

**GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF ROAD TRANSPORT AND BRIDGES
ROAD TRANSPORT AND HIGHWAYS DIVISIONS**

**RESETTLEMENT ACTION PLAN-II (RAP-II)
FOR
MRT LINE-6 EXCEPT DEPOT AREA
DHAKA MASS TRANSIT COMPANY LIMITED**

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A. THE EXECUTIVE SUMMARY

The MRT Line-6, under Dhaka Mass Rapid Transit Development Project (DMRTDP) is in the process of implementation. Dhaka Transport Coordination Authority, on behalf of the GoB is the regulatory body of this project. Dhaka Mass Transit Company Limited (DMTC) which has been formed on June 3, 2013 is responsible for implementing of this project. The total cost has been estimated at BDT 21,985.07 crore to be shared in the proportion of around 24.52 and 75.48 percent by GoB and JICA respectively. The project aims at improving the public transport system introducing the first ever rail based elevated MRT in Dhaka city. The DMRTDP has three broad components of construction:

- Construction of 20.1 km elevated railway track at the height of at least 13.1 meter above the City Corporation roads on its way along with 16 stations and two Receiving sub-station at the Northern and Southern end;
- Preparation of construction yards; and
- Construction of one Depot for providing all the back-up support services to the operation of MRT Line-6 and **there is a separate RAP for the PAPs of Depot area.**

It is to be noted that land selected components of the project on Government Land.

Land Acquisition: To date, there is no land acquisition for 16 stations, sub-station and construction yards. All these will be on GoB land. All the 16 stations will be on foot-paths of present City Corporations road and the entire 20.1 km elevated railway tracks will be above the roads.

Number of PAPs: Total number of PAPs is 1,140. Among them 1,113 (97.63%) are male and the rest 27 (2.37%) are female. Again, of the total 1,140 PAPs, 1,118 (98.07%) will be affected at 16 stations and in the viaduct areas, and the rest 22 (1.93%) are at construction yards.

Nature of Displacement of PAPs: Of the total 1,140 PAPs all are on GoB land. In other words, all are squatters. Of the total PAPs around 99.30% (1,132) will be affected by business on foot-paths and the 8 (0.70%) by dwelling house.

Area of Structures to be Demolished: Total floor space area from which the materials are to be shifted is 49,786 sqft. of which more than 42% are under Nursery.

Compensation Coverage: The Entitlement Matrix has proposed compensations for:

- Replacement Value (RV) of land with other benefits;
- Replacement Value (RV) of structures: are estimated from CMVS of cost per Sqft.;
- Structure Demolition Grant (SDG): all the salvageable materials will be given to the concern PAPs free of cost; if the structures demolished by owner.
- Structure Transfer Grant (STG): 12.5 % of current market value of structures;
- Structure Reconstruction Grant (SRG); 12.5 % of current market value of structures;
- Utility Reconstruction Grant (URG): 5% of current market value of structures;
- For moveable types of structures, STG, SRG, & URG are not applicable. They will get a fixed amount for the losses;
- Shifting of inside materials of hired structures: Tk. 10 per sqft. for total floor space;
- Income Loss to the owners of rented-out structures: Tk.20 and Tk.25 per month per sqft. per month for a period of 6 months;

- Business loss to Business losers: Equivalent to Taka 30,000 or Taka 45,000 depending on their monthly income from the affected business;
- Employment losers: Tk. 500 and Tk. 300 respectively for skilled and unskilled employees for a period of 90 days; and
- Land Acquisition: As to safe- guard the future needs, compensations for private land acquisition have added to the Entitlement Matrix.

Total Amount of Compensation and Budget: Total amount of money needed for this RAP is Tk. **86,770,032**. Head-wise Total Amounts of Compensation and the Budget in Taka are given bellow-

Head-wise Total Amounts of Compensation and the Budget in Taka

Heads of Compensation		Amounts in Taka
Section-8.2	Compensation for Land: There is no Private Land Acquisition yet	
Table-8.3	Compensation for Trees on Government Land	5,521,858
Table-8.5:	Compensation for Structures	4,882,760
Table-8.6:	Compensation for Business Loss	43,800,000
Table-8.7:	Compensation for Employment Loss	9,504,000
Table-8.9:	Compensation for Shifting of Materials	497,860
Table-8.10:	Grant to income Vulnerable PAPs	650,000
Table-8.11:	Compensation for Community Properties	2,460,594
Table-8.12:	Compensation for Government Structures	11,564,775
Total Amount of Compensation		78,881,847
*Contingency: 10% of Total Compensation		7,888,185
Total Budget		86,770,032

*All costs including meetings, new heads of compensation and all other unforeseen costs are to be met from the contingency.

Period of Implementation: Starting from July 2015, in total 48 months are needed for video filming the affected structures, field data collection, data analysis, preparation of Resettlement Action Plan (RAP), its approval by the authority and its completion of implementation. The implementation is expected to be completed in June 2019. It is to be noted that all the issues of implementation are in such a chain that, nothing could be done if a particular issue of the chain is not completed within the demarcated time.

B. ACRONYMS AND ABBREVIATIONS

Acronyms and Abbreviations	Full Name
AP	Affected Person
BDG	Business Dislocation Grant
BLG	Business Loss Grant
BRG	Business Restoration Grant
BRG	Better Reconstruction Grant
CCDB	Christian Commission for Development in Bangladesh
CMIS	Computerized Management Information System
CMV	Current Market Value
CMVS	Current Market Value Survey
CRV	Current Replacement Value
DC	Deputy Commissioner
DGM	Deputy General Manager
DMRTDP	Dhaka Mass Rapid Transit Development Project
DMTC	Dhaka Mass Transit Company
DP	Displaced Person
ELG	Employment Loss Grant
EM	Entitlement Matrix
EP	Entitled Person
FGD	Focus Group Discussion
GRC	Grievance Redress Committee
ILG	Income Loss Grant
IVG	Income Vulnerable Grant
JICA	Japan International Cooperation Agency
JVC	Joint Verification Committee
JVS	Joint Verification Survey
MARV	Maximum Allowable Replacement Value
MES	Monitoring and Evaluation System (MES)
MRTL-6	Mass Rapid Transit Line-6
MRTB	Ministry of Road Transport and Bridges
MSC	Milestone School and College
NHA	National Housing Authority
PAP	Project Affected Person
PD	Project Director
PEA	Project Executive Agency
PIA	Project Implementing Agency
PVAC	Property Value Assessment Committee
PWD	Public Works Department
RAC	Resettlement Assistance Consultant
RAJUK	Rajdhani Unnoyan Kotripakha

RAP	Resettlement Action Plan
RoW	Right of Way
Rft.	Running Feet
R&R	Resettlement & Rehabilitation
RV	Replacement Value
SDG	Structure Demolition Grant
SES	Socio-Economic Survey
Sqft.	Square Feet
Sqm	Square Meter
SRG	Structure Reconstruction Grant
STG	Structure Transfer Grant
URG	Utility Reconstruction Grant

C. GLOSSARY

Affected Person (AP): includes any person, affected households (PAHs), firms or private institutions who, on account of changes that result from the project will have their (i) standard of living adversely affected; (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement.

CMV: An assessment of Current Market Value as determined through Current Market Value Survey by Resettlement Assistant Consultant (RAC/INGO).

Community/Common Property Resource (CPR): The infrastructure owned and use or run by the community or providing service to the community for different purposes (for example: school, madrasa, mosque, temple, church, graveyard, playground, club, office, hospital etc.)

Compensation: Compensation includes cash compensation paid to the affected persons, business enterprises for lost land, structures, assets or income.

Cut-off Date: Cut-off date means the date after which eligibility for compensation or resettlement assistance will not be considered is the cut-off date. Date of service of notice under Section 3 of Land Acquisition Ordinance is considered to be the cut-off date for recognition of legal compensation and the start date of carrying out the census/inventory of losses is considered as the cut of date for eligibility of resettlement benefit.

Direct PAP: People who have lost their titled land and assets are protected under the Land Acquisition Law. This group of Affected Persons (PAPs) is known as Direct PAPs.

Displaced Person (DP): A person who is compelled to change or relocate his/her place of residence and/or work place or place of business, due to the project. They are also grouped as involuntary resettlement as they have no option but to move out and rebuild their lives elsewhere.

Encroachers: means 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.

Entitlement: Range of measures comprising of cash/kind compensation /financial assistance, relocation cost, and income/business restoration which are to be given to the PAPs depending on their nature of the losses for restoring their social and economic base.

Entitled Person (EP): An entitled person is one who has lost his/her assets (for example, land, trees, built structures, fish pond, commercial enterprise/small business) and/or employment as a direct/indirect impact of the project and is eligible to receive compensation from the DC office and/or cash grant from the project authority.

Household (HH): A household includes all persons living and eating together (sharing the same kitchen and cooking food together as a single-family unit).. A family/household refers to people typically husband/wife and all dependents irrespective of age. Married

son(s)/brothers, divorced, widowed, abandoned women may be considered in the unit of joint household of family. There may be one or more persons in a household who are entitled to a resettlement benefit based on the nature of losses.

Indirect PAPs: Indirect PAPs are those who have not lost any titled asset, but have lost the means of livelihood. For example, loss of employment by a person, on loss of business on others land and structure on GoB or other's land. They are always outside the CCL.

Income Restoration: Re-establishment of income sources and livelihoods of the Project Affected Persons (PAPs).

Market Value (MV): It is actually the prevalent market value of the affected assets. This value is determined by surveying the community markets by the RAC and recommended by Property Valuation Assessment Committee (PVAC).

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

Project Affected Persons (PAPs): (also called Affected Persons (PAPs): Project affected persons include persons whose land, houses/structures are partially or fully affected by the project or by any other component (for example construction yard, service area, resettlement sites), including any additional acquisition necessary for project implementation; (b) persons whose agricultural land or other productive assets such as trees, crops, perennials, fish ponds are fully or partially affected by the project; and (c) persons whose businesses are affected, including the employees and others who may experience loss of work/income and livelihood due to project impact are known as projects Affected Persons or Affected Persons.

Public Disclosure: Process of disclosing and sharing project impacts with the affected people and disseminating the information on their entitlements, compensation, R&R measures, project timeline etc. among them.

Relocation and Rehabilitation: Relocation refers to physically moving of the PAPs from the affected area to a new area/site and rebuilding housing, assets, including productive land, and public infrastructure in another location; while, rehabilitation means restoration of income, livelihoods, living and socio-cultural system.

Replacement Cost/Value (RV): 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 Action Plan (RAP): A time-bound action plan for the affected persons of a project with budget, setting out resettlement strategy, objectives, entitlement, actions, implementation responsibilities, monitoring and evaluation and all other works related to implementation.

Squatter/Informal Settlers: A person who has settled on public or private land without permission and/or occupying public building/asset without authority.

Vibration Affected Person: Those person who will be affected by vibration due to dynamic sand compaction/ Sand Compaction during the Depot construction period.

Vulnerable Person: A person whose income is under the official poverty line. In other words, Vulnerable means Income Vulnerable. One particular PAP may be disabled, old, handicapped or female, but belong to higher income group, will not be considered as Vulnerable.

CHAPTER-1

1. INTRODUCTION

1.1 Background of the Project

The Government of Bangladesh (GoB) in cooperation with the World Bank prepared a Strategic Transport Plan (STP) for the Dhaka city in 2005. The STP has stated the main strategic issues including mass rapid transit's organizational framework and the procedure of project implementation. As the follow-up, GoB, JICA and other relevant agencies discussed and agreed upon the commissioning of Preparatory Survey on Dhaka Urban Transport Network Development Study in December 2008. The study recommended the MRT Line-6 in the top priority list. With the aim of implementation of MRT Line-6, ECNEC of Bangladesh approved the project on 18.12.2012 and signed a credit agreement with JICA on 20.02.2013.

1.2 Description of the Project

The MRT Line-6, under Dhaka Mass Rapid Transit Development Project (DMRTDP) is in the process of implementation. Dhaka Transport Coordination Authority, on behalf of the GoB is the regulatory body of this project. Dhaka Mass Transit Company (DMTC) which has been formed on June 3, 2013 is responsible for implementing of this project. The total cost has been estimated at BDT 21,985.07 core to be shared in the proportion of around 24.52 and 75.48 percent by GoB and JICA respectively. The project aims at improving the public transport system introducing the first ever rail based elevated MRT in Dhaka city. The DMRTDP has three broad components of construction:

- Construction of 20.1 km elevated railway track at the height of at least 13.1 meter above the City Corporation roads on its way along with 16 stations and two Receiving sub-station at the Northern and Southern end;
- Preparation of construction yards; and
- Construction of one Depot for providing all the back-up support services to the operation of MRT Line-6 and **there is a separate RAP for the PAPs of Depot area.**

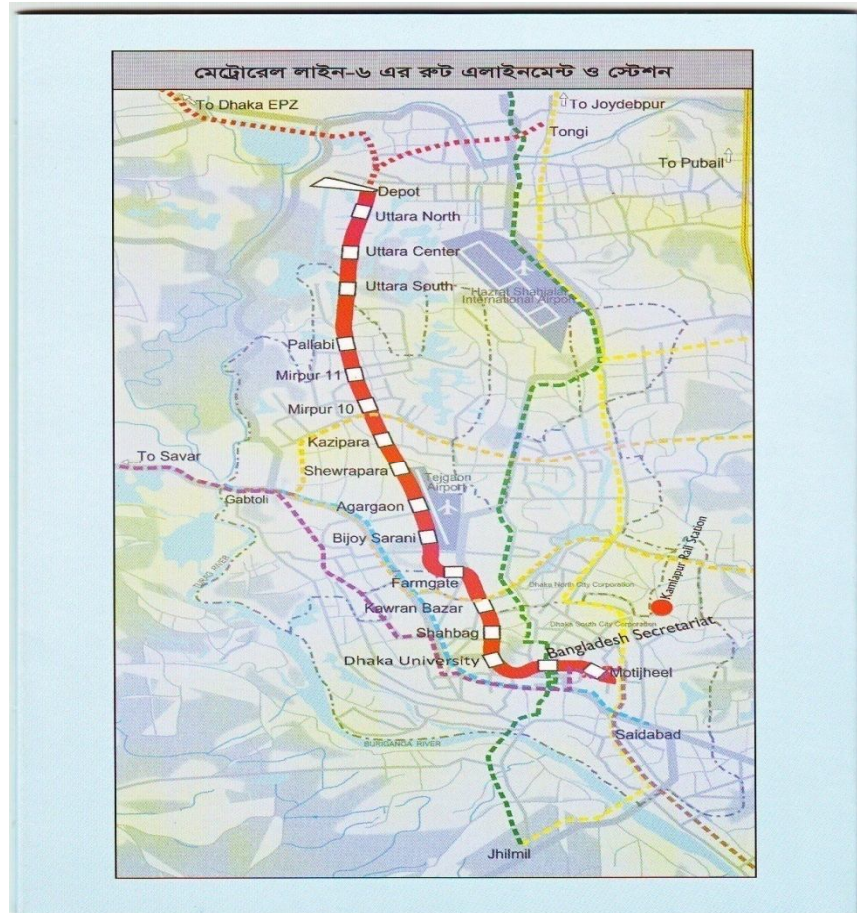
It is to be noted that land selected components of the project on Government Land.

1.2.1 Description of Elevated Railway Track

The figure below (Figure-1.2.1) is showing the alignment and providing a pictorial view of the elevated railway track along with the locations of 16 stations, one receiving sub-station and four construction yards. It is to be noted that the entire elevated railway track will be constructed at least at the height of 13.1 meter above the present roads of City Corporation and the stairs of stations will be constructed on & over the foot-paths implying that there is no land acquisition from the individual owners. **Actually there are two RAPs:**

- **the 1st one is for the Depot area; and**
- **the present one is for the Stations and RoW.**

Figure 1.2.1: The Alignment and Locations of 16 Stations of MRT Line 6.



The length of MRT Line-6 is 20.1 km, and it includes 16 stations. The Line starts from Uttara third phase and ends at Bangladesh Bank (Motijheel) area. It passes through Pallabi- Mirpur 11- Mirpur 10, Kazipara- Shewrapara- Agargaon- Bijoy Sarani- Farmgate- Kawranbazar- Shahbag- Dhaka University- Secretariat and ends near Motijheel. Moreover there will be one Receiving Sub-station within Kamlapur Rail Station for storing the materials to be carried by train from the Chittagong Seaport. The operation of the MRTLine-6 is expected to carry about 60 thousand passengers per hour on both ways which is expected to reduce the traffic jam within the city substantially. This will result into relatively speedy and safe movement of citizens and thus will contribute to creation of better overall situation conducive to development.

1.2.2 Description of Construction Yard

The NKDM Association, RAC and Resettlement Unit of DMRTDP have selected some areas within Dhaka South City Corporation through Reconnaissance surveys. These are:

- i. Statistics Road, Agargaon: 12 PAPs: Land owned by PWD;
- ii. PWD Compound, Agargaon: 3 Nursery: Land owned by PWD;
- iii. Khamarbari Park, Farmgate: No PAP: Land owned by PWD; and
- iv. Jatrabari Flyover Site, Golapbag: No PAP: Dhaka South City Corporation.

The NKDM Association and DMRTDP have not finalized the exact one. In the opinion of RAC, Khamarbari Park, Farmgate: No PAP: Land owned by PWD, may be selected: nearly at the middle of Elevated Railway Track, on the road side and nobody will be affected.

1.2.3 Description of the Depot

The Dhaka Mass Rapid Transit Development Project (DMRTDP) needs reasonable amount of land for the construction of a Depot for providing the required services for MRT Line-6 on a regular basis. For this purpose, the project has received entire amount of land from RAJUK, the government agency responsible for development of the capital. The land taken for construction of Depot is vacant except four squatters with some ordinary structures. The cost of land has been paid to RAJUK by DMTC. However, during construction of Depot, there will be an earth vibration effect due to dynamic compaction which will affect the structures within 18 meter beyond the Depot boundary. This Impact will continue until the end of dynamic compaction works. Total area of land allocated by RAJUK to DMTC for the construction of Depot is 58.91 acres (23.84 ha.) This quantum of land has been received from RAJUK 3rd phase Extended Project. The DMRTDP has already paid the price of land to RAJUK and taken the possession. **It is to be noted that there is a separate RAP for the PAPs of Depot area: Resettlement Action Plan-I (RAP-I) for Depot Area.**

1.3 Potential Impacts

Land based development projects generally displace people involuntarily from their places of work or residence or means of livelihood. It thereby create situation leading to severe physical, economic and social problems. Although MRT Line-6 is an elevated railway track and it will be constructed above the median of existing roads, still at some places it will displace some people from their home or business or both home & business (details of natures of displacements and all types of losses along with current market value are in Chapter-3) in quantified form. These kinds of involuntary displacement, in most cases, cause both short and long term hardship unless they are protected by the implementation of a carefully designed Resettlement Action Plan (RAP). To address all the above mentioned problems and dislocations, a detailed Resettlement Action Plan (RAP) for the main project except Depot Area is prepared incorporating mitigating measures to encounter the negative social and economic impacts so that the affected households could maintain their economic and social standards during and after the project implementation at least to pre-project level.

Total number of PAPs for the Rail-way Track, Stations, Receiving Sub-station and four Construction Yards is 1,140 (excluding the names of 9 Government Departments and one Community Property who own structures within the RoW) and details of their Socio-economic Profiles and Inventory of Losses are in Chapters-2 &3.

1.4 Objectives and Purpose

The primary objective of this Resettlement Action Plan is to provide guidelines for estimation of lost assets and livelihood; estimation and procedures payment of compensations corresponding to losses; resettlement of the project affected persons in order to prevent their impoverishment

which are being caused by the implementation of the project; and wherever possible, to provide support services to sustain or develop their socio-economic conditions or at least restore them to the pre-project level. The guidelines proposed based on National legal framework and JICA guidelines. Keeping in view the said objective, a Resettlement Action Plan has been prepared by taking into account the data generated through Socio-Economic Survey (SES) of all the Project Affected Persons/Households (PAPs/PAHs), meetings with different stakeholders, focus group discussions and comments of grass root level people in the meetings organized by the RAC study team. The purpose of this RAP is to minimize and mitigate the impacts on Project Affected Persons (PAPs) caused by the project.

The objectives may be spelled-out as:

- Preparation of socio-economic and demographic profile of the Project Affected Persons and Population;
- Assessment of impacts on various properties like, land, structures, trees, business, employment and all other properties on the acquisitioned land, if any;
- Preparation of outline for entitlements, assistance and benefits of the PAPs against the losses to be incurred;
- Preparation of the loss items-wise compensation Resettlement Budget;
- Institution arrangements for RAP implementation; and
- Development of implementation and monitoring plans as well as procedures.

1.5 Video-filming within RoW

Apart from the Rail-way Track, there will be 16 stations for getting-on and getting-off of the passengers travelling by the Metro Rail, one Receiving sub-station and four Construction Yards. Although all are on Government land, there are many squatters and all of them are covered in Video-filming. All of them will be compensated for their all types of losses. For avoiding the fraudulent intrusions with the greed of compensation, present situation of PAPs in all the proposed areas within the RoW have been Video-filmed during the month of September 2015 followed by the implementation of SES for Social Impacts Assessment (SIA) of all the probable PAPs.

In January 2016, the GC, NKDM Association informed the Project Director, DMRTDP that due to the inclusion of Escalator from ground to concourse level and the area of land required by the contractor during construction, there are some changes in land requirements as well as number of PAPs in 12 of the 16 stations. So, for covering the PAPs of new areas another Video-filming was commissioned during the 2nd & 3rd weeks of January 2016. In other words for covering all the PAPs including those of new areas Video-filming was commissioned at 2 points of time: September 2015 and January, 2016. Actually the Video-film of January 2016 can be considered as the final one; because, it covers all the PAPs surveyed in September – October 2015 and in January – February 2016.

1.6 The Cut-off Date

The project does not have any land acquisition implying that there will not be any Cut-off Date notice from the office of Deputy Commissioner. For controlling any fraudulent claim of inclusion in the list of PAPs, the entire RoW, 16 stations, one receiving sub-station and one construction yard were video-filmed in September 2015 and 2nd time in January 2016 followed by the commissioning of SES for SIA. Actually the day of video-filming in an area has been considered as the Cut-off Date for that particular area. It is to be noted that there may be some missing PAPs just on the date of Video-filming due to their absence at that particular time of the day with business goods at the places of shops without any structures. If any such cases are found, they will be included in the SES. Actually, the survey date at stations will be the cut-off date as has been decided in the meeting of 11.01.2016 at the office of DMRTDP chaired by the Managing Director, DMTC – cum – Project Director DMRTDP.

1.7 Methodology

The exercise of social screening and social impact assessment, and the preparation of Resettlement Action Plan (RAP) were conducted in a phased manner. Firstly, several reconnaissance surveys were conducted over the entire length of Project Corridor. Secondly, a socioeconomic (SES) covering 100% Project Affected Persons (PAPs) was conducted to collect detailed information on types, nature and quantities of properties to be affected as well as socio-economic profiles of all the project affected persons and households. Thirdly, several group discussions were organized with different stakeholders, like: project affected persons/households, government officials, local public representative, businessmen, etc. Fourthly, a survey was commissioned by the Resettlement Assistance Consultant's (RAC) field enumerators for assessing the Current Market Value (CMV) of all types of affected properties. According to the recommendation of Property Value Assessment Committee (PVAC) the Current Replacement Value (CRV) of all the affected land and properties will be determined by the proper authority.

Reconnaissance Survey: The reconnaissance surveys were conducted in the project area before and during commissioning the SES for SIA survey. These surveys were conducted to ascertain and record:

- a. the types and nature of bottlenecks expected to be faced during implementation by the Project Affected Persons and Households;
- b. the number and extent of encroachments and their locations along the project alignment within the proposed RoW;
- c. the number and types of community properties to be affected; and
- d. to interact with some of the potential project affected persons/households to enlighten them about the importance of the project and understand their expectations about rehabilitation and/or reaction thereof.

The RAC personnel visited each and every potentially affected locations of the project corridor and prepared a preliminary list of potentially affected properties indicating their nature and types, viz. house, shop, temple, etc. during the said visits. The Reconnaissance Surveys were mostly done during the months of July – August, 2015.

Socio Economic Survey (SES) of All PAPs/PAHs: With a view to preparing a Resettlement Action Plan (RAP), field surveys covering all the PAHs (100% census) were conducted for collection of primary data from each PAPs/PAHs over the entire stretches in strict compliance with social guidelines of GoB and JICA. The Field Investigators visited the affected locations to record in details of the affected properties (including community/common properties, if any) and collected socio-economic data of the potentially affected persons/households and common/community properties by using two sets of pretested questionnaires: one for the PAPs/PAHs and the others for the affected community properties. In fact, two sets of data were collected from the PAPs/PAHs. One set of inquiries aimed at assessment of types and extent of damage and prepared an Inventory of Losses (IoL) in the form of: loss of land, loss of living quarters and other physical infrastructures, loss of land used for commercial and business activities, loss of occupied land with permission of owners, loss of structures (legally/ illegally constructed) for dwelling or business, loss of tenant, loss of community facilities and utilities, like, potable water source (e.g. tube-well, well etc.), market place, schools, place of worships, community centers or clubs etc. The other set of enquiries aimed at preparing a socio-economic profile of the project displaced households, which include demographic features, like, household size, age distribution, sex ratio, education etc. and economic characteristics, like, usual activity status (occupation), income, vulnerability etc. Field data collection for preparing the RAP was conducted in September-October 2015.

In a meeting on 11th January 2016, the GC, NKDM Association informed the Project Director, DMRTDP that due to the inclusion of Escalator from ground to concourse level and the area of land required by the contractor during construction, there are some changes in land requirements as well as number of PAPs in 12 of the 16 stations. So, to meet-up the changed gaps, another SES was commissioned during last week of January to 1st week of February 2016. In others words for covering all the PAPs including those of new areas, data collection for SES was commissioned at 2 points of time: September – October 2015 and January – February 2016. Details about the PAPs are in Chapter-2 of this RAP.

Social Impacts Assessment: An extensive social impact assessment exercise were carried out over the entire length of the project through reconnaissance survey and extensive field survey including socio-economic survey (SES) of project affected households and properties including community properties and social interactions in the form of group discussion at different locations in the project area. Data generated through these exercises were transferred into a MIS and their analyses have been used to make estimates of social impacts of the project. This exercise had been carried out in close collaboration with social safe-guard experts associated with this project. The findings of this Social Impact Assessment (SIA) study constitute the major inputs of the Resettlement Action Plan. It is to be noted that the SES and SIA of all the PAPs were commissioned during the months of September-October 2015 immediately after the completion of Video-filming of PAPs within the proposed RoW; and again in January – February 2016 immediately after the Video-filming of new areas and PAPs within the newly proposed RoW. The Social Impacts Assessment have been done covering all the PAPs surveyed during the two periods of time: September – October 2015 and January – February 2016. Details about the Social Impacts are in Chapter-3 of this RAP.

Current Market Value Survey: Current Market Value (CMV) surveys were conducted in December 2015. The surveys were commissioned by the Resettlement Assistant Consultant's field investigators. For each type of loss, separate sheet of format was used and the number of respondents for each type was at least 10. To be specific, for determining the cost per Sqft. for construction of various types of structures, the RAC field investigators interviewed at least 10 persons experienced in these types of activities. The types of persons interviewed for the purpose are:

- traders of raw materials of the types used in the affected structures (3);
- masons/artisans work in construction of affected types of structures (2);
- small contractors experienced in constructing the affected types of structures (3); and
- owners of affected types structures outside, but near by the RoW (2).

For estimation of cash compensation, average of these 10 figures has been used. Similar procedure has been followed for all types of losses. As per the prevalent practice, the CMV surveys are done for three types of losses: land, trees and structures. Here in this project, no private land or trees will be affected. So the CMV survey was done for structures only.

In finalizing the amounts of per unit cash compensation, the Property Value Assessment Committee (PVAC) will be assisted by the Joint Verification Committee (JVC). Both the committees are represented by the representatives of relevant government departments. The results Current Market Value Surveys (CMV) are in Chapter-3 and the compositions of committees are in Chapter-9.

Stakeholders Consultation Meetings (SCM): The project RoW passes through built up areas at many stretches. It is worth noting that every attempt has been made to draw the alignment in such a way so that minimum damage is inflicted upon the existing properties along the project corridor without making any compromise with the project geometry. Therefore, necessary consultations were/are always in the process with the concerned group of people. To resolve the issues as aforesaid, a number of social interactions in the form of group discussions were held at different locations of the project RoW on different dates with the potential project affected persons and persons of repute of the locality. The RAC team held group discussions at different locations of the project corridor on different dates, both before and during the SES and preparation of RAP. Apart from various informal consultations meetings, 5 well organized consultation meetings were held in December 2015. Details of these discussions are stated in Chapter-4.

CHAPTER-2

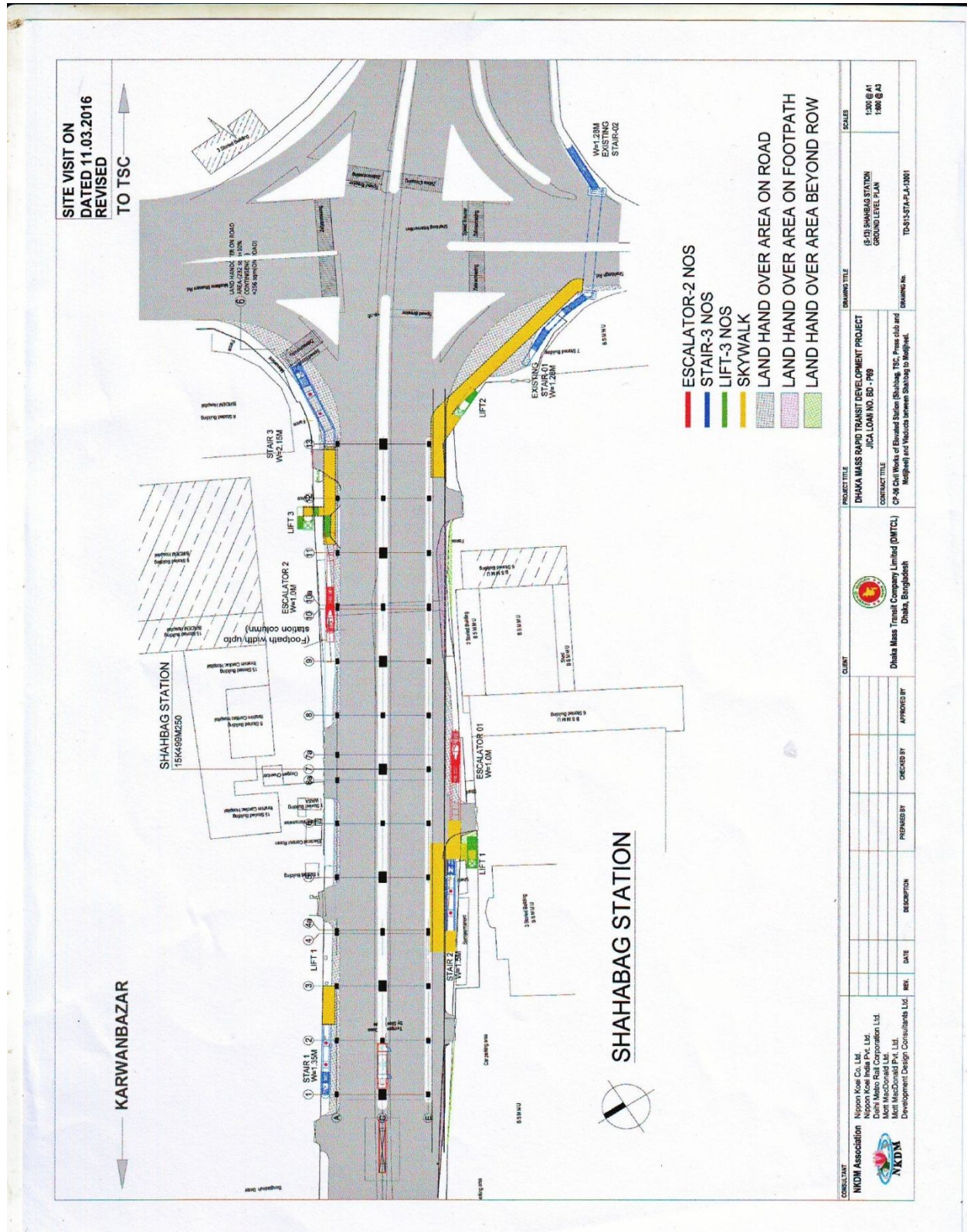
2. PROFILES OF PROJECT AFFECTED PERSONS AND POPULATION

2.1 Location and Sex-wise Total Project Affected Persons (PAPs)

Section-1.2 of this RAP provides the descriptions of this project along with its components. Excluding the Depot (there is a separate RAP for it), the other two major components of the project are the construction of 20.1 km Elevated Railway Track along with 16 stations, and one receiving sub-station & construction yards. It is to be noted that the entire railway track will be constructed above the present roads of RAJUK, Mirpur Cantonment, RHD and City Corporation, and the stairs& escalators of stations will be constructed on & over the foot-paths. Location of the receiving sub-station will be near the Kamlapur Rail Station on the land of the DCC, South. The stations will be constructed at both the sides of roads. Each of them will be of 180 meter in length. The stairs, piers and escalators will be on the foot-paths and the stations will be above the foot-paths and roads. During construction, the length of space to be needed for each station is 200 meter: 10 meter on the left side of station + 180 meter length of each station + 10 meter on right side of station. Persons residing on the entire foot-paths within this 200 meter length on either side of the railway track have been considered as PAPs and all of them are included in the list of Entitled Persons (EPs) for compensation.

During the SES conducted in the months of September – October 2015, 716 Squatter PAPs were identified and interviewed. Later on, the NKDM changed the station's design including escalator in every station. They have also mentioned that during the previous SES, Portal Pier was not considered. And also during the construction of stairs of stations, the entire footpath will be occupied by the construction contractor. During the previous SES, only the land of RoW at the stations' areas was considered. According to the meeting minutes of DMRTDP regarding the RAC activities, it was decided that the entire footpath will have to be covered by the SES for identifying the total number of PAPs. It was also decided that the station's length will be considered 10 meter more on each side from the last portion of each station and 10 meter more from the station's sky walk or stair case. According to the SES based on the revised design and guideline of DMRTDP, the total number of PAPs has increased to 1,140 from 716, an increase of 424 PAPs during the SES of January – February 2016. Figure 2.1 shows the typical plan of one station and Table-2.1 provides the location-wise distribution of all the 1,140 squatter Project Affected Persons (PAPs).

Figure 2.1: Typical Plan of Two of the 16 Stations of DMRTDP, DMTC



Another Station

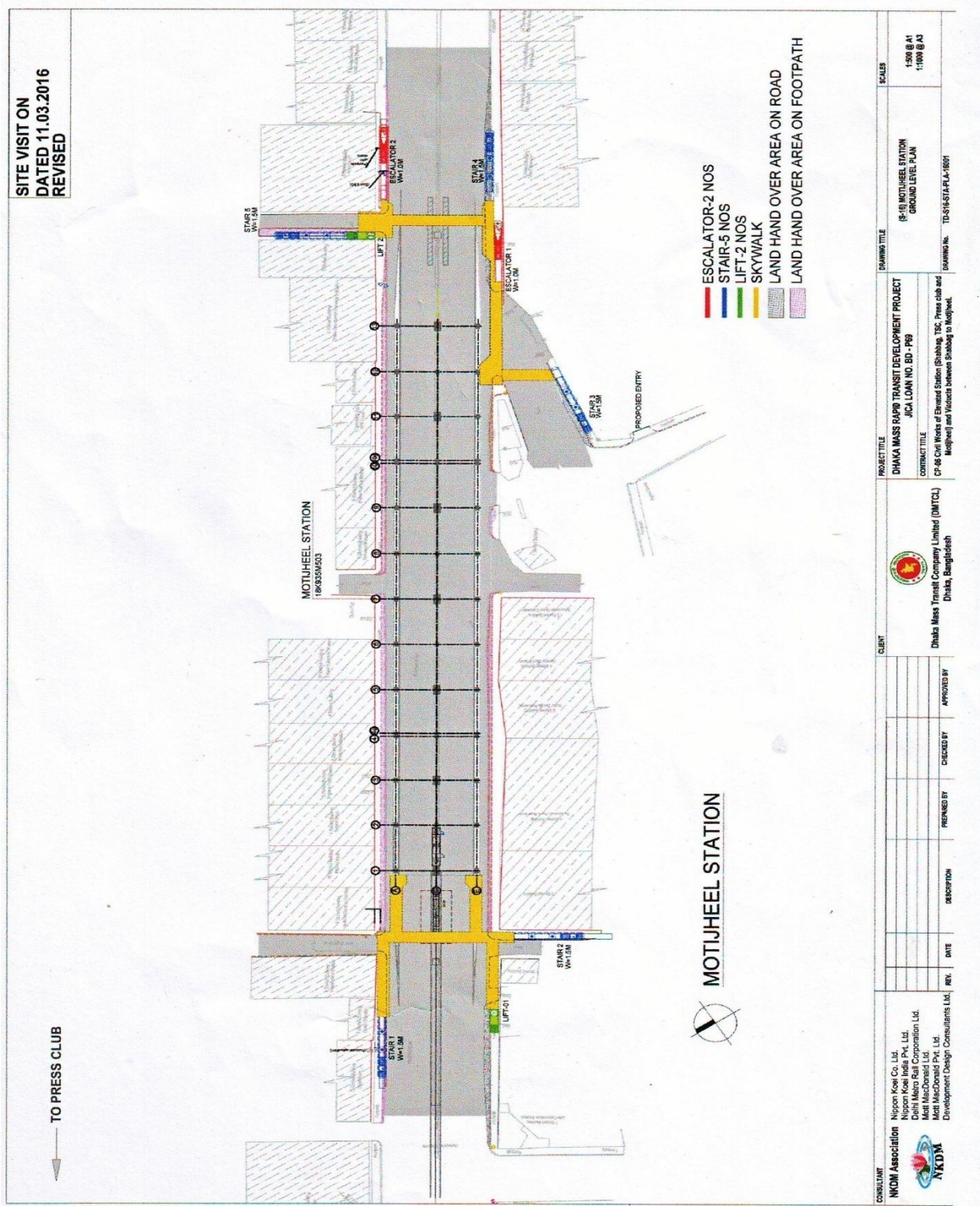


Table- 2.1: Sex-wise Total Project Affected Persons (PAPs) in Relation to Locations (S.L.1-16 are Stations and 17 is Viaduct of Row)

SL	Location of PAPs	*Name of City Corporation	**Sex-wise Number of PAPs			Percentage of Total PAPs
			Male	Female	Total	
1	Uttara North	DNCC	1	0	1	0.09
2	Uttara Center	DNCC	0	0	0	0.00
3	Uttara South	DNCC	0	0	0	0.00
4	Pallabi	DNCC	38	1	39	3.42
5	Mirpur-11	DNCC	171	1	172	15.09
6	Mirpur-10	DNCC	221	3	224	19.65
7	Kazipara	DNCC	9	0	9	0.79
8	Shewrapara	DNCC	132	0	132	11.58
9	Agargaon	DNCC	26	1	27	2.37
10	Bijoy Sarani	DNCC	7	1	8	0.70
11	Farmgate	DNCC	124	3	127	11.14
12	Kawaran Bazar	DNCC	0	0	0	0.00
13	Shahbag	DSCC	10	0	10	0.88
14	TSC	DSCC	24	2	26	2.28
15	Press Club	DSCC	64	0	64	5.61
16	Motijheel	DSCC	199	5	204	17.89
17	Total for Viaduct Area		68	7	75	6.58
Total PAPs in 16 Stations and Viaduct Area			1094	24	1118	98.07
18	Receiving Sub-Station	DSCC			0	0.00
19	Total for Construction Yards		19	3	22	1.93
Grand Total			1113	27	1140	100.00

*DNCC= Dhaka North City Corporation and DSCC= Dhaka South City Corporation

**Names, address and loss details of 1,140 PAPs are in MIS of RAC

Salient features of the table are:

- of the total 1,140 PAPs only 27 (2.37%) are female;
- 98.07% of the PAPs are within 20.1 km elevated railway track (including 16 stations) and the rest 1.93% are at the construction yards;
- the stations with concentration of more than 100 PAPs are:
Mirpur-11= 172, Mirpur-10= 224, Shewrapara = 132, Farmgate = 127 and Motijheel = 204, serial numbers 5, 6, 8, 11 & 16 respectively. These five stations share 75.35% (859) of the total 1,140 PAPs; and
- only one person will be affected at the 3 stations of Uttara area.

It is to be noted that although all the PAPs are affected at Government land, all of them will be given cash compensation for all other losses except land, as per the Entitlement Matrix, Section - 6.3 of this RAP.

2.2 Profiles of Project Affected Persons

For documenting the profiles of PAPs, this report has considered three major Indicators:

- Demographic Profiles (2.2.1);
- Social Profiles (2.2.2); and
- Economic Profiles (2.2.3).

All these three Indicators are discussed below in brief.

2.2.1 Demographic Profiles of Project Affected Persons

For assessing the Demographic Profiles of PAPs, this report has considered 4 variables: age of PAPs, their family size, types of family and marital status of PAPs. All the variables are presented in relation to sex of PAPs in the table below.

Table-2.2.1: Sex-wise Demographic Profiles of Project Affected Persons (PAPs)

Types of Variable		Sex-wise Number of PAPs		Total
		Male	Female	
Total PAPs		1113	27	1140
Age of PAPs	Upto – 29	394	3	397
	30 – 44	455	17	472
	45 – 59	206	6	212
	60 & above	58	1	59
Family Size	Upto – 4	711	19	730
	5 – 6	346	7	353
	7 – 8	47	1	48
	Above 8	9	0	9
Types of Family	Nuclear	935	23	958
	Joint	177	4	181
	Extended	1	0	1
Marital Status	Married	876	25	901
	Unmarried	237	2	239

The major findings of the table are:

- i. 1,081 (94.82%) of the total 1,140 PAPs are below 60 years of age and the share of age group of 60 and above years is only 5.18%;
- ii. 95% (1,083) of the total PAPs has the family size within 6 members implying the concentration in the family size group of above 6 members to only 5%;
- iii. as regard the types of families, nuclear type claimed 84.04% (958);
- iv. 79.04% (901) of the total PAPs are married; and
- v. share of female PAPs to total is only 2.37% (27).

2.2.2 Social Profiles of Project Affected Persons

For assessing the Social Profiles of PAPs, this report has considered 3 variables: ethnicity of PAPs, their religion and literacy level. The findings in this respect are in Table-2.2.2.

Table-2.2.2: Sex-wise Social Profiles of Project Affected Persons (PAPs)

Types of Variables		Sex-wise PAPs		Total
		Male	Female	
Total PAPs		1113	27	1140
PAPs by Ethnicity	Bangalee	1113	27	1140
	Indigenous	0	0	0
	Others	0	0	0
PAPs by Religion	Islam	1074	26	1100
	Hindu	39	1	40
	Others	0	0	0
PAPs by Literacy Level	Illiterate	55	5	60
	Can Sign only	166	8	174
	Up to Class – V	340	4	344
	Class – VI to X	399	4	403
	SSC & HSC	124	3	127
	Above HSC	29	3	32

The major finding of the table-are:

- all the 1,140 PAPs are Bangalee;
- distribution of PAPs between Islam and Hindu religions is 96.49% and 3.51% respectively;
- including those who can sign name only, total number of illiterate PAPs is 234, 20.53% of the total PAPs;
- the literacy levels, up-to class-V and Class VI-X share 30.18% and 35.35% respectively of the total PAPs; and
- 26 of the 27 female PAPs belong to the religion, Islam and 6 of the total female PAPs have literacy level, SSC and above.

2.2.3 Economic Profiles of Project Affected Persons

Economic Profiles of Project Affected Persons cover two broad issues like:

- Principal Occupations of project affected persons; and
- Project Affected Persons in Relation to monthly family income.

2.2.3.1 Principal Occupation of Project Affected Persons

Of the total 1,140 PAPs, 1,106 (99.30%) said that their principal occupation is business (it does not mean that all of them are affected by business). Table-2.2.3.1 provides the picture of types of business run by these 1,132 PAPs. It is to be noted that all the PAPs are affected on Government land, especially on foot-paths and at construction yards.

Table-2.2.3.1: Sex-wise Total Project Affected Persons in Relation to Principal Occupations

S.L.	Name of Occupations	No of PAPs			Percentage of Total PAPs
		Male	Female	Total	
1	Other Than Business	7	1	8	0.70
2	Business	1106	26	1132	99.30
Total		1113	27	1140	100.00
Types of Business: Distribution of 99.3% or 1,132 PAPs					
1	Readymade Garments	316	1	317	27.81
2	Tea Stall	118	9	127	11.14
3	Fruits Shop	80	0	80	7.02
4	Shoe Shop	74	0	74	6.49
5	Pan, Cigarette, Supari	66	3	69	6.05
6	Clothing Shop	62	0	62	5.44
7	Handicrafts	35	4	39	3.42
8	Hotel	34	2	36	3.16
9	Cosmetics	29	1	30	2.63
10	Book Shop	27	1	28	2.46
11	Cobbler	19	0	19	1.67
12	Vegetables Shop	16	3	19	1.67
13	**Others	230	2	232	20.35

** All the occupations with less than 10 PAPs have been grouped under others and this has been detailed-out in Section – 3.6.

In response to a supplementary question relating to Trade License, only 19 (1.68%) of them replied in Affirmative.

2.2.3.2 Income of Project Affected Persons

All the PAPs were asked to disclose their average monthly income including the income of affected business and their replies are summarized in Table-2.2.3.3. It is to be noted that some of the PAPs have more than one sources of income (income of the affected business is in Table-3.6). As a result, average monthly income of the PAPs (Tk.22,748) is expected to be higher than the average income of the affected business (Table-3.6).

Table-2.2.3.2: Sex-wise Distribution of PAPs in Relation to Their Average Monthly Income (in Taka)

SL	Monthly Income Group in Taka	Number of PAPs			Percentage of Total PAPs
		Male	Female	Total	
1	*Up to Tk 8,000	16	1	17	1.49
2	*Tk. 8,001-10,000	40	5	45	3.95
3	Tk. 10,001-20,000	608	15	623	54.65
4	Tk. 20,001-30,000	319	1	320	28.07
5	Tk. 30,001-40,000	78	1	79	6.93
6	Tk. 40,001-50,000	33	3	36	3.16
7	Above Tk. 50,000	19	1	20	1.75
8	Total Number of PAPs	1113	27	1140	100.00
9	Average Monthly Income of All	22,316	20,519	22,273	

*These two groups have been considered as income vulnerable and are entitled to a cash grant.

Average income per month of all the 1,140 PAPs is Tk. 22,273: for the female it is Tk. 20,519 and for male it is Tk. 22,316. Number of PAPs with income within Tk. 8,000 per month is only 17(1.49%) of the total. These 17 PAPs may be considered as hard core poor and the PAPs (45) within the income group of Tk.8001-10,000 are poor. Here total number of PAPs in these two groups is 62(5.44% of total PAPs) and all of them will be considered as Income Vulnerable (more in Section-8.10).

2.3 Profiles of Project Affected Population

This section deals with all the family members of the 1,140 PAPs. Total population in the 1,140 PAPs families is 4,788 implying the average family size at 4.20. The family members of PAPs don not live in the project area. PAPs family members reside outside the project area. Their homestead or land is not affected by the project. None of is affected by land. Only business income of PAPs are affected by the project. It may be said that in this case PAPs are equal to PAH as the family members are not directly related to the project and not subject to any compensation.

2.3.1 Age and Sex-wise Project Affected Population

Total population in the 1,140 PAPs families has been enumerated at 4,788 with the average household size of 4.20. Of the total population, distribution between the male and female is around 54 and 46 percent respectively.

**Table 2.3.1: Age and Sex-wise Total Family Members in PAP's Families/Households:
Total PAPs = 1,140: Male = 1,113 & Female = 27**

SL	Age Group in Year	Sex-wise Number			Percentage of Total Population
		Male	Female	Total	
1	Less Than 7	308	287	595	12.43
2	7 to 10	192	198	390	8.15
3	11 to 14	170	185	355	7.41
4	15 to 29	844	649	1493	31.18
5	30 to 44	524	453	977	20.41
6	45 to 59	349	290	639	13.35
7	Above 59	199	140	339	7.08
8	Total	2586	2202	4788	100.00
9	Percentage	54.01	45.99	100.00	-----
10	Average Family/ Household Size	2.27	1.93	4.20	-----

Considering the total population in the groups of up to 14 years and above 59 years as Demographic Dependent population, it shares 35.07% of the total population. Of the total population, the distribution between male and female is around 54 and 46 percent respectively.

2.3.2 Sex-wise Literacy Level of Project Affected Population

Literacy levels were collected for all the project affected population in the age group of 7 years and above. Population in this age group is 4,193(4,788-595) 87.57% of the total population and their literacy levels are in Table-2.3.2.

Table- 2.3.2: Sex-wise Literacy Level of the Total Project Affected Population (Total Family Members in PAPs Families) of 7 and Above Years: 4,193 (4,788 - 595)

SL	Literacy Level	Sex-wise Number			Percentage of Total Population
		Male	Female	Total	
1	Illiterate	134	213	347	8.28
2	Can Sign Only	321	287	608	14.50
3	Up to Class-V	784	609	1393	33.22
4	Class VI-X	695	568	1263	30.12
5	S.S.C & H.S.S	267	188	455	10.85
6	Above H.S.C	77	50	127	3.03
7	Total	2278	1915	4193	100.00
8	Percentage	54.33	45.67	100.00	--

Of the total population of 7 years and above (4,193) 22.78% are in the literacy groups of can sign only and illiterate. In other words the rest 77.22% are literate with the distribution among male and female: 80.03% and 73.89% respectively.

2.3.3 Sex-wise Current Principal Occupations of Project Affected Population

Total number of household members in the age groups of 7 years and above is 4,193 (87.57% of the total population) and their current principal occupations are in Table-2.3.3.

Table 2.3.3: Sex-wise Current Principal Occupations of Total Project Affected Population (Total Family Members in PAPs Families) of 7 Years and Above= 4,193 (4,788 - 595)

SL	Occupation Name	No of PAPs			Percentage of Total Population
		Male	Female	Total	
1	Business	1253	48	1301	31.03
2	Student	554	524	1078	25.71
3	Domestic works	26	1098	1124	26.81
4	Old& Weak	91	101	192	4.58
5	No specific work	84	40	124	2.96
6	House work Helper	13	63	76	1.81
7	Service	63	10	73	1.74
8	Agriculture work	56	15	71	1.69
9	Labour	40	1	41	0.98
10	**Other	98	15	113	2.69
Total		2278	1915	4193	100.00

Of all the current principal occupations, three occupations: business, student and domestic works share 83.55%. Only 2.96% was recorded without any specific work and 4.58% as old/weak, cannot do any work.

CHAPTER-3

3. THE SURVEY FINDINGS ON AFFECTED PROPERTIES AND MONETARY IMPACTS

3.1 Total Land Requirement for DMRTDP

Except for the Depot (there is a separate RAP for it), the DMRTDP, to date, has not acquired any private land. All the construction activities of 20.1 km elevated railway track and 16 stations will be on & over the present roads and foot-paths. The construction yards will also be on GoB land. Table-3.1 discusses the issues in detail.

Table-3.1: Project Component-wise Land to be Required and Sources of Land and Market Value

Project Components	Area of Land in Acre	Sources of Land and Current Market Value
The Depot	58.91: Purchased land from RAJUK	The entire area has been purchased from RAJUK and DMRTDP has taken the possession. There is a separate RAP for the Depot area.
The Right of Way and 16 Stations alongwith portal Pier and Eskaletors	4.90 acre: Almost all are foot-paths	The Elevated Railway Track will be on & over the present roads. All the 16 stations will be constructed on & over the foot-paths. No private land will be acquisitioned. All the 1140 PAPs will be affected on GoB land: foot-paths.
The Construction Yards and Receiving Sub-station	Area of land needed is not yet finalized. To-date, only the probable places have been identified.	The present ownership of the locations is with the Government agencies. The DMRTDP will have to take steps for getting the possession. There are 15 squatter PAPs with some minor structures.

The most important feature of DMRTDP is that, to-date, this project has not gone for any private land acquisition. However, in case of forthcoming land acquisition, if any; the issue will be dealt with LA procedures mentioned in the Entitlement Matrix.

3.2 Nature of Effects on Project Affected Persons

For assessing the Nature of Effects, this RAP has considered four Indicators like:

- ownership of affected lands;
- ownership of affected structures;
- present use of affected structures; and
- period of running business at the present place

All the four Indicators are briefly discussed below:

3.2.1 Ownership of Affected Land

It has been mentioned in Table-3.1 that, to-date, this project has not gone for any land acquisition. This implies that all the 1,140 PAPs are affected at GoB land, i.e., they are of Squatter type of PAPs. Table-3.2.1 reflects the reality in this respect.

Table-3.2.1: Nature of Effects on PAPs in Relation to Ownership of Land

Ownership of Land	Male PAPs		Female PAPs		Total PAPs	
	Number	%	Number	%	Number	%
Own Land	0	0	0	0	0	0
Govt./Others Land	1113	97.63	27	2.37	1140	100
Both Types	0	0	0	0	0	0
Total	1113	97.63	27	2.37	1140	100

Table-3.2.1 shows that all the 1,140 PAPs are squatters and affected on GoB land. In fact, the uniqueness of this project is that to date, there is no private land acquisition.

3.2.2 Ownership of Affected Structures

The 2nd variable for assessing the nature of effects is the ownership of affected structures. It is noted that all the PAPs are on footpaths and 1,132 (99.30%) of the total 1,140 PAPs are affected by business. Table-3.2.2 provides the replies of 1,140 PAPs in this respect.

Table-3.2.2: Nature of Effects on PAPs in Relation to Ownership of Structures

*Ownership of Structures	Male PAPs		Female PAPs		Total PAPs	
	Number	%	Number	%	Number	%
Own Structure	1113	97.63	27	2.37	1140	100
Hired Structure	0	0.00	0	0.00	0	0.00
Both Types	0	0.00	0	0.00	0	0.00
Total	1113	97.63	27	2.37	1140	100.00

***Types of structures are in Section-3.3.**

Salient features of the table are:

- all the 1,140 PAPs are affected at own structure;
- none is affected at hired structure; and
- none is affected at own & hired structure.

3.2.3 Use of Affected Structures

Of the total 1,140 PAPs, 836 (73.33%) do not have any structure in the real sense. Use of the structures owned by the rest 304 (26.67%) PAPs are given in Table-3.2.3.

Table-3.2.3: Nature of Effects on PAPs in Relation to Use of Affected Structures of 304 PAPs

Use of Structures	Male PAPs		Female PAPs		Total PAPs	
	Number	%	Number	%	Number	%
Homestead	7	0.61	1	0.09	8	0.70
Business	277	24.30	16	1.40	293	25.70
Homestead and Business	3	0.26	0	0.00	3	0.26
Without Structure in Reality	826	72.46	10	0.88	836	73.33
Total	1113	97.63	27	2.37	1140	100.00

Of the total 304 structure users, only 11 (3.62%) use their structures for dwelling house (home) and both for dwelling house and business. The rest 293 (96.38%) PAPs use their structures for only commercial purposes (business).

3.2.4 Period of Running Business

In total 1,132 (99.30%) of the 1,140 PAPs are affected by business on foot-paths because of the implementation of DMRTDP. Table-3.2.4 provides the periods of their running business at the present places.

Table-3.2.4: Sex-wise Total Project Affected Persons in Relation to Period of Running Business at the Present Place: Here Total PAPs=1,132

SL	Period of Running Business	No of PAPs			Percentage of Total PAPs
		Male	Female	Total	
1	Up to 5 Years	306	7	313	27.65
2	6 Years& Above	800	19	819	72.35
Total		1106	26	1132	100.00

Although, all the affected business owners are using foot-paths for running their business, 72.35% of them have been at the same place for 6 years and above. Whatever may be the length of period for running business at the present place, all of them will have to move-out because of the implementation of DMRTDP. To compensate for their income losses in this process, all of them will be given cash compensation as per the Entitlement Matrix, Section 6.3 of this RAP.

3.3 Affected Structures and Current Market Value

The structures of the affected 1,140 PAPs have been classified under five categories: Pacca & Semi Pacca are in Table-3.3.a and other three Indigenous categories are in Table-3.3.b.

Table-3.3.a: Type-wise Areas of Affected Structures and Current Market Value (CMV) as per Current Market Value Survey (CMVS)

Types of Structures	Total PAPs	Total Areas in sft	CMVs per Unit in Taka	CMVs for Total Area
Pacca	1	48	1600	76,800
Semi Pacca	2	416	1150	478,400
Total:	3	464	-----	555,200

**One Sqm=10.764 Sqft.

The Current Market Value per Sqft. were collected by the field investigators of RAC through Current Market Value Survey and all the CMVs will be finalized by the PVAC. Whenever necessary, the committees will take help of PWD and other relevant Government departments for finalizing as per unit CMVs. In addition to CMVs, the PAPs will get SDG, STG, SRG and URG as per The Entitlement Matrix, Loss Item-4A and Section-6.3. The cash grants will also be given to the PAPs owning structures with indigenous materials and the amounts are given in Table-3.3.b.

Table-3.3.b: Type-wise Areas of Affected Structures with Indigenous Materials and Cash Grant to Each Owner in Taka as Assessed by the DMRTDP and RAC

Types of Structures	Total PAPs	Grant to Each PAP	Total Grant
Tin + Others	107	7000	749,000
Wood + Others	161	5000	805,000
Other Categories	869	3000	2,607,000
Total:	1137	-----	4,161,000

Note:

- PAPs belonging to above three categories will not get STG, SRG & URG;
- they will be allowed to take away all the salvageable materials free of cost as SDG; and
- all of them are entitled to Business Restoration/Loss Grant as per The Entitlement Matrix Loss Item-4b and Section-6.3.

Definitions of Types of Structures:

- **Tin and Others:** Footpath + Chatai + Tin, Footpath + Khuti + Tin, Katcha + Polythene + Tin, Katcha + Tin + Tin, Steel+ Tin + Tin, Footpath + Tin + Tin, Wood + Tin + Tin, Wooden Box + Khuti + Tin, Wooden Box + Tin and Wooden Chouki + Bamboo+ Tin.
- **Wood and Others:** Bamboo Paltform + Wooden Chouki + Polythene, Hardbord + Wood + Polythene, Katcha + Khuti + Tripol, Plastic Cartoon + Wood, Wood + Still box, Wooden Bench + Tripol, Wooden Box + Khuti + Polythene, Wooden Chouki + Bamboo+ Polythene, Wooden Chouki + Polythene, Wooden Chouki + Rack, Wooden Chouki + Rack + Polythene, Wooden Platform + Wooden Chouki + Polythene.

- **Other Categories:** Bamboo made Jabok (Tukri/Juri), Cartoon Box, Cigarette Box, Cloth –Umbrella, Fixed Van, Fixed Van + Plain Sheet+ Decoration, Iron Shelf, Jhaka+Polythene+Others, Katcha + Kaporer Bera + Polythene, Katcha + Tripol + Tripol, Peanut Cage, Plastic Box, Polythene +Polythene, Steel Box, Steel Chouki, Steel Shelf, Stiiil Table, Wooden Bench, Wooden Box, Wooden Chouki, Wooden Platform, Wooden Shelf, Wooden Table, Wooden-Tool.

3.4 Affected Secondary Structures and Current Market Value

No secondary/minor/auxiliary structures like: boundary wall, gat, water tank, beam, pillar and all other supporting structures will be affected by this project.

3.5 Affected Trees and Current Market Value

Of the total 1,140 squatter PAPs, none will be affected by trees. However, there are some trees within the RoW owned by some Government departments like, Parliament House, two City Corporations and PWD which will be affected by the railway track.

Table-3.5: Size-wise Number of Trees to be Affected on Government Land Within the RoW

Size of Trees	Number	Percentage
Small	338	40.48
Medium	260	31.14
Large	237	28.38
Total	835	100

Of the total 835 trees, 14.73 percent are within the Parliament House. None of the above trees, in the real sense are of fruit bearing type. Estimated amount of value per tree of each type and the total value are given in Table-8.3.

3.6 Affected Business Enterprises and Income Loss

Of the total 1,140 squatter PAPs, 1,132 (99.30%) will be affected by business on footpaths. Table-3.6 shows the types business run by them along with their average monthly income from these affected business enterprises. It is to be noted that these incomes were collected from them during the SES.

Table-3.6: Business Type-wise Number of Project Affected Persons and Their Average Monthly Income in Taka from the Business Enterprises to be Affected

SL	Types of Affected Business	Number of PAPs	Total Monthly Income	Average Monthly Income
1	Readymade Garments	317	7,179,000	22,647
2	Tea Stall	127	2,412,000	18,992
3	Fruits Shop	80	1,629,500	20,369
4	Shoe Shop	74	1,546,000	20,892
5	Pan, Cigarette, Supari	69	1,206,500	17,486
6	Clothing Shop	62	1,760,000	28,387
7	Handicrafts	39	1,616,000	41,436
8	Hotel	36	1,015,000	28,194
9	Cosmetics	30	604,000	20,133
10	Book Shop	28	528,500	18,875
11	Cobbler	19	299,000	15,737
12	Vegetables Shop	19	339,000	17,842
13	Belt Shop	15	280,000	18,667
14	Jalmuri	14	302,000	21,571
15	Bag-Cotton, Rexin etc.	13	314,000	24,154
16	Mobile Recharge	12	188,000	15,667
17	Stationary Shop	12	232,000	19,333
18	Badam, Vutta, Chola	10	143,000	14,300
19	Egg Shop	10	189,000	18,900
20	Chotpoti (Chat House)	9	242,000	26,889
21	News Paper, Magazine	9	216,000	24,000
22	Mobile Accessories	8	188,000	23,500
23	Fruits Juice	7	219,000	31,286
24	Pitha Shop	7	109,000	15,571
25	Watch Shop	7	144,000	20,571
26	Moneybag, Ornaments	6	113,000	18,833
27	Puri, Chop, Peaju Seller	6	141,000	23,500
28	Halim, Nodules, Chotpoti	5	118,000	23,600
29	Kabab Shop	5	124,000	24,800
30	Key Maker	5	89,000	17,800
31	Nursery Shop	5	403,000	80,600
32	Rubber Stamp Pad, Signboard	5	107,000	21,400
33	Sunglass Shop	5	108,000	21,600
34	General Shop	4	88,000	22,000
35	Electronics Accessories	3	50,000	16,667

SL	Types of Affected Business	Number of PAPs	Total Monthly Income	Average Monthly Income
36	Fast Food	3	80,000	26,667
37	Fish Shop	3	52,000	17,333
38	Juice Bar	3	46,000	15,333
39	Meat Shop (poultry)	3	41,000	13,667
40	Spices Shop	3	49,000	16,333
41	Sweet shop	3	71,000	23,667
42	Flower Shop	2	65,000	32,500
43	Green Coconut Sale Point	2	41,000	20,500
44	Mat Shop	2	35,000	17,500
45	Motor Parts and Tire	2	43,000	21,500
46	Rickshaw Maker\Parts	2	32,000	16,000
47	Ring Shop	2	50,000	25,000
48	Seal Pad	2	40,000	20,000
49	Tooth Brush Shop	2	24,000	12,000
50	Vulcanizing and Tire Repairing	2	70,000	35,000
51	Workshop	2	52,000	26,000
52	Agriculture Product	1	18,000	18,000
53	Baby Toys and Ornaments Shop	1	15,000	15,000
54	Bedding Store	1	25,000	25,000
55	Ceramic Factory	1	50,000	50,000
56	Kobiraj	1	15,000	15,000
57	Mobile Services	1	20,000	20,000
58	Pati	1	14,000	14,000
59	Pharmacy	1	15,000	15,000
60	Pir	1	10,000	10,000
61	Stamp sell	1	15,000	15,000
62	Tailor	1	14,000	14,000
63	Wholesaler- Eit, Pathor , Balu	1	35,000	35,000
Total:		1132	25,278,500	22,331
Number of PAPs with monthly income from affected business \geq 20,000 = 656				
Number of PAPs with monthly income from affected business $<$ 20,000 = 476				

Salient features of the table are:

- 28.00% of the foot-path shops are shared by Readymade Garments;
- followed by Tea stall (11.22%), Fruits shop (7.07%), Shoe Shop (6.54), Pan-cigarette (6.09%) and so on.

- The average monthly income of the 1,132 business enterprise has been estimated at Tk. 22,331 within the range of Tk. 10,000 (lower limit, Serial-60) and Tk. 50,000 (upper limit, Serial-55).

3.7 Employment Loss in Affected Business Enterprises

According to The Entitlement Matrix, Loss Item-8 (Section-6.3) the employment losers (employees) of affected business enterprises are supposed to receive an employment loss grant for a period of 3 months. The amount to be received per day is Tk. 300 for unskilled and Tk. 500 for skilled labors respectively. Table-3.7 provides the detail of employees who will lose employment from the affected structures.

Table-3.7: Number of Employees who will Lose Employment from the Affected Business Enterprises

Number of employees	Number of Business Enterprises	Percentage of Business Enterprises	Total Number of Employees
0	914	80.74	0
1	138	12.19	138
2	55	4.86	110
3	11	0.97	33
4	7	0.62	28
5	3	0.27	15
6	3	0.27	18
10	1	0.09	10
Total:	1132	100.00	352

***All are unskilled employees. All belong to day labor type activities.**

Of the total 1,132 affected business enterprises, more than four-fifths do not have any employee. Those who have one& two employees are about 17.05% of all the 1,132 PAPs.

3.8 Income Loss from Affected Rented-out Structures

All the PAPs are affected at Government land, mostly on footpaths. So nobody was found to rent-out any structure.

3.9 Shifting of Materials from Affected Areas/Stuctures

According to the Loss Item –II of The Entitlement Matrix (Section-6.3), the PAPs are entitled to receive Tk. 10 per sqft. for shifting the materials from the affected areas. Table-3.9 provides the affected areas from where the materials are to be shifted.

Table-3.9: Type-wise Areas to be Affected from Where the Materials are to be Shifted

Types of Affected Areas	Affected Areas in Sqft.	Percentage
Affected Area under 16 Stations and Viaduct	28,737	57.72
*Affected Areas under Nursery	21,049	42.28
Total	49,786	100.00

*Owner of this land is PWD. It is yet to be decided whether this land will be taken for construction yard or not.

3.10 Affected Common/Community Properties and Current Market Value

At Pallabi under Chakuli Mouza one Common/Community Property will be affected within the RoW. It is a Temple on Government land within the Cantonment area. Type-wise area of structures of the Temple to be affected along with their CRVs are given in Table-3.10

Table-3.10: Type-wise Areas of Structures of the Temple and Current Market Value

Types of Structures	Areas in Sqft.**	CMVs per Sqft. in Tk.	CMVs for Total Areas in Tk.
Pacca x Pacca x Tin	400	1,100	440,000
Pacca x Tin x Tin	605	780	471,900
Pacca x Pillar x Tin	980	625	612,500
Earthen x Bamboo Post x Tin	154	320	49,280
Total	2,139	-	1,573,680

**One Sqm.=10.764 Sqft.

As this Temple is on Government land within the Cantonment area, it needs to be shifted to an area outside the Cantonment. The DMRTDP may take initiative for finding a suitable place for the purpose of shifting the Temple. All the CMVs per sqft. given in above table will be finalized by PVAC with the help of PWD/NHA. The estimated amount of compensation against the total CMV is in Section-8.11.

3.11 Affected Structures of Government Departments and Current Market Value

Apart from 1,140 PAPs, some Government departments' structures will also be affected mostly around the Farmgate and Agargaon area. Type-wise areas of the structures and corresponding Current Market Value are furnished in Table-3.11.

Table-3.11: Loss of Structures by Government Departments and Current Market Value

Types of Structures	Area in Sqft. **	CMV per Sqft. in Taka	CMV of Total Area in Taka
Pacca x Pacca x Pacca	1,110	1,600	1,776,000
Pacca x Pacca x Tin	3,440	1,100	3,784,000
Pacca x Tin x Tin	75	780	68,500
Earthen x Bamboo Post x Tin	100	320	32,000
Pacca Wall	13,350	250	3,337,500
Total			8,988,000

**One Sqm.=10.764 Sqft.

Current Market Value of the affected structures of various Government departments (PWD, DAE, WASA, BARC, Air Force Museum, Police, IDB, etc) is Tk. 8,988,000= Tk.8.988 million. It is to be noted that 37.13% of the total CMV are for Pacca Walls.

CHAPTER-4

4. CONSULTATION, PARTICIPATION AND DISCLOSURE

4.1 Project Stakeholders

The stakeholders under this RAP include the owners of affected properties. Other stakeholders include DMRTDP as the Project Executing Agency (PEA), JICA as project financier, related government agencies and local government representatives. As a general consultant of the DMRTDP, NKDM is also a major stakeholder.

4.2 Disclosure of Information

Goals and objectives of the project have been disclosed with the affected people and other stakeholders through consultation meetings attended by the expected PAPs and local elites.

i) Information Gathering

- Review of MRT Line 6 policy on disclosure and public consultations;
- Review of Financier (JICA) policy on disclosure and public consultations; and
- Review of available literature on disclosure and consultation method followed in other donor funded infrastructure projects and good practices in Bangladesh.

ii) Information Disclosure

- Information dissemination and consultation meetings with project affected people.
- Disclosure of the project components and other related issues among stakeholders through conducting public meetings.
- Disclosure of the Resettlement issues among the potential affected persons.

4.3 Public Consultation

Five Public Consultation Meetings were organized with all the affected persons, were consulted through group meetings and personal contact. The opinion of the APs and other stakeholders regarding the project was considered duly. All the meetings started with the introduction of the MRT Line 6 project along with its objectives, benefits to be obtained from the project, losses of properties due to the implementation, and the compensation packages and quantum for the losses. Table 4.1 provides the detail on the Consultation Meetings held at MDC Model School, 12/B Pallobi, Mirpur; Mirpur Adarsha High School, Mirpur-10; Tejkunipara Model High School, Tejgaon; Paltan Community Center, 42, Naya Paltan and Milestone School and College, Uttara.

The schedule was as follows:

Table-4.1: Schedule of Consultation Meetings

Sl.	Date	Time	Places	Attendance
01	10.12.2015	3.00 pm	MDC Model School, 12/B Pallobi, Mirpur, Dhaka-1216	156
02	11.12.2015	3.00 pm	Mirpur Adarsha High School, Mirpur, Dhaka-1216	190
03	14.12.2015	3.00 pm	Tejkunipara Model High School, Tejkunipara, Tejgaon, Dhaka-1215	144
04	17.12.2015	3.00 pm	Paltan Community Center, 42, Naya Paltan, Dhaka	226
05	19.12.2015	3.00 pm	Milestone School and College, Uttara	53

Note: Minutes of the Discloser Meetings are in Annex-A

Appreciating the expected benefits of MRT Line 6 (Metro Rail project) in reducing traffic jams and booster economic growth, the opinions/concerns of the project affected people are:

- All the APs welcomed the Metro Rail project as they understand the crying necessity of this project for Dhaka City. But, most of the APs expressed that they are doing business in their locations for a long time, some case more than a decade. So, they expect proper compensation if they are evicted from their present locations.
- APs grateful to government for considering them for compensation. They wanted assurance for getting compensation as per the policy framed by the project authority well before they are evicted.
- Affected People expect to get compensation in such a way so that they can do business at other places or use compensation money for none other works. They expressed that they have very insufficient amount of capital and have no financial capacity to hire alternative shop in a permanent market. If they are asked to vacant from their places, they will require handsome amount of money to start their business at any new place at quickest possible time.
- They opined that the government should consider fair amount of compensation so that they are not worse off than their pre-project situation. Because, they don't have any alternate option to do their business in other place.
- Some of the APs expressed that the cash compensation will not be enough because their full family of at least 4/5 members are entirely depended on this business. In this situation the said that their cases should be considered with sympathy.
- At Agargaon station area, owner of plant nursery expressed that they have more investment in their business. So, they want appropriate compensation for that.

- In some places, owners of tea shops/other small business expressed their satisfaction after learning that the government will pay their compensation for their income losses which should be given 2-3 months before eviction. Because they need this time for re-start their business.
- Second hand book sellers at Mirpur-10 area demanded to provide them at a permanent market to continue their business.
- Some APs from the small shop owners of Press Club and Motijheel area demanded for employment in the project rather than only compensation. Provided they are suitable for the project activities.
- At Doel Chattar area, Handicrafts business community told that they have both local and foreign market for their products. So, they want themselves relocated at a better place.

4.4 Mechanism for Stakeholder's Participation

During the preparation of the RAP, PAPs and the communities were informed, closely consulted, and encouraged to participate. This process will be continued during the preparation of detail design, and implementation and monitoring of the RAP. Consultation and communication with PAPs and other stakeholders during design stage of the project was an integral part of the process of gathering additional data.

4.5 Disclosure of the RAP

The main themes and scopes of the RAP will be disclosed in to the affected community in Bangla after it has been approved by the proper authority. It will be translated into Bangla while drafting the RAP. The RAP's provisions were further explained to PAPs in group discussions, personal contact and community level meetings. This RAP will be summarized in an information booklet in local language (Bangla) and disclosed to PAPs during implementation of the RAP after it has been reviewed and approved/endorsed.

CHAPTER-5

5. LEGAL AND POLICY FRAMEWORK

5.1 Legal and Policy Framework of Land Acquisition in Bangladesh

The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance 1982 (ARIPO) and subsequent amendments of the Ordinance in 1989, 1993, and 1994. Ordinance has provided certain safeguards for the owners of affected properties and has provision for payment of “fair value” for the property to be acquired. The properties for which the compensation to be paid for:

- i) Land and assets permanently acquired (including houses, trees, and standing crops); and
- ii) Any other impacts caused by such acquisition.

In all cases, the Deputy Commissioner (DC) determines the:

- (i) Market value of acquired assets on the date of notice of acquisition (based on the registered value of similar property bought and/or sold in the area over the preceding 12 months); and
- (ii) 50% premium on the assessed value (other than crops) due to compulsory acquisition.

The DC's payments or award to owners of affected properties is called Cash Compensation under Law (CCL). The value usually paid is invariably less than the “replacement value”. Because, in practice, when lands are sold/purchased the owners customarily report undervalued land transaction prices in order to pay lower stamp duty and registration fees. Based on undervalued 12 months average price DC assessed the land price. As a result, compensation for land paid by DC, including premium, remains less than the real market price or replacement cost. If land acquired has standing crops cultivated by tenant (share cropper), the law requires that part of the compensation money be paid in cash to the tenants with registered deeds only which is very rare in practice. The law directs that the places of worship, graveyard and cremation grounds are not to be acquired for any purpose. But it does not permit the displaced persons to take the salvageable materials for which compensation have been paid by the DC.

Under the 1982 Ordinance, the Government is obliged to pay compensation only for the assets acquired. Further, the Ordinance does not deal with social and economic impacts as the consequence of land acquisition. For instance, the Ordinance does not cover project-displaced persons without titles such as informal settler (squatters), occupiers, and informal tenants and lease-holders (without registration document). Further, the Ordinance has no provision for resettlement of displaced households and businesses or any assistance for restoration of livelihoods of the displaced persons.

Under the Provision of Land Acquisition Act 1994, the government of Bangladesh is liable to compensate the PAPs for the following types of losses:

- Compensation for loss of land by owners only;
- Compensations for house and other affected structures at own land; and
- Compensation for trees and standing crops at own land.

These three types of compensation can-not cover all the types of losses incurred by the PAPs. CCL package does not have any provision for protecting the PAPs on khas or other government land. Moreover it does not have any provision for the losers of business, employment etc. For land, the CCLs are always found well below the Current Market Price(CMV)s. Overcome these problems, JICA, ADB & WB have developed their own policies for estimating the compensations. The JICA policies in these respects are explained below in comparison to those of GoB policies.

5.2 Basic Principles Regarding Environmental and Social Considerations

While project proponents etc. bear the ultimate responsibility for the environmental and social considerations of projects, JICA supports and examines appropriate environmental and social considerations undertaken by project proponents etc. to avoid or minimize development projects' impacts on the environment and local communities, and to prevent the occurrence of unacceptable adverse impacts. JICA thus promotes sustainable development in developing countries. In these guidelines, JICA has created clear requirements regarding environmental and social considerations, which project proponents etc. must meet. JICA provides project proponents etc. with support in order to facilitate the achievement of these requirements through the preparation and implementation of cooperation projects. JICA examines undertakings by project proponents etc. in accordance with the requirements, and makes adequate decisions regarding environmental and social considerations on the basis of examination results.

JICA recognizes the following seven principles to be very important.

1. A wide range of impacts must be addressed

The types of impacts addressed by JICA cover a wide range of environmental and social issues.

2. Measures for environmental and social considerations must be implemented from an early stage to a monitoring stage

JICA applies a Strategic Environmental Assessment (SEA) when conducting Master Plan Studies etc., and encourages project proponents etc. to ensure environmental and social considerations from an early stage to a monitoring stage.

3. JICA is responsible for accountability when implementing cooperation projects

JICA ensures accountability and transparency when implementing cooperation projects.

4. JICA asks stakeholders for their participation

JICA incorporates stakeholder opinions into decision-making processes regarding environmental and social considerations by ensuring the meaningful participation of stakeholders in order to have consideration for environmental and social factors and to reach a consensus accordingly. JICA replies to stakeholders' questions. Stakeholders who participate in meetings are responsible for what they say.

5. JICA discloses information

JICA itself discloses information on environmental and social considerations in collaboration with project proponents etc., in order to ensure accountability and to promote the participation of various stakeholders.

6. JICA enhances organizational capacity

JICA makes efforts to enhance the comprehensive capacity of organizations and operations in order for project proponents etc., to have consideration for environmental and social factors, appropriately and effectively, at all times.

7. JICA makes serious attempts at promptness

JICA addresses request of acceleration for the prompt implementation of projects while undertaking environmental and social considerations.

5.3 Gaps and Gaps Filling Measures Between GoB and JICA Policies

As there are so many gaps between the GoB and JICA policies on Involuntary Resettlement of PAPs, Table-5.3 has furnished the gaps and proposes measures for filling up the gaps.

Table - 5.3: Gaps and Gap Filling Measures

Sl. No .	Item	JICA guideline(April -2010)	GoB Guideline 1982	Proposed measure	Response in RAP
1	Acknowledgement as an eligible for compensation	All of the project affected persons (PAPs), whether legally residing or not, must be acknowledged as an eligible for compensation	There are no provisions for compensation to the non-titled residents. Also, there are no provisions about providing either the expenses necessary for the relocation or the compensation for the decrease of income due to relocation	All of the PAPs must be acknowledged as an eligible for compensation	Both the Titled and Non Titled PAPs have been covered in SES which includes all type of losses
2	Support for non-titled people	People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported by project proponents etc. in a timely manner	No compensation will be made to non-titled people	Identify the eligible from the non-titled people at the time of census survey intended for PAPs, and implement compensation and support to them	They will get compensation for all types of losses including structure, business, employment, vulnerability etc.

Sl. No .	Item	JICA guideline(April -2010)	GoB Guideline 1982	Proposed measure	Response in RAP
3	Construction of support system for vulnerable social groups	Appropriate considerations must be given to vulnerable social group which may have little access to decision making process within society	There are no provisions for either acknowledgement of or compensation to vulnerable social groups	Considering ‘Good Practices’ in other projects, carried out by other donors, determine the requirement for the social vulnerability and provide compensation to them	There are special provisions for all vulnerable including the Non-Titled vulnerable
4	Land acquisition for PAPs	Host countries must make efforts to enable people affected by projects and to improve their standard of living, income opportunities and production levels or at least to restore these to pre-project levels	Neither protection of alternative sites nor development of social infrastructure due to the land acquisition will particularly be made	Confirm the necessity of alternative sites in census survey and in case of need, secure the site	Necessary assessment is done during the social survey and actions are proposed accordingly in the RAP.
5	Offering measures to recover the livelihoods of PAPs	Host countries must make efforts to enable people affected by projects and to improve their standard of living, income opportunities and production levels or at least to restore these to pre-project levels	There are no provisions for the manner and order of support until resettlement, unemployment compensation/business compensation for the recovery of livelihood, low-interest loan system nor job training/ placement	Referring to project carried out by other donor, determine the measure to restore PAPs’ livelihood	PAPs will get necessary support to restore their livelihood as per the entitlement matrix of RAP.

Sl. No .	Item	JICA guideline(April -2010)	GoB Guideline 1982	Proposed measure	Response in RAP
6	Formulation of Resettlement Action Plan and promotion of citizens' participation in the project implementation stage	Promote the participation of affected people and their community and their opinion must be incorporated into the decision making process	There are no provisions for the formulation of RAP and conduct public hearing. Deputy Commissioner (DC) contacts to land owner through Land Acquisition Officer (LAO), and if land owner has no objection, confirmation operation for compensation amount etc. will be proceeded among LAO, business, local government and land owner.	Hold local stakeholder meetings with citizens' participation and reflect the opinion arose from the meetings to RAP	At the planning stage PAPs have been participated through Stakeholders meetings and at the implementation stage they will participate through various committees.
7	Compensation for house loss at full replacement cost	Apply criteria and the good practices which JICA, International Organization and other developed countries provide not considering depreciation	In case when land owner has no objection, confirmation operation for resettlement scale and compensation amount will be proceeded among LAO, business, local government and land owner	Prompt to make compensation with full replacement cost, not considering depreciation or diversion of debris	PAPs will get the RV of structures and other resettlement benefits as per the entitlement matrix.

Sl. No .	Item	JICA guideline(April -2010)	GoB Guideline 1982	Proposed measure	Response in RAP
8	Grievance Redress Committee	Grievance Redress Committee must be established so that PAPs do not suffer a loss due to relocation.	In case PAPs have objection to compensation amount, PAPs should protest and entrust the matter to the Arbitrator. If PAPs have appeal against Arbitrators decision, then PAPs should file a lawsuit to the court and wait for the sentence	Establish a third-party panel, i.e., GRC which has simpleness, convenience and reliability	The GRC is represented by PAPs, both male and female, Local Govt. representative Lawyer etc.
9	Implementation of Monitoring Plan	A monitoring plan must be implemented so that people can monitor whether environmental and social considerations are undertaken during the project	There are no provisions for the monitoring related to the process of project, the verification of the result or the coping strategy	Establish a third-party monitoring panel which is valid both legally and administratively	Provisions for both internal and external monitoring are there in the RAP

In Bangladesh most of the infrastructure development projects are financially and technically assisted by the donors like JICA, WB, ADB, etc. In estimating the Replacement Value of the affected/displaced properties, the harmonization between the donor and GoB policies have always been done in past projects which has been followed similarly for this project also.

5.4 Resettlement Experiences under Harmonized Policies

At present, there is no national policy for resettlement of project-affected persons in Bangladesh. However, many donor and multi-donor funded projects - particularly large bridge projects such as the Bangabandhu Bridge, Bhairab Bridge, Paksey Bridge, and Rupsa Bridge - have been successfully implemented the resettlement program in the country. The Jamuna resettlement is considered a "model" with many "good practices" among the other. The mentionable tasks completed in social safeguard program are: (i) identification of affected persons at maximum level; (ii) cut-off date established by census; (iii) video-filming of project right-of-way; (iv) ID

cards for affected persons; (v) compensation for losses irrespective of titles; (vi) replacement value of land and other assets; (vii) resettlement of the affected households; (viii) special provisions for assistance to poor women and vulnerable groups; (ix) training/livelihood programs for income restoration; (x) project benefits for "host" villages; (xi) management information system for processing resettlement benefits monitoring and evaluation; and (xii) involvement of NGOs in RAP implementation. These successful steps have influenced many other projects since its completion in 1998. It is to be noted that in all donor assisted project, the compensation packages for all types of loses are given at Current Replacement Value to such an extent that it may be named as Maximum Allowable Replacement Value (MARV).

CHAPTER-6

6. ENTITLEMENT MATRIX AND PAYMENT PROCEDURES

6.1 Principles, Legal and Policy Commitments

The RAP has the following specific principles based on the government provisions and safeguard policy JICA:

- i. The land acquisition and resettlement impacts on persons affected by the subprojects would be avoided and minimized as much as possible through alternative design options;
- ii. Where negative impacts are unavoidable, the persons and vulnerable groups affected by the project will be identified and assisted in improving or regaining their standard of living;
- iii. Information related to the preparation and implementation of resettlement plan will be disclosed to all stakeholders and people's participation will be ensured in the planning and implementation. The resettlement plan will be disclosed to the PAPs in local language;
- iv. Land acquisition for the project, if needed, would be done as per the Acquisition and Requisition of Immovable Property Ordinance 1982 and subsequent amendments. Additional support would be extended for meeting the replacement value of property. The affected persons who do not own land or other properties, but have economic interests or lose their livelihood will be assisted as per the broad principles described in this document;
- v. Before taking possession of the acquired lands and properties, compensations and Resettlement and Rehabilitation (R&R) assistance will be paid in accordance with the provisions described in this document;
- vi. An entitlement matrix for different categories of people affected by the project has been prepared. People moving in the project area after the cut-off date will not be entitled to any assistance. In case of land acquisition the date of notification under section 3 for acquisition will be treated as cut-off date, for non-titleholders such as informal settlers/squatters and encroachers the date of census survey or a similar designated date declared by the executing agency will be considered as cut-off date;
- vii. Appropriate grievance redress mechanism will be established to ensure speedy resolution of disputes;
- viii. All activities related to resettlement planning, implementation, and monitoring would ensure the involvement of women and other vulnerable groups;
- ix. Consultation with the PAPs will continue during the implementation of resettlement and rehabilitation works; and

In accordance with the resettlement principles suggested for the project, all the affected persons/households will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets, scope of the impacts including socio-economic vulnerability of affected persons and measures to support livelihood restoration if livelihood impacts are envisaged. The affected persons will be entitled to:

- i) get compensation for loss of land, crops/trees at their replacement value;
- ii) Compensation for structures (residential/commercial) and other immovable assets at their replacement value;
- iii) Assistance for loss of income business/wage income;
- iv) Assistance for shifting; and
- v) Rebuilding and/or restoration of community resources/facilities.

This will ensure that the persons affected by land acquisition, whether titled or non-titled will be eligible for appropriate compensation/ resettlement benefit. Persons having no legal titled but using the land under acquisition, if vacated for the project purpose, would be provided with compensation and resettlement benefits for structures and shifting and reconstruction grants. Households having customary rights to land and physical property like the owners, users of vested and non-resident property, lessees of homestead, commercial and agricultural land, sharecroppers, renters of land and structures, etc. are also covered under the resettlement action plan. The RAP also includes support for occupational skill development training for income generation activities for the PAPs, especially of poor households. The resettlement activities of the project will be carried out in consultation with the PAPs and all efforts will be made to minimize corruption during project implementation. PAPs preferences will be taken into account in the selection of alternative relocation sites, if needed.

6.2 The Eligibility and Entitlement Matrix

Project Affected Persons (PAPs) entitled to compensations are those losing their land (titled or non-titled), structures, crops, trees and other objects attached to the land: business, income, employment etc. Eligibility to receive compensation and assistance will be limited to the cut-off date. Any households or persons identified within the project RoW during this process will be eligible for compensation and assistance from the project. The PAPs who settle in the affected areas after the cut-off date (Section 1.6) will not be eligible for compensation. They, however, will be given sufficient advance notice, requesting to vacate the premises and dismantle structures prior to project implementation.

The RAP will be implemented according to compensations and grants eligibility and entitlements framework in line with both GoB laws and JICA policies. The entitlements are based on provisions for compensation for land and other assets following the Ordinance II of 1982, and replacement cost and other assistance and allowances following the JICAs policies. The Eligibility and Entitlements Matrix for the project included in Table-6.3.1 complies with the policy framework for the project harmonizing the national law with JICAs policies and benefits from good practices/examples on involuntary resettlement in Bangladesh.

6.3 The Entitlement Matrix

This RAP covers the PAPs of RoW, 16 station, one receiving sub-station and construction yard. The Entitlement Matrix (Table-6.3) has been prepared on the basis of information derived from the census and inventory of losses survey of the Project Affected Persons/Households and other structures located in the areas demarcated for the implementation of DMRTDP. The Project will pay the resettlement benefits to PAPs with the help of RAC (Resettlement Assistance

Consultant). Entitled Persons (EPs) will be the owners of affected properties. In all cases, the persons available within the demarcated areas during the Video-filming will be considered as EPs. **It is to be noted that there is no land acquisition in this project implying that all the PAPs are squatters (all of them are on Government land). In spite of this reality, the Entitlement Matrix has included the land related compensation issues for safe guarding the future of implementation of this project. The implementation of DMRTDP will take around 5 years and if there is any land acquisition in future, the instant Entitlement Matrix can take care of the compensations related to land.**

Table- 6.3: Eligibility and Entitlement Matrix for Compensations and Grants for All the PAPs within RoW, Stations, Receiving Sub-station and Construction Yard of the DMRTDP, DMTC

Loss item 1: Loss of Agricultural Land			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Legal owners/ title-holders as identified by Deputy Commissioner (DC)	<ul style="list-style-type: none"> • Replacement Value (RV) of Agricultural Land • 20.5%¹ of CMV as the Stump duty, VAT & Tax and other duty for registration cost no matter whether he/she purchases land or not. The govt rate will be applied if “it increase or decrease in future. • Dislocation Allowance²: Tk 150/Decimal and amount will not exceed Tk. 30,000/- • Crop Compensation as per Govt. rule paid by DC. • The cultivators will be allowed to harvest the standing crops etc. 	<ul style="list-style-type: none"> • Replacement Value (RV) will be recommended by PVAC based on CMV assessed by RAC and RV will be approved by DMTC. • RAC will assess the Current Market Value (CMV). • DC will pay (cash compensation under law) CCL, if RV is higher than CCL, the differential amount will be paid by DMRTDP with the help of RAC. • Final compensation will be determined by the PVAC. 	<ul style="list-style-type: none"> • Legal owners will be assisted by RAC to organize legal documents in support of their ownership. • RAC will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from DC office.
Implementation Issues: <ul style="list-style-type: none"> • Persons entitled will be informed of the details about the land acquisition and compensation process, resettlement package and payment procedures. 			

¹ The cost has been increased now up to 20.5% at the city area of Bangladesh by the Government. The govt rate will be applied if “it increase or decrease in future.

² In the RAP of Padma Multi Purpose Bridge Project 2010, the rate was considered as Tk. 100/Decimal and the limit hike of the commodities, the present rate has been considered Considering the Inflation and price - was Tk. 20,000/ now

<ul style="list-style-type: none"> PVAC will recommend the Replacement Value (RV) on the basis of CMV assessed by RAC. CMV will be assessed for each affected mouza for each type of land. DC will determine the CCL as per Govt Law and Rules. 			
Loss Item 2: Loss of Homestead , Commercial Land and Common Property Land			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Legal owner/ title holders as identified by DC	<ul style="list-style-type: none"> Replacement Value (RV) of land 20.5%³ of CMV as the Stump duty, VAT & Tax and other duty for registration cost no matter whether he/she purchases land or not. The govt rate will be applied if “it increase or decrease in future. Dislocation Allowance⁴: Tk 150/Decimal and amount will not exceed Tk. 30,000/- 25%⁵ of CMV as land development allowance, no matter whether he/she purchases land or not 	<ul style="list-style-type: none"> Replacement Value (RV) will be recommended by PVAC based CMV assessed by RAC and it will be approved by DMTCL. DC will pay (cash compensation under law) CCL, if RV is higher than CCL, the differential amount will be paid by DMRTDP with the help of RAC. 	<ul style="list-style-type: none"> Legal owners will be assisted by RAC to organize legal documents in support of their ownership RAC will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from DC office
Implementation Issues: <ul style="list-style-type: none"> Persons entitled will be informed of the details about the land acquisition and compensation process, resettlement package and payment procedures PVAC will recommend the Replacement Value (RV). DC will determine the CCL as per Govt. rules and law. 			

³ The cost has been increased now up to 20.5% at the city area of Bangladesh by the Government. The govt rate will be applied if “it increase or decrease in future.

⁴ Multi Purpose Bridge Project 2010, the rate was considered as Tk. 100/Decimal and the limit In the RAP of Padma Considering the Inflation and price hike of the commodities , the present rate has been considered .-was Tk. 20,000/ now

⁵ For developing plain land/low land for homestead, filling of land is required preferably by importing sand from outside. This rate is considered in 2011 RAP of this project. Also it is considered in this RAP.

Loss Item 3: Loss of Water Bodies (Ponds, Both Cultivated and Non-Cultivated)

Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Legal owner/ titleholders as identified by Deputy Commissioner (DC)	<ul style="list-style-type: none"> • Replace Value (RV) of water body. • 20.5%⁶ of CMV as the Stump duty, VAT & Tax and other duty for registration cost no matter whether he/she purchases land or not. The govt rate will be applied if “it increase or decrease in future. • Dislocation Allowance⁷: Tk 150/Decimal and amount will not exceed Tk. 30,000/- • 10 %⁸ of CMV as one year as fish compensation for fish cultivation • The fish cultivators will be allowed to catch/harvest all the fishes free of cost before taking possession. 	<ul style="list-style-type: none"> • Replacement Value (RV) will be recommended by PVAC based CMV assessed by RAC and RV will be approved by DMTCL. • DC will pay (cash compensation under law) CCL for the land. If RV is higher than CCL, the differential amount will be paid by DMRTDP with the help of RAC. 	<ul style="list-style-type: none"> • Legal owners will be assisted by RAC to organize legal documents in support of their ownership • RAC will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from DC office
Implementation Issues: <ul style="list-style-type: none"> • Persons entitled will be informed of the details about the land acquisition and compensation process, resettlement package and payment procedures • PVAC will recommend the Replacement Value (RV) on the basis of CMV an assessed by RAC and RV will approved by the DMTC. CMV will be assessed for each affected mouza for each type of land • DC will determine the CCL as per Govt. rules and law. 			

⁶ The cost has been increased now up to 20.5% at the city area of Bangladesh by the Government. The govt rate will be applied if “it increase or decrease in future.

⁷ In the RAP of Padma Multi Purpose Bridge Project 2010, the rate was considered as Tk. 100/Decimal and the limit sidering the Inflation and price hike of the commodities , the present rate has been considered Con .-was Tk. 20,000/ now

⁸ Prevalent practice in Bangladesh.

Loss Item 4 A: Loss of All Types of Immoveable Structures With Title to Land			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • Replacement Value (RV) of structures • 12.5%⁹ of CMV as Structures Transfer Grant (STG) and Shifting • 12.5%¹⁰ of CMV as Structure Reconstruction Grant • 5%¹¹ of CMV as Utility Reconstruction Grant (URG) (electricity, gas, water supply, telecommunication etc.). This will be applicable for all the complete/primary structures. No matter, whether have their connections or not • When the structures are demolished by the owner PAPs, as Structure Demolition Grant (SDG) they will be allowed to take away all the salvageable materials free of cost within the declared date of DMRTDP 	<ul style="list-style-type: none"> • Replacement Value (RV) will be recommended by PVAC based on CMV assessed by RAC and RV will be approved by DMTCL. • DC will pay CCL for structures and if CCL is less than CMV, DMRTDP, DMRTDP will pay the differential amount directly with the assistance from RAC 	<ul style="list-style-type: none"> • Assistance in relocation and reconstruction
Implementation Issues: <ul style="list-style-type: none"> • Persons entitled will be informed of the details about the land acquisition and compensation process, resettlement package and payment procedures • PVAC will recommend the Replacement Value (RV) on the basis of CMV assessed by RAC and RV will be approved by the DMTCL. • DC will determine the CCL as per Govt. rules and law. • Compensation must be paid before the EPs dismantle and remove the structures as per civil works requirement 			

⁹ STG, was considered as 12.5%, in 2011 RAP. The same rate was used in RAP-1 (Depot Area) of this project.

¹⁰ SRG was considered as 12.5% in 2011 RAP. The same rate was used in RAP-1 (Depot Area) of this project.

¹¹ URG was considered as 5% in 2011 RAP. The same rate was used in RAP-1 (Depot Area) of this project.

<ul style="list-style-type: none"> The EPs will have to be allowed maximum one months for dismantling and removal of the structures after receipt of full compensation 			
Loss Item 4 B: Loss of All Types of Immoveable Structures Without Title to Land			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
I Persons identified through SES by RAC and verified by the JVC.	<ul style="list-style-type: none"> Replacement Value (RV) of structures. 12.5%¹² of CMV as Structures Transfer Grant (STG) and Shifting 12.5%¹³ of CMV as Structure Reconstruction Grant 5%¹⁴ of CMV as Utility Reconstruction Grant (URG) (electricity, gas, water supply etc.). This will be applicable for all the complete/primary structures. No matter, whether have their connections or not When the structures are demolished by the owner PAPs, as Structure Demolition Grant (SDG) they will be allowed to take away all the salvageable materials free of cost within the declared date of DMRTDP 	<ul style="list-style-type: none"> CMV will assessed by PWD. Replacement Value (RV) will be recommended by PVAC based on CMV, other project assistance mentioned in the EM following the procedures adopted by Deputy Commissioner based on The Acquisition & Requisition of Immoveable Property) Ordinance, 1982 and amendments RV will be approved by DMTCL 	<ul style="list-style-type: none"> Assistance in relocation and reconstruction
Implementation Issues: <ul style="list-style-type: none"> RAC will identify and JVC will verify Joint Verification Survey the types and area for structures for all the structures to be displaced PVAC will recommend the Replacement Value (RV) on the basis of CMV assessed by PWD and it will be approved by the DMTCL. PVAC with the assistance of PWD will recommend CMV of structure considering the cost 			

¹² STG, was considered as 12.5%, in 2011 RAP. The same rate was used in RAP-1 (Depot Area) of this project.

¹³ SRG was considered as 12.5% in 2011 RAP. The same rate was used in RAP-1 (Depot Area) of this project.

¹⁴ URG was considered as 5% in 2011 RAP. The same rate was used in RAP-1 (Depot Area) of this project.

of materials, labor inputs and land development cost (if any) at current market rates <ul style="list-style-type: none"> • DMRTDP will have to approve the CMV of structures recommended by PVAC • Compensation must be paid before the EPs dismantle and remove the structures as per civil works requirement • The EPs will have to be allowed one months for dismantling and remove the structures after receipt of full compensation 			
Loss Item 4 C: Temporary Minor Moveable Unauthorised Structures on Govt. Land			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Owner of the Structure as identified Through SES by RAC	One time Grant for Material Loss, Shifting and Re-established cost <ul style="list-style-type: none"> • Temporary minor moveable structures as mentioned Chapter 3.3 made of Tin and Others materials@ TK 7000/- to each • Temporary minor moveable structures as mentioned Chapter 3.3 made of Wood and Others materials@ TK 5000/- to each • except above two Catagories others temporary minor moveable structures as mentioned Chapter 3.3 @ TK 3000/- to each • When the structures are removed they will be allowed to take away all the materials free of cost within the declared date of DMRTDP 	<ul style="list-style-type: none"> • DMRTDP will provide the assistance to the EPs directly with the assistance from RAC 	<ul style="list-style-type: none"> • Assistance in relocation and reconstruction
Implementation Issues: <ul style="list-style-type: none"> • RAC will identify the type of structures. DMRTDP will approve the type of structure list prepared by RAC • Compensation must be paid before the EPs removal removal the structures as per civil works requirement • This is a unique nature of the project being implemented in the city area by CCDB. The items of the affected structures .The items of affected structures are many in number and types. The rates is assessed through consultation with the affected persons, local neighboring people and potential respondents. 			

Loss Item 5 A: Loss of Trees on Private Land

Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • Compensation in cash at CCL calculated on the basis of categories • Owners will be allowed to cut and take away the trees free of cost within the stipulated time by the project authority 	<ul style="list-style-type: none"> • DC will assess CCL of the trees by forest department and determine the price • Compensation must be paid with the relocation plan following the civil works requirements. 	<ul style="list-style-type: none"> • DC will pay the CCL to the legal owners

Implementation Issues:

- Standard rates for trees and fruits of different species available with the Department of Forestry/Horticulture will be considered in calculating the CMV.
- DC will finalize the current market value of trees and fruits with assistance from Department of Forest/Horticulture and enhance it by 50% to fix up Cash Compensation under Law (CCL)

Loss Item 5 B: Loss of Trees on Public Land

Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Legal owner/ titleholders as identified by RAC and verified by JVC	<ul style="list-style-type: none"> • Compensation in cash at Current Market Value(CMV) calculated on the basis of categories • Owners will be allowed take away the trees free of cost within the stipulated time by the project authority 	<ul style="list-style-type: none"> • Current Market Value (CMV) of trees assessed by the forest department PVAC will recommend RV on the basis of CMV assessed by the forest department. • Difference between RV and CMV will be paid by DMTC. • Compensation must be paid with the relocation plan following the civil works requirements. 	<ul style="list-style-type: none"> • DMTC will pay the compensation with assistance of RAC • Trees will be cut down by the contractor at his own cost.

Implementation Issues:

- RAC will prepare the inventory of trees and it will be verified by JVC on sampling basis.
- Standard rates for trees and fruits of different species available with the Department of Forestry/Horticulture will be considered in calculating the CMV.
- PVAC will recommend the Replacement Value of the trees and approved by the DMTC.

Loss of Item 6: Loss of Leased or Mortgaged Land / Ponds			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Leaseholder with legal papers or as identified through SES and verified by the JVC.	<ul style="list-style-type: none"> • CMV of crops/fish stock for one year as compensation • 10% of CMV as dislocation allowance will be paid to the actual cultivator of the acquired land/pond by the DMRTDP with assistance of RAC • The leaseholder will be allowed to take the crops/fish stock free of cost within the date declared by DMRTDP declared date free of cost 	<ul style="list-style-type: none"> • With customary tenancy agreements, including socially-recognized verbal agreements: lease holder will receive the compensation as • CMV will be recommended by PVAC • DMRTDP will pay CMV, dislocation allowances to the lease holder with the help of RAC 	<ul style="list-style-type: none"> • RAC will assist in ensuring that the lease holder receives all eligible payments. • RAC will mediate refund of outstanding lease money by the owner to the lease holder
Implementation Issues: <ul style="list-style-type: none"> • RAC will identify and JVC will verify the person engaged in crop/ fish cultivation • Any disputes over status of present interest in the pond/land will be resolved through grievance redress procedure • Once resolved, RAC will assist in processing payments to the appropriate persons 			
Loss Item 7: Loss of Income from Business on Footpaths and Government Land			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Owner of the small business or artisan operating within RoW, as identified through SES by RAC	Business Restoration Grant (BRG) re to Restore business operation <ul style="list-style-type: none"> • Tk 15000/month X3 months =45000/- <i>One</i> time BRG will be paid to the PAPs within income range per month Tk. 20000/- and above • Tk 10000/month X 3 months =30000/- <i>One</i> time BRG will be paid 	<ul style="list-style-type: none"> • DMRTDP will pay the entitlement to the EPs with the help of RAC • The income per month will be estimated by the RAC. • JVC will verify it on sample basis. 	<ul style="list-style-type: none"> • Vulnerable EPs will be brought under income generating program through the RAC operating in the respective areas

	to the PAPs within income range per month bellow 20000		
Implementation Issues: <ul style="list-style-type: none"> • Eligibility to be based on businessmen identified by the SES • RAC will assist DMRTDP to provide Business Restoration Grant and others. • RAC collected income data at the time of socio economic survey. This income data is generated from business operation at site. Based on findings the BRG fixed under two categories A and B of DMRTDP, NKDM and RAC 			
Loss Item 8: Loss of Income of the Employees/Wage earners of Displaced Business			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Employees/Regular wage earners displaced by the project as identified through SES and verified by the JVC.	<ul style="list-style-type: none"> • Employment Loss Grant (ELG) to cover temporary loss of regular wage earners @ TK. 300 X 90 days per persons for unskilled labors • Grant to cover temporary loss of regular wage earners @TK. 500 X 90 days per persons for skilled labors 	<ul style="list-style-type: none"> • EP must be an employee of the displaced business • The resettlement benefits will be paid by DMRTDP with the help of RAC • Skilled or unskilled will be determined by the RAC and it will be verified by JVC 	<ul style="list-style-type: none"> • Vulnerable EPs will be brought under income and livelihood regenerating program (None of vulnerable EPs opted for this option) • Involvement of APs in construction work will be considered by DMRTDP if appropriate • Involvement of EPs in tree plantation
Implementation Issues: <ul style="list-style-type: none"> • Eligibility of wage earners/employees to be identified by the RAC during SES and verified by • Further claims and grievances, if any, will be settled by the Grievance Redress Committee 			
Loss Item 9: Loss of Income from Rented-out Residential/Commercial Structures with or without title to land			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Owners/titleholders of the rented-out structures as identified through SES and verified by the JVC.	<ul style="list-style-type: none"> • The total amount of compensation will be equivalent to 6 months rent @ Tk. 20 /Sqft. for residential structure and @ Tk. 25/Sqft. for commercial as rental allowance for interim period. 	<ul style="list-style-type: none"> • Allowances will be paid by DMRTDP with the help of RAC • In case of any advance deposited by the renter, an agreement on non-claim or outstanding balance between owner and 	<ul style="list-style-type: none"> • EPs will get necessary assistance from the RAC

	<ul style="list-style-type: none"> • The renter will get the shifting allowance of inside materials @ Tk. 10/Sqft. 	<p>renter. The agreement/relevant evidence will have to be submitted by both parties at the time of payment of resettlement assistance.</p>	
Implementation Issues: <ul style="list-style-type: none"> • RAC will identify the owner and renter of the residential and commercial structures and JVC will verify it. 			
Loss Item 10: Loss of Tube-well, Toilet, Pond Ghat, Boundary Wall and Other Minor Structures			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
<p>Legal owner/ titleholders as identified by DC</p> <p>Socially recognized owners of structures built within the RoW as identified through SES and verified by the JVC.</p>	<ul style="list-style-type: none"> • Replacement Value (RV) of structures • 12.5% of CMV as Structures Transfer Grant (STG) • 12.5% of CMV as Structure Reconstruction Grant • Salvageable materials will be taken away by the owner free of cost within the date to be given by the DMRTDP 	<ul style="list-style-type: none"> • CCL to be paid by the DC • In case of Structures of socially recognized owner RV will be commended by PVAC based on CMV assessed by RAC • RV will be approved by DMTC. • DMRTDP will pay the difference between CCL and replacement value with assistance of RAC through market survey 	<ul style="list-style-type: none"> • RAC will assist EPs for getting resettlement assistance.
Implementation Issues: <ul style="list-style-type: none"> • CCL will be paid by DC office, differential amount between RV and CCL will be paid by DMRTDP with the help of RAC and owners without any condition will take the salvageable materials free of cost. • RV approved by DMTC will be paid to EP's with the help of RAC. 			

Loss Item 11: Shifting of Household's and Business Materials			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
<ul style="list-style-type: none"> • Legal owner as identified by Deputy Commissioner (DC) in the process of CCL payment. Or • Owner listed through SES and verified by the JVC 	<ul style="list-style-type: none"> • Owners of residence and/or business, including the business at open place will be given a grant of an amount of Tk. 10 per Sqft. of the affected structures/areas for shifting the materials 	<ul style="list-style-type: none"> • The DMRTDP will make payment with the help of RAC 	<ul style="list-style-type: none"> • RAC will assist the DMRTDP
Implementation Issues: <ul style="list-style-type: none"> • This entitlement will be paid to the EPs by the DMRTDP with the help of RAC 			
Loss Item 12: Grants to Vulnerable PAPs			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Vulnerable EPs (monthly family income is \leq BDT 10,000)	<ul style="list-style-type: none"> • Grants: Very poor male and female PAPs will get Tk.10,000 & 15,000 respectably • Skill Training grant to vulnerable households @ not exceeding Tk. 6,000 for one member of a family of the training period • No PAP will get the skill training grant if they do not participate in training 	<ul style="list-style-type: none"> • The EPs will be identified as per the SES of RAC. The entitlement will be provided to the identified EPs by DMRTDP with the help of RAC • Costs of training will be borne by DMRTDP with the help of RAC 	<ul style="list-style-type: none"> • RAC will motivate the EPs for appropriate skill training • The RAC will contact the relevant RAC for training
Implementation Issues: <ul style="list-style-type: none"> • Vulnerable households losing income from business, employment and livelihood resources will be assessed by the RAC • Identified Vulnerable EPs will be covered under the skill training program and the allowances will be paid following the entitlement package 			
Loss Item 13: Loss of Common/Community Property			
Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
<ul style="list-style-type: none"> • Person nominated by 	<ul style="list-style-type: none"> • Replacement Value of structures as 	<ul style="list-style-type: none"> • Replacement value of structure and other 	<ul style="list-style-type: none"> • The RAC will help the community to

the community /organization	<p>determined by the PVAC with the assistance of PWD and approved by DMRTDP</p> <ul style="list-style-type: none"> • Structure Transfer Grant @ Tk. 12.50% of the Current Market Value of structure • Structure Reconstruction Grant @ Tk. 12.50% of the Current Market Value of structure • Utility Reconstruction Grant @ 5% of the CMV of Structure (electricity, gas, water supply etc.) • Better Reconstruction Grant @ 25% ¹⁵of the Current Replacement Value • When the structures are demolished by the owner PAPs, as Structure Demolition Grant (SDG) they will be allowed to take away all the salvageable materials free of cost within the declared date of DMRTDP • New CPR will be constructed by the DMRTDP in a better quality compared to the affected one 	benefit recommended by PVAC and approved by DMRTDP	<p>find new location for re-establishing the community property</p> <ul style="list-style-type: none"> •The DMTC will facilitate in finding out land with the help of community and other stakeholder if needed.
<p>Implementation Issues:</p> <ul style="list-style-type: none"> • If the common property is on Government land, the DMTC will solve the issue with the help of RAC and other stakeholders • For all types of losses, procedures of estimating compensations will be exactly similar to those of losses by individual owner's Entitlements 			

¹⁵ Explanation of 25% CMV social and religious institution has been considered as a sensitive issue, The BRG has been considered for recovering the loss of that.

- The EPs will have to be allowed one month for dismantling the structures after receipt of full compensation
- New CPR will be established by the DMTC in new location

Loss Item 14: Unforeseen Adverse Impacts

Persons Entitled	Entitlements	Application Guidelines	Services to be Provided
Households/ Business Structures persons affected/Organiz ation by any unforeseen impact identified during RAP implementation	<ul style="list-style-type: none"> • Entitlements will be determined as per the DMTC decision 	<ul style="list-style-type: none"> • The unforeseen impacts will be identified through special survey by RAC as directed by DMTC • DMTC will take necessary action based on GRC decision • The entitlements will be approved by DMRTDP • The payment will be made by DMRTDP with the help of RAC 	<ul style="list-style-type: none"> • Affected persons/organization will approach to RAC • RAC will assist the concerned persons/organization for solving this issues.

Implementation Issues:

- The unforeseen impacts will be identified with due care.

6.4 Payment of Compensation and Resettlement Assistance

The DMRTDP will ensure that the land and property (structure, tree, crops and non-structure assets) to be acquired for the project will be compensated at their full replacement value determined by a legally constituted body like the Property Value Assessment Committee (PVAC) as per the Resettlement Plan. The principle for determining the value and compensations for assets, incomes and livelihoods, are the targets of resettlement assistance for substituting and restoring of losses by the Project Displaced Households, including the vulnerable households.

6.4.1 Payment Procedure to Title Holders

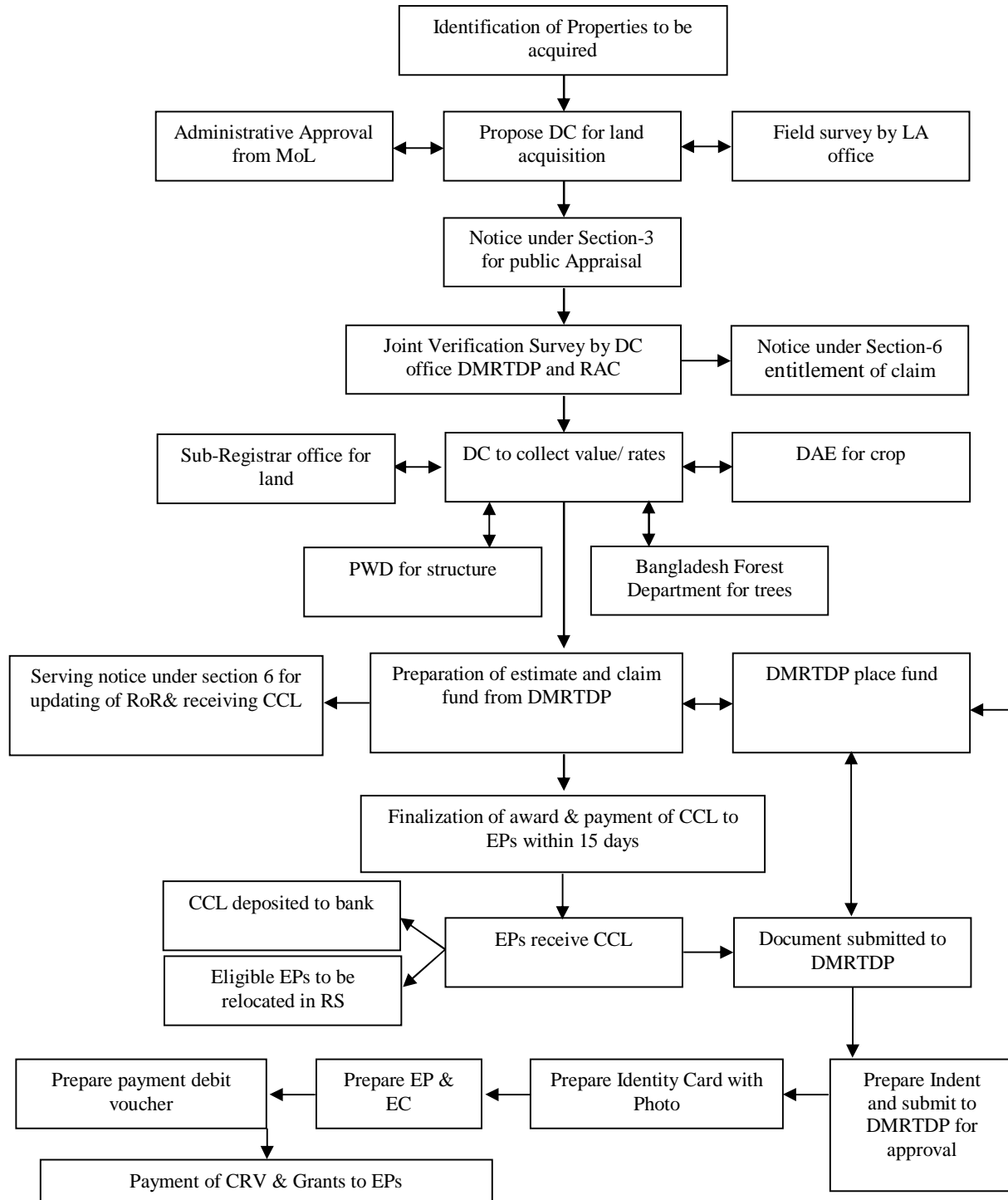
Title holders' mean who legally own land implying that the structures; trees and crops on the land are also owned by him. Payment of compensation to them starts with DC office followed by the RAC for payment of MARV.

The steps involved in payment of compensations are:

- i. Upon obtaining administrative approval of land acquisition proposal from the Ministry of Transport and communication, the DC serves notice under Section-3 of the Acquisition and Requisition of the Immovable Property Ordinance 1982 to the recorded owner of the affected property for public appraisal.
- ii. Land acquiring (DC office) and requiring body (here DMRTDP, DMTC) representatives conduct Joint Verification Survey (JVS) of the affected properties within 3 days of serving notice for land acquisition
- iii. After that the DC serves notice under Section-6 for entertaining claims from the potential displaced persons.
- iv. On the basis of Joint Verification Survey (JVS) data, DC writes letter to Public Works Department (PWD) with information of affected structures, list of trees to the Forest Department and type of crops to the Agriculture Department for valuation as per government rule.
- v. DC also collects recorded land price from the concerned Sub-register's office for previous 12 months from the date of notice under Sections-3.
- vi. After receiving rates from the PWD, Forest and Agriculture Department, the DC office prepares estimate and sends it to the Project Executing Agency for placement of fund within 60 days.
- vii. The DC prepares award for compensation in the name of recorded title holder.
- viii. Upon placement of fund, the DC serves notice under Section-7 to the PAPs for receiving Cash Compensation under Law (CCL) within 15 days from the date of issuing notice.
- ix. The displaced people are noticed to produce the records of right of the property with updated tax receipt of land, declaration on Tk.150 non-judicial stamp, photograph etc before Land Acquisition Officer (LAO) of DC office.
- x. Upon fulfillment of the criteria of the DC office i.e. requisite papers and documents, the LAO will disburse CCL either in the office or at the field level issuing prior notice to the EPs.

- xi. As per land Acquisition law, DC pays compensation to the legally owner of the properties for land, structure, trees and crops.
- xii. After receiving account payee cheque for CCL from the LA office and obtaining clearance from the Treasury Section of DC office, the Entitled Person (EP) deposits the CCL to his own bank account.
- xiii. One copy of the CCL will be submitted to the RAC office for additional payment of compensation as per RAP policy.
- xiv. The RAC will create an identity number for each of the CCL holders and prepare EP-wise Entitlement Card (EC) for all the PAPs along with the amount of compensation.
- xv. The RAC will prepare Identity cards with photograph of the EPs.
- xvi. The Identity cards will be jointly signed by the DMRTDP and RAC representatives and the pasted photograph will be attested by the concerned Ward Councilor.
- xvii. The RAC will disburse Account Payee cheque either in their office or in the office of Ward Councilor.

Figure 6.4.1: Compensation Payment Mechanism for Title Holder PAPs



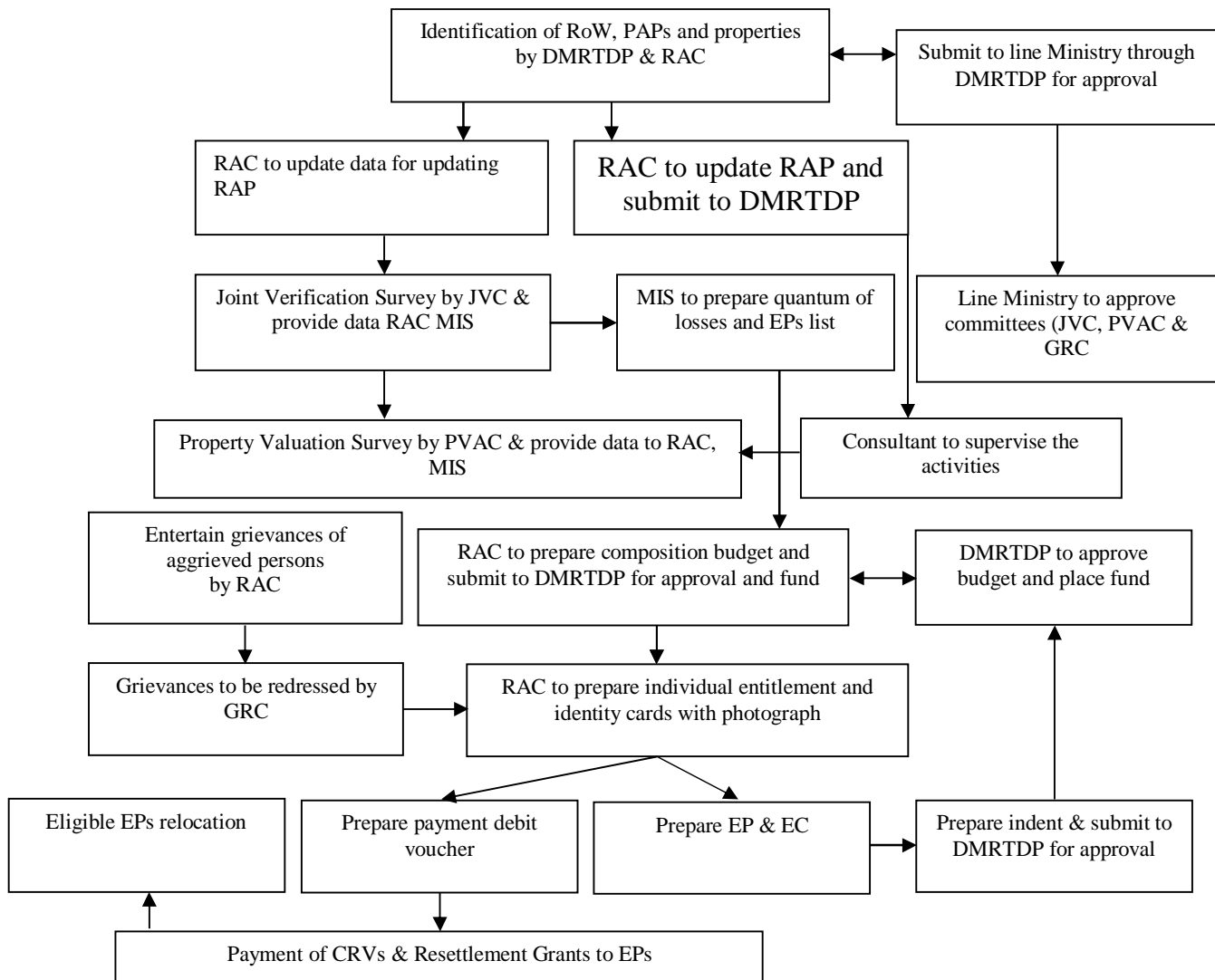
6.4.2 Payment Procedure to Non-Title Holders

The non-title holder means having no legal ownership of the affected property but socially recognized and enlisted during the census, SES and/or Joint Verification Survey within the RoW. The Acquisition and Requisition of Immovable Property Ordinance 1982 has no provision to compensate for these types of displaced people. The Donors, including the JICA, on policy of Involuntary Resettlement prescribes to address these people also although they do not have legal title to the property. As per tripartite joint verification survey by the JVC the list of displaced persons will be prepared by the RAC. The steps involved in payment of compensation are:

- i) Individual Identity number will be created against the name of all Entitled Persons.
- ii) The RAC will prepare Identity cards with photograph attested/identified by the Ist Class Gazzted Officer/Ward Councilor of the EP.
- iii) The Implementing Agency (RAC) will prepare entitle persons file and entitlement card for each of the EPs.
- iv) The RAC will assist the EPs in opening Bank Account in the name of EPs.
- v) The tenants of the house or commercial premises and employees will collect documents in favor of their tenancy or identification from the owner of the structure/employer which will be attested by the concern Ward Councilor.
- vi) The RAC will prepare documents for EP-wise EC for payment.
- vii) The Identity cards will be jointly signed by the DMRTDP and RAC representatives and the pasted photograph must be attested by the concerned Ward Councilor.
- viii) The DMRTDP will disburse Account Payee cheque either in their office or in the office of RAC and the place must be informed to the EPs in particular.

All in all, the RAC as the project implementing agency will prepare all the documents needed for payment of compensation to the Non-Titleholders PAPs; while, the DMRTDP as the project executing agency will disburse the compensation cheque to the concern PAPs.

Figure-6.4.2: Compensation Payment Mechanism for Non-Title Holder PAPs



CHAPTER-7

7. RELOCATION AND INCOME RESTORATION

7.1 Relocation of PAPs

The prevalent practice in Bangladesh with regard to Relocation of PAPs is that this issue receives importance to the Project Executing Agency (PEA) when the PAPs are affected in a group of sizeable number in a small area (when a market or a village is severely/substantially affected). In DMRTDP 1,140 EPs are affected in a dispersed form over the whole 20.1 km length of the Elevated Express Way. On an average, numbers of affected persons per km is nearly 36 and all of them are on GoB land, mostly running business on foot-paths and more than 68% of them are without any structure. They have come from various areas of the country without any bondage of kinship or other social relations.

The overall characteristic of locations and business types are so diversified and dispersed that it is impossible to relocate them in the present form on the foot-paths of city main roads. Selection of business locations on the foot-paths was at their own initiatives and they will have to relocate themselves in the same process. They also know the reality in this respect and for this they did not raise any issue related to relocation. Instead, they requested for a comprehensive package of cash compensation to be disbursed to them a few months ahead of displacement.

7.2 Income Restoration

For Income Restoration of 1,140 squatter PAPs, the compensation package is highly comprehensive covering almost every nook and corner of losses. To be specific, for employment loss of an unskilled labor the amount of compensation is Tk.27,000 and for a skilled labor this amount is Tk.45,000. Perhaps, none of them have seen this amount of money before without doing any work. If they have the intellect of using money, they can start some micro business. Very poor PAPs have been considered as Income Vulnerable and all males and females in this group will receive a grant of an amount of Tk.10,000 and Tk.15,000 respectively.

Of the 1,140 squatter PAPs, 1,132 (99.30%) are affected by business. The nature of their business is such that these are not so capital intensive; instead, these are the combination of human daily labor and small amount of capital. For the foot-path business community, in many cases, their monthly income is much higher than the business cash capital as their business enterprises are highly daily labor intensive. The compensation for business loss, in many cases, is higher than their cash capital of the business. The compensation package as Business Restoration Grant is like:

- a) Tk. 15,000 per month x for 3 months = Tk. 45,000 whose monthly income from the affected business enterprises are Tk. 20,000 and above; and
- b) Tk. 10,000 per month x for 3 months = Tk. 30,000 whose monthly income from the affected business enterprises are less than Tk. 20,000.

The above are the few examples of Income Restoration of the squatter PAPs under DMRTDP. Details of Entitlement Matrix are in Table-6.3 and calculations of cash compensation are in Chapter-8.

CHAPTER-8

8 ESTIMATION OF COMPENSATIONS AND BUDGET

8.1 Estimation of Compensations

This chapter of the report has detailed out the estimation of compensations and grants to be awarded to the PAPs to raise the Current Market Value at the level of Current Replacement Value for all types of losses. For the purpose, various types of cash grants will be added for all types of losses to Current Market Value in the light of The Entitlement Matrix (Section-6.3). Taking all these into consideration, this chapter provides the detail of estimation of compensation for various types of losses to be incurred by the PAPs.

8.2 Compensation for Land

The project, DMRTDP to-date, does not have any land acquisition. All the Physical/Infrastructural activities will be on GoB land. So there will not be any compensation for land. However if there is any land acquisition in the long duration implementation process of the project, the compensations will be given in the light of The Entitlement Matrix: Loss Items-1, 2,& 3 (Section-6.3). The proposed grand 10% for dislocation and other expenditures is the prevalent practice in Bangladesh.

8.3 Compensation for Trees

All the Physical/Infrastructural activities are on GoB land, mostly on foot-paths of the present roads of 2 City Corporations. There is no tree in the affected areas owned by the 1,140 PAPs. However, there are 835 trees within the RoW owned by the Parliament House, two City Corporation and PWD. Size-wise their numbers and average value per tree and total value are given in Table-8.3.

Table-8.3: Type-wise Number of Trees, Average Value per Tree and the Total Value in Taka

Size of Trees	Number of Trees	*Average Value per Tree	Total Value
Small	338	1,940	655,720
Medium	260	4,629	1,203,540
Large	237	15,454	3,662,598
Total	835		5,521,858

***Source:** BAN: SASEC Road Connectivity Project (Joydepur-Chandra-Tangail-Elenga Road, Table-43)

- Total amount of compensation for the Government departments, owned trees is around Tk.6.89 million and they will get the salvageable materials as per the Entitlement Matrix, Loss Item-5B, Section-6.3;
- For privately owned trees, the compensations will be given following The Entitlement Matrix, Loss Item-5A, Section-6.3;

- All trees on the RoW will be chopped up by the contractor and after chopping this up these will be taken away by the owner free of cost; and
- After the payment of value of trees to be affected, the owners department will be take away salvageable materials free of cost.

8.4 Compensation for Minor/Secondary/Auxiliary Structures

No Minor/Secondary/Auxiliary Structures will be affected by the implementation of DMRTDP. If in future these types of structures are found due to new land acquisition, compensations will be estimated in the light of The Entitlement Matrix: Loss Item-10 (Section-6.3).

8.5 Compensation for Structures

Tables – 3.3.a & 3.3.b provide the estimation of CMVs of Pacca & Semi-pacca and moveable types of structures along with the corresponding areas. Following The Entitlement Matrix, Loss Items – 4A and 4B, the estimated CRVs as compensations are furnished below.

Table-8.5: Estimation of Cash Compensation in Taka to be Paid as the Current Replacement Value of All the Affected Structures: Loss Item-4A & 4B of The Entitlement Matrix Section-6.3

Heads of Compensation	Amounts in Taka	Remarks *
Current Market Value of Structures (Table-3.3a)	555,200	STG, SRG and URG was considered as 12.5%, 12.5% and 5% respectively in 2011 RAP of this project. These rates are also used in RAP of Padma Multiple Bridge Project. We used the same rate in RAP-1 (Depot Area) of this project. So, we think the considered rate in this project are rational.
STG: Structure Transfer Grant =12.5% of CMV	69,400	
SRG: Structure Reconstruction Grant =12.5% of CMV	69,400	
URG: Utility Reconstruction Grant=5% of CMV	27,760	
Compensation for Indigenous Structures (Table-3.3b)	4,161,000	
Total Compensation = Current Replacement Value	4,882,760	

Total amount of cash compensation at the level of CRV is estimated at around Tk.4.883 million to be received by 1,140 PAPs. On an average, each incumbent PAP will receive Tk.4,283 as compensation for the structures on GoB land. In addition, the owner PAPs will be allowed to take away all the salvageable materials of structures free of cost when, the structures will be demolished by the incumbent PAPs.

8.6 Compensation for Business Loss

As per Section-3.6, total number of Business Losers due to the implementation of DMRTDP is 1,132, which is 99.30% of the total 1,140 PAPs. Their average monthly income from the affected business enterprises as per SES is Tk. 22,331. According to The Entitlement Matrix: Loss Item-

7, Section-6.3, each of the 1,132 incumbents are supposed to receive Business Restoration Grant (BRG) at the rate of:

- a) Tk. 15,000 per month x for 3 months = Tk. 45,000 whose monthly income from the affected business enterprises are Tk. 20,000 and above; and
- b) Tk. 10,000 per month x for 3 months = Tk. 30,000 whose monthly income from the affected business enterprises are less than Tk. 20,000.

As per Table-3.6 total number of PAPs in groups (a) & (b) are 656 & 476 (total 1,132) respectively and the Table-8.6 provides the amounts of compensation.

Table-8.6: Compensation to Business Losers of Affected Business Enterprises: Total Incumbents = 1,132 (All are Squatters)

a) Total Number Incumbent PAPs	=1,132
b) Average Monthly Income from Affected Business	=Tk.22,331
c) Compensation for the PAPs of Group (a)= Tk.45,000 x 656	=Tk.29,520,000
d) Compensation for the PAPs of Group (b) = Tk.30,000 x 476	=Tk.14,280,000
e) Total Cash compensation (c + d)	=Tk.43,800,000

Total amount of cash compensation for 1,132 Squatter business losers is Tk.43.800 million. In other words, on an average each of the 1,132 PAPs will receive Tk.38,639 as compensation for business loss on GoB land. It is ascertained that this amount of money is enough for re-starting the business nearby.

8.7 Compensation for Employment Loss

According to The Entitlement Matrix, Loss Item-8 (Section-6.3), the employment losers (employees) of affected business enterprises are supposed to receive an Employment Loss Grant (ELG) for a period of 3 months. The amount to be received per day is Tk.300 for unskilled and Tk.500 for skilled labors respectively. According to Table-3.7, 914 (80.74%) of the affected business enterprises do not have any employee. Total number of employees in the rest 218 (19.26%) affected business enterprises was enumerated at 352 and all them are unskilled.

Table-8.7: Compensation for Employment Loss of the Employees of Affected Business Enterprises

a) Total Number of Affected Business Enterprises with Employees	=218
b) Compensation for Employment Per Day	=Tk.300
c) Number of Employment Losers	=352
d) Period to be covered under Cash Compensation	=90 days
e) Total Amount of Cash Compensation =bxcxd=Tk.300x352x90	=Tk.9,504,000

Total amount of cash compensation to be given to 352 unskilled employees of 218 affected business enterprises is Tk.9.504 million. Each employment loser employee will get Tk.27,000 (Tk.300x90 days). It is ascertained that this amount is enough for starting a new (very) small business or looking/waiting for a new employment.

8.8 Compensation for Rented-out Structures

All the PAPs are affected at Government land, mostly on footpaths. So nobody was found to rent-out any structure.

8.9 Compensation for Shifting of Inside Materials

Table-3.9 shows that total the area of space of the affected business enterprises from where the materials are to be shifted is 49,786Sqft. The Entitlement Matrix: Loss Item-11 (Section-6.3) has mentioned that the eligible PAPs will receive a cash grant at the rate of Tk.10 per Sqft. Table-8.9 provide the estimation of cash compensation.

Table-8.9: Estimation of Cash Compensation for Shifting the Materials of Affected Areas

a) Total Affected Areas	=49,786Sqft.
b) Shifting Allowance per Sqft.	=Tk.10
c) Estimation of Cash Compensation (axb)= 49,786Sqft.xTk.10	=Tk.497,860

Total amount of money needed for shifting the materials of affected areas is estimated at Tk. 0.498 million.

8.10 Grants to Income Vulnerable PAPs

The average family size of the PAPs is estimated at 4.20 (Table-2.3.1). According to the Poverty & Equity Data/Bangladesh/The World Bank, people living on less than \$1.90 a day but above \$1.00 are poor and when less than \$ 1.00 are very poor. According to the Entitlement Matrix: Loss Item-12, very poor male and female PAPs will be considered as Income Vulnerable and each of them will receive Income Vulnerable Grant (IVG) of an amount of Tk.10,000 & Tk.15,000 respectively. They will also be entitled to skill development training by the project if they desire (none desired for skill development training). Table below shows the amount of money needed as grant for Income Vulnerable PAPs. Here the upper limit of income of the very poor PAPs households is approximated at Tk.10,000 per month: amount \$1 per day per person and average family size 4.20 (Table-2.3.1).

Table-8.10: Cash Grants to the Male and Female Income Vulnerable PAPs: Table-2.2.3.2; Male-56 and Female-6: Total 62.

a) Total Cash Grant to 56 Male Income Vulnerable PAPs	= 56	=Tk.560,000
PAPsxTk.10,000		
b) Cash Grant to 6 Female Income Vulnerable PAPs	= 6	=Tk.90,000
PAPsxTk.15,000		
c) None of the PAPs Expressed Their Desire for Skill Training: Amount of Cash Grant	= Nil	
d) Total Cash Grant to 62 Income Vulnerable PAPs (a+b)		=Tk.650,000

Income Vulnerable PAPs (62) share 5.44% of the total 1140 PAPs. Total amount of cash grant to be given to 62 (male 56+ female 6) Income Vulnerable PAPs is Tk.0.650 million.

8.11 Compensation for Common/Community Properties

The Common/Community Properties to be affected is a temple at Pallabi under Chakuli Mouza. This Temple is on Government land implying that it will not receive any compensation for land. Excepting the structures, there is no other property within its compound to be compensated for. So the Temple Committee is entitled to compensation for structures and shifting of materials from within the structures, as furnished in Table-8.11.

Table-8.11: Estimation of Cash Compensation to be Paid as Current Replacement Value (CRVs) of Structures: Loss Item-13 of Entitlement Matrix

Heads of Compensation	Amounts in Taka	Remarks
Current Market Value of Structures (Table-3.10)	1,573,680	STG, SRG and URG was considered as 12.5%, 12.5% and 5% respectively in 2011 RAP of this project. These rates are also used in RAP of Padma Multiple Bridge Project. We used the same rate in RAP-1 (Depot Area) of this project. So, we think the considered rate in this project are rational. Explanation of 25% CMV social and religious institution has been considered as a sensitive issue, The BRG has been considered for recovering the loss of that CPR.
STG: Structure Transfer Grant =12.5% of CMV	196,710	
SRG: Structure Reconstruction Grant =12.5% of CMV	196,710	
URG: Utility Reconstruction Grant=5% of CMV	78,684	
BRG: Better Reconstruction Grant=25% of CRV	393,420	
Shifting of insides Materials =Tk.10 per sqft. For 2,139 sqft.	21,390	
Total Compensation OR Current Replacement Value	2,460,594	

In addition to CMV and other grants (total is CRV), the Temple Committee will be allowed to take away all the salvageable materials of structures free of cost if, the structures are demolished by them. The CMV and grants must be given well before the demolition of structures for facilitating continuity in performance of religious activities in the newly constructed Temple.

8.12 Compensation for Structures of Government Departments

For estimation of compensation for structures, the incumbents are given some cash grants in addition to CMVs of structures for raising the CMVs to the level of CRVs (Entitlement Matrix: Loss Item-4 & 11). The grants are: Structure Transfer Grant (12.5% of CMV), Structure Reconstruction Grant (12.5% of CMV), Utility Reconstruction Grant (5% of CMVs of complete structures) and Materials Shifting Grant (Tk. 10 per sqft. for complete structures). Adding all these cash grants, the estimated amount of total cash compensation is given in Table-8.12.

Table-8.12: Estimation of Cash Compensation to be Paid as Current Replacement Value of All the Affected Structures of Government Departments: Loss Item-4 & 11 of Entitlement Matrix

Heads of Compensation	Amounts in Taka
Total CMV of All Structures (Table-3.11)	8,988,000
Structure Transfer Grant =12.5% of CMV	1,123,500
Structure Reconstruction Grant=12.5 of CMV	1,123,500
Utility Reconstruction Grant=5% of CMV for Complete Structures (4,725 Sqft.)	282,525
Materials Shifting Grant= Tk.10 per Sqft. For Complete Structures (4,725 Sqft.)	47,250
Total Compensation OR Current Replacement Value	11,564,775

Total amount of cash compensation at the level of CRV for the Government departments owned structures is Tk. 11.565 million.

8.13 Total Compensation and Budget

Break-up of compensations for various types of losses are furnished in this Chapter under the corresponding sub-heads. For implementation of RAP and to meet various known and unknown administrative and operative costs, 10% of total compensations have been added to it. Table-8.11 provides the sub-head-wise Budget.

Table-8.13: Head-wise Total Amounts of Compensation and the Indicative Budget in Taka

Heads of Compensation		Amounts in Taka
Section-8.2	Compensation for Land: There is no Private Land Acquisition yet	
Table-8.3	Compensation for Trees on Government Land	5,521,858
Table-8.5:	Compensation for Structures	4,882,760
Table-8.6:	Compensation for Business Loss	43,800,000
Table-8.7:	Compensation for Employment Loss	9,504,000
Table-8.9:	Compensation for Shifting of Materials	497,860
Table-8.10:	Grant to income Vulnerable PAPs	650,000
Table-8.11:	Compensation for Community Properties	2,460,594
Table-8.12:	Compensation for Government Structures	11,564,775
Total Amount of Compensation		78,881,847
*Contingency: 10% of Total Compensation		7,888,185
Total Budget		86,770,032

*All costs including meetings, new heads of compensation and all other unforeseen costs are to be met from the contingency.

8.14 Management of Fund

The entire fund related to compensation including the contingency should be managed by the DMRTDP, DMTC personnel in the way desired by the Project Director/ Managing Director. The final authority of controlling the fund is the Project Director and he will designate a section for implementing the operations and disbursements. For payment of compensations, the head-wise amounts of compensations will be prepared by the RAC Area Office personnel on individual PAP basis. These must be certified by the Manager of Area Office, Deputy Team Leader and Team Leader of RAC. The individual entitlements will be submitted to the office of Environment and Rehabilitation of DMRTDP. After the certification of this office, the payments may be done by the responsible section with the approval of PD or APD as decided by the PD. The PD will make the steps/process of paying compensation easier in the way he desires.

No payment should take more than one month on the submission of individual compensation file to the Environment and Rehabilitation Section. The payment must be made in A/C payee Cheque. For the amounts of upto Tk.5,000/- it may be disbursed through Bearer/Cash Cheque. This will lessen the complicity of banking process for the PAPs who do not have Bank Account.

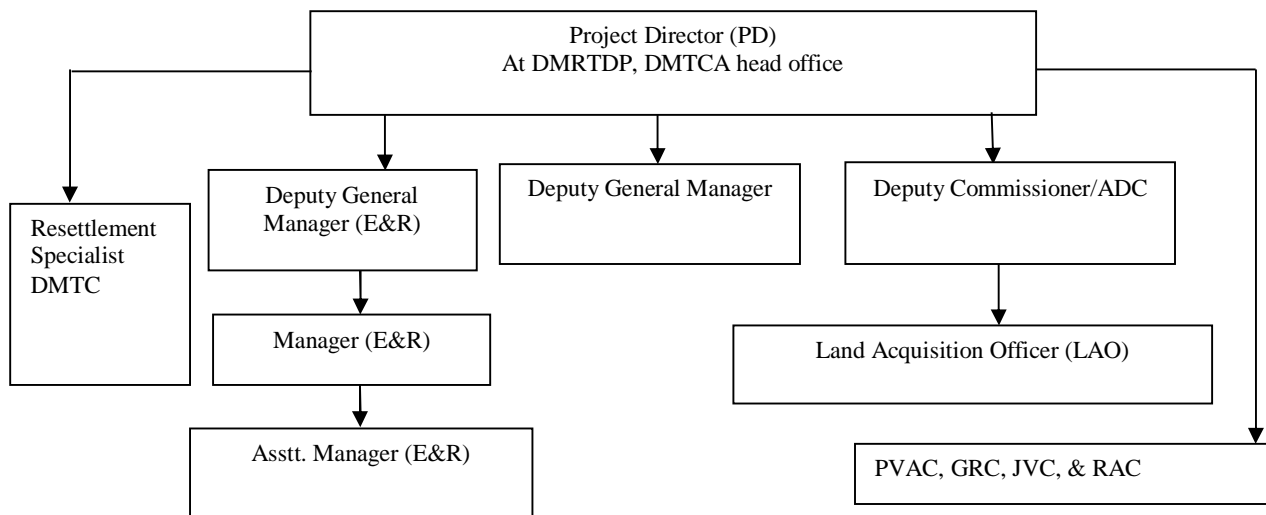
CHAPTER-9

9. ORGANIZATIONAL/INSTITUTIONAL FRAME WORK FOR IMPLEMENTATION

9.1 Needs and Agencies to be Involved

For speedy and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the Resettlement Action Plan (RAP). Institutional arrangements required for implementation of Resettlement Action Plan includes capacity augmentation of project head office personnel (at DMRTDP, DMTC), project field offices, formation of various committees like: GRC, JVC, PVAC, etc. The figure provided below indicates the institutional arrangement and linkages of different institutions/organizations involved in implementation of RAP of DMRTDP. The Project Director, DMRTDP/MD, DMTC will lead the team. The PD will be overall responsible for resettlement and rehabilitation policy guidance, coordination, planning, monitoring and reporting to relevant agencies. Other officers and secretarial staffs at Head Office will assist the PD, DMRTDP. Besides, Resettlement Assistance Consultant (RAC) will be solely responsible for the implementation of Resettlement Plan. Further, Resettlement Consultant of DMRTDP and Social Safeguard Consultant of General Consultant will be engaged to carryout monitoring and reporting of the project implementation. These agencies will work in close coordination with the project office and other offices responsible for RAP implementation.

Figure-9.1: Types of Offices and Committees Needed at Various Levels



GM (E&R) will look after the resettlement and rehabilitation component of the project under the supervision of PD, DMRTDP and will be stationed at the DMTC office. One Manager will also work under DGM (E&R). The PD, DMRTDP through the team under E&R unit will monitor the progress of land acquisition and resettlement management and will also ensure co-ordination between various relevant offices. The PD, DMRTDP will initiate the following activities to perform the implementation of Resettlement Action Plan:

- Supervise the action of RAC regarding RAP implementation; Coordinate the activities of RAC, GC, DMTC
- orientation and awareness workshops for DMRTDP, DMTC staff likely to be involved in Resettlement and Rehabilitation; and
- Enhancing the capacity of the E&R unit staff through internal and abroad training coordinates the activities of all other stakeholder regarding land acquisition, requisition, purchase or possession. m

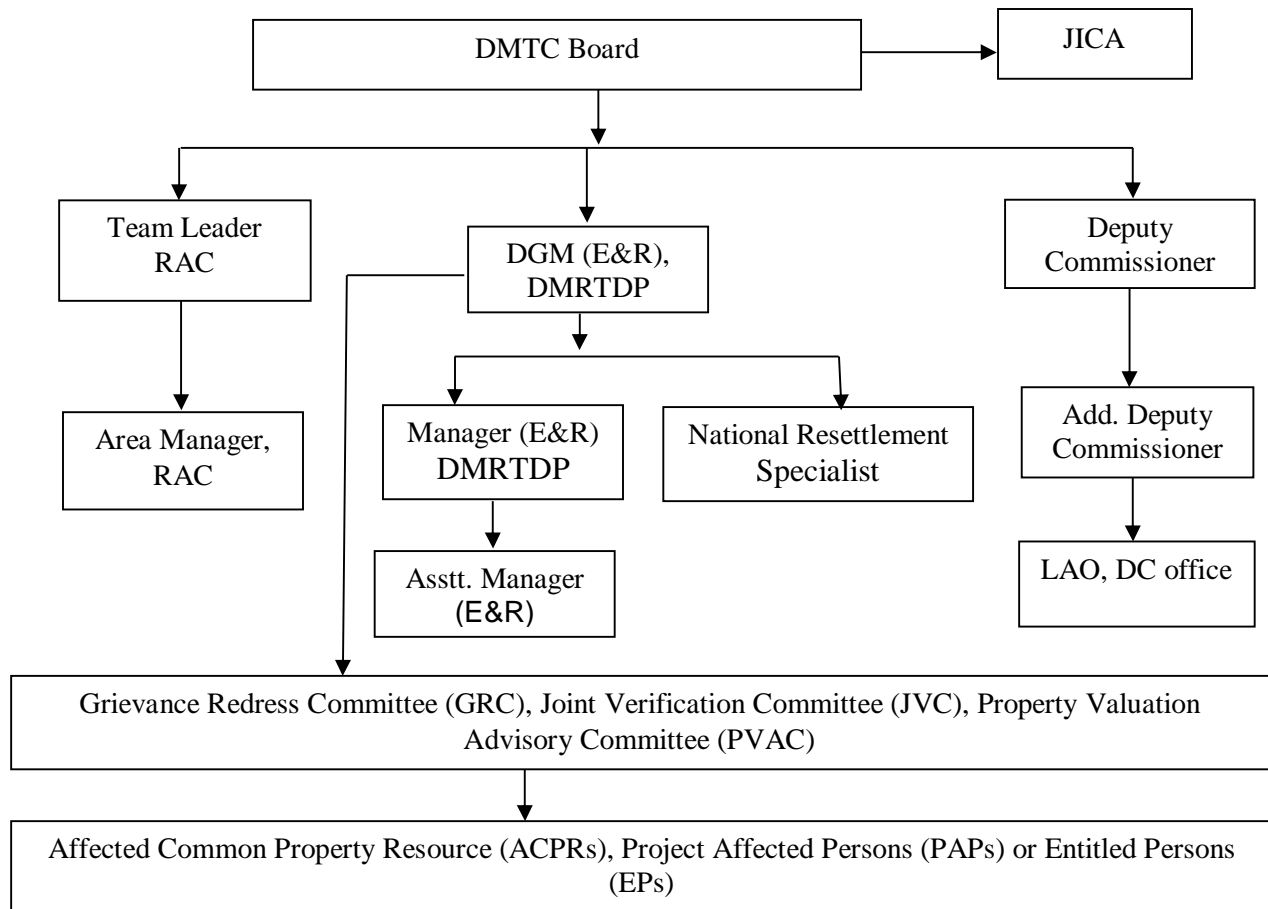
DMRTDP, DMTC will establish operational links with the Office of Deputy Commissioners for land acquisition and other agencies for resettlement. It will provide means & mechanism for coordinating the delivery of compensation & assistance to entitled persons. Through the RAC it will also be responsible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

9.2 Role of Project Management Office

The project management office will perform resettlement implementation activities under headed by the PD, DMRTDP through E&R unit of DMRTDP. The Roles of project management head office are like;

- Overall responsible for resettlement and rehabilitation works;
- Co-ordinate the implementation of R&R activities with; GC, RAC and other Stakeholders.
- Appoint Resettlement Assistant Consultant for implementation of RAP and Resettlement Specialist for monitoring and reporting the progress of RAP implementation;
- Ensure conducting resettlement training programs at home and abroad of E&R unit;
- Approve the micro plans prepared by the RAC;
- Monitor the progress on R&R activities;
- Prepare monthly progress report;
- Provide guidance to the all staffs of E&R unit of DMRTDP, RAC & Social Safeguard unit of GC on policy related issues during implementation; and
- Ensure timely release of fund for R&R activities.

Figure-9.2: Resettlement Organization Chart



9.3 Role of Deputy Commissioner's Office

The Deputy Commissioner (DC) is the competent authority to pay, cash compensation under the provisions of The Acquisition and Requisition of Immovable Property Act of 1982 and the subsequent changes in 1993 & 1994. Moreover, he/she is the legal administrative authority to determine the updated title of land and eligibility of APs for Cash Compensation under Law (CCL) for land as well as several other assets covered by the law. It is for the DC to decide whether to enhance the capacity of his concerned office by engaging additional senior LA staff to process the LA requests speedily and smoothly. The PEA (DMRTDP) and PIA (RAC) will work with the representatives of DCs during Joint Verification Survey of affected properties and the Current Market Price Survey of the properties for ascertaining current replacement value before budgeting for total compensation payable to the EPs.

The implementation of the activities like, JVS, CMPS and reconciliation of the 'market value' and 'replacement value' will require a great deal of mutual understanding among the DCs' office, DMRTDP and the RAC. It is therefore, essential that the DCs will accept the involvement of their representatives in JVS, CMPS, budgeting of compensation, updating of land records of APs and in reconciliation of CCL with the additional compensation to be paid by the PEA through the RAC.

The DC offices will receive funds from the PEA (DMRTDP) for paying the CCL to the directly displaced persons immediately to facilitate quick disbursement of differentials, if any, by the DMRTDP through RAC. Participation of DC office personnel will be necessary in the host area meetings. Similarly DC's intervention/assistance will be required in matters such as land acquisition, disposal of land ownership disputes and other khas land, etc. The compensation to be paid by the DCs office are:

- Cash compensation for loss of land by owners averaging the registered sale deeds value during the past one year of similar land plus(+) 50 per cent enhanced amount of the average;
- Cash compensation for loss of crops, trees and perennials; and
- Cash compensation for residential and commercial strictures at current market value.

9.4 Role of Resettlement Assistance Consultant (RAC)

It has now been generally recognized that the task of successfully implementing a RAP requires certain attitude, experience and skill in dealing with the grass root level people, which are best available among some reputed RAC in the country. Therefore, it has been adopted as a government policy to commission the services of such a RAC to assist in the implementation of a RAP. The principal task of the RAC is to identify the project affected land, business enterprises and persons, estimating their losses and dislocations, work out their entitlements packages and prepare a compensation budget. The next main task is to assist the DMRTDP in disbursing entitlements which are beyond the purview of CCL. Again the RAC also plays an important role in ensuring that legitimate grievances of the APs are redressed and vulnerable are given special attention. The RAC is also required to undertake efforts to mitigate some community level dislocation caused by the project.

It has been found that the CCL disbursed by the DCs office is in almost all the cases, are well below the replacement value of the acquisitioned / lost assets. As a result, the PAPs can never replace the assets with the money received under CCL. To fill up this gap, the JICA has prepared a policy guideline beyond the CCL. JICA's Policy on involuntary resettlement has been prepared in such a way so that the PAPs get at least the replacement value of the lost assets and the present RAP has followed it. This additional amount is given to each PAP through the DMRTDP following various formalities. Beyond CCL, the issues covered in the proposed compensation package under RAP are (details in Table 6.4):

- Additional grant to cover Replacement Value of land (agricultural, homestead, commercial and fallow land, water bodies, ponds, etc.) if CCL is less than RV;
- grant for meeting the social cost of dislocation due to homestead acquisition;
- Stamp duty and registration cost for facilitating land purchase by PAPs in future;
- Grant for loss of standing crops and fruits for agriculture land;
- Structure Transfer Grant (STG) for living quarters, commercial units and other establishments on the basis of RV;
- Structure Reconstruction Grant (SRG) to the households/commercial or other establishments on the basis of RV;
- Grant for loss trees on Government land under use by squatters;
- An Additional amount to vulnerable households;

- An additional grant to all the squatters / uthulies households;
- Grant for the loss of business in business enterprises;
- Wage laborers or helper family members of business enterprises to compensate for the employment loss;
- Additional amount for shifting of household/enterprise inside materials; and
- Additional amount to all the homestead and commercial land losers for developing the new homestead.

The estimated amount of money must be available at the DMRTDP at least one month ahead of starting the payment of compensation under Resettlement Action Plan in the proportion like: 50 per cent+30 per cent+20 per cent. The RAC will play participation role in the Payment process.

9.5 Scope of Work of RAC

Precisely, the RAC will have to perform the tasks principally basing on the issues included and guidelines provided in the RAP. However the major tasks to be done by the RAC are:

Conducting SES and Updating the RAP: The RAC's first responsibility is to commission a SES within the RoW for SIA of each PAP. A pretested questionnaire is implemented to each PAP through trained field workers. This report actually details-out every nook and corner of both the direct and indirect PAPs.

Information Campaign: The implementing RAC will design, plan and implement a information campaign in the affected areas primarily to inform the project displaced persons about the entitlement policy and how to avail of their respective entitlements. The campaign would include measures such as distribution of information booklets, notice and other materials among the project displaced persons, community meetings, public announcements, and any other measures necessary to provide information to all PAPs.

Circulation of Booklet: One Bangla booklet containing the total compensation package as is outlined in the RAP, procedures and places of payment and all other relevant information will be prepared and circulated among the project displaced persons by the RAC. This will significantly help in reducing tension among the PAPs and will lead to better working environment and relationship between the RAC and PAPs. This kind of booklet must be circulated by the RAC well attend of time. If possible this may be prepared by the RAC before going to the field, and be circulated during field work. This will significantly help the RAC in performing their activities in a social environment with better cooperation.

Computerization of Database and EP Files: Data on land, structure, trees and other properties lost by the PAPs have to be computerized, including development of necessary software to prepare EPs files and ECs. The EP and EC files will be used for making payments to the EPs and monitoring the progress of resettlement work. The RAC after joining the field, must finalize the list of PAPs, and EPs titles within nine months; otherwise, they will be late in performing other activities.

Issue of Identity Card: All the PAPs are needed to be identified within the 6 months of RAC's operation at the field level. They should also finalize the list of entitlements of each PAP. Both the works should not take more than six month because, the process of paying compensation, both under and beyond CCL cannot be started before the finalization of entitlement list to be followed by the issue of ID card. Among many others, the two major contents of ID card are the actual address of EP and a certified photograph. The responsibility of preparation and issue of ID cards will be borne by the RAC. This card will be used by all the PAPs for receiving all types of compensations under RAP.

Assistance to EPs to Relocate and Resettlement: The RAC will assist the PAPs during pre-and post-relocation period and help finding land for resettlement. Also, wherever needed, the staff of RAC will help PAPs to obtain their compensation money from the DC office and other resettlement benefits from the project.

Participation in GRC, PVAC and JVC: The implementing RAC will organize and participate in the GRC, PVAC and RAC meetings as Member Secretary and assist in settling disputes over the resettlement benefits. RAC staff may also require to carryout intensive field verifications for resolution of certain kinds of grievances.

Liaison with DC Office: The RAC will always maintain contact with the Land Acquisition Section of the DC office and will disseminate information to the EPs about payment of CCL.

Liaison with GRC, JVC and PVAC: The RAC will always be in touch with these two teams and always help them in accomplishing their tasks.

Opening of Bank Accounts: The compensations are always given through cross cheque which require bank account in the name of incumbent. Most of the poor EPs do not have any bank account. The RAC will have to introduce and help them in opening bank accounts.

Assistance to Vulnerable Groups: The RAC will provide special assistance to vulnerable groups (economically poor PAPs) in their physical and economic rehabilitation through integrating them with NGOs working in the respective areas for poverty alleviation, employment in road construction works suitable to them, etc. Above all, they will also be given cash grant for their vulnerability.

Organization of Training: Many of the vulnerable EPs may need training for development of their skills or for changing occupations. Training needed for meeting these requirements will have to be organized by the RAC. The cost in this respect will be borne from the miscellaneous sub-head of Resettlement Budget.

Linkage with NGOs: Many of the EPs may show interest to work with the NGOs working in their areas for poverty alleviation through introducing credit supported income generating activities. The RAC will take initiative for establishing linkage between the EPs and NGOs.

Campaign against HIV/AIDS: The RAC will also propagate against the serious effects of HIV/AIDS among the EPs and construction laborers. The campaign will include issues like, how

it spreads, how it can be avoided, and the referral system for the victims, serious effects of HIV/AIDS etc.

Campaign against Women and Child Trafficking: The RAC will also propagate against the serious social effects of women and child trafficking among the EPs and construction laborers. The propaganda will include issues like, how it affects the society and creates social problems, how it can be controlled, etc.

Supervision and Management: Facilities and logistics required for carrying out the implementation activities in the field have to be established in due time at the field and head office levels. The field team shall maintain liaison with DMRTDP staffs and also with project consultant.

Compensation Budget and Fund Placement: The whole theme of RAP centers on the payment of compensations beyond the CCL, to both the direct and indirect PAPs. For this the RAC will have to submit a tentative budget to the DMRTDP within shortest possible time. The tentative budget is always changeable and the total allocation may be placed with the DMRTDP in three installments like: 50 percent+30 per cent+20 percent. The second installment may be released after the submit of statement of expenditure by 70 percent of the released money of 1st installment and the third installment after disbursement of 1st installment in full & 70% of second installment.

Payment of Compensation to Individual PAP: The activities of RAC principally center on the estimation of compensation beyond the CCL following the guideline and estimation of PVAC. For the purpose, the RAC prepares a cash entitlement and payment statement for each PAP separately and submit it to DMRTDP which responsible for payment to EPs through check.

Other Issues: For all other issues (to be arose during the implementation of RAP) not covered in the ToR, the decision may be taken by the Project Director, DMRTDP, DMTC in consultation with the RAC. To be specific, if the DMRTDP desires to support the poor PAPs through an income generation project, like, that of Bhairab Bridge, the RAC will have to continue along with the continuation of RAP implementation.

Reporting System of RAC: The RAC will be directly responsible to the Project Director through the DGM Environment and Rehabilitation for all types of activities. The work inception report (5 copies) should be submitted to the Project Director within one month of field placement. Moreover, within 15th of next month, the RAC will have to submit the progress report (5 copies) of and up-to the previous month. The Project Director, may also call meeting as and when needed for reviewing the progress or any other issue considered review-able to him. After the completion of RAP implementation, the RAC will have to submit the project completion report in 10 (ten) copies to the Project Director, along with a soft copy within three months of completion.

9.6 Organizational Structure of RAC for RAP Implementation

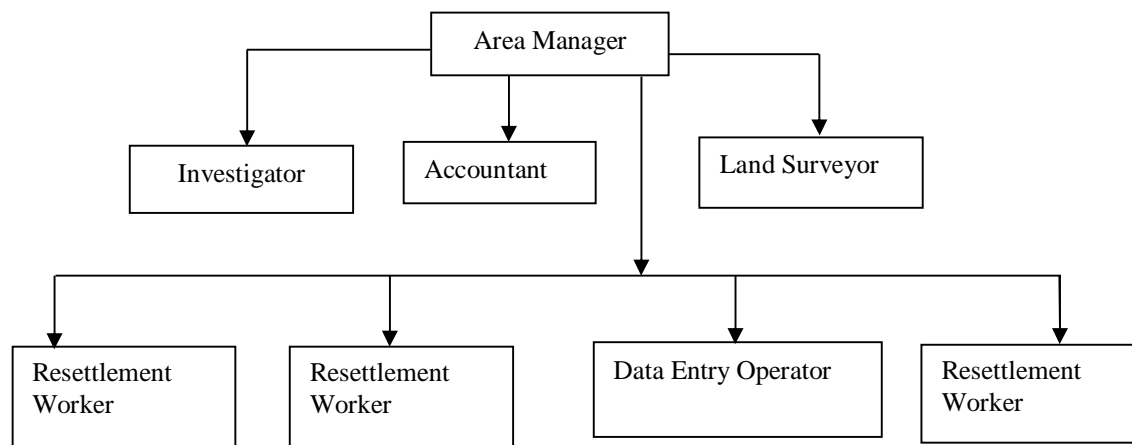
The RAP is limited to payment of cash compensation only to the PAPs for individual cases, and replacement of the affected properties by PEA when it is owned by the community. In general, for paying the compensation to individuals, the process involves four parties:

- i) Project office of Dhaka-Mass Rapid Transit Company Limited;
- ii) Office of the Deputy Commissioner of the respective area for paying the compensations under CCL;
- iii) RAC appointed by the DMRTDP project office for calculating the compensations beyond CCL; and
- iv) Above all, the Project Affected Persons popularly known as PAPs.

For the PEA and DC offices, they have their own Government approved organogram for implementation of RAP. So, the proposed structure is only for the RAC keeping in mind that they will have to complete the RAP implementation before vacating the affected structures and taking over the possession of land by the implementation executing agency. The proposed Organizational Structure is based on following assumptions:

- i) The payment of compensation to individuals must be completed at least 1(one) month before taking possession;
- ii) The procedures of paying compensation beyond CCL, must be simple and easy understandable to the EPs;
- iii) The Resettlement Worker must always be in close contact with EPs;
Resettlement Workers will work under supervision of Area Manager, who will be the reporting authority of them.

Figure-9.6: Organizational Structure of Field Office of RAC



9.7 Role of Different Committees in RAP Implementation

To arrive at a fair standard of compensation sufficient to cover the Replacement Value of lost properties, formation of a Joint Verification Committee (JVC) and likewise a Property Value Assessment Committee (PVAC) are considered important for each local government zone.

Again, to devise a mechanism to dispose of the complaints out of court as per RAP, setting up a Grievance Redress Committee (GRC) is also felt indispensable. In order to ensure collective sharing of responsibilities, JVC and PVAC need to be formed with representatives drawn from the PEA, DC office, RAC including local government representatives under the administrative order of the Ministry with appropriate legal authority.

Land Acquisition Ordinance of 1982 and subsequent partial amendments of 1993 and 1994 ensure only statutory land acquisition and compensation policies to legal owners of properties under acquisition. They do not guarantee either replacement value of the acquired properties or restoration of income and standards of living of the displaced people. Thus in case of projects involving land acquisition and involuntary resettlement, the grievance redress procedure and appeal mechanisms are an important aspect related to R&R of the PAHs. The Land Acquisition Ordinance of 1982 has provisions at different stages of the land acquisition process for the displaced persons to object to the proposed acquisition of land and other properties, etc. It also allows the affected persons to receive compensation under protest and to approach the court for settlement. While an affected person cannot challenge the land acquisition by Government (which involves a public purpose) in court, an aggrieved person may go to a court of law in order to challenge the amount of compensation. Experience shows that the litigation causes unnecessary delays and cost overrun in many projects. Keeping in mind the legal procedures involving such cases, the DMRTDP will constitute a committee for grievance redress that will provide a forum for people to express their dissatisfaction over compensation and R&R provisions. Procedures for grievance redress have been discussed in detail in Section-10.

Quorum of meetings of all the Committees will need the presence of more than 50% of the members of the respective committee. It is to be noted that the formation and composition of the committees must be approved by the appropriate legal authority after the approval of RAP.

9.8 Grievance Redress Mechanism

9.8.1 Needs for Grievance Redress

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

This will be ensured through minimization of land acquisition and resettlement design and implementation, by ensuring full participation and consultation with the PAPs, and by establishing extensive communication and coordination among the affected communities, PEA (here it is DMTC)

9.8.2 Grievance Redress Committee (GRC)

The GRC will be formed for resolving the grievances involving resettlement benefits, relocation, and other disputes. A gazette notification on the formation and scope of work of the GRC will be required. The GRC will be comprised of following members:

- i) Representative of DMRTDP/DMTC, Convener
- ii) Environmental Expert of General Consultant (GC), Member
- iii) One representative of male PAPs, Member(From the concerned ward)
- iv) One representative of female PAPs, Member (From the concerned ward)
- v) Legal Advisor of RAC , Member; and
- vi) Area Manager, RAP implementing agency (RAC), Member Secretary.

The GRCs will be activated with authority to resolve resettlement benefits, compensation and other social and environmental issues not to be addressed under legal suit in the courts. The GRC will receive grievance cases from the aggrieved persons through RAC. It will assist the PAPs in lodging their complaints in a proper format acceptable to the GRC PAPs will get ID cards from RAC and be informed about their entitlements and losses. Regarding environmental issues, the aggrieved persons may lodge there complains to the GRC through the RAC.

9.8.3 Scope and Jurisdiction of Work

The scope and jurisdiction of work of the GRC are:

- (i) After receiving the complaints / grievances the GRC will review, consider and resolve grievances, related to social/resettlement and environmental issues during implementation, received by the committee.
- (ii) Any grievances presented to the GRC should ideally be resolved at the earliest convenient time. In cases of complicated cases requiring additional investigations it should be resolved within a period of one month.
- (iii) Grievances of indirectly displaced persons and/or persons displaced during project implementation will also be addressed by the GRC.
- (iv)The GRC will not engage themselves in any review of the legal standing of an “awardee” other than in direct losses or distribution of shares of acquired property among the legal owners and associated compensation or entitlement issues.
- (v) The decisions of GRC should ideally be arrived at through consensus, failing which resolution will be based on majority vote. Any decision made by the GRC must be within the purview of social, resettlement and environmental policy framework.
- (vi) The GRC will not deal with any matters pending in the court of law. But if the parties agree on through a written appeal, the GRC can mediate. As a consequence, the parties can withdraw their litigation.
- (vii) A minimum of 4 (four) members shall form the quorum for the meeting of GRC.

The GRC meetings will be held in the Project office convenient place selected by the committee. If needed, the GRC members may undertake field visit to verify and review the issues at dispute, including titles/share, reasons for any delay in payment or other relevant matters. Moreover all the GRC members including the Convener and Member Secretary should be given sitting allowance for each meeting at the rate of Taka 1000 to each and Tk. 50 per km as conveyance allowances. All costs of travel, meeting and sitting are to be borne by the DMTC through the RAC.

9.8.4 Procedure of Grievance Redress

The APs/aggrieved persons will be able to file their grievances without any fear and intimidation. Where required, the RAC will assist the PAPs in drafting the grievances. All grievances must be submitted in writing to the Chair, GRC. The complainant may be represented by the AP him/herself or appointed agent such as locally elected representative/legal advisor. The judgment made by GRC will be communicated to the concerned PAP in writing. If dissatisfied, the PAPs may request for further review of the judgement to GRC. If PAPs did not get the remedy he/she may appeal to the PD. DMTC or MD, DMTC for final decision. The decision of the PD/MD is final. The GRC procedures and operational rules will be publicized widely through community meetings and pamphlets in the local language (Bangla) so that the APs are aware of their rights and obligations, and procedure of grievance redress mechanism.

All the documents of GRC will be preserved by RAC for record.

Table-9.8.4: Steps for Redressing / Resolving Grievances

Step 1	The Implementing Agency RAC informs PAPs about their losses and entitlements. If satisfied, the PAP claims resettlement payments to the RAC. If confused, proceed to Step 2
Step 2	The PAP approaches the RAC field level officials for clarification. The RAC will clarify the APs about their losses& entitlements as per RAP policy. If resolved, the PAP claims resettlement payments to the RAC. If not resolved, proceed to Step 3
Step 3	The PAP approaches to the GRC. The RAC staff shall assist the APs in processing the complaints and organize hearing within 15 days of receiving the complaints. RAC shall assist the PAPs to prepare written form for succeeding procedures at no cost to PAPs. Then proceed to Step 4
Step 4	The GRC is accountable to scrutinize the applications, if the case is beyond their mandate as per scope of work, will suggest APs to apply to the proper authority. If the case is within the mandate of GRC, proceed to Step 5
Step 5	The GRC case hearing shall be held in presence of the aggrieved PAPs (if possible), and the minutes will be recorded. If resolved, The decisions will be informed to the PAPs. The Project Director will also be informed about the decision of the GRC. If not resolved, proceed to Step 6
Step 6	If the PAP is not satisfied with the GRC decision, he/she may appeal to the GRC for review of the decision given by GRC within 7 days from the date of GRC decision. Then proceed to Step 7

Step 7	After receiving the review petition GRC will hear the review and make decision within 7 days of receiving the review petition.
Step 8	If PAPs aggrieved with the decision in review case, he/she may appeal to the PD/DMRTDP or MD/DMTC within 7 days from the review decision by GRC.
Step 9	PD/DMRTDP or MD/DMTC will review the case and give decision within 3 weeks from receiving of the appeal.

9.8.5 Grievance Redress Monitoring

Under the prevalent system, the RAC prepares the monthly progress report on the activities performed / attended by them. The RAC must include the grievance redress activities in their monthly progress reports. The report may contain the result of number of GRC meetings of the month, number of grievances received, number of grievances resolved, number of pending issues, number referred to the DC and all others considered important by the DMTC and other organizations associated with the project. The PMU at DMTC headquarter will keep record of complaints received for its use as well as for the use of JICA during regular supervisions.

9.9 Joint Verification Committee (JVC)

The task of JVC is to verify the data collected by RAC for many types of losses as mentioned in the Entitlement Matrix. JVC may verify the 10-20% SES data assessed by the RAC on sample basis. RAC will provide the SES data to JVC.

The JVC will constitute of:

- i. One representative of at least at the level of Manager, to be nominated by the PD, DMRTDP/MD, DMTC as Convener;
- ii. One representative from PWD as Member;
- iii. One representative from PAPs as Member;
- iv. One representative from General Consultant (GC) as Member; and
- v. Area Manager of RAC as Member Secretary.

The specific Terms of Reference (ToR) include:

- i. JVC will verify the SES data collected by RAC for assessing the quantum of losses to be affected, JVC may verify the 10-20% SES data assessed by RAC on sample basis
- ii. The JVC will review and verify the immovable structures quantity assessed by the RAC;
- iii. The JVC will determine the quantities of structures as mentioned in the Entitlement Matrix.
- iv. JVC will follow the guidelines mentioned in the Entitlement Matrix and ToR in RAP

9.10 Property Value Assessment Committee (PVAC)

According to JICA guidelines PAPs are to be compensated by replacement value of affected properties. Compensation given by the Deputy Commissioner are often inadequate in reflecting RVs. Regarding payment of structures, business and other items PWD's estimate do not cover the Replacement Value.

The PVAC will constitute of:

- i. One representative of DMTC, at least at the level of DGM to be nominated by the PD, DMRTDP/MD, DMTC as convener;
- ii. One representative of PWD/NHA as Member;
- iii. One representative from General Consultant (GC) as Member;
- iv. One representative from RAC as Member; and
- v. Manager E&R Unit, DMRTDP as Member Secretary.

The specific Terms of Reference (ToR) include:

- Property Value Assessment Committee will recommend the Replacement Value of land, structures and all other losses based on the guidelines mentioned in the Entitlement Matrix and The Acquisition & Requisition of Immoveable Property Ordinance, 1982 and subsequent amendments;
- The Committee will use CCL, CMV assessed by DC Office, PWD/NHA, quantity determined by JVC, and RAC data in proposing Replacement Value of land, structures, common property resources and others losses;
- PVAC may visit the site if necessary for verifying any information;
- The Committee will take decision in the PVAC meeting. Decision will be taken at two-third majority basis.

9.11 Entitlements of Committee Members

All the members of various committees will attend a training and orientation meeting prior to commencement of their work. The training will be conducted by the Project staff and consultants/resettlement experts. The committee members will be entitled to Tk. 1000/- (one thousand) per day as sitting allowance. The bill is to be paid by the RAC with the approval of Convener. The RAC will pay the billing amounts to the members on the date of meeting and will process to the DMRTDP, DMTC for reimbursement, Light snacks/ refreshments will be served during the meeting by the RAC. In case of daylong meeting, the committee members may also be served with lunch. Necessary stationary and other logistics will be made available by the RAC. For the legal advisor, the fee will be paid as per contract between the Advisor and the PEA through the RAC. All the committee expenditures will be borne by the DMRTDP through RAC form the Contingency/ Miscellaneous subhead of the DMRTDP's Resettlement Budget.

CHAPTER-10

10. IMPLEMENTATION SCHEDULE

10.1 Issue wise Implementation Schedule

This RAP has been prepared in addition to the RAP prepared for the Depot area and it covers all the PAPs within the RoW including the Receiving Sub-station and Construction Yard. A time-bound implementation schedule for the implementation of RAP has been prepared in accordance with the needs of project construction schedule. The overall schedule of implementation is based on the principle that the people to be displaced by the project are paid their due resettlement benefits prior to displacement. The implementation schedule may be changed considering possible changes of events during the implementation period of the project. For better implementation of this RAP all the implementation issues are furnished here along with their minimum time requirements.

Table-10.1: Proposed Schedule for Implementation of RAP: Each Box Equal to Two Months from July 2015 - June 2019: 48 Months

S L	Land Acquisition & Resettlement Activities	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
1	Reconnaissance Survey within RoW																								
2	Video-filming of the PAPs																								
3	Information campaign and SES for updating PAPs																								
4	Consultation, Participation & Disclosure																								
5	Data Analysis																								
6	Drafting and Submission of RAP																								
7	Approval of RAP by the Concerned authority																								
8	Disclosure of Entitlements																								
9	Preparation of information booklet/brochure																								
10	Formation of Committees; JVC, PVAC and GRC																								
11	Functioning of JVC, PVAC and GRC																								
12	Determination of Individual Entitlement																								

SL	Land Acquisition & Resettlement Activities	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
13	Preparation of final resettlement budget by RAC, submission to DMTC and its approval																								
14	Preparation of ID cards																								
15	Formation of Focus group and discussion meetings																								
16	Preparation of Individual list of entitlements																								
17	Payment of compensation by DMTC through RAC																								
18	Monitoring of RAP implementation																								
19	Final Report of RAP Implementation																								

It is to be noted that the dislocation in time frame of one activity will create overlap in other activities resulting delay in completion of RAP implementation.

10.2 Institutional Responsibilities in Implementation Schedule

The Implementation Schedule has enlisted the issues which should be taken care by the RP implementing agency, Resettlement Assistant Consultant (RAC) with the active support from executing agency DMRTDP, DMTC in time. All the issues are in such a chain that nothing could be done if a particular issue of the chain is not completed. Here in Table-10.2 an attempt has been taken to discuss some of the issues in the form of recommendations.

Table-10.2: Issue-wise Responsible Organizations for Accelerating/Accentuating the RAP Implementation

SL	Issues of Implementation	Responsible Organizations
1	Reconnaissance Survey within RoW	RAC & DMRTDP
2	Video-filming of the PAPs	RAC & DMRTDP
3	Information campaign and SES for updating PAPs	RAC & DMRTDP
4	Consultation, Participation & Disclosure	RAC & DMRTDP
5	Data Analysis	RAC & DMRTDP
6	Drafting and Submission of RAP	RAC & DMRTDP
7	Approval of RAP by the Concerned authority	RAC, DMRTDP & JICA
8	Preparation of information booklet/brochure	RAC & DMRTDP
9	Discloser of Entitlements	RAC & DMRTDP
10	Formation of Committees; JVC, PVAC and GRC	RAC & DMRTDP
11	Functioning of JVC, PVAC and GRC	RAC & DMRTDP
12	Determination of Individual Entitlement	RAC & DMRTDP
13	Preparation of final resettlement budget by RAC, submission to DMTC and its approval	RAC & DMRTDP
14	Preparation of ID cards	RAC & DMRTDP
15	Formation of focus group and discussion meetings	RAC & DMRTDP
16	Preparation of Individual list of entitlements	RAC & DMRTDP
17	Payment of compensation by DMTC through RAC	RAC & DMRTDP
18	Monitoring of RAP implementation	DMRTDP & GC
19	Final Report of RAP Implementation	RAC & DMRTDP

10.3 Recommendations

The Implementation Schedule has enlisted the issues which should be taken care by the RAP implementing agency Resettlement Assistant Consultant (RAC) with the active support from executing agency DMTC in time. All the issues are in such a chain that nothing could be done if a particular issue of the chain is not completed. Here in Table-6.2 an attempt has been taken to discuss some of the issues in the form of recommendations.

Table-10.3: Issue-wise Recommendations for Accelerating/Accentuating the RAP Implementation

Issue	Recommendations
1. Formation of JVC, PVAC and GRC	These committees should be formed as early as possible. No progress in RAP implementation is possible without these committees.
2. Placement of RAP implementation fund with DMRTDP	The required amount of money needed for payment of compensation and RAP implementation should be placed with DMRTDP within shortest possible period by the funding agency.
3. Disbursement of cash compensation	After the submission of amount of cash compensation for any EP to DMTC by RAC, the case should be disposed of within one month except disbursement of rental.
4. Review of RAP implementation progress	There should be a regular system of monthly meeting for reviewing the progress of RAP implementation. The meetings will be chaired by the person authorized by the PD, DMRTDP.
5. Construction of stations within the RoW	Construction activities of stations should be completed as early as possible. This will facilitate in appropriate selection of new locations of the displaced shops.

CHAPTER-11

11. MONITORING OF IMPLEMENTATION AND REPORTING

11.1 Monitoring and Evaluation

Implementation of RAP will be supervised and monitored by the Project Director, DMRTDP with the direct assistance of concern officers of Environment & Rehabilitation (E&R) unit, DMTC and the field officials and staffs of the RAC. Monitoring activities will be done both internally and externally to provide feedback to the PD and to assess the effectiveness of resettlement policy and its implementation. The day to day activities of RAP implementation will also be supervised and monitored by the Social Safeguard Team of the General Consultant of DMRTDP. They will prepare and submit monthly report as a part of the progress report of the whole project. Monitoring in a package, is an integral part of project implementation, which must be given due emphasis if the implementation has to progress according to the projected plan and schedule. The objectives of setting a Monitoring and Evaluation System (MES) are to:

- Collect, analyze, report and use information about progress of resettlement;
- Ensure that inputs are being provided, procedures are being followed and outputs are monitored and verified;
- Ensure timely management action if there appears to be any failure in system due to management lapse;
- Ensure necessary corrective measures at policy level, if it is seen that there is a failure in system due to flaw in the design i.e. wrong theory, hypothesis or assumption, to ensure necessary corrective action at policy level.
- To build a benchmark database for the purpose of evaluation both during the course and exposit factor.

11.2 Institutional Responsibility for Monitoring

The DMTC will carry out the Internal Monitoring of RAP implementation involving the field office(s), and RAC. The Social Safeguard team of General Consultant of DMTC will also perform the monitoring job and submit report through their monthly progress report. GC will engage external monitor as a part of monitoring RAP implementation. The JICA as the Financing Agency will conduct review missions for External Monitoring according to their need. The project affected persons, and their community will also participate in the monitoring process. The four offices to be involved in Monitoring are:

Office of the Project Director: The Project Director/Managing Director will be responsible to oversee proper and timely implementation of in RAP. The PD/MD office will operate and manage implementation of RAP with the assistance of RAC. The monitoring will be carried out with the support from Environment and Resettlement Unit of the project and RAC. The RAC will collect appropriate data from the field and provide feedback to the PD/MD office on progress of RAP implementation and the day to day problems arising out of the process.

On the Implementation of RAP: The RAC will prepare monthly and quarterly reports on the progress of RAP Implementation. The RAC office will collect information from the project site and assimilate in the form of monthly progress of RAP implementation and adjust

the work programs where necessary, in case of delays or problems. A MIS will be designed and developed by the RAC to monitor the output indicators of RAP Implementation.

General Consultant: The GC shall prepare and submit to the employer the RAP and LAP progress report on a monthly basis indicating the progress of land acquisition, causes of delay, if any, the actions required from the employer following month schedule and other issues to be reported.

External Monitoring Agency: External monitoring will be conducted by external monitoring agency sub contracted out by the GC. External monitoring for RAP implementation consist of components like: monitoring of complaints with procedures and evaluation of social impacts. Monitoring of complaints will be carried out 3 times: 6 months after commencements of activities of RAC, Mid-term of RAC activities and upon completion of the RAC implementation. This report shall be submitted to the Bangladesh office of JICA. Evaluation of social impact of resettlement benefits will be carried out 6 months after completion of RAC activities. The issues to be covered are:

- Compensation and entitlement policies;
- Adequacy of organizational mechanism for implementing the RAP;
- Restoration of APs incomes;
- Settling complaints and grievances;
- Provisions for adequate budgetary support by PD office for implementing the RAP; and
- Other issues considered important by JICA.

11.3 Stages and Issues of Monitoring

Monitoring will be done both internally and externally to provide feedback to DMRTDP, DMTC and assess the effectiveness of RAP policy and its implementation. Internal monitoring will be carried out by the DMRTDP, DMTC at all the stages of RAP implementation. Issues to be covered in monitoring are:

- Data inputs in MIS and getting output of different items.
- Conduct sample survey;
- Consultations;
- Checking identification of different categories of PAPs and entitlements of individuals;
- Collection of gender disaggregated data and preferences of women;
- Establish inventory of losses;
- Ascertain entitlements;
- Budget delivery;
- Information dissemination;
- Institutional capacity assessment;
- Implementation schedule and items of expenditure; and
- All others considered important issues.

11.4 Methodology and Approach

The Monitoring approach will be to identify and select a set of appropriate indicators and gathering information on them for assessing the appropriateness & sufficiency of RAP, and efficiency & adequacy of implementation. Participation of the displaced persons, especially the women and vulnerable groups are to be ensured in the monitoring process. The process will also undertake various formal and informal surveys for impact analysis. Monitoring tools would include both quantitative and qualitative methods as follows:

- **Focused Group Discussions (FGD):** Consultation with a range of stakeholder groups (DMTC, GC, RAC, community leaders and PAPs including women and vulnerable groups).
- **Key Informant Interviews:** Consult individuals like local leaders, village workers or persons with special knowledge or experience about resettlement activities and implementation.
- **Community Public Meetings:** Open public meetings at program areas to elicit information about performance of various resettlement activities.
- **Direct Observations:** Field observations on status of resettlement implementation, plus individual or group interviews for crosschecking purposes.
- **Informal Surveys/Interviews:** Informal surveys of PAPs, host village, workers, resettlement staff, and implementing agency personnel using non-sampled methods.
- **Special Issues:** In the case of special issues, in-depth case studies of PAPs and host populations from various social classes will be undertaken to assess impact of resettlement.

11.5 Internal Monitoring

Internal monitoring will be undertaken by the DMTC through E&R Unit with the assistance from Social Safeguard team of GC and RAC. The DMTC will gather information on RAP implementation covering relevant activities as per schedule. All the activities listed will be illustrated in Gantt chart showing the target dates for completing resettlement activities. Internal monitoring reports on RAP implementation will be included in the monthly Project Progress Report (PPR). The report will contain:

- Issue-wise accomplishment to-date;
- Objectives attained and not attained during the period;
- Challenges encountered; and
- Targets for the next quarter.

The internal monitoring report will be integrated by the DMTC with the overall project progress report (PPR) and submit to JICA and/or other agencies associated with implementation. The Social Safeguard Consultant of GC will assist the DMTC in preparing the overall PPR for JICA. However, the Social Safeguard Consultant of GC will monitor the activities of RAC and report to DMTC with their monthly report. Table 9.4 below shows the potential monitoring indicators that can be used as guideline.

Table-11.5: Potential Indicators of Monitoring the Implementation of RAP

Monitoring Issues	Monitoring Indicators
Budget and Timeframe	<ul style="list-style-type: none"> • Have all resettlement staff been appointed and mobilized for field and office work on schedule? • Have capacity building and training activities been completed on schedule? • Are resettlement implementation activities being achieved against agreed implementation plan? • Are funds for resettlement being allocated to resettlement agencies on time? • Have resettlement offices received the scheduled funds? • Have funds been disbursed according to RAP?
Delivery of Entitlements	<ul style="list-style-type: none"> • Have all PAPs received entitlements according to numbers and categories of loss set out in the Entitlement Matrix? • How many affected households relocated and built their new structures at new location? • How many affected small business owner were relocated and make their business in other places? • Are income and livelihood restoration activities being implemented as planned? • Have affected businesses received entitlements? • Have the PAPs losing their eroded land received proper compensation? • Have the squatters, encroachers of khas land or DMRTDP, DMTC land, displaced due to the project, been compensated? • Have the community structures are compensated and rebuilt at new site?
Consultation, Grievance Redress and Special Issues	<ul style="list-style-type: none"> • Have resettlement information brochures/leaflets been prepared and distributed? • Have consultations taken place as scheduled including meetings, groups, community activities? • Have any PAPs used the grievance redress procedures? What were the outcomes? • Have conflicts been resolved?
Benefit Monitoring	<ul style="list-style-type: none"> • What changes have occurred in patterns of occupation compared to the pre-project situation? • What changes have occurred in income and expenditure patterns compared to pre-project situation? • Have PAPs income kept pace with these changes? • What changes have occurred for vulnerable groups?

The internal monitoring by the PD office will deal with all aspects of land acquisition and resettlement at the project as well as field level. The project management particularly, the PD, assisted by the E&R, will be mainly responsible for monitoring the progress of all resettlement activities at the project level, which include the following:

- Information campaign and consultation with the PAPs;
- Compensation for lost structures and assets;

- Land transfer from DCs/other government agencies and handing over to the contractors;
- Payment of resettlement benefits;
- Payment of resettlement benefits;
- Payment of grants to vulnerable; and
- Other activities associated with resettlement.

The benchmark for project level monitoring will come from field survey. Further, the RAC will conduct field monitoring and assess the daily operation of compensation and resettlement activities. The mechanisms to be used at the field level monitoring include:

- Review of PAPs files;
- Informal sample survey of PAPs;
- Key informant interviews;
- In-depth case studies;
- Community participatory meetings; and
- All other mechanisms considered appropriate.

11.6 External Monitoring

The External Monitoring will be conducted by the External Monitor recruited by the General Consultant. External monitoring for RAP implementation consist of components; Monitoring of complaints with procedures and evaluation of social impacts. Monitoring of complaints will be carried out 3 times; 6 months after commencements of implementation activities of RAP, Mid-term implementation of RAP activities and upon completion of the RAP implementation. This report shall be submitted JICA BD office. Evaluation of social impact of resettlement benefits will be carried out 6 months after completion of RAP implementation. The specific tasks and methodology for external monitoring shall include:

- Review of pre-project baseline data on APs;
- Identification and selection of an appropriate set of indicators for gathering and analyzing information of resettlement impacts;
- Use of various formal and informal surveys for impact analysis;
- Assessment of resettlement efficiency, effectiveness, impact and sustainability;
- Drawing lessons as a guide to future resettlement policy making and planning; and
- All other issues considered important.

The external monitoring for resettlement will start as soon as RAC is mobilized for RAP implementation.

External monitoring and supervision of RAP implementation will continue throughout the implementation of the project. The following may be considered as the basis of indicators for monitoring and evaluation of the resettlement project:

- Socio-economic condition of the displaced households/business;
- Payment of compensations and various entitlements as per RAP;
- Changes in housing condition and income level as an impact of the project;
- Resettlement of the vulnerable APs and businesses;
- Rehabilitation of the APs and businesses;
- Income restoration/social forestry program for vulnerable groups;

- Consultation with APs, particularly women/vulnerable groups;
- Grievance Redressed cases;
- Level of satisfaction of the APs in the post-relocation period; and
- Overall effectiveness of the resettlement operation.

The monitoring report will inform the PD about the progresses in the implementation of RAP and make appropriate recommendations. The PD will be responsible for undertaking remedial measures for improving the implementation process.

11.7 Reporting Requirements

During the implementation phase, the Project Director will prepare quarterly report on the progress of resettlement activities and forward it to the GoB and donors. A format for resettlement implementation monitoring will be devised for quarterly monitoring and data collection by the field officials. The Social Safeguard team of General Consultant of DMRTDP, for every six months during the implementation stage, will conduct review and report to the PD office on the progress of all aspects of land acquisition and resettlement activities. The external monitor will submit annual mid-term and end-term report to the Project Director. The observations / recommendations made by the external monitor will be incorporated for smooth implementation of RAP and if necessary for betterment of PAHs. The types of report to be prepared for the project are: as per contract documents.