

# Resettlement Framework

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**Bangladesh: Narayanganj Green and Resilient Urban  
Development Project – Construction of Sheds and  
Installation of Water ATMs**

**Package Number NCC/NGRUDP/W-15**

Prepared by Narayanganj City Corporation, Government of Bangladesh, for the Asian Development Bank (ADB).

## CURRENCY EQUIVALENTS

(as of xx September 2025)

Currency unit	–	Tk
৳1.00	=	\$0.012
\$1.00	=	৳ 84.77

## ABBREVIATIONS

ADB	–	Asian Development Bank
ARIPA	–	Acquisition and Requisition of Immovable Property Act
BPL	–	below poverty line
CBO	–	community based organization
CCL	–	Cash Compensation under the Law
DBO	–	design build operate
DMS	–	detailed measurement survey
DDR	–	due diligence report
FGD	–	focus group discussions
GOB	–	Government of Bangladesh
GRC	–	grievance redressal committee
GRM	–	grievance redress mechanism
NCC	–	Narayanganj City Corporation
NGO	–	Non-governmental organization
NOC		no objection certificate
PMU	–	project management unit
ROW	–	right-of-way
SIA	–	social impact assessment
SPS	–	Safeguard Policy Statement
TOR	–	terms of reference

## NOTE

In this report, "\$" refers to United States dollars.

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## CONTENTS

	<b>Page</b>
I. INTRODUCTION	1
A. Background	1
B. Project Description	1
C. The Project Components	5
D. Purpose of Resettlement Framework	6
II. OBJECTIVES, POLICY FRAMEWORK, AND ENTITLEMENTS	7
A. Project's Policy Frameworks	7
B. ADB's Safeguard Policy Statement, 2009	7
C. Screening and Categorization	15
D. Entitlement Matrix	15
III. SOCIO-ECONOMIC INFORMATION AND RESETTLEMENT PLAN PREPARATION	20
A. Project Impact on Women	21
IV. CONSULTATION, PARTICIPATION AND DISCLOSURE	22
A. Public Consultation and Participation	22
V. GRIEVANCE REDRESS MECHANISM	23
A. Existing Grievance Mechanism	24
B. Proposed Grievance Redress Mechanism under Narayanganj Green and Resilient Urban Development Project	24
VI. COMPENSATION, INCOME RESTORATION AND RELOCATION	26
A. Compensation	26
C. Assistance	26
VII. BUDGETING AND FINANCING	27
VIII. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION	27
A. Safeguards Capacity Development	31

## APPENDICES

1. Involuntary Resettlement Impact Categorization Checklist
2. Census Survey Guidelines
3. Outline of the Resettlement Plan
4. Outline of Due Diligence Report
5. Sample Information Disclosure Leaflet
6. Sample Grievance Registration Form
7. Social Safeguards Quarterly Progress Report Checklist
8. Outline of Social Safeguards Monitoring Report

## GLOSSARY

**Assistance** refers to the support provided to affected persons in the form of cash payment, or in kind assistance in order to improve their standard of living and reduce the negative impacts of the Project.

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

**Displaced Persons (Affected Persons)** – In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Displaced persons in a project area could be of three types: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all three types of displaced persons.

**Encroachers** are persons who have extended their building, business premises or workplaces into government lands.

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

**Replacement Value** of the acquired assets and property is the amount required for the affected persons/household to replace/reconstruct the lost assets through purchase in the open market.

**Informal Settlers/Squatters** are non-titleholders who have illegally occupied lands for residential, business and or other purposes.

**Tenants** are those persons having written or unwritten tenancy agreements, with the owner, to occupy a structure or land for residence and business.

**Titleholders** are those who have legal title to land, structure and other assets.

**Vulnerable Persons**– are those (i) woman-headed households, (ii) households having a person with disability, (iii) households belonging to tribes, minor races and ethnic sects, (iv) elderly-headed households, (v) children including orphans, child workers, (vi) below poverty line households, (vii) *Shudra/Rabidas/Harijan* castes, (viii) landless households and (ix) those without legal title.

## I. INTRODUCTION

### A. Background

1. ADB approved the Urban Infrastructure Improvement Preparatory Facility, a project readiness financing (PRF) loan for \$11 million, to strengthen Narayanganj City Corporation's (NCC) technical and implementation capacity to prepare the proposed project. The PRF supported the preparation of feasibility studies, detailed designs, draft bidding documents, and advance procurement for the Narayanganj Green and Resilient Urban Development Project (NGRUDP). The project intends to improve urban living conditions in Narayanganj City, adjacent to Dhaka. The project will (i) ensure long-term water security in selected zones in NCC areas by improving and expanding the water supply system, (ii) improve living conditions by developing or upgrading stormwater drainage systems in priority areas, and (iii) improve urban mobility by laying a riverside road within NCC with adjoining public spaces. This project will support infrastructure development in Narayanganj City by building upon infrastructure and capacity-building initiatives. The project will also support institutional strengthening of NCC in the optimal operation and maintenance of the project assets, in providing other basic urban services, and in the digitalization of administrative services. Narayanganj is the fourth most populated urban area in Bangladesh. The city is facing many challenges from unplanned and uncontrolled development.

2. The project has built-in components to ensure that infrastructure is climate resilient, designed with consideration for the poor, and promotes effective gender mainstreaming. The investment loan is consistent with the vision in Bangladesh's Eighth Five-Year Plan (2021–2025) to ensure access for all to adequate, safe, affordable drinking water and sanitation facilities and provide access to safe, accessible, and sustainable transport systems. The investment loan is aligned with the strategic objectives of the Asian Development Bank (ADB) country partnership strategy for Bangladesh (2021–2025) to promote green growth and climate resilience and to strengthen human capital. The NCC, under the Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives, will be the executing and implementing agency of the project.

### B. Project Description

3. The project is aligned with the following impacts: (i) sustainable and inclusive urban development achieved, and (ii) safe and climate-resilient delta area achieved. The project will have the following outcome: NCC's resilience and access to inclusive, reliable, and sustainable urban services improved.

4. **Output 1: Climate-resilient and inclusive infrastructure developed and/or improved.** The project will improve and expand the existing water supply system for inclusive, resilient, and safely managed continuous drinking water supply services in the priority areas in NCC to serve 0.6 million people. These will include rehabilitation of the existing WTP and 18 tube wells, replacement and expansion of the pipe network with DMA approaches to reduce nonrevenue water (NRW),<sup>1</sup> and installation of 20 new tube wells in selected areas for supply augmentation.<sup>2</sup>

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<sup>1</sup> Improvements in the existing network with the DMA approach to reduce NRW will be a part of the long-term strategy to ensure judicious use of existing water supply and prepare for a larger investment in the future to switch from ground to surface water resources for more sustainability. The phased shift to surface water resources is based on DWASA's experience in similar projects funded by ADB. Digital applications such as smart water meters and SCADA will be introduced, and online billing and collection will be strengthened to augment revenue and improve efficiency.

<sup>2</sup> Supply through the new tube wells will be provided by river water through induced bank infiltration technology. The sustainability of the yield and water quality of the new and existing tube wells was confirmed by surveys including impact on depletion. The support will be an interim solution to meet the immediate demand until the completion of switching to surface water resources. During project preparation, a pilot intervention to establish two Water ATMs led by a social enterprise called Drinkwell has been implemented in NCC. At Water ATMs, customers outside of the project areas can buy drinking

The low-income communities (LICs) in the project area will be fully provided with a continuous water supply.<sup>3</sup> The project will also establish and improve the stormwater drainage system in the priority areas to reduce waterlogging and flood risk with climate and disaster-resilient design and nature-based solutions such as introducing soil and vegetation. Further, the project will develop a total of 5 hectares of green public parks to improve the quality of life of the citizens, with features responsive to women and the vulnerable, to provide recreational spaces, and to reduce urban heat.

**5. Output 2: Capacity and awareness of NCC and the local community in climate-resilient, sustainable, and inclusive urban services strengthened.** To improve sustainability and quality of services through the facilities developed under output 1, the project will strengthen NCC staff capacity (including at least 90% of female staff) in climate-resilient, sustainable, and gender equality and social inclusion (GESI) responsive service delivery.<sup>4</sup> It will develop service improvement plans including financial aspects for sustainable O&M. For water supply, NCC's capacity on O&M will be improved through on-the-job training by the contractor that will be responsible for O&M for the initial two years.<sup>5</sup> DMA management and water quality monitoring will be supported.<sup>6</sup> The project will also support preparation of masterplans for wastewater, solid waste management, and urban planning to improve living environment in an integrated manner, combined with the intervention under the project, and advance climate and disaster resilience. The project will also support GESI-sensitive community awareness and behavior change campaigns on water, sanitation and hygiene, climate resilience, and sustainable services to maximize the health and economic impact of the investments.<sup>7</sup> This output, together with the infrastructure to be developed under the output 1, is expected to lead to achieving the intended outcome of improved resilience and access to inclusive, reliable and sustainable urban services.

**6. Output 3. Institutional capacity and governance of other municipal services strengthened.** The project will support a wide range of measures for municipal revenue augmentation, such as improvements in property tax, advertisement tax, and assets rents,<sup>8</sup> as well as technical upgradation of the existing systems including tax database, collection mechanism, and other revenue administration system and a grievances redressal system. Further, to improve municipal services other than those supported under outputs 1 and 2, the project will also support capacity building of the NCC staff and elected representatives for governance improvements, including better transparency and monitoring mechanisms of municipal services involving citizen participation. It will build on NCC's successful past performance in governance improvement. The project will also strengthen NCC's administrative efficiency with a focus on a smoother citizen interface through digitalization of customer records, asset management, and procurement. This output is proposed to be funded by the attached TA and is expected to contribute to achieving the project outcome through consolidated financial, administrative, and governance strengthening.

7. Narayanganj City is the fourth most populated city in Bangladesh and economically important because it is adjacent to Dhaka. The project aims to build NCC's capacity to ensure the

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water through digital payment to reduce cash leakage and human dependency in operation. Based on the results of the pilot, the project has a provision to expand total 50 Water ATMs.

<sup>3</sup> Individual household connections will be provided to the extent possible in the LICs.

<sup>4</sup> NCC's performance on municipal service delivery including those provided by the infrastructures developed under output 1 will be monitored with citizens' participation which mechanism will be established under the attached TA.

<sup>5</sup> In the bid document, there will be a provision for an extension of O&M period depending on the contractor's performance during the initial two years and NCC's O&M capacity.

<sup>6</sup> Output 2 will build on ADB's experience in the ADB. 2014. *Report and Recommendation of the President to the Board of Directors for the Coastal Towns Environmental Infrastructure Project*. Manila.

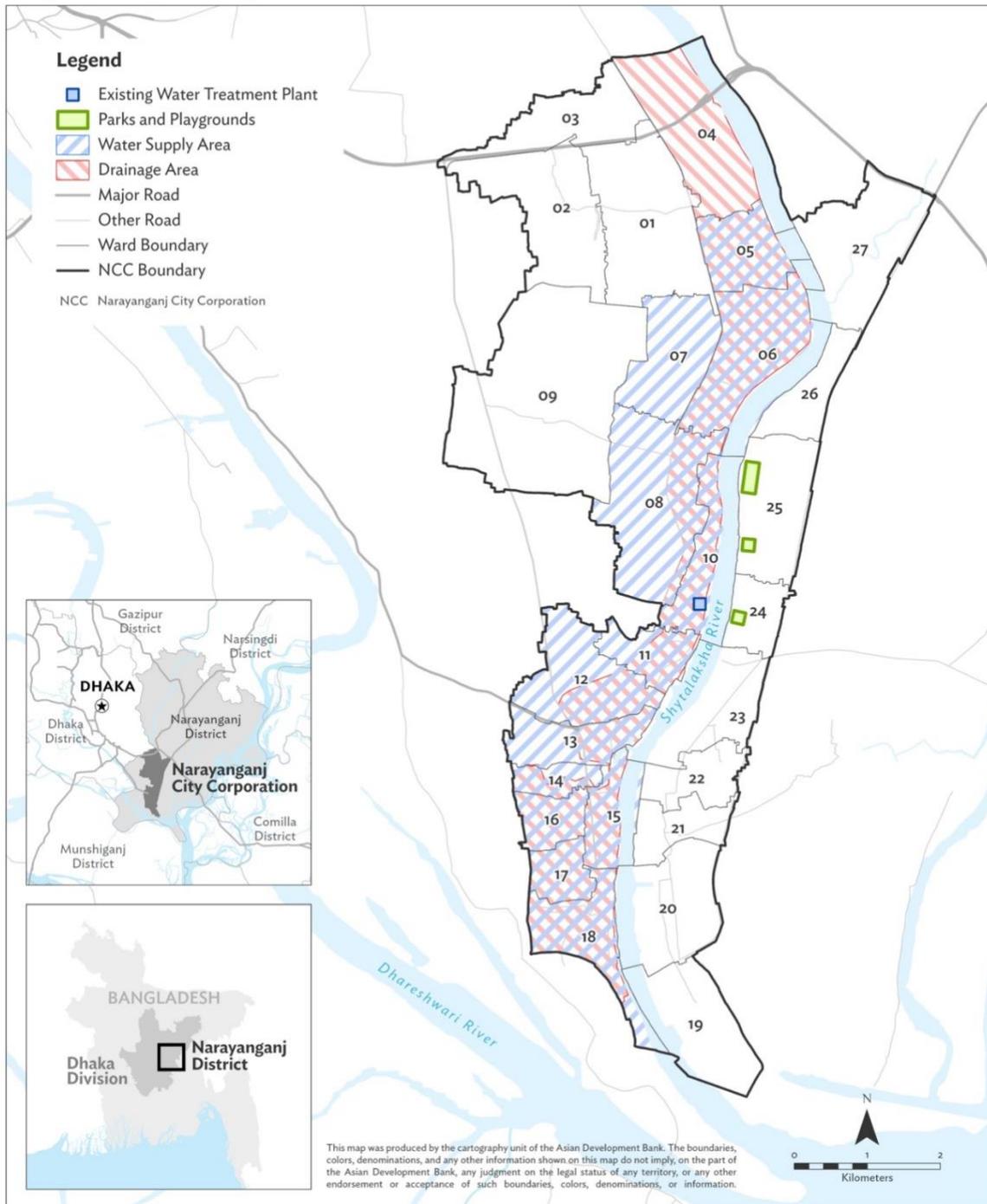
<sup>7</sup> For drainage, setting design codes to reduce runoffs, flood risk mapping, and early warning system will be supported.

<sup>8</sup> While geographic information system will be developed, the project will also fully utilize the existing data such as electricity bills to efficiently identify properties that are not captured under the current system.

sustainability of urban infrastructure investments, and their operation and management. As part of capacity building, the facility is supporting the NCC in developing Narayananj Green and Resilient Urban Development Project (hereafter referred to as “project” or “overall project” or “NGRUDP”) comprising preparation of master plans, feasibility studies, detailed design for the proposed infrastructure facilities for water supply, drainage, and river-front development in NCC.

Figure 1: Map Showing Project Area<sup>a</sup>

BANGLADESH  
**NARAYANGANJ GREEN AND RESILIENT URBAN DEVELOPMENT PROJECT**  
 Proposed Project Components

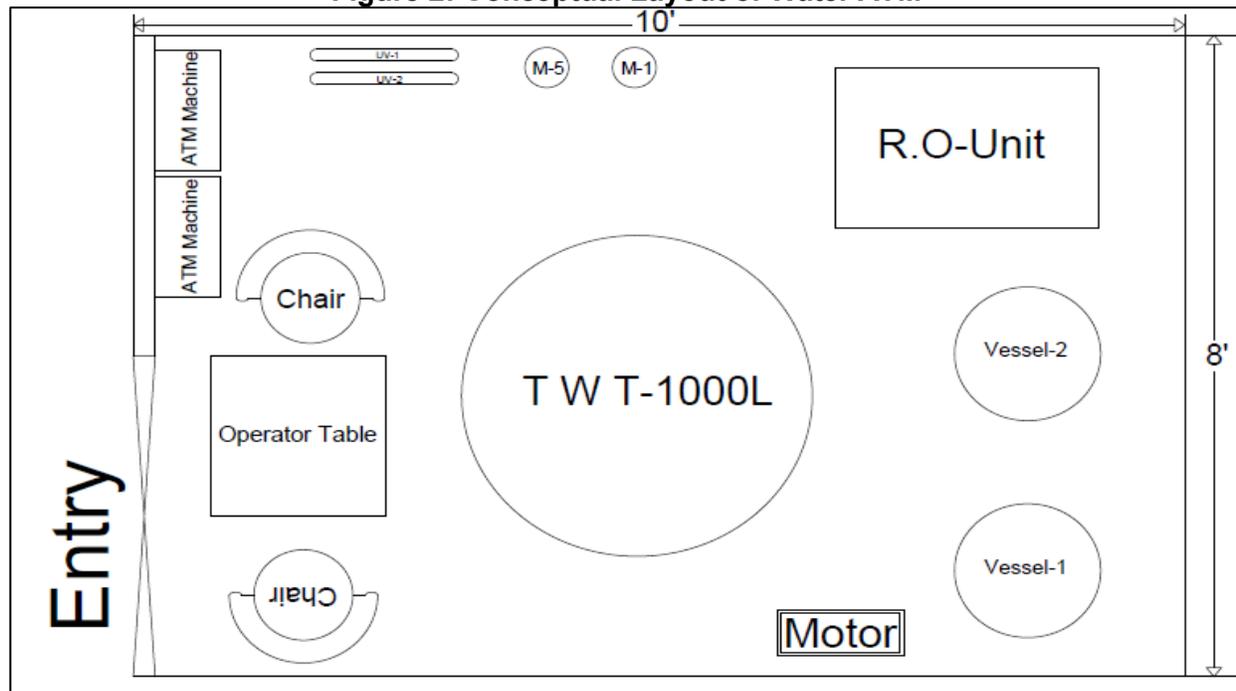


### C. The Project Components

8. The overall NGRUDP will include funding for the construction of 27 sheds for Water ATMs, with one shed each for the 27 wards of NCC. Each shed will cover an approximate area of 7.44 m<sup>2</sup> with dimensions of approximately 3.05m x 2.44m (10 feet x 8 feet). Conceptual layout and 3D rendering of this shed with the water ATM facilities are shown in the following figures, which were adopted from the Water ATMs being built in Dhaka and Chattogram under the initiative of DWASA and Chattogram WASA, respectively, in partnership with Drinkwell.<sup>9</sup> Final layout and design, and specific locations will be determined during the detailed design stage.

9. Accordingly, the conceptual design proposed under the project, the Water ATM, will have a maximum capacity of 100 liters per hour and will utilize reverse osmosis process and treatment technology to treat water in compliance with the National Drinking Water Quality Standards. The source of water for the Water ATMs will vary depending on the location, which could be an existing deep tube well, a new deep tube well, or piped water from the water supply distribution network if available in the area.

**Figure 2: Conceptual Layout of Water ATM**



Source: Drinkwell presentation document to ADB and Narayanganj City Corporation

<sup>9</sup> Drinkwell is a US-based social enterprise with a team of full time employees. It collaborates with Water ATM operators across Bangladesh and India via existing partners.

**Figure 3: 3D Rendering of Conceptual Design of Water ATM Shed**



Source: Drinkwell presentation document to ADB and Narayanganj City Corporation

#### **D. PURPOSE OF RESETTLEMENT FRAMEWORK**

10. This resettlement framework is prepared specifically for the proposed construction of sheds for 27 Water ATMs, with the final location to be confirmed during project implementation. The sites will be limited to government-owned lands only, and no private land acquisition is anticipated. The component involved is relatively small-scale civil works compared to other infrastructure projects; hence, the project is unlikely to generate significant involuntary resettlement impacts. Site selection will avoid involuntary resettlement to the maximum extent possible. The project will exclude any activities that result in the loss of major residential or commercial structures or cause any permanent loss of access to sites utilized by small businesses. NCC shall only consider government lands and detailed designs that do not trigger category A per ADB SPS, 2009. In case non-titleholders or informal users are encroaching upon the identified government lands, their affected assets and livelihood will be compensated in accordance with the agreed entitlement matrix.

11. This resettlement framework shall guide the resettlement activities under this package, specifically on the (i) screening, categorization, assessment, resettlement plan preparation and implementation including arrangements for stakeholders consultation and information disclosure requirements; (ii) outlines the objectives, policy framework, entitlements and other assistance and measures for the affected persons; (iii) the safeguards implementation arrangement; and, (v) specifies the budget and financing aspect, and monitoring and reporting requirements.<sup>10</sup>

12. The resettlement planning document will be prepared upon design verification in accordance with this resettlement framework. The resettlement plan or due diligence report, whichever is applicable, will be formulated and cleared by ADB before contract award (for item rate contract), or civil works commencement (for DBO contracts). Any unforeseen involuntary resettlement impacts from this component will be mitigated based on the principles and procedures stipulated in ADB Safeguards Policy Statement (SPS), 2009.

<sup>10</sup> ADB. 2009. Safeguard Policy Statement. Operations Manual. OM Section F1/OP, Para 52. Manila (issued on 4 March 2010)

## II. OBJECTIVES, POLICY FRAMEWORK, AND ENTITLEMENTS

### A. Project's Policy Frameworks

13. The legal framework for the project is based on the applicable legal and policy frameworks of the Government of Bangladesh (GoB), namely the Acquisition and Requisition of Immovable Property Act 2017 and ADB's Safeguards Policy Statement (SPS), 2009. The GoB does not have any specific policy for addressing involuntary resettlement, nor do they have any Street Vendors Act or any other policy applicable to roadside businesses.

14. The principal legal instrument for governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property (ARIPA) Act 2017, which requires that compensation be paid for (i) land and assets permanently acquired (including land with 200 percent premium, structures (houses and business, trees and standing crops with 100 percent premium); (ii) any other impact caused by such acquisition. The Act provides certain safeguards for the owners and has a provision for payment of "fair value" for the property acquired.

15. Under the Act, the government has an obligation to provide compensation only for the land/assets acquired. Further, the Act does not deal with social and economic impacts due to land acquisition. For instance, the Act does not cover project-displaced persons without titles, such as informal settlers (squatters), occupiers, and informal tenants and leaseholders (without registration documents). Further, the Act has no provision for the resettlement of affected households and businesses or any assistance for the restoration of the livelihoods of the displaced persons.

### B. ADB's Safeguard Policy Statement, 2009

16. The ADB's SPS, 2009 recognizes and addresses involuntary resettlement impacts and requires the preparation of a resettlement plan in every instance where involuntary resettlement occurs. The ADB policy requirements are:

- (i) Avoid or minimize impacts where possible;
- (ii) Consultation with the displaced persons in project planning and implementation;
- (iii) Payments of compensation for acquired assets at the replacement cost;
- (iv) Ensure that no one is worse off as a result of resettlement and would maintain at least their original standard of living;
- (v) Resettlement assistance to displaced persons, including non-titled persons; and
- (vi) Special attention to vulnerable people/groups.

17. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle. The main policy principles of the SPS, 2009 are:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks;
- (ii) Carry out meaningful consultations with displaced persons, host communities, and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and

monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and landless (those without legal title to land), and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase;

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

- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation; and
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

18. A comparison of the key provisions of Acquisition and Requisition of Immovable Property (ARIPA) Act 2017 and ADB's SPS, 2009 and gap filling measures is presented in Table 1. The project will follow the involuntary resettlement policy principles and the entitlement matrix to ensure that the gaps between the ADB's SPS requirements and the Government of Bangladesh's laws are complied with. Bangladesh does not have any policy to cover impacts to non-titled businesses occupying government-owned rights of way. This is a gap against ADB policy which provides for compensation at replacement cost to all affected persons, irrespective of their legal status.

**Table 1: Comparison between Government of Bangladesh Laws and ADB Safeguard Policies on Land Acquisition and Resettlement<sup>11</sup>**

Sl. No.	ADB's SPS (2009)	The Acquisition and Requisition of Immovable Property Act (ARIPA) of 2017	Gaps Between ARIPA and ADB's Policies and Action Taken to Bridge the Gap
1	Involuntary resettlement should be avoided wherever possible.	The Act has no direct statement that involuntary Resettlement should be avoided. <b>The Section-4 of the act mentions:</b> 4. Publication of preliminary notice of acquisition of immovable property:(1) Whenever it appears to the Deputy Commissioner that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, he shall cause a notice to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired.	The Executing Agency will follow ADB's SPS to avoid involuntary resettlement where feasible. If involuntary resettlement impacts cannot be avoided mitigation measures will be taken as per policy
2	Regarding the compensation issue, ADB safeguards policy 2009 spells out the following points: The borrower/client will provide adequate and appropriate replacement land and structures or cash compensation at full replacement cost for lost land and structures, adequate compensation for partially Damaged structures, and relocation assistance, if applicable, to those persons (i) with formal legal rights to land lost in its entirety or in part; and (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws.	Payment of compensation at "market value" for the properties acquired for development projects. Land Acquisition Acts does not clearly mention regarding the 'full replacement cost'. <b>The Section-9 of the ARIPA, 2017</b> point outs the following: <b>Matters to be considered in determining compensation:</b> (1) In determining the amount of compensation to be awarded for any property to be acquired under this Part, the Deputy Commissioner shall take into consideration- (a) the market value of the property at the date of publication of the notice under section 4: Provided that in determining such market value, the Deputy Commissioner shall take into account the average value, to be calculated in the prescribed manner, of the properties of similar description and with similar advantages in the vicinity during the twelve months preceding the date of publication of the notice under section 4. (b) the damage that may be sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the property at the time of the making of the joint list; (c) the damage that may be sustained by the person interested by reason of severing such property from his other property; (d) the damage that may be sustained by the person interested by reason of the acquisition injuriously affecting his other properties, movable or immovable, in any other manner, or his earnings; and (e) if in consequence	The executing agency will ensure the full replacement cost dealing with ADB's SPSsafeguards policy, and will address the gaps between the government and ADB policy

<sup>11</sup> There is no street vendors act or any other policy applicable to roadside businesses in Bangladesh.

Sl. No.	ADB's SPS (2009)	The Acquisition and Requisition of Immovable Property Act (ARIPA) of 2017	Gaps Between ARIPA and ADB's Policies and Action Taken to Bridge the Gap
		<p>of the acquisition of the property, the person interested is likely to be compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change. (2) While the government is acquiring land, it shall provide the persons interested with compensation of 200 per centum of the market price as defined in sub- section 1(a): Provided that if the government acquires the land for any non-government person, then the amount of compensation shall be 300 per centum. (3) In cases of injuries made under sub-section 1(b), (c), (d) and (e), additional 100 per centum compensation shall be provided. (4) Notwithstanding any compensation provided under this section, necessary steps may be taken to rehabilitate evicted persons due to acquisition in the prescribed form.</p>	
3	<p>For those persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land, prior to their relocation is given only if they occupied the land or structures in the project area prior to the cut-off-date for eligibility for resettlement assistance.</p>	<p><b>ARIPA 2017, Section 9 subsection (b)</b> mentions the damage that may be sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the property at the time of the making of the joint list.</p>	<p>The Executing Agency will ensure payment of compensation for the lost assets and crops and trees to both title holders and non-title holders for their lost assets.</p>
4	<p>As per ADB safeguards policy, displaced persons in a project area could be of three types: (I) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all three types of displaced persons.</p>	<p><b>ARIPA, 2017 of the GOB does not allow to be compensated to the persons who do not have legal title of the lands/ assets to be acquired.</b> It recognizes only the entitlements of the legal titleholders who are capable of establishing their ownership rights. The only exception is for sharecroppers who have cultivated standing crops under a legally constituted written agreement; they are entitled to a part of the compensation money as provided for in the written agreement.</p> <p><b>Section 12 for ARIPA 2017. Payment of compensation to bargadar:</b> (sharecropper) Notwithstanding anything contained in this Act, when the property acquired under this Part contains standing crops cultivated by <i>bargadar</i>, such portion of the compensation as may be determined by the Deputy Commissioner for the crops shall be paid to the <i>bargadar</i>. <b>23.</b> Payment of compensation: (1) On section 22, the Deputy Commissioner's the compensation awarded by him to the</p>	<p>Non-titleholders are considered eligible to receive compensation as per ADB safeguards policy. The project will recognize both titleholder and non-titleholder affected persons and compensate them for the inconvenience as per the entitlement matrix.</p>

Sl. No.	ADB's SPS (2009)	The Acquisition and Requisition of Immovable Property Act (ARIPA) of 2017	Gaps Between ARIPA and ADB's Policies and Action Taken to Bridge the Gap
		thereto according to the award and shall prevented by any of the contingencies (2).	
5	Preference will be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.	ARIPA 2017 indicate cash compensation for properties to be acquired.	The Project may consider land for land for vulnerable affected persons on case-to-case basis.
6	The rate of compensation acquired housing, land and to assets will be calculated at replacement costs. The calculation of full replacement cost will be based on following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transition and restoration costs; and (v) other applicable payments, if any.	<b>Section-9 of the ARIPA, 2017. Matters to be considered in determining compensation:</b> (1) In determining the amount of compensation to be awarded for any property to be acquired under this Part, the Deputy Commissioner shall take into consideration- (a) the market value of the property at the date of publication of the notice under section 4: Provided that in determining such market value, the Deputy Commissioner shall take into account the average value, to be calculated in the prescribed manner, of the properties of similar description and with similar advantages in the vicinity during the twelve months preceding the date of publication of the notice under section 4;	The GOB Act is consistent with ADB safeguards policy at large, in case of considering market price/value, however, it is not consistent with the 'Replacement Cost' which needs to be addressed by the Executive Agency in the resettlement plan.
7.	Establishment of Grievance Redress Mechanism/ Committee for resolving the Grievances of the affected persons	<b>Land Acquisition Laws does not have any provision of forming GRM/GRC.</b> The affected persons may appeal in dealing with the following section of the land acquisition acts: <b>Objections against acquisition:</b> (1) Any person concerned may file an objection against the acquisition proceeding to the Deputy Commissioner within 15 working days. (2) The Deputy Commissioner shall, speedily hear the objection filed under sub-section 1 in the presence of the appellant or an agent, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, prepare a report within thirty working days, and in case of a nationally important project within 15 working days, following the expiry of the period specified under sub- section (1) containing his opinion on the objections.	As per ADB Safeguards Policy 2009, GRM/ GRC will be established to redress the grievances of the project affected persons and appraise them on the same.
8.	Meaningful consultations with affected persons, host communities, and concerned nongovernment organizations, and establish a grievance redress	<b>No provisions for stakeholder consultations or to establish a grievance redress mechanism.</b> Affected persons may raise objections to land acquisition only after section 5 Notice is issued, while disputes over land	Stakeholder consultations and disclosure meetings with the project affected persons are required before starting the

Sl. No.	ADB's SPS (2009)	The Acquisition and Requisition of Immovable Property Act (ARIPA) of 2017	Gaps Between ARIPA and ADB's Policies and Action Taken to Bridge the Gap
	mechanism that would receive and facilitate resolution of the concerns of the affected persons.	acquisition have to be settled through an arbitrator or the courts of law. The Section-4 spells out: <b>Section 4. Publication of preliminary notice of acquisition of immovable property:</b> (1) Whenever it appears to the Deputy Commissioner that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, he shall cause a notice to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired. (2) In case of acquisition of immovable property for any.	acquisition process by the Government. Any grievances will have to be addressed as per established/ agreed GRC of the project. Meaningful consultations must be carried out by the Project with affected persons and community and other stakeholders, throughout the life cycle of the Project.
9	Need to conduct census for the Displace Persons (DPs) for resettlement plan preparation.	<b>ARIPA 2017 does not have any provision for conducting census/ socioeconomic survey for those who will be displaced due to land acquisition.</b> The laws spell out: <b>Section 40. Power to enter and inspect:</b> (1) With a view to acquiring or requisitioning any property or determining the compensation payable in respect thereof or securing compliance with an order made under this Act, the Deputy Commissioner or any officer, generally or specially authorized by the Deputy Commissioner in this behalf, and any of the assistants and workmen may- (a) enter upon and survey and take levels of any property; (b) inspect any property or anything therein; (c) measure and set out the boundaries and prepare a plan of any property and the intended line of the work, if any, proposed to be made thereon; (d) mark such levels, boundaries and line by placing marks and cutting trenches, and, where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, cut down and clear away any part of any standing crop, tree or jungle: <b>Section 41. Power to obtain information:</b> With a view to acquiring or requisitioning any property or determining the compensation payable in respect thereof, the Deputy Commissioner may, by order in writing, require any person to furnish to such officer or authority, as may be specified in the order, such information in his possession as may be specified relating to any property which is acquired or	As per ADB safeguards policy census survey for the affected households for the assessment of the affected properties required, and the findings will be incorporated in the resettlement plan.

Sl. No.	ADB's SPS (2009)	The Acquisition and Requisition of Immovable Property Act (ARIPA) of 2017	Gaps Between ARIPA and ADB's Policies and Action Taken to Bridge the Gap
		requisitioned, or intended to be acquired or requisitioned, under this Act.	
10	A comprehensive income and livelihood rehabilitation program, supported by an adequate budget, is in place to help displaced persons improve, or at least restore, their incomes and livelihoods	Government laws does not have any provision for providing livelihoods support for those who will be displaced due to land acquisition.	Livelihood restoration/ support program and budget will be included in the Resettlement Plan document.

### C. Screening and Categorization

19. An initial screening will be carried out to identify land acquisition and resettlement impacts of the project after the selection of the project site has been determined. The project will be categorized for involuntary resettlement impacts based on ADB's SPS and using ADB's involuntary resettlement impact categorization checklist (**Appendix 1**). The screening will be prepared by the Social Safeguards/Resettlement Specialist and submitted to the PMU. Based on the ADB's Operational Manual Section F1/Operational Procedures, the following criteria for categorization of projects will be followed:

- (i) **Category A.** A proposed project is classified as category A if it is likely to have significant involuntary resettlement impacts. A resettlement plan, including assessment of social impacts, is required.
- (ii) **Category B.** A proposed project is classified as category B if it includes involuntary resettlement impacts that are not deemed significant. A resettlement plan, including assessment of social impacts, is required.
- (iii) **Category C.** A proposed project is classified as category C if it has no involuntary resettlement impacts. A due diligence report will be prepared documenting the impact avoidance.
- (iv) **Category FI.** A proposed project is classified as category FI if it involves the investment of ADB funds to, or through, a financial intermediary.

20. The magnitude of involuntary resettlement impacts determines the project's involuntary resettlement category. The involuntary resettlement impacts of ADB-supported projects are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income-generating). The level of detail and comprehensiveness of the resettlement plan will be commensurate with the significance of the potential impacts and risks. For category A and B projects, a resettlement plan is required. For category C, the project needs to prepare a Due Diligence Report.

### D. Entitlement Matrix

21. The entitlement matrix in **Table 2** below summarizes the type of losses and corresponding entitlements in accordance with the ADB policies, based on the principles of replacement cost. The Matrix also provides the unforeseen damages to structures that may take place during construction and any temporary losses that may occur.

22. The Project entitlement policy aims to address any direct and indirect impacts, partial or total damages or losses during project construction towards the affected persons and households. Mitigation will be provided through compensation and assistance to project-affected persons and households in accordance with this resettlement framework adopted by the project.

**Table 2: Entitlement Matrix**

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements	Remarks
<b>A. Loss of Income</b>					
<b>A-1</b>	Loss of Income	Temporary business losses along the RoW/ proposed land for the project	Shop owners, renters, and their employees	<p>(i) 30 days advance notice regarding construction activities, including duration and type of disruption.</p> <p>(ii) Cash compensation equivalent to net income from the affected business for the period of disruption on producing relevant income or income tax return documents; in the absence of proper income documents, the income will be calculated based on information provided during the socio-economic survey.</p> <p>(iii) The employees will receive compensation equivalent to their net income for the duration of disruption based on the payment/salary/wage receipts. If income documents are unavailable, the person will receive compensation calculated as per the minimum wage rate.<sup>12</sup></p> <p>(iv) Shifting allowance to affected business owners to temporarily shift for continued economic activity (BDT 3000 as a one-time assistance)</p>	Contractor to ensure to take adequate measures consistent with the environmental management plan (EMP) /initial environmental examination (IEE) to avoid the temporary disruption of livelihood impacts. <sup>13</sup> However, if the impacts are unavoidable, the project will compensate as per this entitlement matrix.
<b>B. Loss of Trees and Crops</b>					
<b>B-1</b>	Loss of crops	Standing Crops on Affected Land	Owners of Crops/ Tenants/Sharecroppers/Non-titleholders Affected Person	<p>(i) Provision of 60 days' notice to harvest standing seasonal crops.</p> <p>(ii) If timely notice cannot be provided, compensation for standing crops at market value will be provided before the start of civil works.</p>	Valuation of the crops will be assessed by the valuation committee.

<sup>12</sup> Bangladesh government does not have any directive on minimum wage rate except for readymade garments employees. Minimum wage rate for them is BDT 8000 per month. This Resettlement Plan considers the minimum daily wage rate for the affected employees at current market rate for wage labour, BDT 400.

<sup>13</sup> This includes (i) providing safe spaces for access over the trenches (ii) access ramps with handrails to maintain the accessibility of the residential, commercial and institutional structures as well common property resources; (iii) increased workforces to finish work quickly in areas with impacts on access (iv) phased construction schedule and working on one segment or one side of the road at a time; and (v) work to be carried out during non-business hours (generally after 11 pm and before 4 am and on market holidays) to the extent possible. These measures should be reflected in the contractors' work plan.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements	Remarks
B-2	Loss of Trees	Trees on affected land parcel	Legal titleholder/tenant/leaseholder/sharecropper/non-titled affected person	(i) Provision of 60 days advance notice to harvest existing fruits; (ii) For landowners: Cash compensation under Law (CCL) as per ARIPA, 2017, or, cost of trees based on annual net product value multiplied by number of productive years remaining, whichever is higher; (iii) For fruit bearing trees, compensation to be calculated at market value of annual net product multiplied by the number of productive years, to be determined by the Horticulture Department (iv) Compensation at market value of timber in case of timber-bearing trees, to be determined by the Forest Department (items no. (iii) and (iv) applies to non-titleholders	For the tree owners other than land owners, compensation will be assessed for fruit or timber trees as per provisions in the entitlement matrix, and paid by the executing agency.
<b>C. Vulnerability Assistance</b>					
C-1	Impact on vulnerable persons <sup>14</sup>	All types of impacts	Vulnerable Households (one member per household)	(i) Provide preferential employment in the project construction for all vulnerable. (ii) One-time cash compensation of BDT 10,000 to the affected vulnerable person	<ul style="list-style-type: none"> <li>Vulnerable households to be identified during DMS as part of the resettlement plan update.</li> <li>Construction contracts will require contractors to employ specific numbers of vulnerable affected persons in their construction workforces.</li> </ul>

<sup>14</sup> Vulnerable households include (i) woman-headed households, (ii) households having a person with disability, (iii) households belonging to tribes, minor races and ethnic sects, (iv) elderly-headed households, (v) children including orphans, child workers, (vii) below poverty line households, (vii) Shudra/Rabidas/Harijan castes, (viii) landless households and (ix) those without legal title.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements	Remarks
D-1	Permanent Damages caused to residential and/or commercial structures during construction	Total/Permanent damages caused to any type of property or asset during construction.	Titleholder(s) Non-titleholder(s) Tenant(s) Leaseholder(s)	<ul style="list-style-type: none"> <li>(i) Replacement cost of the structure.<sup>15</sup></li> <li>(ii) Shifting allowance BDT 15,000, where relocation is required</li> <li>(iii) Rights to salvage materials from structure</li> <li>(iv) Where unanticipated damage occurs to privately owned, community, or government property as a result of construction works, the Contractor will be responsible for restoration to at least their original condition or payment of the replacement cost without depreciation.</li> <li>(v) If any structure is constructed by the tenant or leaseholder, the person will receive cash compensation at replacement cost for the affected structure as per the basic schedule of rates, without considering the depreciation cost.</li> </ul>	<ul style="list-style-type: none"> <li>• Care should be taken by the contractors to avoid damaging any properties during constructions</li> <li>• Compensation for the losses will be provided and shall be ensured by the executing agency. Any restoration works will be the responsibility of the contractor as a part of the contract, with oversight and/or supervision of the PMU and MDSC.</li> <li>• PMU will monitor the replacement made by the Contractors.</li> <li>• Contractors should take extreme care to avoid damaging properties or assets during construction.</li> </ul>
D-2	Minor Structure Loss	Minor damages caused to any type of property or asset during construction	Titleholder(s) Non-titleholder(s) Tenant(s) Leaseholder(s)	<ul style="list-style-type: none"> <li>(i) Replacement cost of the structure or restoration of the structure to the original or better condition</li> </ul>	<ul style="list-style-type: none"> <li>• Care should be taken by the contractors to avoid damaging any properties during constructions</li> </ul>

<sup>15</sup> The replacement cost of structures and other immovable properties will be determined on the basis on market cost of materials to build a replacement structure with an area or quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site plus any labor and contractor's fee.

SI. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements	Remarks
<b>D-2</b>	Common property resources	Loss of access and temporary impacts on common property resources	Community/Public	<ul style="list-style-type: none"> <li>(i) During construction, safe and secure access will be provided through wooden planks, metal sheets, and ramps with handrails.</li> <li>(ii) Replacement or restoration of the affected community structures, including the access to their original condition or better.</li> </ul>	<ul style="list-style-type: none"> <li>• The contractor will maintain access to common property resources – school, college, mosque, and social welfare council.</li> </ul>
<b>D-3</b>	Any unanticipated adverse impacts due to project intervention	Any other loss not identified in the matrix	Any affected person or affected entity	<ul style="list-style-type: none"> <li>(i) Unanticipated involuntary impacts will be documented and mitigated based on the policies of GoB and ADB SPS, 2009.</li> </ul>	<ul style="list-style-type: none"> <li>• The PMU resettlement and social safeguard specialist, MDSC, to ascertain the nature and extent of impact and loss</li> <li>• MDSC in discussion with PMU, will finalize the entitlements in line with ADB's SPS,2009, and obtain the concurrence of ADB.</li> </ul>

### III. SOCIO-ECONOMIC INFORMATION AND RESETTLEMENT PLAN PREPARATION

23. The component will be constructed within the government-owned lands, hence, the resettlement impacts anticipated are not expected to be significant and are temporary in nature. The PMU with MDCS's Social Safeguards/Resettlement Specialist will conduct a transect walk and detailed census survey based on the detailed engineering design to identify all potential resettlement impacts and the affected persons. The cut-off date will be established through a formal announcement by PMU and local authority following the completion of the final detailed engineering design.

#### A. Surveys

24. A social impact assessment (SIA) will be undertaken under the proposed component. The census survey guidelines for conducting socioeconomic surveys and database management, which will be used for resettlement plan preparation, is attached as **Appendix 2**. The survey form which will be used to record data on the nature and extent of resettlement impacts, and socioeconomic conditions of the community and among likely affected persons will be presented in the resettlement plan. The census will cover 100 percent of affected persons. Information to be collected includes number of persons in the affected households, affected structures, affected trees, any other social and economic impacts (both permanent and temporary) including its nature and size of the impact, among others. PMU will also identify individuals and households who may be differently or disproportionately affected by the project because of their disadvantaged or vulnerable status. Where such individuals and households are identified, the PMU will propose and implement targeted measures so that they will not be adversely affected by the project and share the benefits and opportunities from the project.

#### B. Resettlement Plan Preparation

25. The resettlement plan will be prepared by the PMU with the assistance of Social Safeguards/Resettlement Specialist of the proposed project in consultation with affected persons, women, local representatives, and community-based organizations. Based on the results of the census and socio-economic survey and upon completion of the database on affected persons, the resettlement plan will be formulated. The resettlement plan will be formulated based on the social impact assessment and through meaningful consultation with the affected persons.<sup>16</sup> The resettlement plan will include measures to ensure that the affected persons are (i) informed about their options and entitlements pertaining to compensation and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives. During the identification of the impacts of resettlement and resettlement planning, and implementation, the project will pay adequate attention to gender concerns, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms, to ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their income and living standards. The draft resettlement plan will include the census of the affected persons, inventory of losses, their entitlements based

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<sup>16</sup> A process that (i) begins early in the project preparation stage and is carried out throughout the project cycle; (ii) provides timely disclosure of information that is understandable and accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design and mitigation measures.

on the agreed entitlement matrix, the institutional arrangements, the monitoring and reporting framework, the budget, and the time-bound implementation schedule. An outline of a Resettlement plan is presented in **Appendix 3**, and a Due Diligence Report in **Appendix 4**.

26. The resettlement plan will be prepared in English, the executive summary translated in the local language, and notified to the public (this can include posters and/or resettlement booklets). A resettlement information leaflet in the form of a public information brochure, both in English and Bangla, containing information on compensation, entitlement, and resettlement management adopted for the project, will be developed and distributed among the key stakeholders and will be made available in (i) the office of the NCC, and (ii) local ward-level offices..The draft resettlement plan will be submitted to ADB for clearance prior to the award of contracts. The final resettlement will incorporate all comments from ADB and will be disclosed both in ADB and EA/IA's website.

### **C. Project Impact on Women**

27. Access to safe drinking water through the establishment of the Water ATMs will bring significant benefits to women and girls. Direct benefits include reduced time and effort in water collection, improved household hygiene and improved environmental and public health at community and households-level. Any identified involuntary resettlement impacts among women and female-headed households will be given priority. The Resettlement Plan will formulate measures to ensure that socioeconomic conditions, needs, and priorities of women are identified, and that the process of land acquisition and resettlement does not disadvantage women. It will ensure that gender impacts are adequately addressed and mitigated. Any direct negative impacts of the project on women and female headed households will be taken up on a case-to-case basis and restoration of these households will be treated as a priority. During disbursement of assistance and compensation, priority will be given to female headed households. Joint ownership in the name of husband and wife will be offered in case of non-female headed households.

28. Potential negative impact, if any, will be addressed through community awareness that will be implemented in collaboration with the Social Development and Gender Specialist, and the Social Safeguards/Resettlement Specialist. The PMU will coordinate with the PMU to support the review and expansion of NCC's gender equality strategy to enhance its features and actions promoting the legal empowerment of women and vulnerable groups in accessing water and sanitation services. Women from the community will be formed into, or engaged, and oriented on their basic rights to clean and safe water. In addition, opportunities will be provided for women's active involvement in the site, selection, design and management of the Water ATMs to ensure their perspectives are reflected. The details of the project's gender-responsive actions, including measures specific to the Water ATMs, are further elaborated in the Gender Equality and Social Inclusion Action Plan (GESI-AP).

## IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

### A. Public Consultation and Participation

29. Consultations with various stakeholders will be carried out during various phases of project preparation. Meaningful consultation will be undertaken as early as possible and will be initiated continuously until the completion of the project among the affected persons and different stakeholders of the project.

30. Focus group discussions with the affected persons and other stakeholders including women's groups and community-based organizations will be undertaken to obtain their views and concerns, so that these can be addressed in project design where necessary. Consultation meetings will also be conducted with the institutional stakeholders to discuss and agree on key aspects of the project.

31. During construction, consultations will be further arranged aiming at promoting public understanding and solutions in respect to the implementation of the resettlement. Specifically, (i) public meetings with the affected persons/households to discuss and plan work programs and allow issues to be raised and addressed once construction has started; and (ii) small level meetings to discuss and plan construction work with individual communities to reduce disturbance and other impacts and provide a mechanism through which stakeholders can participate in project monitoring and evaluation.

32. To enhance public awareness on the improvement of basic infrastructure and social services and the potential benefits of the project, awareness raising sessions are proposed. These sessions will be done at the community level, with door-to-door dissemination of information and promotion of neighbourhood groups to take up public health and environmental improvement initiatives in their community.

33. The PMU with the support of the Social Safeguards/Resettlement Expert will ensure that any views of affected persons, particularly women and other vulnerable affected persons, related to the resettlement process are taken into account. The PMU will ensure that groups and individuals consulted are informed about the outcome of the decision-making process and confirm how their views were incorporated.

### B. Information Disclosure

34. To keep more transparency in planning and for further active involvement of the affected persons, and other stakeholders, project information will be disseminated early in the project detail design stage through dissemination of information brochures, disclosure of project planning documents and putting project sign boards in the project areas. The Project cut-off date will be announced formally by NCC with the support from the local authority office. The NCC, through its PMU, will keep the public informed about the project impacts, the compensation and assistances proposed for affected persons, project grievance and redress mechanism and its contact persons. The information will also be made available at convenient places in the project area, especially the office of NCC, local offices, and in the project locations, and at other key accessible locations (such as market places) convenient to the public.

35. The relevant information in the Framework and the resettlement plan including the entitlement matrix with the information provided for the GRM will be translated to local language

(*Bengali*) and disclosed to persons in the project area. For the benefit and easy access of the community, it will be made available at (i) the office of the PMU, NCC, and (ii) the office to be established near the project site. Hard copies of the resettlement framework and resettlement plan will be available in the PMU and accessible to citizens as a means to disclose the document and at the same time create wider public awareness. The PMU will issue notification on the disclosure mechanism in local newspapers, ahead of the implementation of the project, providing information on the project, as well as the start dates and others. The notice will be issued by the PMU in local newspapers one month ahead of implementation. This will create awareness of project implementation among the public. The sample of project information disclosure leaflet is attached in **Appendix 5**. The leaflet and other IEC materials will be available and translated in local language and will be disclosed/discussed with affected persons and beneficiaries, including those who are unable to read, in *Bengali* and/or their local dialect.

## V. GRIEVANCE REDRESS MECHANISM

36. A project specific GRM will be established to receive, evaluate, and facilitate the resolution of affected persons' concerns, complaints, and grievances about social and environmental performance at the project level. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns associated with the Project.

37. A common GRM will be in place for social, environmental, or any other grievances related to the Project. The GRM will provide an accessible and trusted platform for receiving and facilitating the resolution of affected persons' grievances related to the investment program. The multi-tier GRM for the Project is outlined below, with each tier having time-bound schedules and responsible persons identified to address grievances and seek appropriate persons' advice at each stage, as required.

38. The Project area-wide public awareness campaigns will ensure that knowledge of the grievance redress procedures is generated. The PMU will conduct awareness campaigns to ensure that all affected persons and vulnerable households are made aware of grievance redress procedures and entitlements. Contractors will provide pamphlets to communities before starting work, and billboards will be installed during construction. The pamphlets and billboards will include relevant environmental and social safeguards, GRM information, and contact details of key personnel from PMU, MDSC, and contractors.

39. Affected persons will have the flexibility of conveying grievances/suggestions by dropping grievance redress/suggestion forms in complaints/suggestion boxes to be installed by PMU. Grievances can be sent by post, e-mail, and by writing in the complaints register in the PMU office. The project will also have an option of registering complaints/grievances through NCC website. Careful documentation of the name of the complainant, date of receipt of the complaint, address/contact details of the person, location of the problem area, and how the problem was resolved will be undertaken. The PMU social and environmental officers will be responsible for timely grievance redress on environmental and social safeguards issues and for registration of grievances, related disclosure, and communication with the aggrieved party. A copy of a proposed outline of a grievance registration form is given in **Appendix 6**. All the documents made available to the public will include information on the contact number, address, and contact person for registering grievances and will be disseminated throughout the project area by the PMU.

## A. Existing Grievance Mechanism

40. The current methods of registering complaints include complaint registration at the Office of the Executive Engineer at the Godnail water treatment plant or the office of the concerned elected representatives (ward councilors and the mayor). The complaints are filed through e-mails, phone calls, WhatsApp messages, etc. The complaint-receiving person sends these grievances to the NCC's concerned officer/department for resolution. More significant issues are resolved in consultation with the mayor of NCC. The existing grievance redress process is currently not formalized.

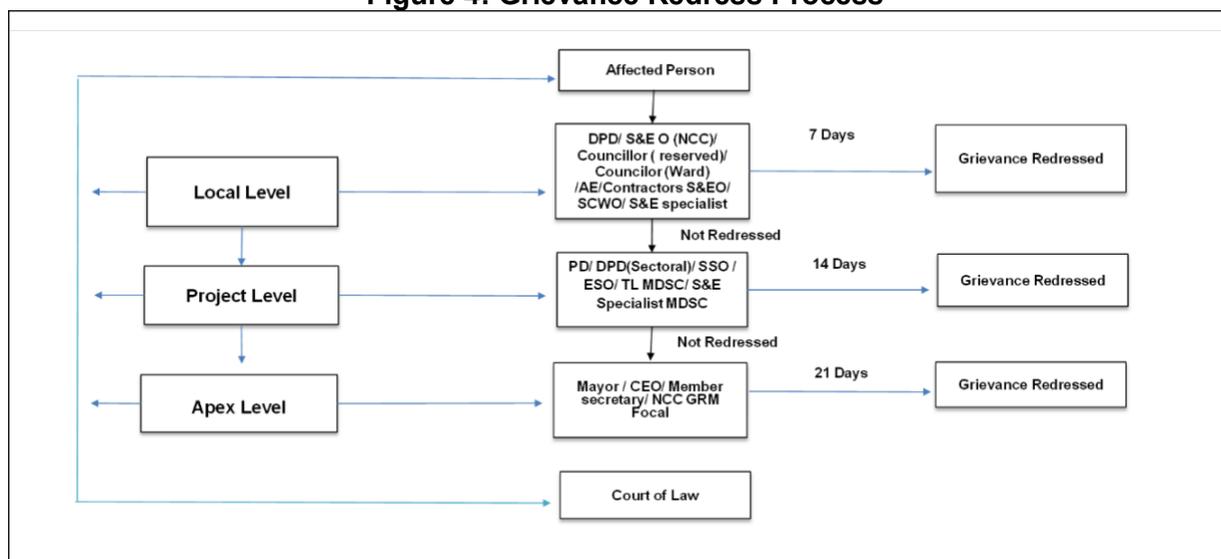
## B. Proposed Grievance Redress Mechanism under Narayanganj Green and Resilient Urban Development Project

41. The existing NCC grievance redress processes will be integrated into the proposed project-specific grievance redress mechanism established for the Project. The NCC will establish the grievance redress committees (GRC) at the local, Project, and apex levels to provide a mechanism to mediate conflict and disputes concerning compensation payments and cut down on lengthy litigation. The contact numbers and names of the concerned staff and contractors will be posted at all construction sites in visible locations. The proposed grievance redress mechanism for the Project is given below.

- (i) **Local level (first level):** The on-site contractor's safeguards (social and environment) Officer/ Assistant Engineer of the PMU/ social and environment officer, NCC, will receive and record the complaint at the project site. Alternatively, the complaint can be registered by phone call, e-mail, or on the NC website, and this will be forwarded to the on-site personnel for first-level resolution. The complaint will be reviewed by the local level GRC comprising of (i) Deputy Project Director, NCC, who will be the convener; other members include social and environment officer, NCC; (iii) Councilor- reserved seat; (iv) Councilor- concerned ward; (v) GRM Focal (Chief Social Welfare Officer); (vi) Assistant Engineer NCC (designated as member secretary); and (iv) Resettlement/ Environment Specialist of the MDSC. The contractor's site engineer and EHS (Environment Health and Safety) cum social supervisor will jointly support in meetings, consultations, and site-level grievance resolution. The effort will be made to resolve issues on-site, in consultation with each other, and within seven days of receipt of a complaint/grievance.
- (ii) **Project level (second level):** All grievances that cannot be redressed within seven days at the local level will be brought to the notice of the Project level GRC, comprising of the Project Director who will be the convener; other members include the Deputy Project Director (sectoral); Social Safeguards Officer (PMU); Environment Safeguards Officer (PMU); Team Leader, MDSC (designated as member secretary) and Social and Environment Specialist, MDSC. The Project level GRC will resolve the grievance within 14 days (about 2 weeks) of receipt of a complaint/ grievance, and
- (iii) **Apex level (third level):** If the grievance is not resolved at the Project level, the grievance will be referred to the Apex level, headed by the Honorable Mayor. The chief executive officer will support the grievance process. Other members include the Project Director, who will be the member secretary and NCC GRM focal officer. The grievance at this level will be resolved within 21 days (about 3 weeks) of receipt.

42. A representative of affected persons from each settlement will be a special invitee to the GRC meetings whenever required. If any grievance requires immediate and urgent attention, the Assistant Engineer/ Contractors safeguard personnel and social and environments officers and experts of PMU and MDSC will ensure the grievance is jointly and quickly responded to. Despite the Project GRM, an aggrieved person shall have access to the country's legal system at any stage. This can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM. The grievance redress process is explained in Figure 4.

**Figure 4: Grievance Redress Process**



AE= Assistant Engineer; CEO= Chief Executive Officer; CSWO= Chief Social Welfare Officer; DPD= Deputy Project Director; MDSC= Management Design Supervision Consultant; Project Director = PD; S&EO= Social and Environment Officer.

43. **ADB's Accountability Mechanism.** The accountability mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted projects can voice and seek a resolution to their problems and report alleged violations of ADB's operational policies and procedures. If the established GRM cannot resolve the issue, the affected person can use the ADB Accountability Mechanism by directly contacting (in writing) the Complaint Receiving Officer. Before submitting a complaint to the Accountability Mechanism, it is recommended that affected people make a good-faith effort to resolve their problems by working with the concerned ADB operations department (in this case, ADB Bangladesh Resident Mission). Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism.

44. **Documentation.** PMU will be responsible for the timely registration of grievances, related disclosure, and communication with the aggrieved party. PMU will also ensure that all the details from submission to resolution are well recorded and documented.

45. **Record-keeping.** The PMU will keep records of grievances received, including contact details of the complainant, the date the complaint was received, the nature of the grievance, agreed corrective actions, the date these were affected, and the final outcome. The number of grievances recorded and resolved, and the outcomes will be available in the PMU office and reported in monitoring reports submitted to ADB on a semi-annual basis. All resolutions shall be communicated to the aggrieved party/complainant(s).

46. **Periodic review and documentation of lessons learned.** The PMU will periodically review the functioning of the GRM and record information on the effectiveness of the mechanism, especially on the program's ability to prevent and address grievances.

47. **Costs.** All costs related to resolving grievances (meetings, consultations, communication, and reporting/ information dissemination, as well as costs incurred by affected persons to attend GRC meetings, if any) will be borne by Project.

## **VI. COMPENSATION, INCOME RESTORATION AND RELOCATION**

### **A. Compensation**

48. The project under the package number: **NCC/NGRUDP/W-15** anticipates that it will only require government-owned lands and the involuntary resettlement impacts will likely to be limited and temporary, if any. The project components to be implemented under may have broadly type of impacts that will require mitigation or enhancement measures. The type of impacts are laid down in the entitlement matrix.

49. Involuntary resettlement impacts will be compensated in accordance with the provisions of the entitlement matrix. All compensation for damaged structures and other assets will be based on full replacement cost on the basis of market price/replacement value.

50. Affected person, structures or income losses eligible to receive compensation will be determined by the PMU with the assistance of Social Safeguards/Resettlement Specialist in consultation with the affected persons. Compensation will be paid and completed before any displacement or damages and prior to the start of civil works. Details of which will be elaborated in the resettlement plan prepared for the project.

### **B. Eligibility**

51. Affected persons will receive compensation and other entitlement in accordance with this resettlement framework. Affected persons will be determined at the time of detailed measurement survey (DMS) who are dwelling in the project area, at locations that are like to be affected by construction of the infrastructure works, regardless of whether or not they have the legal title to the affected land or assets.

52. As initially suggested, there should be relatively few types of involuntary resettlement impacts including temporary impacts to structures and assets, utilities, common property resource and impacts on vulnerable affected persons and will be confirmed during the impact assessment.

### **C. Assistance**

53. The entitlement matrix summarizes the probable losses and its corresponding entitlements and assistance in accordance with ADB policies and based on the principles of replacement cost. In addition to the estimated potential temporary impacts, the Matrix will cover eligibility to damages to residential structures and common property resources that may take place during constructions and any other temporary losses that may occur.

54. The PMU with assistance of Social Safeguards/Resettlement Specialist will identify the number of eligible persons and households based on the 100% census of the affected households.

## VII. BUDGETING AND FINANCING

55. When involuntary resettlement cannot be avoided, detailed budget estimates shall be prepared and will be presented in the resettlement plan. The detailed budget estimates will be prepared by the PMU, assisted by the Social Safeguards/Resettlement Expert which will be included in the overall Project budget. The budget shall include: (i) detailed costs of land acquisition and resettlement impacts; (ii) source of funding; (iii) administrative and staff training; (iv) cost for GRM and consultation/disclosure; (iv) monitoring costs; and (v) costs related to capacity building/strengthening of the PMU. All land acquisition and resettlement costs will be borne by the government and provided in a timely manner to ensure payment of all entitlements prior to displacement.

56. The disbursement of compensation for land and acquisition of assets will be carried out by the NCC, Government of Bangladesh and calculated in accordance of the agreed Entitlement Matrix. In the case of assistance, the PMU will directly pay into the individual accounts of affected persons.<sup>17</sup> Joint ownership in the name of husband and wife will be offered in case of non-female headed households. The PMU safeguards staff with the project consultant will be involved in facilitating the disbursement process and will facilitate opening bank accounts for the affected persons who do not have bank accounts.

## VIII. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

61. **Project Management Unit.** The NCC is the executing agency for the Project. A dedicated project management unit (PMU) has been established within the NCC. The PMU, headed by a project director (superintendent engineer rank officer), is responsible for overall project management, and is supported by three deputy project directors (executive engineer rank) and a chief social welfare officer.

62. The chief social welfare officer at PMU will be the nodal officer for social safeguards and gender and will be responsible for ensuring compliance with ADB's Safeguards Policy Statement (SPS), 2009, during the project implementation, including the monitoring and reporting. A qualified and experienced individual consultant designated as a social safeguards and gender officer will support the chief social welfare officer, who will be recruited from the open market and with relevant background (educational and professional). The following will be the social safeguards-related responsibilities of PMU:

- (i) Conduct screening of the project components for past, present, and future involuntary resettlement impacts and risks;
- (ii) Provide support to design the Project to avoid or minimize involuntary resettlement impacts;
- (iii) Liaise with district administration to obtain the land documents, ensure land availability and transfer of land, and the issuance of no objection certificates (as and when required) for all the projects;
- (iv) Ensure compliance with all national laws, rules, and regulations regarding land acquisition, land transfer, and issuance of no objection certificates;
- (v) Undertake the review of resettlement plans and DDRs prepared by the management, design, and supervision consultant (MDSC) and confirm compliance with ADB's requirements;

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<sup>17</sup> In the event that the affected person has no account the PMU will provide the necessary assistance to open an account.

- (vi) Ensure that resettlement plans and DDRs are included in the bidding documents and civil works contracts;
- (vii) Ensure implementation of agreed safeguards documents;
- (viii) Conduct detailed measurement and verification surveys of affected persons, prepare a list of affected persons, and provide all data required to prepare/update resettlement plans and DDRs with support from the individual social safeguards consultant of PMU and safeguards specialist of MDSC;
- (ix) issue advance notices to all the stakeholders, including affected persons, informing them about the tentative schedule of works along with entitlement matrix and compensation packages and cut-off date;
- (x) Ensure availability of budget for resettlement and rehabilitation activities;
- (xi) Provide support to MDSC in preparation of the micro plans and ensure timely distribution of the compensation as per the agreed entitlement matrix;
- (xii) Ensure temporarily displaced persons (shops/vendors) are provided space to continue their business activities during construction and ensure these affected establishments can return to their original location after construction;
- (xiii) Ensure the contractors comply with the agreed resettlement plans and DDRs;
- (xiv) Ensuring adequate awareness campaigns are held throughout the project area, with a focus on vulnerable groups;
- (xv) Ensure timely disclosure of resettlement plans and DDRs at locations and form accessible to all the stakeholders, including the affected persons;
- (xvi) Collect the social safeguard monitoring information, prepare and ensure submission of the semi-annual social safeguard monitoring reports to ADB regularly up to issuance of project completion report;
- (xvii) Take proactive measures to address grievances promptly brought in through the grievance redress mechanism;
- (xviii) Organize/conduct periodic orientation programs to train project staff, consultants, and contractors, social safeguard and gender requirements related to mitigation measures; and
- (xix) Undertake immediate actions to resolve the unexpected adverse impacts identified during the execution of the Project.

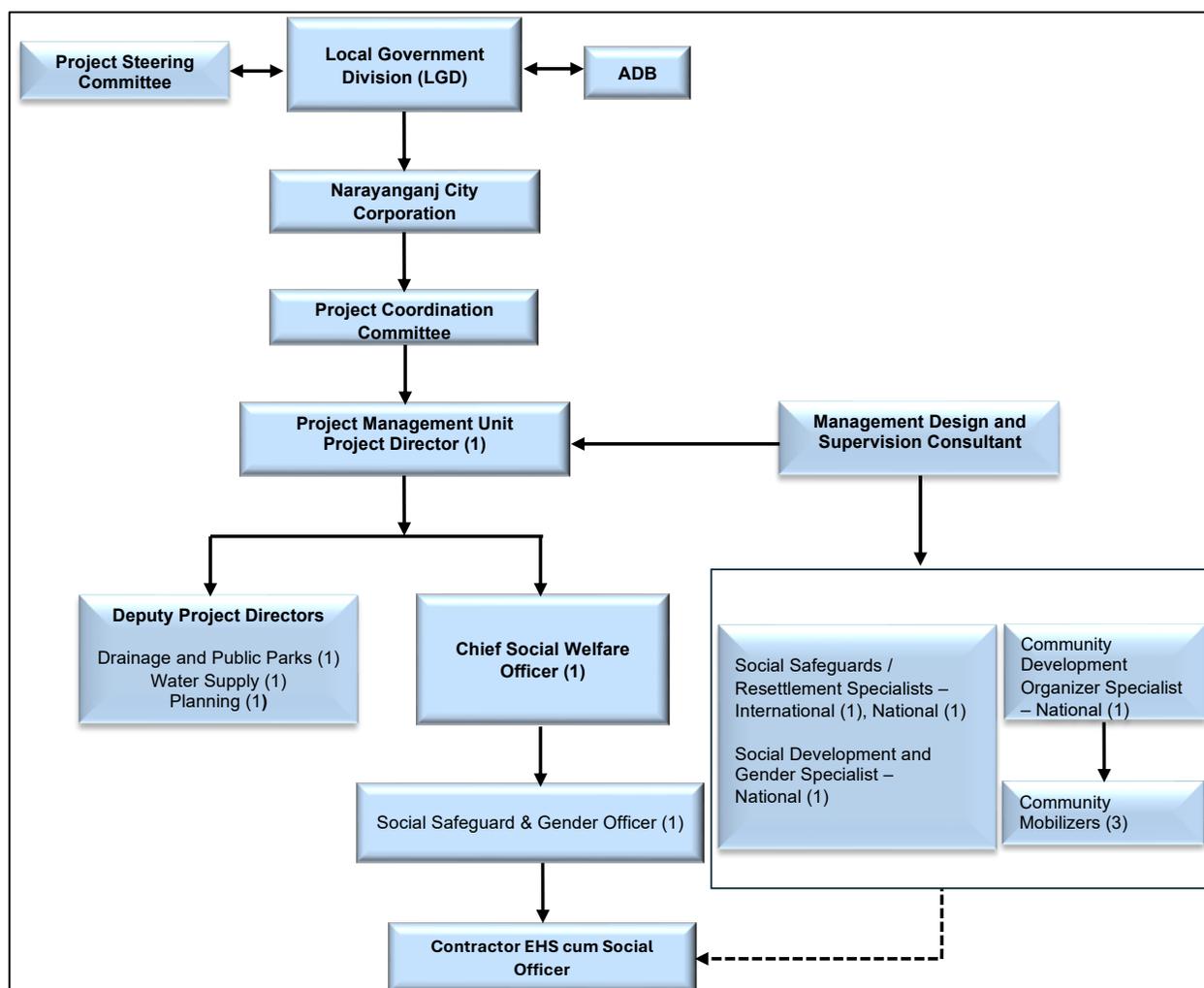
63. **Management, design, and supervision consultant.** The Project will hire the services of MDSC to support PMU in the implementation and ensure compliance with the social safeguards' requirements. MDSC will mobilize international and national social safeguards specialists (on an intermittent basis), a community development officer, and three community mobilizers. The detailed social safeguards-related responsibilities of MDSC will include, but are not limited to, the following:

- (i) Ensure that resettlement plans and DDRs are prepared and updated promptly;
- (ii) Provide support to PMU in liaising with district administration to obtain the land documents, issuance of no objection certificates, and transfer of land (as and when required);
- (iii) Develop systems to monitor social safeguards and gender outcomes of the Project, including the functioning of the GRM, and prepare indicators for monitoring safeguards and gender parameters;
- (iv) Support the PMU in ensuring that the social safeguard and activities are carried out in accordance with government policy, agreed plans and in compliance with the SPS 2009;

- (v) Support the PMU in conducting the detailed measurement and verification surveys of affected persons, prepare a list of affected persons, provide all data required to prepare/update resettlement plans and DDRs,
- (vi) Prepare the micro plans and ensure timely distribution of the compensation as per the agreed entitlement matrix;
- (vii) Provide the support to address grievances promptly brought in through the grievance redress mechanism;
- (viii) Ensure that the relevant measures related to social safeguards specified in the resettlement plans and DDRs are incorporated in bidding documents and monitor their compliance on behalf of PMU/PIUs;
- (ix) Ensure monitoring of social safeguards plans and identify and address unanticipated impacts, if any;
- (x) Conduct regular consultations with all the stakeholders, including the affected persons;
- (xi) Support the PMU in ensuring temporarily displaced persons (shops/vendors) are provided space to continue their business activities during construction and ensure these affected establishments return to their original location after construction;
- (xii) Prepare semi-annual social safeguards monitoring reports and submit them to ADB through PMU and
- (xiii) Conduct regular orientation programs to train project staff, consultants, and contractors, as well as social safeguard and gender requirements related to mitigation measures.

64. **Contractor.** The contractor will hire a dedicated EHS cum social supervisor within one month of mobilization who will ensure the following tasks.

- (i) Work in close coordination with the social safeguards staff of the PMU and MDSC to finalize the detailed design, keeping in view the safeguard principles adopted for the Project;
- (ii) Conduct detailed measurement surveys (DMS) jointly with PMU and MDSC at sites/sections ready for implementation to arrive at the final inventory of loss;
- (iii) Make efforts to avoid or mitigate the resettlement impacts through the design considerations in discussion with safeguards staff of PMU and MDSC;
- (iv) Ensure that no civil works are initiated in the stretch where there are affected persons without payment of compensation;
- (v) Assist with grievance redress and ensure recording, reporting, and follow-up for resolution of all grievances received;
- (vi) Understand the regulatory compliance requirements related to labor welfare, environmental and social safeguards, and occupational health and safety;
- (vii) Assist PMU in disclosing relevant information on safeguards (eligibility, entitlements, compensation, cut-off date, processes, timelines, GRM) to all the stakeholders, including affected persons.

**Figure 5: Social Safeguards Implementation Arrangements**

65. The institutional roles and responsibilities for social safeguard compliance are given in Table 3.

**Table 3: Institutional Roles and Responsibilities**

Activity	Responsible Agency
<b>Resettlement Plan Preparation and Updating Stage</b>	
Conducting census and socio-economic survey of affected persons	PMU/MDSC
Conducting focused group discussions/meetings/workshops	PMU/MDSC
Conducting discussions/meetings/workshops with affected persons and other stakeholders	PMU/MDSC
Finalizing entitlements	PMU
Valuation Committee	Members on call from different departments
Establish a grievance redressal committee.	PMU
Disclosure of the resettlement plan	PMU
Approval of the resettlement plan	PMU /ADB
<b>Resettlement Plan Implementation Stage</b>	
Implementation of proposed rehabilitation measures	PMU
Consultations with affected persons before temporary shifting	PMU

Activity	Responsible Agency
Ensuring return to the original location for those temporarily shifted	PMU
Grievances redressal	PMU
Preparation for relocation/awareness meeting/ issuing notices	PMU
Internal monitoring	PMU

ADB= Asian Development Bank; MDSC= Management Design and Supervision Consultants; PMU= project management unit

### C. Safeguards Capacity Development

66. The international social safeguards specialist at MDSC will be responsible for conducting periodic capacity building and training workshops on ADB's safeguards requirements for staff of NCC and contractors. During the implementation of the program, the safeguards-related training needs assessment would be conducted by the MDSC to develop the training schedule. The safeguards-related training modules include the grievance redress mechanism (GRM) and problem-solving techniques. The capacity building and training workshops will cover the following aspects but will not be limited to:

**Table 4: Indicative Training Needs Assessment**

S. No	Description	Target group / Venue
1.	Introduction and Sensitization to Social/Involuntary Resettlement <ul style="list-style-type: none"> <li>- ADB Safeguards Policy Statement</li> <li>- Government of Bangladesh's applicable social safeguard policies/Acts</li> <li>- Incorporation of social/resettlement components into the project design and contracts</li> <li>- Grievance redress process</li> <li>- Monitoring, reporting, and corrective action planning.</li> <li>- Details and the need for continued consultations throughout the project cycle</li> </ul>	All staff and consultants involved in the project. Will be done at PMU office-
2.	Resettlement plan implementation (every six months) during implementation. <ul style="list-style-type: none"> <li>- Roles and responsibilities</li> <li>- resettlement plan components and stages in implementation</li> <li>- Construction schedules and timelines Consultations</li> <li>- social preparedness and interaction with host communities</li> <li>- preparation of the micro-plans and disbursement of the compensation.</li> <li>- Grievance redress</li> <li>- Monitoring and corrective action planning</li> <li>- Reporting and disclosure</li> <li>- Timely documentation</li> </ul>	All staff and consultants involved in the projectproject. It will be done at each PMU.
3	- Monitoring of resettlement plan implementation, reporting requirements, GRM	Workshop for Contractors and Supervisory staff
4.	Learnings and best practices sharing <ul style="list-style-type: none"> <li>- Experiences in resettlement plan implementation</li> <li>- Issues and challenges</li> <li>- Best practices followed</li> </ul>	All staff/consultants/Officers. At PMU.

ADB= Asian Development Bank; PMU= project management unit.

## IX. MONITORING AND REPORTING

67. Monitoring and reporting are critical activities in involuntary resettlement to ameliorate problems the affected persons face and develop solutions immediately. The implementation of the resettlement plan will be closely monitored to provide the PMU with assistance from MDSC. Monitoring will involve (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the socio-economic survey of affected persons undertaken during project sub-preparation; and (iii) overall monitoring to assess affected person status. The PMU shall ensure the implementation of safeguard requirements as provided in the legal agreements and submit semi-annual safeguard monitoring reports on their implementation performance. The key indicators that will be monitored will include (i) actual duration of disruption and whether compensation paid for the same ; (ii) whether land for temporary relocation provided; (iii) whether temporary relocatees allowed to shift back to original location; (iv) whether vulnerability assistance provided and (v) status of vulnerable households post resettlement plan implementation. Table 5 tentatively lists the impact indicators to be studied to evaluate impacts after completing the project.

**Table 5: Monitoring Indicators**

Monitoring Issues	Monitoring Indicators
Budget and Timeframe	<ul style="list-style-type: none"> <li>• Has all resettlement concerned officer/staff been appointed and mobilized for field and office work on schedule?</li> <li>• Has capacity building and training activities been completed on schedule?</li> <li>• Are resettlement implementation activities being achieved against the agreed implementation plan?</li> <li>• Are funds for resettlement being allocated to resettlement agencies on time?</li> <li>• Have resettlement offices received the scheduled funds?</li> <li>• Was compensation paid for the actual number of days of disruption?</li> <li>• Has the land been made encumbrance free and handed over to the contractor in time for project implementation?</li> </ul>
Delivery of DP Entitlements	<ul style="list-style-type: none"> <li>• Have all APs received entitlements according to the numbers and categories of loss set out in the entitlement matrix?</li> <li>• Have affected person(s) facing livelihood loss received compensation as per entitlements?</li> <li>• Have the vulnerable displaced due to the project been compensated as per the entitlement matrix?</li> <li>• Have the non-titleholders displaced due to the project been compensated as per the entitlement matrix?</li> <li>• Have all processes been documented?</li> </ul>
Consultations, grievances and Special issues	<ul style="list-style-type: none"> <li>• Have public information brochures containing information about the project, resettlement impacts, entitlements and grievance redress mechanism been prepared and distributed?</li> <li>• Have consultations taken place as scheduled including meetings, groups and community activities?</li> <li>• Were solutions related to CPR access disruptions agreed upon and were the agreed actions followed during construction?</li> <li>• Have any displaced persons used the grievance redress procedures?</li> <li>• What are grievances were raised?</li> <li>• What were the outcomes?</li> <li>• Have conflicts been resolved?</li> </ul>

Monitoring Issues	Monitoring Indicators
	<ul style="list-style-type: none"> <li>• Have grievances and resolutions been documented?</li> <li>• Have any cases been taken to court?</li> </ul>
Benefit Monitoring	<ul style="list-style-type: none"> <li>• What changes have occurred in patterns of occupation compared to before?</li> <li>• What changes have occurred in income and expenditure patterns compared to the pre-project situation?</li> <li>• Have DPs incomes kept pace with these changes?</li> <li>• What changes have occurred for vulnerable groups?</li> </ul>

68. ADB will require the executing agency/implementation agency to:

- (i) establish and maintain procedures to monitor the progress of the implementation of safeguard plans,
- (ii) verify the compliance with safeguard measures and their progress toward intended outcomes,
- (iii) ensure the sufficient resources (human and financial) are made timely available to implement the specific action plan.
- (iv) document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports,
- (v) follow up on these actions to ensure progress toward the desired outcomes, and
- (vi) submit periodic monitoring reports on safeguard measures as agreed with ADB.

69. The MDSC will prepare quarterly progress and semi-annual monitoring reports for submission to ADB through PMU. The monitoring reports will be based on the outcome of consultations and feedback with people, details of surveys undertaken to assess temporary impacts, measures adopted to mitigate temporary impact to businesses and residences, and review of the progress of other implementation activities, including complaints/concerns/issues raised by the affected persons. The monitoring reports will describe the progress of resettlement activities and any compliance issues and corrective actions. These reports will closely follow the involuntary resettlement monitoring indicators agreed upon at resettlement plan approval. Monitoring will include (i) the communication and feedback of people; (ii) measures taken to mitigate temporary impacts and their adequacy and timeliness; (iii) use of grievance procedures; (iv) information dissemination to affected persons on benefits; and (v) implementation timetable. A sample monitoring template is given in Appendix 8.

70. The PMU, with the support of MDSC, will be responsible for certifying encumbrance-free stretches to be handed over to the contractors based on the completion of the disbursement of assistance for temporary income loss. The PMU will submit semi-annual monitoring reports during the civil work phase and until the issuance of the project completion report. The monitoring reports will be disclosed on ADB and NCC websites upon clearance by ADB.

### Appendix 1: Involuntary Resettlement Impact Categorization Checklist

Probable Involuntary Resettlement Impacts	Yes	No	Not Known	Remarks
<b>Involuntary Acquisition of Land</b>				
1. Will there be land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (ROW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
<b>Involuntary restrictions on land use or on access to legally designated parks and protected areas</b>				
10. Will people lose access to natural resources, communal facilities and services?				
11. If land use is changed, will it have an adverse impact on social and economic activities?				
12. Will access to land and resources owned communally or by the state be restricted?				
<b>Information on Displaced Persons:</b>				
Any estimate of the likely number of persons that will be displaced by the Project? [ ] No [ ] Yes If yes, approximately how many? _____				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? [ ] No [ ] Yes				
Are any displaced persons from indigenous or ethnic minority groups? [ ] No [ ] Yes				

Note: Additional information on the project may be attached, as necessary.

## Appendix 2: Census Survey Guidelines

### A. Requirements and Contents

1. Census of individuals and households located within the project impact zone will be undertaken to register and document the status of potentially affected population. The census will provide a demographic overview and socio-economic information of the affected population that will be covered in the resettlement plan and will collect profiles of households' assets or community resources. It will cover 100% of the potentially affected population within the project impact area. The contents are the following:

- (i) **Project Impact.** Briefly information on the project and its impact in the project area with regards to land acquisition and involuntary resettlement;
- (ii) **Household Census.** Household census covering immovable property owned by the affected persons and other resources in their possession/use. These surveys would be carried out in association with local community as well as with the local representatives.
- (iii) **Resource Base.** During the conduct of the census, legal boundaries of affected properties and the right of way (ROW) are to be verified. Structures, trees and other assets are to be recorded.
- (iv) **Economic Base.** The economic base of the affected people including the modes and magnitude of production, consumption pattern, related economic institutions.
- (v) **Social Structures.** The social structure, norms, customs, cultural centers, traditions, patterns of leadership and institutions of social network.
- (vi) **Displaced Persons.** The census will identify tenants, leaseholders and encroachers/squatters who will be potentially affected by project. In the census, affected persons who dependent on the existing infrastructure link for their livelihood will also be identified. In addition, the census will also identify affected persons who are particularly vulnerable.

### B. Census Procedures

2. The following procedures will be adopted in undertaking the census:

- (i) Preliminary screening to provide initial information on social impacts;
- (ii) Verification of boundaries of the project area, to document existing structures, land plots and others physical assets. This will involve:
  - (a) All encroachments, private land holdings and others assets in the project area are to be documented;
  - (b) Assets, structures, land holdings, trees, etc. to be recorded; and
  - (c) All information is to be computerized; photography to be used to document existing structures.
- (iii) The baseline socio-economic survey shall cover information on the various categories of losses and other adverse impacts likely under the project;
- (iv) The census will identify potentially affected populations with special attention to vulnerable groups; and
- (v) Assessment on the value of various assets to be made.

### C. Database Management

- (i) **Data Sources.** It is imperative that relevant information will be collected from secondary sources prior conducting the primary households surveys. These include:
  - (a) Revenue records maintained, with regard to land particulars for facilitating acquisition of properties;
  - (b) Census records for demographic information;
  - (c) Obtain information on development programs offered by various development organizations for special sections of population like those living below poverty line, etc.
- (ii) **Data Collection.** Household level contacts and interviews with each affected persons/family/households will be done as part of the household socio-economic profile. Each of the households surveyed and the structure/land likely to be affected by the project has to be numbered, documented and photographed. Public consultation exercises in different project areas to be conducted with the involvement of affected persons/family/households. In these exercises, women are to be involved to elicit their views and options on the overall planning of resettlement activities. Discussions with a cross-section of affected persons/family/households will help towards understanding their problems and preferences.
- (iii) **Data Analysis.** The analysis would cover the following: population, population density, age, sex ratio, literacy rates/education, gender issues, tribal issues, religious groups, income, occupation and poverty line.

### **Appendix 3: Outline of the Resettlement Plan**

1. The comprehensiveness of a resettlement plan would be according to the potential involuntary resettlement impacts/ risks and size of the project. The resettlement plan must adequately address all involuntary resettlement issues pertaining to the project, describes specific mitigation measures that will be taken to address the issues and outlines institutional requirement and resources required to implementation of the Resettlement Plan. The following outline of Resettlement Plan is suggested for the present project.

#### **A. Executive Summary**

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

#### **B. Project Description**

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

#### **C. Scope of Land Acquisition and Resettlement**

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

#### **D. Socioeconomic Information and Profile**

5. This section outlines the results of the social impact assessment, the census survey, and other studies, with information and data disaggregated by gender, vulnerability, and other social groupings, including:

- (i) defining, identifying, and enumerating the people and communities to be affected;
- (ii) describing the likely impacts of land and asset acquisition on the people and communities affected, taking social, cultural, and economic parameters into account;
- (iii) discussing the project's impacts on the poor, indigenous, and/or ethnic minorities, and other vulnerable groups; and
- (iv) identifying gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

#### **E. Information Disclosure, Consultation, and Participation**

6. This section:

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

## **F. Grievance Redress Mechanisms**

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

## **G. Legal Framework**

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

## **H. Entitlements, Assistance, and Benefits**

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

## **I. Relocation of Housing and Settlements**

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

#### **J. Income Restoration and Rehabilitation**

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

#### **K. Resettlement Budget and Financing Plan**

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

#### **L. Institutional Arrangements**

13. This section:

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

#### **M. Implementation Schedule**

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

#### **N. Monitoring and Reporting**

15. This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected.

## Appendix 4: Suggested Format of a Due Diligence Report

- I. **INTRODUCTION**
  - A. **PROJECT BACKGROUND**  
Provide an overview of the report, briefly describe the project description, the implementing agency and other relevant information about the project.
  - B. **SCOPE AND OBJECTIVE OF THE DUE DILIGENCE REPORT**  
Define the scope, purpose and the objectives of the DDR.
- II. **PROJECT DESCRIPTION**  
Summarize project components, activities, and civil works
- III. **LAND AVAILABILITY AND RESETTLEMENT IMPACTS**  
Confirm land ownership, results on the impact assessment done and ascertaining on the absence involuntary land acquisition and involuntary resettlement impacts
- IV. **PUBLIC CONSULTATIONS AND INFORMATION DISCLOSURE**  
Summarize consultations held, feedback received, disclosure measures and plan for continued consultation.
- VI. **GRIEVANCE REDRESS MECHANISM**  
Describe the GRM to be adopted for the project.
- VII. **CONCLUSION AND RECOMMENDATIONS**  
Summarize key findings of the due diligence and provide recommendation and conclusion.
- VIII. **NEXT STEPS**  
Identify follow-up actions, responsibilities and timeline to ensure social safeguards readiness before and during implementation.

## Appendix 5: Sample Information Disclosure Leaflet

Project Information	Description
Name of the Project, EA/IA and City/Municipality	
Proposed Project technical details and project benefits	
Summary of Project impacts	
Compensation and entitlements	
Resettlement Plan (RP) budget	
RP implementation schedule	
Consultation and disclosure requirements	
Implementation structure and GRM information	
Contact numbers of PMU	

\*List of affected persons and Entitlement Matrix will be attached to this leaflet.

**Appendix 6: Sample Grievance Registration Form**  
(To be available in English and Bengali)

The \_\_\_\_\_ Project welcomes complaints, suggestions, queries, and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback.

Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing \*(CONFIDENTIAL)\* above your name. Thank you.

<b>Date</b>	<b>Place of registration</b>	<b>Project Town Project:</b>			
<b>Contact information/personal details</b>					
<b>Name</b>		<b>Gender</b>	* Male * Female	<b>Age</b>	
<b>Home address</b>					
<b>Place</b>					
<b>Phone no.</b>					
<b>E-mail</b>					
<b>Complaint/suggestion/comment/question</b> Please provide the details (who, what, where, and how) of your grievance below:					
If included as attachment/note/letter, please tick here:					
<b>How do you want us to reach you for feedback or update on your comment/grievance?</b>					

**FOR OFFICIAL USE ONLY**

<b>Registered by:</b> (Name of official registering grievance)	
<b>Mode of communication:</b> Note/letter E-mail Verbal/telephonic	
<b>Reviewed by:</b> (Names/positions of officials reviewing grievance)	
<b>Action taken:</b>	
<b>Whether action taken disclosed:</b>	Yes No
<b>Means of disclosure:</b>	

Note: Affected persons who are unable to read and write will be assisted to fill the form. The grievance redress process will be explained to them in form and language understood by them.

### Appendix 7: Social Safeguards Quarterly Progress Report Checklist<sup>18</sup>

Activity	Yes / no	Remarks (if answer is no)
<i>A. For project packages under bidding</i>		
1. Resettlement plans/DDR's cleared by ADB?		
2. Resettlement plans/ DDRs included in the bidding documents?		
3. Resettlement plan includes cut-off-date?		
4. Are there changes in the scope of work of the cleared resettlement plans/ DDRs?		
5. Id cards prepared for affected persons and distributed?		
6. Are specific actions identified in resettlement plan/IPP, if any, that are required of the contractor for impact avoidance or mitigation, incorporated in bid documents?		
7. BOQ line item includes any requirements specified in resettlement plan/DDR?		
8. RP/DDR disclosed in form and language understood by stakeholders and affected persons (APs)?		
9. Consultations with stakeholders and affected persons/IP held?		
10. Is the GRM in place and GRC constituted?		
<i>For project packages with contracts awarded (no works yet)</i>		
1. All NOCs/land transfers obtained?		
2. Agreement of sale/transfer and third party certificate obtained for negotiated settlement/voluntary donation?		
3. All compensation paid in full?		
4. Detailed measurement survey conducted jointly by contractor, project consultant and PMU?		
5. All community concerns and grievances related to specific sites mitigated through consultations or agreed actions?		
6. All common property resources (CPR, including small shrines, trees of worship etc.) Identified and plan for continued access prepared?		
7. Each contractor designated social safeguards and grievance registration officer?		
8. For DBP packages, detailed design completed and updated RP/DDR/IPP submitted to ADB?		
9. For DBO packages, serial no. 1-7 accomplished?		
<i>For project packages with contracts awarded and works on-going</i>		
1. Contractors have appointed social safeguards and grievance registration officer per project package?		

<sup>18</sup> This checklist should provide the Project's **general** compliance to social safeguards during the reporting period. The indicators are aligned with project loan agreement, PAM, RPs/IPPs and ADB's Sustainable Development Safeguards Division Safeguards project performance rating. The detailed social safeguards compliance status should be provided in the semi-annual social monitoring report.

Activity	Yes / no	Remarks (if answer is no)
2. Site-specific signages with date of start and end of construction and contact number for grievances and safety instructions for general public posted onsite?		
3. Grievance registration register available at each work site?		
4. Site fencing/protection works etc. Undertaken before start of physical construction work?		
5. Contractors provided PMU with a notification/incident report of any grievance or unanticipated impact within 24 hours?		
6. Reports of complaints/grievances reported monthly to PMU?		
7. Records of information disclosure/consultations submitted by PMU monthly?		
8. Records of site inspection by Social Safeguards/Resettlement Expert submitted to PMU monthly?		
9. Records of site inspection by Social Safeguards/Resettlement Expert submitted to PMU monthly?		

## Appendix 8: Outline of Social Safeguards Monitoring Report

Following requirements of the ADB Safeguard Policy Statement (2009) and the *Operations Manual* section on safeguard policy (OM F1), borrowers/clients are required to establish and maintain procedures to monitor the status of implementation of safeguard plans and ensure progress is made toward the desired outcomes. For projects categorized as A or B in Involuntary Resettlement and/or Indigenous People, the Borrowers/clients are required to submit semiannual monitoring reports for ADB review. The level of detail and comprehensiveness of a monitoring report is commensurate with the complexity and significance of social safeguards impacts (involuntary resettlement and indigenous peoples) and with the current status of project implementation phase.

This outline can be used for periodic monitoring report (semiannual) and Resettlement Plan completion report to start the civil works in the impacted areas. A safeguard monitoring report may include the following elements:

### A. Executive Summary

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

### B. Background of the Report and Project Description

This section provides a general description of the project, including:

- Background/context of the monitoring report which includes the information on the project, project components, safeguards categorizations and general scope of the social safeguards impacts.
- Information on the implementation progress of the project activities, scope of monitoring report and requirements, reporting period, including frequency of submission and changes in project scope and adjusted safeguard measures, if applicable
- Summary table of identified impacts and the mitigation actions.

### C. Scope of Impacts

- This section outlines the detail of scale and scopes of the project's safeguards impacts,
- Vulnerability status of the affected people/communities,
- Entitlements matrix and other rehabilitation measures, as applicable, as described in the approved final Resettlement Plan

### D. Compensation and Rehabilitation<sup>19</sup>

This section describes the process and progress of the implementation of the safeguards plan and other required activities as determined in the plan. This includes:

- Payment of the affected assets compensation, allowances, loss of incomes, etc. to the entitled persons;
- Provisions of other types of entitlement as described in the matrix and implementation of livelihood rehabilitation activities as determined in the plan.
- Quantitative as well as qualitative results of the monitoring parameters, as agreed in the plan, should be provided.

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<sup>19</sup> Depending on the status of the final detail design during the submission of the report this activity might not yet started. Provide the information on the expected date the activity to be conducted instead.

## **E. Public participation and consultation**

This section describes public participation and consultations activities during the project implementation as agreed in the plan. This includes final consultations with affected persons during Resettlement Plan finalization after the completion of detail design; the numbers of activities conducted; issues raised during consultations and responses provided by the project team, implementing NGOs, project supervision consultants, contractors, etc.

## **F. Grievance Redress Mechanism (GRM)**

This section described the implementation of project GRM as design in the approved Resettlement Plan. This includes evaluations of its effectiveness, procedures, complaints receive, timeliness to resolve issues/ complaints and resources provided to solve the complaints. Special attentions should be given if there are complaints received from the affected people or communities.

## **G. Institutional Arrangement**

This section describes the actual implementation, or any adjustment made to the institutional arrangement for managing the social safeguards issues in the projects. This includes the establishment of safeguards unit/ team and appointment of staff in the executing agency/implementing agency; implementation of the GRM and its committee; supervision and coordination between institutions involved in the management and monitoring of safeguards issues, the roles of NGO and women's groups in the monitoring and implementation of the plan, if any.

## **H. Monitoring Results - Findings**

This section describes the summary and key findings of the monitoring activities. The results are compared against previously established benchmarks and compliance status (e.g., adequacy of compensation rates and timeliness of payments, adequacy and timeliness of rehabilitation measures including serviced housing sites, house reconstruction, livelihood support measures, and training; budget for implementing EMP, Resettlement Plan, or specific action plan, timeliness and adequacy of capacity building, etc.). It also compared against the objectives of safeguards or desired outcomes documented (e.g. involuntary resettlement impacts avoided or minimized; livelihood restored or enhanced; indigenous peoples' identity, human right, livelihood systems and cultural uniqueness fully respected; indigenous peoples do not suffer adverse impacts, environmental impacts avoided or minimized, etc.). For FI projects this includes the effectiveness of the Environmental and Social Management System (ESMS) managed by the FI and its participating institutions.<sup>20</sup> If noncompliance or any major gaps identified, include the recommendation of corrective action plan.

## **I. Compliance Status**

This section will summarize the compliance status of the project activities with the loan covenants, ADB SPS (2009) on SR 2 and the approved final Resettlement Plan.

## **J. Follow up Actions, Recommendation and Disclosure**

This section describes recommendations and further actions or items to focus on for the remaining monitoring period. It also includes lesson learned for improvement for future safeguards monitoring activities. Disclosure dates of the monitoring report to the affected communities should also be included. A time-bound summary table for required actions should be included.

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<sup>20</sup> Specific for the FI projects, external agency may be required to conduct an audit of the project ESMS.

## **Appendices**

- List of Affected Persons and Entitlements
- Summary of Resettlement Plan with entitlement matrix
- Copies of affected persons's certification of payment (signed by the affected persons)
- Summary of minutes of meetings during public consultations
- Summary of complaints received and solution status