NY	NY	NY	LA under process

\*All figures pending approval of updated census / IoL in 2024

Table 4: Types of Affected Person under Resettlement Plan

Name of the subproject	No. of Affected HHs and CPR										Progress of census	Approval of RP	Formation of different committees	No. of grievance received
	Title / non -title			Non-Title (Uthili)		Non-Title (Squatters)		Tenants	CPR	Total				
	Agriculture land	Residential structure	Commercial structure	Residential structure	Commercial structure	Residential structure	Commercial structure							
Shahjadpur Embankment under JRB-1: 830 m	2.27 hectares	107,824 sqft							0*	0*	Update completed	Updated RP submitted to Project for publishing in ADB website		None received at GRC formed at PMO

\*All figures preliminary pending approval of updated census / IoL in 2024

## 5.2 Summary of Gender Action Plan implementation under Project – 2

**Engagement of unskilled women labor days:** During this reporting period, seven Contractors continued working under work packages 1,2,3,4,6,9 and 11 and engaged unskilled laborers in the work. A total of 1930 women labor days (2% of the total) out of a total of 114651 unskilled labor days were worked in construction sites during July-December 2023. Since inception, a total of 3,667 women labor days (2% of the total) out of a total of 200,371 unskilled labor days were worked in construction sites. Maintenance work of a 21.3 km embankment has been continued up to October '23 under work package 11 and women labor was engaged for earth filling, tree plantation, fencing, nourishment of plants, etc. Given the heavy weight and nature of work where 250 kg of geotextile bags filling, stitching, and dumping on the barges were required, the women were employed for cooking, cleaning, and washing at the construction site office.

**Provisions for separate toilets for women on the project site:** Safety kits including medical supports were available for the workers at construction sites. Separate toilet facilities were available for women at the construction sites.

**Updating existing gender training module:** The Social Development and Gender Specialist of ISPMC updated the existing gender awareness training module with the inclusion of gender-based violence and submitted it to ADB for comments.

**Gender training:** A two-day training content on gender awareness training has been finalized and training will be conducted as per the updated gender awareness training module by the next quarter i.e. by March 2024.

## 6. Implementation of Resettlement Plan at Shahjadpur

The total resettlement plan implementation is estimated over a period of three months. The Consulting Service Recruitment Notice (CSRN) is advertised in ADB's website, and the received proposals are being evaluated and the NGO is planned to be in place by February 2024. The NGO contract will be awarded before starting construction work so that they implement the RP and arrange payment of compensation/resettlement benefits to the APs prior to displacement.

Implementation of resettlement plan will continue during construction and three months after construction work for entertaining claims/grievances of the APs regarding payment of compensation and other resettlement benefits. However, some of the activities for the resettlement plan implementation may extend further. The preliminary time bound implementation schedule is placed in the table below:

Table 5: Implementation schedule (Tentative)

S. No.	Land Acquisition and Resettlement Activities	Estimated Start Timeline	Estimated Completion Timeline
1.	Contracting and Orientation of INGO	February 2024	February 2024
2.	Formation of Committees by Ministry of Water Resources	February 2024	February 2024
3.	Joint Verification Survey by JVT	Mar 2024	Mar 2024
4.	Property Valuation Survey and determination of unit rate by PVAT	February 2024	February 2024
5.	Data Processing and Determination of Individual Entitlements	March 2024	March 2024
6.	Preparation and submission of Resettlement Budget and individual entitlement by INGO to BWDB	March 2024	March 2024
7.	Approval of Resettlement Budget by BWDB	March 2024	March 2024
8.	Payment of compensation/resettlement benefits to affected persons by DC office	From April 2024 onwards	
9.	Redress of Grievances	From April 2024 onwards	
10.	Payment of other Resettlement benefits based on GRC decision by INGO	From April 2024 onwards	
11.	Training and Income Generation Programs	April 2024	May 2024
12.	Submission of project completion report	May 2024	
13.	Monitoring and Evaluation	Throughout	

## **7. Monitoring and Evaluation**

A database of estimated impacts and losses has been prepared based on the surveys carried out. This database and information to be collected in future together will form land acquisition and resettlement databank. The databank will act as the key source of information for implementation, monitoring and evaluation purposes. An automated Affected Persons file, covering all the losses of individual household, will be prepared for using it as an input towards preparation of entitlement cards and payment statement. 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 (MIS) which will enhance the institutional capacity of both BWDB and the INGO in land acquisition and resettlement management for the project. Resettlement plan implementation will be supervised and monitored by the BWDB in coordination with concerned field divisions and staff of RP-INGO. The monitoring will be done both internally by the BWDB and externally through external monitors to provide feedback to BWDB and to assess the effectiveness of the resettlement policy and implementation.

The monitoring will use appropriate indicators as developed by BWDB with assistance from the Institutional Strengthening and Project Management Consultant (ISPMC). The ISPMC will conduct regular monitoring of the resettlement plan implementation and submit reports to the executing agency for its required semi-annual monitoring reports to the ADB.

An external monitor engaged by the PMO will provide periodic reporting on compliance with the FRERMIP RF, ADB SPS (2009) and loan covenants and shall subsequently prepare semi-annual external monitoring reports and a final report; reports will be submitted to ADB.

## **8. Conclusions and Recommendations**

The publication of the Notice of final decision to acquire the land at Shahjadpur under Section 7 of the Acquisition and Requisition of Immovable Property Act, (ARIPA), 2017 is also dependent on timely processing of the Demand Notice for Resettlements Funds. The PMO and DC Office will work in close collaboration to ensure availability of these funds at the earliest possible time within the fiscal year 2023-2024.

Considering that the RP database has been updated and well in place before the construction activities, it is imperative that the following activities must be completed in a timely manner as planned:

- Ensure timely procurement of RP-INGO to complete the remaining resettlement and livelihood restoration activities before commencement of construction works.
- Ensure timely processing of the Demand Notice for Resettlements Funds in order that the Land Acquisition can be implemented as soon as possible within the fiscal year 2023-2024.



## ANNEXE 1

### Project Entitlement Matrix

**Table 6: Eligibility and Entitlement Matrix**

<b>General Implementation Issues and application Guidelines</b>	
1.	<p><b>Property Valuation Advisory Team (PVAT)</b> BWDB will setup a PVAT at each locality. The tasks of this PVAT are:</p> <ol style="list-style-type: none"><li>Recommend replacement cost (RC) based on current market price (CMP) analysis for land, structures, trees and standing crops.</li><li>Current Market Price (CMP) will be assessed for every affected mouza.</li><li>The land acquisition price will be determined by the standard procedure according to the land acquisition law. Updated in September 2017</li><li>For all private land, the market price will be enhanced by 200% for cash compensation under law (CCL). For <i>khas</i> land (government land, DC is the owner at respective districts on behalf of the government), CCL will be the assessed market price without enhancement.</li><li>RC for structure considering the cost of materials, labour inputs and land development cost at current market rates.</li><li>RC /CMP will be approved by the Project Director.</li></ol>
2.	<p><b>Implementing NGO (INGO)</b> BWDB will engage a local NGO to support implementation of resettlement plan i.e., to support the implementation of all land acquisition and resettlement activities. The recruited NGO for implementation of RP is called Implementing NGO (INGO) which will:</p> <ol style="list-style-type: none"><li>Utilise the database prepared by the Institutional Strengthening and Project Management Consultant (ISPMC) to identify all persons who have interest in the lands that will be acquired under the project (owner, tenants, operators etc).</li><li>Utilise the database prepared by the ISPMC to identify all informal occupier/ settler on the right of way of new embankment, rehabilitation embankment and RBP works.</li><li>Make the landowners / tenants / informal occupiers aware about details of land acquisition process, compensation entitlement, payment procedure/ mechanism, resettlement benefit offered by the project.</li><li>Legal owners will be assisted by INGO to organize legal documents in support of their ownership.</li><li>The INGO will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from the DC office.</li><li>The INGO will inform the APs of the details of the land acquisition and compensation process, resettlement package and payment procedure.</li><li>The INGO shall encourage APs to consider purchasing land or investing the money in productive/income generating activities.</li><li>In addition, the INGO shall support APs in purchasing low-cost, low-lying land by bundling resettlement benefits. The land will then be filled by the project with dredged material to be built up to homestead land level.</li></ol>
3.	<p><b>Joint Verification Team (JVT)</b></p> <ol style="list-style-type: none"><li>The loss inventory items and quantities as well as the displaced persons (DPs) shall be verified in the field through JVT formed by DC. The members of PVAT will attend field verification by JVT.</li><li>The JVT will verify the socially recognized user as identified by the census.</li></ol>
4.	<p><b>BWDB field office (Executive Engineer) will do title updating for usufruct and other rights before issuance of notice with assistance from INGO.</b></p>
5.	<p><b>DC will pay CCL for the loss items. If RC is higher than CCL, the difference will be</b></p>

paid by BWDB with assistance from INGO.

**6. Compensation for Structures:**

- i. Joint verification (DC and BWDB) and/or census will identify (record floor areas and category) of structure.
- ii. Compensation must be paid before AP dismantle and remove the structures as per civil works requirement.
- iii. 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 JVT.
- iv. The owner is allowed to take all salvageable material.
- v. The RC will be the cost of the structures at market price without depreciation.

**7. In case of conflict between government rules and ADB SPS, ADB SPS will prevail**

Unit of Entitlement	Entitlements	Applicable Laws	Additional Services
<b>Loss Item 1: LOSS OF AGRICULTURAL LAND</b>			
Legal owner(s) as identified by Deputy Commissioner (DC) in the process of CCL payment and non-titled holders with recognizable claims. <sup>9</sup>	1. Replacement Cost (RC) <sup>1</sup> of agricultural land.	<b>ARIPA 2017</b> <b>ADB SPS 2009</b>	
<b>Loss Item 2: LOSS OF HOMESTEAD, COMMERCIAL, INDUSTRIAL LAND AND COMMON PROPERTY RESOURCES</b>			
Legal owner(s) as identified by DC in the process of CCL payment and non-titled holders with recognizable claims	1. Replacement Cost (RC). 2. 10% of CMP as transaction allowance such as stamp duty and registration cost, VAT etc. No matter whether she/he purchase land or not	<b>ARIPA 2017</b> <b>ADB SPS 2009</b>	BWDB will assist to purchase of above land(s) jointly with INGO on negotiated price and homestead land development (earth filling, if needed) with internal road links
<b>Loss Item 3: LOSS OF WATER BODIES (PONDS, BOTH CULTIVATED AND NON-CULTIVATED)</b>			
Legal owner(s) as identified by DC in the process of CCL payment and non-titled holders with recognizable claims	1. Replacement Cost (RC) of the water body (private land). 2. Allowance of one-year fish harvest to be recommended by PVAT	<b>ARIPA 2017</b> <b>ADB SPS 2009</b>	.
<b>Loss Item 4: LOSS OF RESIDENTIAL STRUCTURES</b>			
Legal owner(s) as identified by DC in the process of CCL payment and non-titled holders with recognizable claims	1. Replacement Cost (RC) of residential structure 2. Transfer Grant @ Tk. 15 per sq. ft. of affected structure 3. Reconstruction and Homestead Development Grant (RHDG) Tk. 10,000.00. 4. Transitional support and	<b>ARIPA 2017</b> <b>ADB SPS 2009</b>	Non-cash assistance in relocation and reconstruction, such as consultation and facilitation of documentation

<sup>9</sup> Recognizable claims are those having (i) customary ownership or (ii) possess any other legal document to establish ownership.

	development assistance, such as land development, credit facilities, training, or employment opportunities		
<b>Loss Item 5: LOSS OF COMMERCIAL/INDUSTRIAL/COMMON RESOURCE PROPERTY (CPR) STRUCTURES</b>			
Legal owners as identified by DC in the process of CCL payment and non-titled holders with recognizable claims.	1. Replacement Cost (RC) of commercial, industrial, CPR structure 2. Transfer Grant @ Tk. 15 per sq. ft. of affected structure 3. Reconstruction Grant of TK12,000.00. 4. Transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities <sup>10</sup>	<b>ARIPA 2017</b> <b>ADB SPS 2009</b>	Non-cash assistance in relocation and reconstruction, such as consultation and facilitation of documentation
<b>Loss Item 6: LOSS OF RESIDENTIAL, COMMERCIAL AND OTHER PHYSICAL STRUCTURES</b>			
1.non-titled but with recognizable claims. 2.non-titled without recognizable claims. 3. both built structures on the RoW	1. Replacement cost structures as determined by PVAT 2. Structure Transfer Grant (STG) @ Tk. 15 per sq.ft. of affected structure 3. Reconstruction and Homestead Development Grant (RHDG) Tk. 15,000.00. 4. Transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities	<b>ARIPA 2017</b> <b>ADB SPS 2009</b>	Non-cash assistance in relocation and reconstruction, such as consultation and facilitation of documentation
<b>Special Implementation Issues and application Guidelines:</b>			
1. The Non-title holder (with recognizable claims and without recognizable claim) structure losers are entitled to replacement cost of affected structure provided they are in the impact area prior to the cut of date. The Non-title holder (with recognizable claims and without recognizable claim) structure losers are entitled to replacement cost of affected structure provided they are in the impact area prior to the cut of date. A document to verify landlessness will be presented to JVT to establish vulnerability. A document to verify landlessness will be presented to JVT to establish vulnerability. 2. The INGO will assist the APs with self-relocation by undertaking a market assessment and assisting them in identification of land, linking them with available government housing schemes and supporting them to avail of credit facilities from financial institutions 3. In the case of physical displacement, the DPs will be given advance notice of at least 3 months (90 days) from the date of receipt of compensation to relocate themselves			
<b>Loss Item 7: LOSS OF TIMBER AND FRUIT BEARING TREES, BAMBOO AND BANANA GROVES</b>			
1. Legal owner(s) as	1. Timber trees and bamboo:	<b>ARIPA 2017</b>	INGO to explain RP

<sup>10</sup> There is no physical relocation in-kind (e.g., housing) provided under the resettlement framework as in the consultation process APs expressed preference for cash compensation.

identified by the DC in the process of CCL payment.	Current Market Price (CMP) of trees and bamboo	<b>ADB SPS 2009</b>	policies regarding compensation for the trees of different categories and size and make the APs aware that they could take the timber and fruits free of cost
2. Socially recognized owners of trees grown on public or other land	2. Fruit-bearing trees without timber: if the tree is at or near fruit-bearing stage, the estimated current market value of the fruit. 3. Fruit-bearing trees with timber: CMP for the timber and estimated current market value of fruit and the market value of the fruit of the remaining estimated productive life of the fruit trees. 4. Banana groves: CMP of all trees 5. Owners will be allowed to fell trees and take the timber, free of cost after payment of CCL or RC as applicable		
<b>Special Implementation Issues and application Guidelines:</b>			
1. The INGO will provide guidance in plantation and post-plantation care			
<b>Loss Item 8: LOSS OF STANDING CROPS/FISH STOCK</b>			
1. Legal owners identified by the DC in progress of CCL payment	1. RC of standing crops/fish stock	<b>ARIPA 2017 ADB SPS 2009</b>	INGO will assist APs in the process of claiming compensation from DC offices for organizing necessary documents
2. Socially recognized owners	2. Owners will be allowed to harvest crops and fish stock		
<b>Loss Item 9: LOSS OF LEASED /MORTGAGED IN LAND/PONDS</b>			
1. Leaseholder with legal papers	1. CMP of crops/ fish stock for one year as compensation	<b>ARIPA 2017 ADB SPS 2009</b>	1. INGO will assist in ensuring that the lessee receives all eligible payments. 2. INGO will mediate refund of outstanding lease money by the owner to the lessees
2. Socially recognized lessee or sharecropper, in case of customary informal tenancy arrangements, including socially recognized agreements	2. Outstanding lease money back to the lessee by the owner as per agreement 3. The leaseholder will be allowed to take the crops/fishes free of cost within the date declared by BWDB		
<b>Special Implementation Issues and application Guidelines:</b>			
1. With legal agreement: DC will pay CCL to legal owner and mortgagee/leaseholder in accordance with the law. With customary tenancy agreements, including socially recognized verbal agreements: Legal owner will receive CCL from DC. The legal owner will pay the outstanding liabilities to the lessee/mortgagee. Under the following conditions: (i) all contractual liabilities are already paid up (ii) if not, the legal owner will get the residual payment after all liabilities are paid up (iii) BWDB will ensure RC of crops to the cultivator with direct payment of the difference, if CCL is less than RC, with assistance from INGO (iv) Dislocation Allowance will be paid to the actual cultivator of the acquired land by BWDB with assistance from INGO			
<b>Loss Item 10: LOSS OF INCOME FROM DISPLACED COMMERCIAL/ INDUSTRIAL PREMISES</b>			
Any proprietor or	Employment in the Project	<b>ARIPA 2017</b>	DPs will be brought

businessperson or artisan operating in premises	construction work, if possible Moving assistance (one time) for tenant. Tk 5000.00	ADB SPS 2009	under income and livelihood regenerating program (ILRP)
<b>Special Implementation Issues and application Guidelines:</b>			
1. All the business operators will be entitled for grant against loss of wages. The one-time moving assistance will be provided to the tenants only			
<b>Loss Item 11: TEMPORARY LOSS OF INCOME (WAGE EARNERS IN AGRICULTURE, COMMERCE &amp; SMALL BUSINESS, AND INDUSTRY)</b>			
Regular wage earners affected by the acquisition	Allowance of Tk 4,000.00 Per HH Allowance of Tk 5,000.00 per FHH DPs to be included in the Income and Livelihood Restoration Program (ILRP)	ADB SPS 2009	1. APs will be brought under the ILRP
<b>Special Implementation Issues and application Guidelines:</b>			
DP must have been an employee of landowner or business located in the acquired lands for at least twelve months, as identified by Joint Verification and/or a contracted institution or a consulting company's census			
<b>Loss Item 12: LOSS OF INCOME FROM RENTED -OUT AND ACCESS TO RENTED IN RESIDENTIAL/COMMERCIAL PREMISES</b>			
1. Owner of the rented-out premises 2. AH/person rented-in any such structure	Dislocation Allowance of Tk. 5,000.00 for each unit of premises to both the renter and the rentees	ARIPA-2017 ADB SPS 2009	DPs will be brought under the ILRP
<b>Special Implementation Issues and application Guidelines:</b> Guidelines: In case of any conflict between Government Act/Rules & ADB SPS 2009, later will prevail			
<b>Loss Item 13: VULNERABLE AHs SPECIAL ASSISTANCE</b>			
<i>Vulnerable Assistance</i>	<i>AH</i> One-Time Special Assistance Grant of Tk 18,000 Skill training and credit support under ILRP No AH will get the grant if their family members do not participate to the proposed skill training	ADB SPS 2009	APs will be brought under the ILRP.
<b>Special Implementation Issues and application Guidelines:</b>			
1. Vulnerable AHs are those (i) below the poverty line, (ii) the landless, (iii) the elderly, (iv) women and children, (v) Indigenous Peoples, and (vi) those without legal title to land.			
2. Loss of income will be assessed as per actual loss of productive resources (land and businesses) to the project and the total income of the affected households from all sources through Census of all AHs.			
3. JVT will verify the percentage of loss comparing the actual loss and the total income from all sources of the affected households.			
4. Households turning into landless due to acquisition of agricultural land will be eligible for larger credit from the ILRP for longer duration			
<b>Loss Item 14: ADVERSE IMPACT ON HOST POPULATION DUE TO RELOCATION OF APs</b>			

Households' self-relocated to the host villages	Enhancement of carrying capacity of common civic amenities/utilities of the host communities as per assessment by BWDB	ARIPA 2017 ADB SPS 2009	1. Investment in the host area to improve health, education, and other public services 2. Forestation in the host area
Special Implementation Issues and application Guidelines: Community needs for enhancement of common facilities in host areas will be assessed through a needs assessment survey			
<b>Loss Item 15: LOSS OF SUBMERGED LAND (ERODED LAND)</b>			
1. Legal owner(s) of land (DC's khas land after legally established AD Line) and non-titled holders with recognizable claims. 2. Previous private owners of land below alluvial and diluvial (AD) Line	1. In absence of legally established AD line, all entitlements as provisioned for Loss Item 1. In case of khas land, CCL to respective DCs Resettlement cost (RC) of khas land to previous owner(s)	ARIPA-2017 ADB SPS 2009	
<b>Loss Item 16: UNFORESEEN ADVERSE IMPACTS</b>			
Households/persons affected by any unforeseen impact identified during implementation	Entitlements will be determined as per the RP resettlement policy		As appropriate
The unforeseen impacts and affected persons will be identified with due care as per policy framework and proposed to the MoWR and the ADB for approval including quantity of losses, their owners, and the entitlements			

AD = alluvial and diluvial; AHH = affected household; APs = affected persons; BWDB = Bangladesh Water Development Board; CCL = cash compensation under the law; CMP = current market price; DC = deputy commissioner; FHH = female-headed household; HH = household; ILRP = income and livelihood regenerating program; INGO = implementing nongovernment organization; JVT = Joint Verification Team; MoWR = Ministry of Water Resources; PVAT = Property Valuation Advisory Team; RP = resettlement plan; RC = replacement cost; SPS = Safeguard Policy Statement, 2009