



Government of the People's Republic of Bangladesh

**Ministry of Shipping
Chittagong Port Authority**

MATARBARI PORT DEVELOPMENT PROJECT

Land Acquisition and Resettlement Action Plan



November 2018

Submitted by:



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EXECUTIVE SUMMARY

1. Project Description and Objectives of this LARAP

In Bangladesh, export and import cargoes have increased by 10% in the last 5 years. However, as almost all cargoes (98%) are handled at Chittagong, the capacity of the terminal facility has already been exceeded. Accordingly, expansion of the port is required to meet the demand as vessels are commonly forced to wait for berthing. As this situation is detrimental to the economic growth of the country, the Government of Bangladesh has been preparing the seventh five-year development plan (from 2016 to 2020) which calls for new port infrastructure for the port of Chittagong including a coal terminal in the Matarbari area (water depth – 15.3 m) to be developed by a Yen Loan. The Government of Japan and the Government of Bangladesh have strengthened their bilateral relationship through the Bay of Bengal Industrial Growth Belt Initiative (BIG-B).

In future, a special economic zone will be developed in this area including a logistics park, power plants, LNG terminal etc.

In the course of the survey, the Prime Minister's Office determined the future concept on the Matarbari port development, leading to the commencement of the "Preparatory Survey on Matarbari Port Development Project in the People's Republic of Bangladesh" (hereinafter referred to as "the Survey") for investigating the further detailed plan of Matarbari port development.

As for the port component, 20 ha for container terminal, 12 ha for multipurpose terminal, 54 ha for the navigation channel, turning basin and the container yard, and 33 ha for the dumping site, thus 108 ha in total will be required.

The Land Acquisition and Resettlement Action Plan (LARAP) is prepared for large scale land acquisition and to address involuntary resettlement impacts with appropriate budget provisions. The LARAP has been prepared on the principle of the JICA Guidelines for Environmental and Social Considerations (April, 2010) that development projects must fulfill the social needs and will ensure restoration of socio economic conditions of PAPs at least to the pre-project level or will not worse off after physical and economic displacement.

2. Legal Framework for Land Acquisition and Resettlement

The policy framework and entitlements for the Project are based on national law, Acquisition and Requisition of Immoveable Property Act, 2017 (ARIPA 2017) and JICA's Policy on Involuntary Resettlement (JICA Guidelines). If any gaps between ARIPA 2017 and JICA Guidelines are found, project policy would be made properly in accordance with JICA Guideline.

3. Scale and Scope of Land Acquisition and Resettlement

Project Affected Households (PAHs) and Project Affected Persons (PAPs) have been identified through door-to-door visits using mouza maps and hearings to landowners. 207 households were identified whose houses/stores and/or land will be affected while 44 households were identified whose livelihood is affected though without title of the affected land. The summary of the survey is as shown in below tables. Cut-off date for the Project Affected Persons ineligible for compensation in Bangladesh law was declared at the commencement of census, namely 11th February, 2018. Cut-off date for the Project Affected Persons eligible for compensation in Bangladesh law will be declared before Joint Verification Survey at a detailed design stage.

In survey for inventory of losses (IOL), information on the area of affected land and structure and the quantity of affected crops and trees has been collected from PAPs by using questionnaires. In livelihood

survey, respondents were interviewed by using structured questionnaire. Household composition, education level, occupation, income, utilization of public amenities were confirmed. Questions related to livelihood restoration were included in the interview, where preference for skills training was asked.

Table 1 Summary of the Survey

Category	Formal		Informal		Total	
	PAHs	PAPs	PAHs	PAPs	PAHs	PAPs
1. Houses	26	140	31	151	57	291
2. Shops	0	0	5	27	5	27
2.1. Both Houses and Shops Affected	0	0	4	21	4	21
2.2 Shop only	0	0	1	6	1	6
3. Sub-total of Structures	26	140	32	157	58	297
4. Loss of Salt Farm	159	856	0	0	159	856
5. Loss of Residential Land	26	140	31	151	57	291
5.1. Both salt farm and residential	10	60	0	0	10	60
5.2. Residential land only	16	80	0	0	16	80
6. Sub-total of Land	175	936	0	0	175	936
7. Sub-total of Structure/ Land	175	936	32	157	207	1,093
8. Sharecropper	-	-	-	-	10	39
9. Employee	-	-	-	-	34	157
10. Sub-total of Non-title holder	-	-	-	-	44	196
11. Total PAHs/PAPs	-	-	-	-	251	1,289

Source: JICA Survey Team

4. Public Consultations

There is no provision on the resident consultation in the LARAP-related laws in Bangladesh. In this Project, in accordance with the JICA guidelines, stakeholder consultations were held twice, namely at the times of scoping and preparation of draft LARAP, where consensus on the project was confirmed. In addition to these meetings, a supplemental meeting for obtaining consensus on compensation policy were held.

5. Compensation and Assistance Policy

The main issue of compensation process entails that PAHs will be rehabilitated at the rate of full replacement cost, at least to pre-project socio economic condition.

The respondent's main choice of Income Restoration Program is technical knowhow (48.8%), technical assistance (8.2%) and capital support (18.4%), interest free capital (17.4%). As income restoration programs; the following was proposed;

- Agriculture
- Poultry Rearing
- Furniture Technician
- Tailoring/ Industrial sewing
- Pisciculture/Fish Cultivation
- Business Trade

The Entitlement Matrix lists 12 types of losses and category of entitled persons and corresponding proposed entitlements to cover all possible losses to achieve at least the same level of livelihood of the affected households.

6. Grievance Redress Mechanism

The grievance redress committee (GRC) would be established prior to the implementation of land

acquisition and resettlement activities. There would be four-step to handle grievances from PAPs: first step is the union level; second is the upazila level; third is the district level; and fourth is the court level and that the GRC will be required to resolve grievances within 45 days and maximum 15 days at each level with the exception of the fourth level. Other than disputes relating to ownership rights under the court of law, the GRC will review grievances involving all resettlement benefits, relocation, and other assistance.

7. Institutional Arrangements

CPA is the Executing Agency (EA) responsible for implementing the LARAP. CPA shall establish a Project Implementation Unit (PIU) for the Project, headed by a Project Director (PD) that will be responsible for the overall execution of the project including land acquisition, relocation, resettlement and other related matters. The PIU will prepare a land acquisition (LA) plan for the land required to be acquired with the assistance from consultants and shall submit to the DC, Cox's Bazar.

The Executive Engineer concerned under the direct supervision of the Project Director, will undertake day-to-day activities with the appointed Implementation Agency (IA). The Executive Engineer concerned will be the convener of the Joint Verification Team (JVT) and Property Valuation Advisory Team (PVAT). Role of INGO will be support of acquisition process for requiring body, proposed to work for 2 years period. They will be selected by the Executing Agency from NGOs in social development field with the experience of land acquisition, resettlement and livelihood restoration assistance before the Joint Verification Survey is started.

8. Implementation Schedule

The overall schedule of implementation is based on the principle that resettlement benefits are paid to PAHs before they are displaced and civil engineering works takes off. Tentative day for resettlement work will be started after serving of Section 4 notice from Deputy Commissioner Office and will be finished within 1 year period and implementation NGO will work with the EA for expediting the acquisition process. Total implementation work is proposed for 3 years period. LARAP will be implemented as soon as the payments by DC is made, DC's payment is expected to be completed by June 2020.

9. Resettlement Budget and its Source

The resettlement budget takes account of compensation of affected Land, structures, trees, resettlement assistance, institutional cost, hiring of RAP implantation agency, contingency, HIV/STD awareness activities, capacity building, external monitoring and evaluation consultants, documentation and internal monitoring, institutional cost. At this initial stage it is not practicable to accurately estimate land acquisition and costs of resettlement benefits for the project. However, a provisional estimate of LARAP implementation costs for the project is provided based on Census and Socio Economic Survey (SES) of Project Affected Persons and Market Survey of land, trees and structure. The cost will be verified by Property Value Advisory Team (PVAT).

10. Monitoring and Evaluation

Monitoring & Evaluation is an important task for measuring the periodic progress of activities under resettlement program. This helps to identify the constraints and bottlenecks in the progress as well as to determine remedial measures. Implementation of the LARAP will be monitored regularly. The Project Implementation Unit (PIU) will establish a quarterly monitoring system involving staff of the implementing agency/ NGO staff. The PIU will prepare progress reports on all aspects of land acquisition and resettlement activities.

ABBREVIATIONS

Abbreviation	Description
ARIPA	Acquisition and Requisition of Immoveable Property Act-2017
ARIPO	Acquisition and Requisition of Immoveable Property Ordinance-1982
BBS	Bangladesh Bureau of Statistics
BWDB	Bangladesh Water Development Board
BIG-B	Bay of Bengal Industrial Growth Belt
CCL	Cash Compensation under the Law
CPA	Chittagong Port Authority
CPR	Community Property Resources
DAM	Department of Agriculture Marketing
DC	Deputy Commissioner
DPs	Displaced Persons
DOE	Department of Environment
DOF	Department of Fisheries
EA	Executive Authority
EP	Entitled Persons
EIA	Environmental Impact Assessment
FGD	Focus Group Discussion
GoB	Government of Bangladesh
HH	Household
IEE	Initial Environmental Examination
IRP	Income restoration Program
INGO	Implementing Non-Governmental Organization
IOL	Inventory of Loss
JICA	Japan International Cooperation Agency
JVS	Joint Verification Survey
JVT	Joint Verification Team
LA	Land Acquisition
LAP	Land Acquisition Plan
LAO	Land Acquisition Officer
LA Section	Land Acquisition Section of Deputy Commissioner's Office
LGED	Local Government Engineering Department
MUSCCFPP	Matarbari Ultra Super Critical Coal Fired Power Plant
NGO	Non Government Organization
PD	Project Director
PIU	Project Implementation Unit

PAHs	Project Affected Households
PAPs	Project Affected Persons
RHD	Roads and Highways Department
SES	Socio-economic Survey

GLOSSARY

Census Survey: A survey which covers 100% households being affected by the project irrespective of their ownership into the land.

Compensation: Payment which is in cash or kind (for example land for land) to the PAPs as per land acquisition (LA) Act or other conventional resettlement practices.

Community Participation and Consultation: The active process of sharing information and suggestions seeking as inputs from the project affected, non-affected community and beneficiaries about the project and integrating those in the project design as well as planning and in the mitigation measures.

Cut-off Date: This is the date on and beyond which any persons who encroach on the area are not entitled to compensation or any other form of resettlement assistance. It is often established on the commencement date or last date of the census of PAPs/PAHs or serving section-4 notice under Acquisition and Requisition of Immovable Property Act-2017(ARIPA-2017), which is later. For non-titled PAPs, the commencement date or last date of socio economic survey (SES) is the cut -off date.

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

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

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

Informal Settlers: The non-titled occupants on government land having residential and or business and common establishments.

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

Mouza: The grass-root level unit of land map which depicts plot of land for land ownership prepared by Land Ministry. Each Mouza has a name to differentiate it from the other one.

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

Project Affected Unit: combines residential households (HHs), commercial and business enterprises (CBEs), common property resources (CPRs) and other affected entities as a whole,

Project Affected Households: includes residential households and commercial & business enterprises except CPRS.

Project Affected Person (PAP): Persons affected directly or indirectly by project induced changes in use of land, water, or other natural resources are called PAPs. In other words, a person who as a consequence

of change sustain damages for use of land or loss of immovable property in any manner, or experience loss of income and livelihood. Such impacts may be temporary or permanent in nature and most often occurs through land expropriation using eminent domain or direct purchases for development projects.

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

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

For agriculture land, replacement cost is the pre-project or pre-displacement, whichever is higher, market value of land or equal potential or use located in the vicinity of the affected land, plus the cost of land preparation to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.

For land in urban areas, replacement cost is the pre-displacement market value of land equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes

In Bangladesh, the replacement cost is calculated as a cost which includes land price based on mouza rates calculated based on past 1 year market price + 200 % (300% for private acquisition) extra payment in accordance with the law (ARIPA-2017) + tax and duties + extra payment based on the price determined by the Property Valuation Advisory Team (PVAT).

The replacement cost for houses and structures is the market cost of the materials to build a replacement structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and the Contractors' fees, plus the cost of any registration and transfer taxes. (The cost of the land upon which the house or structure sits is considered in Replacement cost of land).

Replacement Land: The land affected by the project that is compensated through provision of alternative land, rather than cash, of the same size and/or productive capacity as the land lost and is acceptable to the PAP.

Resettlement: Means of mitigation of all the impacts associated with land acquisition including restriction of access to, or use of land, acquisition of assets, or impacts on income generation as a result of land acquisition.

Socioeconomic Survey: The population census, asset inventory, and household survey together constitute the socioeconomic survey of the affected population.

Vulnerable Households: Households that are (i) headed by single woman or woman with dependents and low incomes; (ii) headed by elderly/ disabled people without means of support; (iii) households that fall on or below the poverty line (iv) losing last parcel of land (v) households of indigenous population or ethnic minority; and (vi) households of low social group or caste.

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Chapter 1. INTRODUCTION

1.1 Project Description

In Bangladesh, export and import cargoes have increased by 10% in the last 5 years. However, as almost all cargoes (98%) are handled at Chittagong, the capacity of the terminal facility has already been exceeded. Accordingly, expansion of the port is required to meet the demand as vessels are commonly forced to wait for berthing. As this situation is detrimental to the economic growth of the country, the Government of Bangladesh has been preparing the seventh five-year development plan (from 2016 to 2020) which calls for new port infrastructure for the port of Chittagong including a coal terminal in the Matarbari area (water depth – 15.3 m) to be developed by a Yen Loan. The Government of Japan and the Government of Bangladesh have strengthened their bilateral relationship through the Bay of Bengal Industrial Growth Belt Initiative (BIG-B).

In future, a special economic zone will be developed in this area including a logistics park, power plants, LNG terminal etc.

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The outline and location of the port facilities are shown below.

Table 1.1-1 Outline of Port Facilities

Facilities	Size	Max Vessel Size	Cargo & Capacity	Remarks
Container Terminal	L=460m, D= CDL-16m Area=20ha	8,000 TEU Type 150 TEU (Feeder)	Container 700,000 TEU	Full size berth x1, Feeder berth x1
Multi-purpose Terminal	L=300m, D=CDL-16m Area 12ha	70,000 DWT	General Cargo 1.5 m.t. Bulk Cargo 0.6 m.t. Automobile: 100,000	General cargo ships, Panamax bulker, and Automobile carrier
Breakwater (being coordinated as a scope of the Adjacent Project)	North L=2,150m South L=670m	-	-	
Navigation Channel Turning Basin (being coordinated as a scope of the Adjacent Project)	W=350m, L=11km Turning Basin=75ha	100,000 DWT (8,000-8,200 TEU)	-	

Note: m.t. stands for million tons

Source: JICA Survey Team

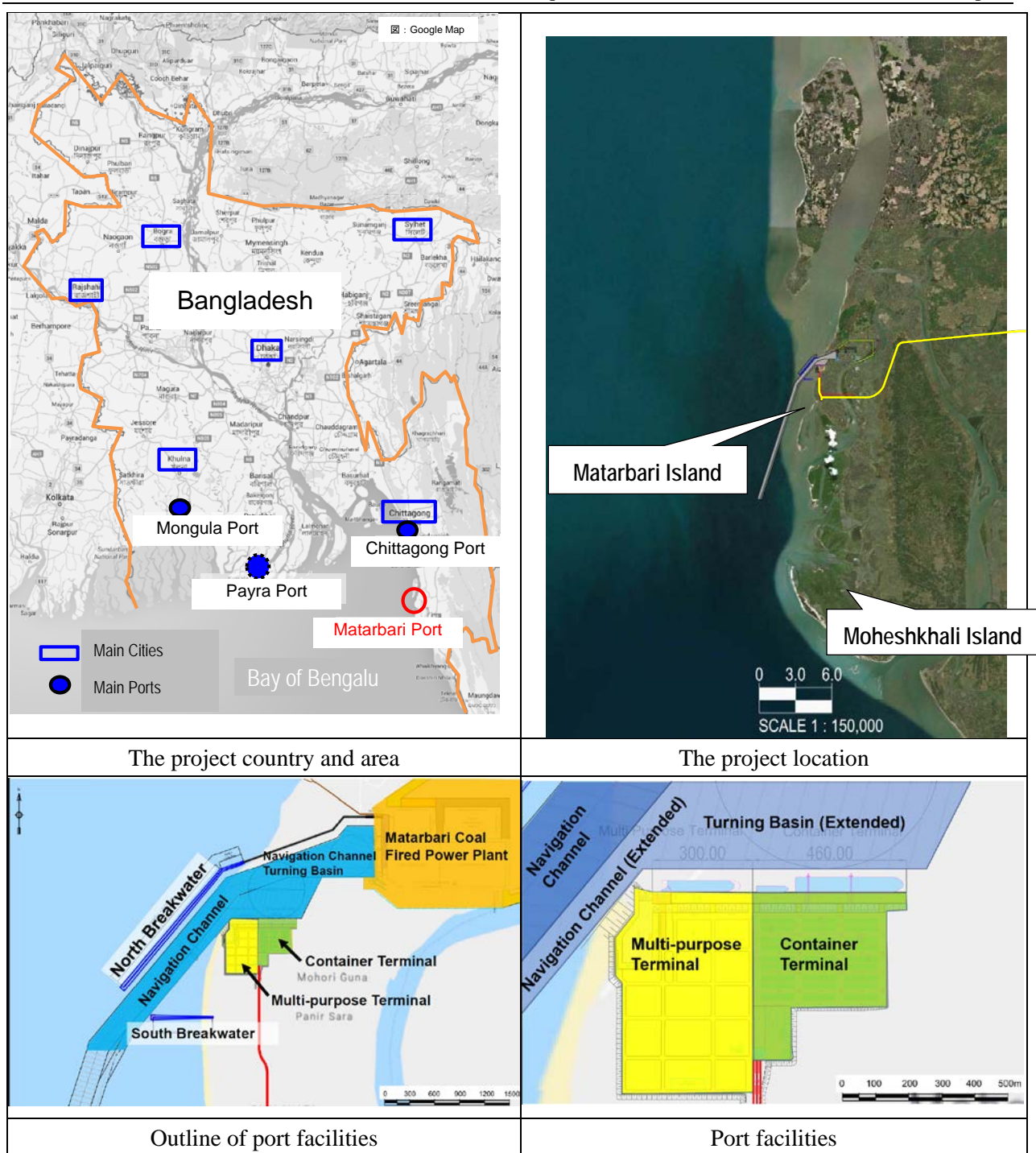


Figure 1.1-1 Project Location

1.2 Land Acquisition required for the Project

Overview of project components incurring land acquisition and resettlement and the affected area are shown below.

Table 1.2-1 Project Components Incurring Land Acquisition and Resettlement

Project component		Required Area				
		Location	Outline	Total	Transfer of Govern. Land	Acquisition of Private Land
Port	Container terminal	Moheshkhali Upazila, Cox's Bazar District	L = 460 m, area = 20 ha	74.9ha	26.0ha	48.9ha
	Multipurpose terminal	Same as above	L =300 m, area = 12 ha			
	Container Yard	Same as above	Area = 43 ha			
	Navigation channel and basin (extended)					
	Soil dumping Site	Same as above	Area = 33 ha	32.4ha	1.6ha	30.9ha

Source: JICA Survey Team

20 ha for container terminal, 12 ha for multipurpose terminal, 54 ha for the navigation channel, turning basin and the container yard, and 33 ha for the dumping site, thus 108 ha in total will be required.

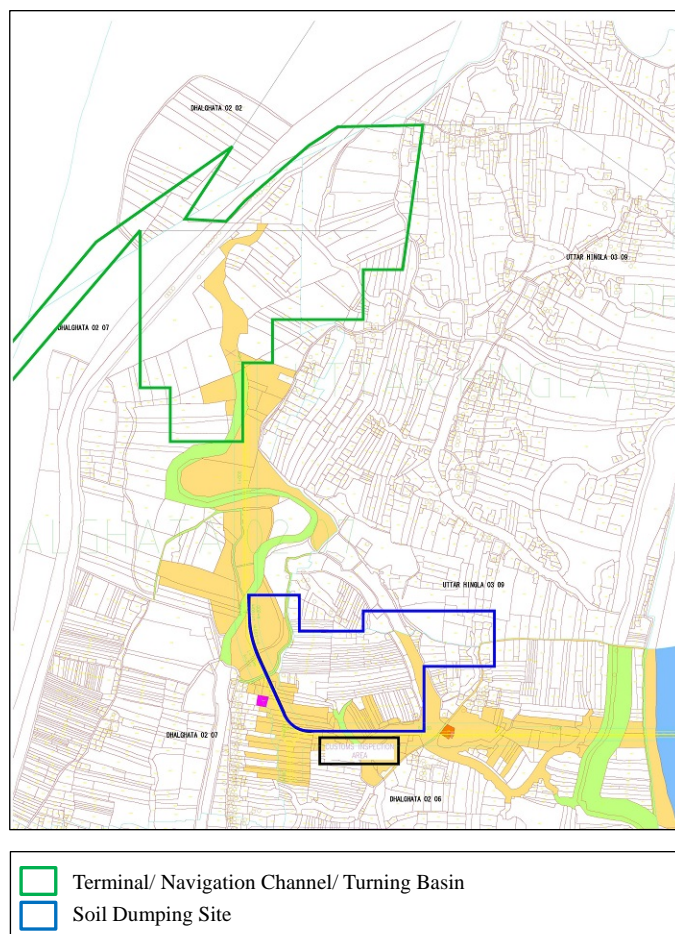


Figure 1.2-1 Land Required for the Project

1.3 Requirement and Objective of RAP Report

The Land Acquisition and Resettlement Action Plan (LARAP) is prepared for large scale land acquisition and to address involuntary resettlement impacts with appropriate budget provisions. The LARAP has been prepared on the principle of the JICA Guidelines for Environmental and Social Considerations (April, 2010) that development projects must fulfill the social needs and will ensure restoration of socio economic conditions of PAPs at least to the pre-project level or will not worse off after physical and economic displacement.

1.4 Alternative Consideration for Minimizing Resettlement

5 options (one option without project and the Options 1 to 4) were examined. Among the plans that can fully achieve project effects, a project site was selected to avoid residential villages.

Table below shows feature comparison and map comparison of port development options. The project target year is 2026, looking at the overall picture including the different expansion schedule. In addition, the dredged soil of each option was marked with a red circle as the land dumping place..

Table 1.4-1 Outline of Four Options

Options	Option Description
without Project	No construction of port in this area, increased cargo will be handled at the expansion to Chittagong Port and increases to Payra Port.
Option1	Development of port by using the Kohelia river in the southern Dhalghata.
Option2	Separation from the Kohelia River in the southern Dhalghata and develops a port in the Dhalghata district.
Option3	CPGCBL dredge the route from the coal port to the Kohelia river to develop the new port.
Option4	CPGCBL dredge to the south from coal port to develop ports. (It does not connect to the Kohelia River.)

Source: JICA Survey Team

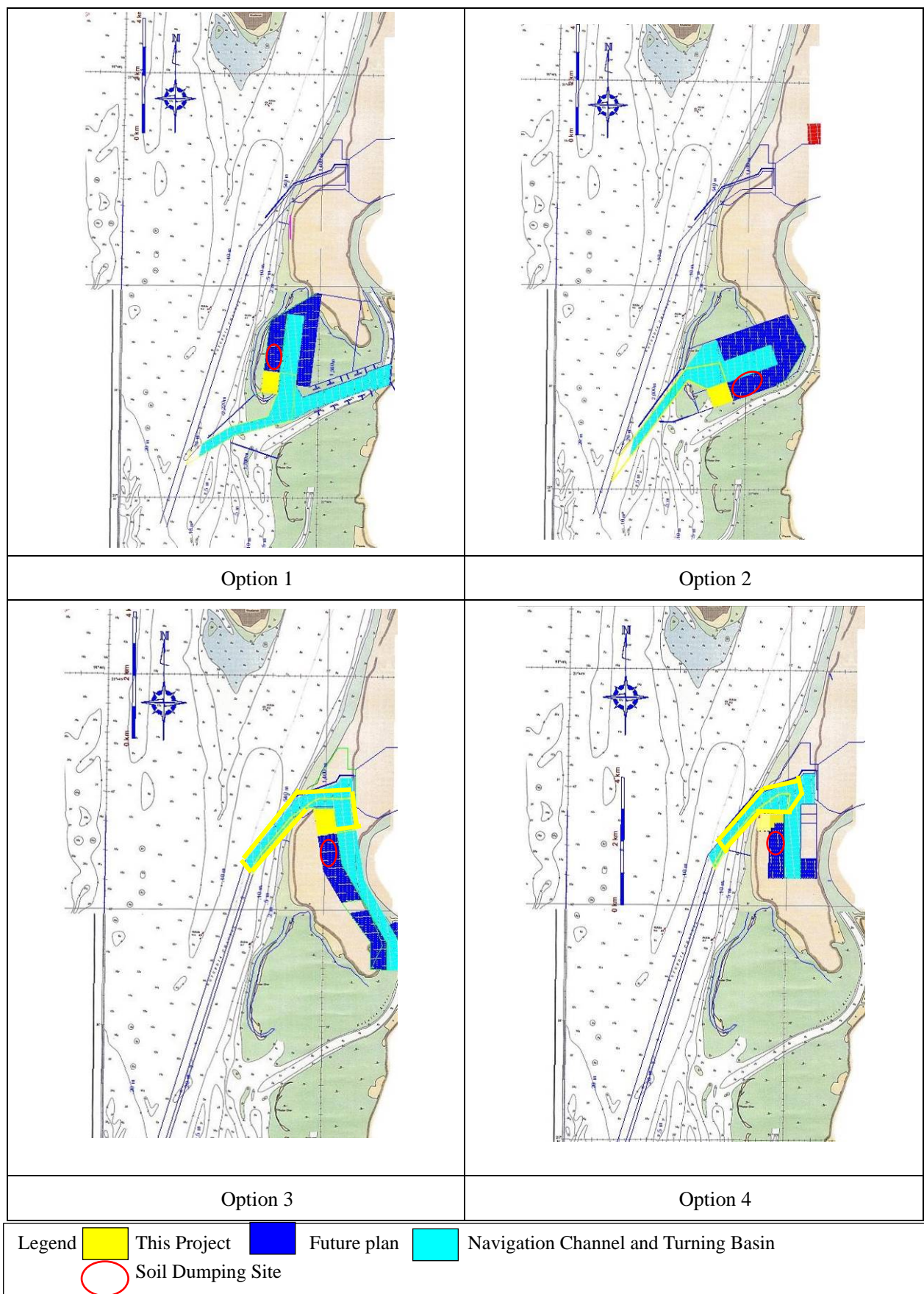


Figure 1.4-1 Plans of Four Options

Note: The timing of completion in the future expansion differs for each option.

Table 1.4-2 Analysis of Options

Option Plans	Without Project	Option No.1	Option No.2	Option No.3	Option No.4
Summary of Options	No construction of the new port in this area, increased cargo will be handled at the expansion to Chittagong Port and increases to Payra Port.	Development of port by using the Kohelia river in the southern Dhalghata.	Separation from the Kohelia River in the southern Dhalghata and develops a port in the Dhalghata district.	CPGCBL dredge the route from the coal port to the Kohelia river to develop the new port.	CPGCBL dredge to the south from coal port to develop ports. (It does not connect to the Kohelia River.)
Impact on the natural environment	A: Additional impact is minimal.	D: Since it is the mouth of the Kohelia River, it has an influence on the natural environment. Disappearance of sandbars in the planned area (2.8 ha), disappearance of mangrove forest (9.28 ha).	D: It is separated from the Kohelia River, but it is affected because it is near the estuary. There is disappearance of sandbars in the planned area (6.4 ha) and disappearance of mangrove forest (15.0 ha).	C: The port facility was developed in the middle of the Kohelia River, the influence on hydrology, the disappearance of sandbar and salt pond (1.4 ha, 80.2 ha, 2.0 ha each) are seen.	A: Disappearance of sandbars and salt fields slightly (1.3 ha, 1.4 h each) are observed, but the influence on the natural environment is relatively small.
Pollution	C: There is a possibility that industrial development will expand to the port area	D: Turbidity spread and the influence on the coastline are large because there are two routes of coal port for ports and routes for this project.	D: Turbidity spread and the influence on the coastline are large because there are two routes of coal port for ports and routes for this project.	A: Since the existing routes are shared, the influence on water quality is small compared to 1 and 2.	A: Since the existing routes are shared, the influence on water quality is small compared to 1 and 2.
Impact on social environment	B: Resident relocation · Land acquisition does not occur in this project, but marine transportation of peripheral industries is not secured and the	B: Employment of ports and peripheral location industries is created. Relocation number is relatively small. (20 households or less)	B: Employment of ports and peripheral location industries is created. The number of relocations is small. (20 households or less)	D: Employment of ports and surrounding local industries is created but passes through large-scale settlements, with the largest relocation (Several hundred	B: Employment of port related and surrounding site industries was created, and relocation number is relatively small (50 households)

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Option Plans	Without Project	Option No.1	Option No.2	Option No.3	Option No.4
	development of the area is delayed.			households)	
Technical challenges	B: There are no technical problems.	C: A new route will be established	C: A new route will be established	C: A new route will be established	B: It is possible to expand the coal port and use the route.
Cost	D: Construction / maintenance cost at other ports may increase.	D: Large-scale investment with breakwaters and dredging the route	D: Large-scale investment with breakwaters and navigation dredging	B: Medium-sized investment due to widening of the route and extension of the route to the Kohelia River	A: Investment in the widening of the navigation route and the dredging of the night area is relatively small
Ocean dumping	A: The surrounding natural environment including Sonadia is preserved	B: Ocean dumping is predicted to be minor in the area about 30 km away from Sonadia.	B: Ocean dumping is predicted to be minor in the area about 30 km away from Sonadia.	B: Ocean dumping is predicted to be minor in the area about 30 km away from Sonadia.	B: Ocean dumping is predicted to be minor in the area about 30 km away from Sonadia.
Disposal position of dredged soil	B: There is no dumping on land	C: Scheduled for expansion of the port area (north side of the current project site). Dust and the like are predicted and appropriate measures are required.	C: Scheduled for expansion of the port area (east of this project site). Dust and the like are predicted, and appropriate measures are required.	C: Scheduled for expansion of the port area (south of this project site). Dust and the like are predicted, and appropriate measures are required.	C: Scheduled to be on the south side avoiding the residential area at the port expansion site. Dust and the like are predicted, and appropriate measures are required.
The effect of the project (this time)	D: Does not correspond to increasing cargo at other ports.	D: The access is less convenient than other options while the periphery is not developed yet.	D: The access is less convenient than other options while the periphery is not developed yet.	D: The access is less convenient than other options while the periphery is not developed yet.	B: Access to main road is relatively good.

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Option Plans	Without Project	Option No.1	Option No.2	Option No.3	Option No.4
The effect of the project (Including extended part)	D: If no port in this area, there is no regional economic development, so future development and development will be limited because it expands the Chittagong Port and cargo that increases to Payra Port. Congestion at Chittagong Port is not alleviated. Trade in Bangladesh is restricted.	D: Kohelia river in southern part of Dhalghata is used to develop ports, so we have a dedicated port easy to use in the surrounding industrial areas. It flows to the mouth of the Kohelia River, which may cause problems	D: Since it separates from the Kohelia River in the southern part of Dhalghata and develops a port in Dhalghata district, there is no deposition than No. 1.	D: Since it separates from the Kohelia River in southern Dhalghata and develops a port in Dhalghata district, there is no more than No. 1	B: Dredge in southward from CPGCBL coal port to the south and develop a port without connecting with the Kohelia River. Short construction period. Coal to the BPDB power plant is supplied from the CTT on the east side of this commercial port via a belt conveyor, cargo of the special economic zone heading from the port access road to the port.
Overall evaluation	D	D	D	C	A
Comment	There is a limit to expansion of Chittagong Port, and it is assumed that Payra Port cannot accept large container ships, so it cannot cope with increasing cargo volume.	Large initial investment Destruction of mangrove forest Relatively close to Sonadia Ecological critical area	Large scale initial investment	C: Bridges are necessary, transportation is not convenient.	Residents' relocation and impact on the natural environment are small, and it is possible to open with relatively small investment.

Source: JICA Survey Team

Note: A: Most highly evaluated, desirable B: Good evaluation, but there are other better plans; C: Other idea is preferable; D: Shall be avoided.

Chapter 2. POLICY AND LEGAL FRAMEWORK

The framework of the land acquisition and resettlement policy and the entitlements of Project Affected Persons in this project are to be set based on the "Acquisition and Requisition of Immovable Property Act (ARIPA2017)", the law of Bangladesh, and the policy related to involuntary resettlement on JICA guidelines.

"Acquisition and Requisition of Immovable Property Ordinance of 1982 (ARIPO 1982)", was revised in 1993 and 1994 after its enforcement and applied to acquisition and requisition (temporary acquisition) implemented by the government for the public purpose and interest. Currently, Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA 2017)" is effective repealing the ARIPO 1982, and the amount of compensation for land acquisition has been raised. A legal process for land acquisition is initiated after a detailed map and land acquisition plan are submitted to the Deputy Commissioner (DC) of the concerned District. When the compensation amount based on ARIPA 2017 and replacement cost are different, the difference will be paid by the implementation organization via NGOs.

2.1 Key Legislations

2.1.1 Acquisition and Requisition of Immovable Property Ordinance of 1982(ARIPO) and its Subsequent Amendments in 1993 and 1994

Previously, the policy framework and entitlements in Bangladesh had been based on national law, *Acquisition and Requisition of Immovable Property Ordinance of 1982 (ARIPO 1982)*. DC is empowered to make permanently acquisition or temporarily requisition of property and pay compensation for the eligible PAPs. DC assesses the amount of compensation, taking into consideration factors such as: land transactions in the locality over the past 12 months. The amendments to the ARIPO in 1993 increased the amount of the premium for compulsory acquisition from 25 to 50% on the assessed value of the property. The 1994 amendment provides provision for payment of crop compensation to tenants. The ARIPO does not cover compensation for loss of wage income; it also does not cover losses of non-titled persons (Sharecropper, squatters, encroachers, etc.) aside from crop losses to tenants.

For the purpose of acquisition and requisition of immovable properties in Bangladesh, the government, taking into consideration all previous Acts, Rules, Ordinances etc., have prepared '**Acquisition of Immovable Properties Manual-1997**'. This manual guides all acquisition and requisition of immovable properties as well as payment of compensation for all sorts of losses.

2.1.2 Acquisition and Requisition of Immovable Property Act-2017

The ARIPA 2017 annulled the ARIPO 1982 and changed the compensation calculation rate.

The compensation for the affected persons based on the ARIPA 2017 shall be the amount that adds 200% premium to the average market price of land in the past year for the purpose of governmental projects, and the amount that adds 300% premium for the purposed of private sector projects. Compensation for loss of crops and trees shall be the amount that adds 100% premium to their market prices. For the market price used to calculate land compensation, a mouza rate (municipality-specific rate) set by the DC (Deputy Commissioner) office will be applied. The market price used to calculate building compensation is set by PWD (Public Works Department).

The ARIPA 2017 retains the provision that land of religious institutions like mosques, temples and graveyards cannot be acquired generally. However, it also incorporates a provision that would allow the government to acquire land of any religious institutions if inevitable for public interest. The acquisition process is the same as previous.

For land acquisition in Bangladesh, feasibility study in the field area will have to be conducted for identifying houses and plots to be affected. Based on the feasibility study, any executing agency shall submit proposal for land acquisition to DC. DC, as a member of land committee, will make verification of the proposal on the field level. During the verification process, District Land Acquisition Commissioner, on behalf of DC, will hold the meeting calling concerned stakeholders. After the verification, DC will give notice to landowners for land acquisition. Land owners can submit application against land acquisition if any opposition. DC will take hearing from the landowners and reply to them.

2.2 Applicability of ARIPA 2017 in the Context of the Project

The key policies of the present law (ARIPA-2017) will be applicable in the present project. Previous ordinance is already annulled. Cash compensation under the law (CCL) will be inflated by 200% premium money as per new law. Religious institution may be acquired if there is no alternative. Generally these institutions will not be acquired. Other resettlement issues will be applicable as a best practices as these practices were done in the projects of the country.

Table 2.2-1 Acts / Policies / Notifications & their relevance to the project

No.	Acts/Policies/Notifications	Relevance to the project
1	The affected persons will get additional 200 per cent compensation of the present market price of land assessed by Land Acquisition (LA) section of DC in case of acquiring it for any government organization, while additional 300 per cent compensation in case of acquiring land for any private organization. (ARIPA-2017)	For port project, cash compensation under the law (CUL) added by 200% premium on DC's market price as per new law (ARIPA-2017) will be applicable.
2	The land of religious institutions if essential for public interest could be acquired provided that those institutions should be relocated and reinstated at the costs of the persons or institutions for whom the land is acquired	This will be partially applicable. Nasir Mohammad Deil pond and Graveyard may be affected. The local community has given objection to acquire this pond.

2.3 JICA's Policy on Land Acquisition and Resettlement

JICA's Policy on Land Acquisition and resettlement is as shown below.

The key principle of JICA policies on involuntary resettlement is summarized below.

- I. Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.
- II. When, population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken.
- III. People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.
- IV. Compensation must be based on the full replacement cost as much as possible.
- V. Compensation and other kinds of assistance must be provided prior to displacement.
- VI. For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. It is desirable that the resettlement action plan include elements laid out in the World Bank Safeguard Policy, OP 4.12, Annex A.
- VII. In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.
- VIII. Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.
- IX. Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.

Above principles are complemented by World Bank OP 4.12, since it is stated in JICA Guideline that "JICA confirms that projects do not deviate significantly from the World Bank's Safeguard Policies". Additional key principle based on World Bank OP 4.12 is as follows.

- X. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advance of such benefits.
- XI. Eligibility of Benefits include, the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who don't have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying.
- XII. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.
- XIII. Provide support for the transition period between displacement and livelihood restoration.
- XIV. Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.

XV. For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared.

In addition to the above core principles on the JICA policy, it also laid emphasis on a detailed resettlement policy inclusive of all the above points; project specific resettlement plan; institutional framework for implementation; monitoring and evaluation mechanism; time schedule for implementation; and, detailed Financial Plan etc.

2.4 Key Gap between (Policy in Bangladesh) and JICA Guidelines

The differences between the JICA Guidelines for Environmental and Social Consideration and the Resettlement / Land Acquisition Law in Bangladesh are as follows. If there is any gap between the GOB law and JICA guidelines for implementation of RAP, proper measure should be taken in compliance with JICA guidelines.

Table 2.4-1 Gaps between Law in Bangladesh and JICA Guidelines regarding Involuntary Resettlement

No.	JICA Guidelines (A)	Acquisition and Requisition of Immovable Property Ordinance-1982	Acquisition and Requisition of Immovable Property Ordinance-2017 (B)	Gaps between (A) and (B)	Project Policy
1	Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives. (JICA GL)	No formal laws, act or ordinance but common practice	No formal laws, act or ordinance but common practice	There is practice but not legally bound	Project shall be planned to avoid involuntary resettlement and loss of means of livelihood as much as possible.
2	When population displacement is unavoidable, effective measures to minimize impact and to compensate for losses should be taken. (JICA GL)	No formal laws, act or ordinance but common practice; compensation by DC as Cash compensation under law (CCL);50% premium on calculated amount (ARIPO 1982, Part II, section (8(2))	No formal laws, act or ordinance but common practice; compensation by DC as Cash compensation under law (CCL); additional percentage of 200% on calculated amount in government projects (300% premium on calculated amount in private projects) (ARIPO 2017, Part II, section 9(2)) In addition to the compensation, it is also stipulated that necessary action may be taken to rehabilitate the displaced family (ARIPO 2017, Part II, section (9(4))	Minimization of the impact is not stipulated. It might be insufficient in terms of 200% premium on actual market price as replacement value.	Minimization of the impact shall be examined.
3	People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living,	No legal provision	The amount of compensation for the immovable property shall be paid in consideration thereof In addition to the	Insufficient compensation, support and practice to restore pre-project living standard and production level.	Compensation and rehabilitation assistance shall be provided to restore pre-project living standard and production level.

No.	JICA Guidelines (A)	Acquisition and Requisition of Immovable Property Ordinance-1982	Acquisition and Requisition of Immovable Property Ordinance-2017 (B)	Gaps between (A) and (B)	Project Policy
	income opportunities and production levels to pre-project levels. (JICA GL)		compensation mentioned in this section, due to the acquisition, necessary action may be taken to rehabilitate the displaced family. (ARIPO 2017 9(4))		
4	Compensation must be based on the full replacement cost as much as possible. (JICA GL)	In addition to the market value of the property as provided in sub-section (1), the Deputy Commissioner shall, in every case award a sum of 50% (fifty per centum) on such market value in consideration of the compulsory nature of the acquisition. (ARIPO 1982, Part II, section 8(2))	In case of acquisition of land for any government requirement, a person belonging to the interest shall be paid an additional percentage of 200 (two hundred) compensation on the market price. (As for a requirement of private company the additional amount will be 300 (300) percent.) (ARIPO 2017 9(2)) Valuation of structure is made by PWD where depreciation will be considered if the structures are older than ten years. Compensation of trees and is made by market values which is assessed by Forest department and Agricultural Department respectively.	Compensation by ARIPO 2017 might be below the replacement cost.	Compensation to be provided at full replacement cost or 200 % of market price, whichever higher.

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No.	JICA Guidelines (A)	Acquisition and Requisition of Immovable Property Ordinance-1982	Acquisition and Requisition of Immovable Property Ordinance-2017 (B)	Gaps between (A) and (B)	Project Policy
5	Compensation and other kinds of assistance must be provided prior to displacement. (JICA GL)	No legal provision	No legal provision	Normally displaced before getting compensation and support	Compensation and other kinds of assistance shall be provided prior to displacement.
6	For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. (JICA GL)	Not such legal bindings in the law	Not such legal bindings in the law	Though no legal provision but practice in donor funded project	RAP will be prepared.
7	In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. (JICA GL)	No such arrangement in the law, even no scope of RAP	No such arrangement in the law, even no scope of RAP	Preparation of RAP is a social reality	Consultations will be held with the affected people and their communities
8	When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people. (JICA GL)	No provision of consultations in the law but there is a practice of consultations in donor project	No provision of consultations in the law but there is a practice of consultations in donor project	In fact when consultations held, it is clearly understandable to the affected in their local language	Explanation in consultation will be made in Bengali language.
9	Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans. (JICA GL)	No provision and guideline in law	No provision and guideline in law	Stakeholders normally remain in dark regarding project formulation, implementation and monitoring issues	Participation of affected people will be promoted through consultation and FGDs.
10	Appropriate and accessible grievance mechanisms must be established for the affected people and their communities. (JICA GL)	There is a scope of arbitration regarding payment related issues for titled owner (ARIPO 1982, Part IV)	There is a scope of arbitration regarding payment related issues for titled owner (ARIPA 2017, Part IV)	This is not easy for common people and doesn't ensure compensation at the rate of full replacement cost, also for non-titled	Appropriate and accessible grievance mechanisms will be established.

No.	JICA Guidelines (A)	Acquisition and Requisition of Immovable Property Ordinance-1982	Acquisition and Requisition of Immovable Property Ordinance-2017 (B)	Gaps between (A) and (B)	Project Policy
				owners do not get any compensation and not get income restoration support	
11	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advance of such benefits. (WB OP 4.12 Para. 6)	Whenever it appears to the District Commissioner that any property is needed for any public purpose/interest, he shall cause a notice to be published at convenient places on or near the property (ARIPO 1982, Part II, section 3) No provisions of early identification of affected persons, there is act in case of Jamuna Bridge Project (land acquisition) (Compensation Refusal Laws)-1994(Act No-14); for refusal of compensation of fake structure.	Whenever it appears to the District Commissioner that any property is needed for any public purpose/interest, he shall cause a notice to be published at convenient places on or near the property, before Joint Verification Survey (ARIPO 2017, Part II, section 4(1)) Before the issue of the notice, the actual condition and nature of the immovable property proposed for acquisition, the structure and the infrastructure, crops and trees, everything else and videos of the project or other by using any technology, its statement will be prepared (ARIPO 2017, Part II, section 4(3)(a))	In Bangladesh law, cut-off-date is declared at DD stage after submission of F/S with Land Acquisition Plan from executing agencies while cut-off-date in JICA Projects is declared at the commencement of census.	Cut-off-date for Project Affected Person eligible for compensation in ARIPO 2017 is declared before Joint Verification Survey at DD stage. Cut-off-date for Project Affected Person not covered by in ARIPO 2017 is considered to be the one at the commencement of census.
12	Eligibility of benefits includes, the	The compensation will be	The compensation will be	Vulnerable and squatter	All non-titleholders (as

No.	JICA Guidelines (A)	Acquisition and Requisition of Immovable Property Ordinance-1982	Acquisition and Requisition of Immovable Property Ordinance-2017 (B)	Gaps between (A) and (B)	Project Policy
	PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who don't have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying. (WB OP 4.12 Para. 15)	paid to the bargadar, a person who cultivate the land of another person (ARIPO 1982, Part II, section 10) though no compensation for non-titled owner and squatter in the law	paid to the bargadar, a person who cultivate the land of another person (ARIPO 2017, Part II, section 12), though no compensation for non-titled occupants and squatter in the law	are deprived	identified on date of census survey) will also be eligible for resettlement and rehabilitation benefits
13	Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. (WB OP 4.12 Para. 11)	No support in the law	No support in the law though land will be provided under the responsibility of the executing agency in practice	Lack of legal support, but in donor supported project there is example of Resettlement Site (RS) specially for vulnerable homestead loser	Resettlement policy based on land shall be considered if livelihood is closely connected with specific land.
14	Provide support for the transition period (between displacement and livelihood restoration). (WB OP 4. 12, para.6)	No support in the law	No support in the law	Lack of livelihood restoration support	Transition benefits to be provided to non-titleholders (displaced and livelihoods impacted) who have been identified as per census survey
15	Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc. (WB OP 4.12 Para. 8)	No guideline in the law	No guideline in the law	No distinction or priority in Bangladesh's law regarding vulnerability	Special assistance shall be provided to the vulnerable groups.

Chapter 3. SOCIO ECONOMIC IMPACT SURVEY

3.1 Overview of the Project Area

The project site is located in Cox's Bazar District, Chittagong Division in south east Bangladesh. Cox's Bazar was established as a sub-division of Chittagong Division in 1854 when it was under Bengal Presidency of British India and upgraded to a district in 1984. In the present time, Cox's Bazar District consists of eight Upazilas, 71 unions (administrative areas) and 182 mauzas (communities).

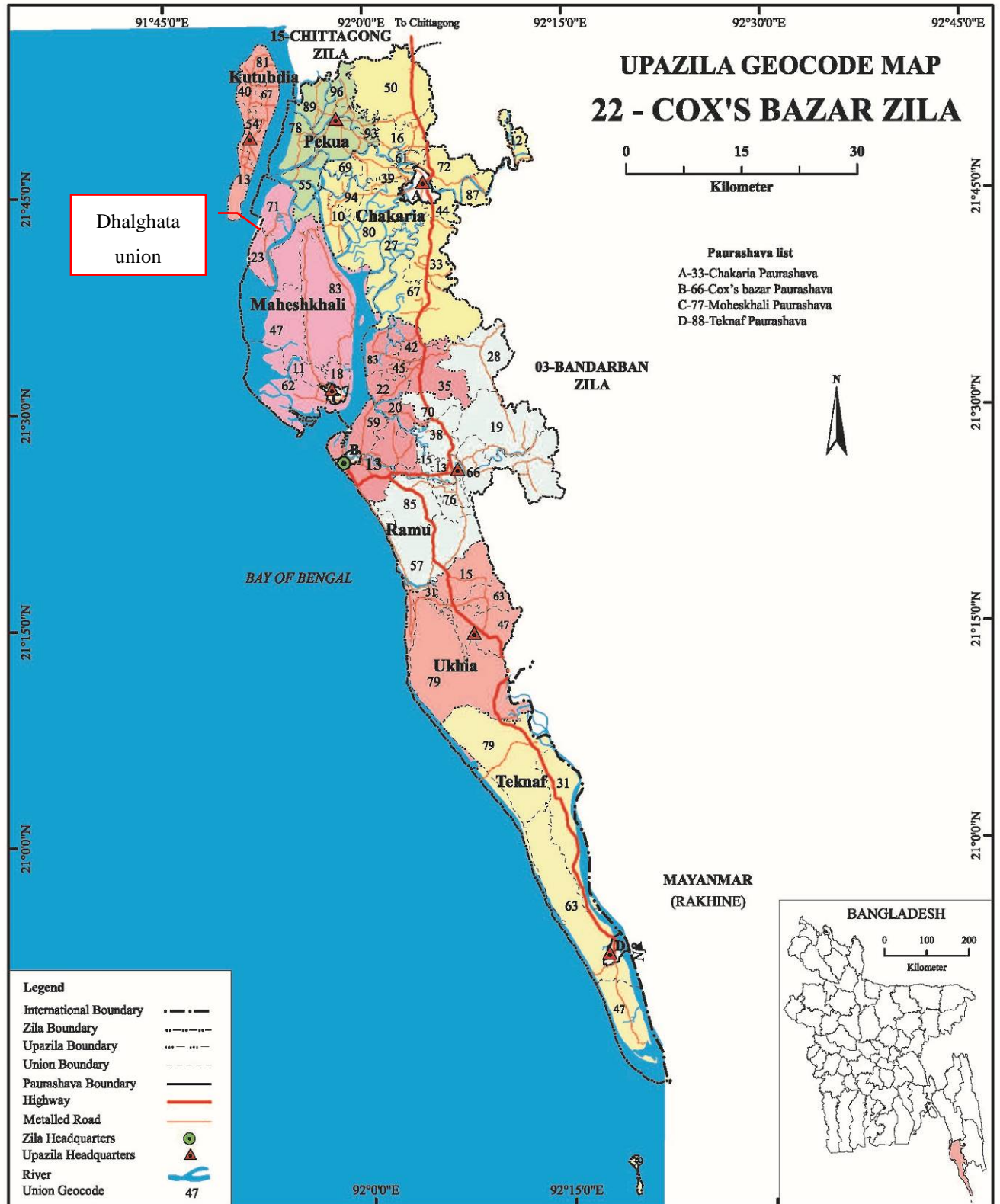
The planned port site is located in Dhalghata Union, Moheshkhali Upazila. The Upazila, union and mauza affected by the project are shown in the table and the figures below.

Table 3.1-1 Project Affected Union and Mouza

Division	District	Upazila	Union	Mouza	Component
Chittagong	Cox's Bazar	Moheshkhali	23 Dhalghata	160 Dhalghata	Port and road

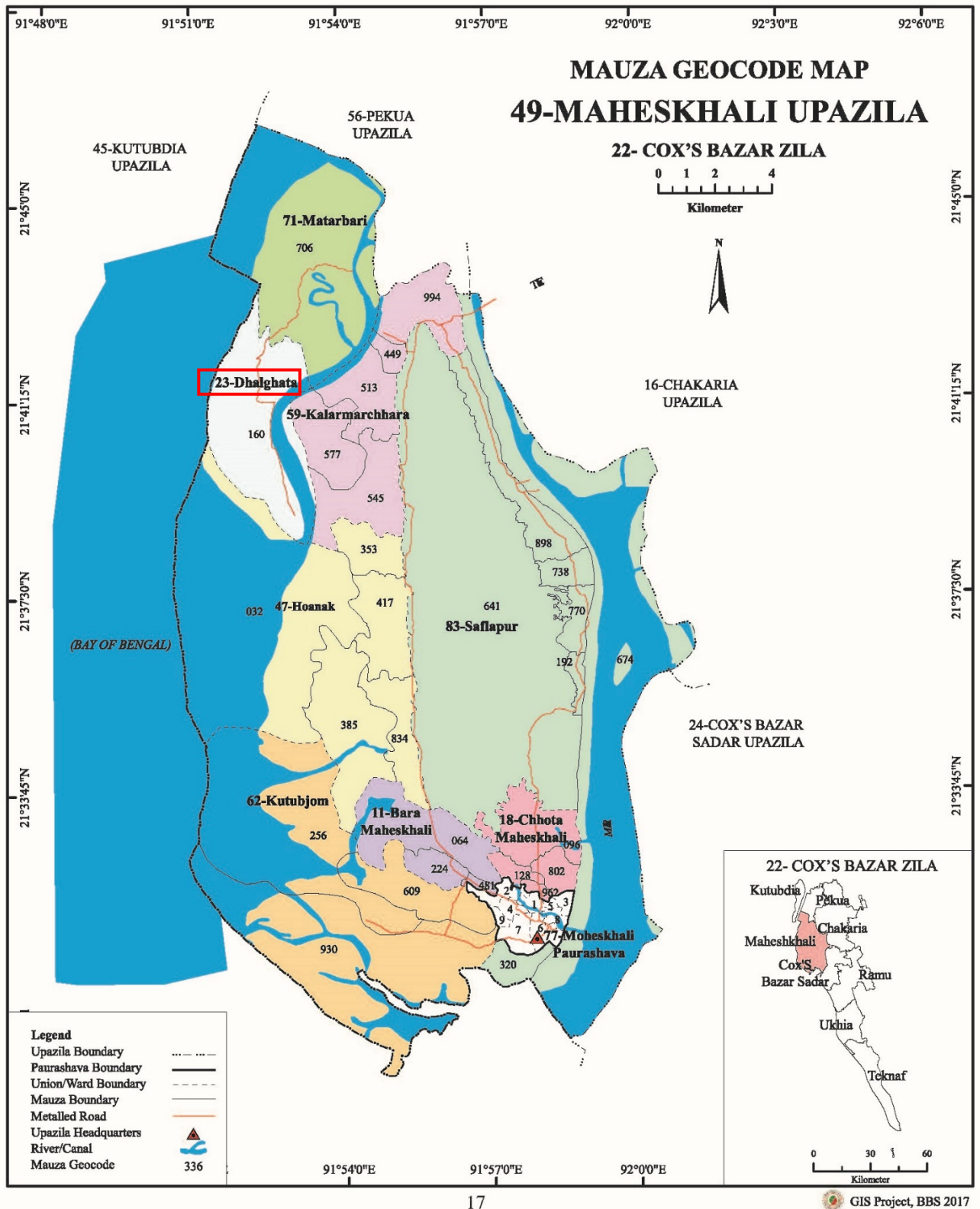
Note : The numbers attached to unions and mouzas are “Geo Code”, which is correspondence with map shown in the next page.

Source: JICA Survey Team based on BBS “Population & Housing Census -2011 Community Report: Cox's Bazar”



Source : Prepared by JICA Survey Team based on BBS “Small Area Atlas Bangladesh”

Figure 3.1-1 Map of Cox’s Bazar and Project Area



Source : Prepared by JICA Survey Team based on BBS “Small Area Atlas Bangladesh”

Figure 3.1-2 Unions in Moheshkhali and Chakaria Upazila, Project Affected Unions

3.1.1 Area and Population

Total area of Cox's Bazar District where the project site is located is 2,492 km² of which 941 km² is a forest area. The number of households is 415,954 and the average number of people per household is 5.51. The population in 2011 is 2,289,990, the population growth rate in 10 years from 2001 is 29.11 % and the average annual population growth rate is 2.55 %.

Moheshkhali Upazila is a peninsula-shaped upazila located along the northeastern coast of Cox's Bazar District. Total area is 362 km² of which 57 km² is a forest area. The number of households in 2011 is 58,177 and the average number of people per household is 5.52. The population is 321,218, the population growth rate in 10 years from 2001 is 25.21 % and the average annual population growth rate is 2.24 %.

Table 3.1-2 Demographic Data of the Project Area (in 2011)

Administrative Unit	Area (km ²)	Household	Population			Population
			Total	Male	Female	Density (km ²)
Bangladesh	147,569	32,173,630	144,043,697	72,109,796	71,933,901	976
Chittagong Division	33,909	5,626,310	28,423,019	13,933,314	14,489,705	838
Cox's Bazar District	2,492	415,954	2,289,990	1,169,604	1,120,386	919
Moheshkhali Upazila	362	58,177	321,218	165,693	155,525	887
Dhalghata Union	2	2,250	12,877	6,688	6,189	6,441

Source : BBS "Population & Housing Census -2011 Community Report : Cox's Bazar"

In Cox's Bazar District, Muslims have the greatest majority of 94.0 %. They are followed by Hindus (4.3 %), Buddhists (1.7 %) and Christians (0.1%). The tendency is the same in Moheshkhali Upazila Upazila.

Table 3.1-3 Religious Belief of the Project Area (in 2011)

(persons)

Administrative Unit	Pop. Total	Muslim	Hindu	Christian	Buddhist	Others
Cox's Bazar District	2,289,990	2,151,958	97,648	1,503	37,822	1,059
		94.0%	4.3%	0.1%	1.7%	0.0%
Moheshkhali Upazila	321,218	301,858	16,647	6	2,682	25
		94.0%	5.2%	0.0%	0.8%	0.0%
Dhalghata Union	12,877	12,687	190	0	0	0
		98.5%	1.5%	0.0%	0.0%	0.0%

Source : BBS "Population & Housing Census -2011 Community Report : Cox's Bazar"

In Cox's Bazar District, 14,511 residents accounting for 0.6 % of the population belong to ethnic minorities. 8,058 residents accounting for approximately 55.4 % of ethnic minorities, are Rakhine people who are Buddhists originating in Myanmar. The Rakhine people reside also in Moheshkhali Upazila, however their residential areas are concentrated in southern part of Moheshkhali Upazila. There is no ethnic minorities in

Dhalghata.

Table 3.1-4 Ethnic Minorities of the Project Area (in 2011)

Administrative Unit	Total		Ethnic Minorities					
	HHs	Pop.	HHs	Population				
				Total	Rakhine	Tanchaynga	Chakmas	Others
Cox's Bazar District	415,954	2,289,990	2,920	14,551	8,058	3,866	686	1,941
			0.7%	0.6%	0.4%	0.2%	0.0%	0.1%
Moheshkhali Upazila	58,177	321,218	267	1,403	1,395	0	3	5
			0.5%	0.4%	0.4%	0.0%	0.0%	0.0%
Dhalghata Union	2,250	12,877	0	0	0	0	0	0
			0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Source: BBS "Population & Housing Census -2011 Community Report: Cox's Bazar"

3.1.2 Socio-economic Conditions

(1) Literacy rate

Literacy rate in Cox's Bazar District is 39.3 %. Literacy rate is 40.3 % for male and 38.2 % for female, which shows the tendency that it is slightly lower for female. In Moheshkhali Upazila where the por will be located, a value below the average literacy rate in Cox's Bazar District (30.8 %) is marked.

Table 3.1-5 Distribution of Population aged 7 years and above by Literacy, Sex (in 2011)

Administrative Unit	Literate (can write a letter)		
	Both	Male	Female
Cox's Bazar District	39.3%	40.3%	38.2%
Moheshkhali Upazila	30.8%	30.5%	31.1%
Dhalghata Union	31.7%	29.8%	33.8%

Source: BBS "Population & Housing Census -2011 Community Report : Cox's Bazar"

(2) Enrollment ratio

The enrollment ratio of children aged 6 to 10 in Cox's Bazar District is 70.1 % for male and 73.0 % for female. Significantly lower values than the average enrollment ratios in Cox's Bazar District (60.4 % for male and 65.2 % for female) are shown in Moheshkhali Upazila, which indicates a certain correlation with the above mentioned literacy rate. Moreover, comparing the enrollment ratio of male children aged 6 to 10 and those aged 11 to 14, they decreases drastically from 60.4% to 51.2% (while female increases), which is understood as a consequence of starting work.

**Table 3.1-6 Distribution of Population aged 3-14 years by Age groups, School attendance
(in 2011)**

Administrative Unit	Population aged 6-10 years				Population aged 11-14 years			
	Attending school		Not attending school		Attending school		Not attending school	
	Male	Female	Male	Female	Male	Female	Male	Female
Cox's Bazar District	70.1%	73.0%	29.9%	27.0%	62.9%	73.9%	37.1%	26.1%
Moheshkhali Upazila	60.4%	65.2%	39.6%	34.8%	51.2%	72.8%	48.8%	27.2%
Dhalghata Union	61.1%	67.4%	38.9%	32.6%	47.1%	78.1%	52.9%	21.9%

Source: BBS “Population & Housing Census -2011 Community Report : Cox’s Bazar”

(3) Industries

In Cox's Bazar District, 49.7% nearly half of the total population engages agriculture. It is followed by service industry at approximately 40 % and manufacturing industry stays at less than 10 %.

Table 3.1-7 Industry of the Project Area (in 2011)

Administrative Unit	Employed population			
	Total	Agriculture	Industry	Service
Cox's Bazar District	603,046	299,765	47,163	256,118
		49.7%	7.8%	42.5%

Source: BBS “Population & Housing Census -2011 Community Report : Cox’s Bazar”

The economy of Cox’s Bazar is predominantly agricultural, including local and HYV rice, wheat, vegetables, spices, cash crops, pulses, betel leaves and others. Various fruits like banana, jackfruit, guava, coconut, etc. are grown. Fish of different varieties abound in this district which enjoys the advantages of marine fishing. Moreover, varieties of fish are caught from rivers, tributary channels and creeks and even from paddy field during rainy season. Prawn is abundantly available in the district. Prawn farming and salt production in the coastal area of the district are the most important economic activities of the area. Dry fish is an important source of income to the fishermen especially in the islands. The district is also very rich in forest resources. Various valuable timber and forest trees are abundantly grown in this district. Apart from all these, the sea beach of Cox’s Bazar is the most attractive place in the country to the tourists who like to visit the place throughout the year.

(4) Monthly Income of the Household

In the table below income pattern of the household is shown. According to “Data Collection Survey on the Matarbari Port Development in the People’s Republic of Bangladesh” conducted in 2017, income of 100 households, more than 40% of entire households is below Tk.15,000. According to BBS, approximately 30% of entire households is regarded as poverty in Cox Bazar, while 40% is regarded as poverty in Moheshkhali.

Table 3.1-8 Average Monthly Income of the household Income (in 2017)

Income Level	No. of Household	%
Tk. 1000 - Tk. 5000	0	0.00
> Tk. 5000 - Tk. 10000	19	19.00
> Tk. 10000 - Tk. 15000	21	21.00
> Tk. 15000 - Tk. 20000	15	15.00
> Tk. 20000 - Tk. 25000	17	17.00
Tk. Above 25000	28	28.00
Total:	100	100.00

Source: Data Collection Survey on the Matarbari Port Development in the People’s Republic of Bangladesh, 2017

Table 3.1-9 Households below Poverty Line (in 2010)

Administrative Unit	below Upper Poverty Line	below Lower Poverty Line
Cox's Bazar District	16.2%	32.7%
Moheshkhali Upazila	21.4%	40.2%

(Note) Poverty line is based on basic needs cost.

Source: BBS “Bangladesh Poverty Maps (Zila Upazila) – 2010”

(5) Type of Structure and Housing Tenancy

In Cox’s Bazar District, 6.2% general household live in pucca house made of solid and permanent materials, 11.6% in semi-pucca house made of solid and natural materials, 68.9% in kutcha house made of natural material and the remaining 13.3% live in jhupr, made of temporary materials.

In Moheshkhali Upazila, 2.8% general household live in pucca house, 5.8% in semi-pucca house, 77.9% in kutcha house and the remaining 13.5% live in jhupr; ratio of kutcha house made of natural material is relatively high. In Dhalghata Union, ratio of Jhupuri made of temporary material is prominently high, exceeding 80%.

Table 3.1-10 Percentage Distribution of Households by Type of Structure and Housing Tenancy Status (in 2011)

Administrative Unit	Type of Structure (%)				Housing Tenancy (%)		
	Pucka	Semi-pucka	Kutchha	Jhupri	Owned	Rented	Rent free
Cox's Bazar Zila	6.2	11.6	68.9	13.3	88.4	6.2	5.4
Moheshkhali Upazila	2.8	5.8	77.9	13.5	90.5	1.3	8.2
Dhalghata Union	0.5	0.8	16.0	82.7	98.4	0.6	1.0

Note: *Pucka*: Made of solid and permanent materials such as brick and concrete, etc.

Semi-pucka: Made of mix with solid and natural materials such as steel houses, wooden houses, etc.

Kutchha: Made of totally natural materials such as bamboo houses, mud houses, jute stick and catkingrass houses, etc.

Jhupri: Made of temporary materials. Often called 'shanties'.

Source: BBS "Bangladesh Poverty Maps (Zila Upazila) – 2010"

(6) Toilet Facility, Source of Drinking Water and Electricity Connection

In Cox's Bazar District, 14.3% general household use sanitary latrine, 37.6 % non-sanitary latrine and the remaining 36.5% have no toilet facility. 88.4% general household get the facility of drinking water from tube-well, 2.3% from tap and the remaining 9.3 % household get water from other sources. A total of only 32.1% general household reported to have electricity connection in the entire upazila in 2011.

In Moheshkhali Upazila, 28.0% general household use sanitary latrine, 52.1 % non-sanitary latrine and the remaining 19.9% have no toilet facility; ratio of households with non-sanitary latrine and no toilets is higher than whole Cox's Bazar. 89.5% general household get the facility of drinking water from tube-well, 0.4% from tap and the remaining 10.1 % household get water from other sources. The Area has brought under the Rural Electrification Program. However, a total of only 25.6% general household reported to have electricity connection in the entire upazila in 2011 as against 13.3% in 2001. In Dhalghata Union, ratio of households with non-sanitary toilet, using tube-well, and without electricity connection is prominently high.

Table 3.1-11 Percentage Distribution of Households by Toilet Facility, Source of Drinking Water and Electricity Connection (in 2011)

Administrative Unit	Toilet Facility (%)				Source of Drinking Water (%)			Electricity Connection (%)
	Sanitary (water-sealed)	Sanitary (non water-sealed)	Non-sanitary	None	Tap	Tube-Well	Other	
Cox's Bazar Zila	14.3	37.6	36.5	11.6	2.3	88.4	9.3	32.1
Moheshkhali Upazila	3.4	24.6	52.1	19.9	0.4	89.5	10.1	25.6
Dhalghata Union	1.4	21.7	69.6	7.3	0.5	92.3	7.2	18.4

Source: BBS "Population & Housing Census -2011 Community Report : Cox's Bazar"

3.2 Socio Economic Impact by the Project

Scale and scope of land acquisition and resettlement incurred by the Project are shown below.

Table 3.2-1 Scale and Scope of Land Acquisition and Resettlement by the Project

Project component		Location		Required Land			Resettlement
		Upazila, District	Union	Total	Transfer of Gov. Land	Acquisition of Private land	
Port	Container terminal	Moheshkhali Upazila, Cox's Bazar District	Dhalghata	74.9 ha	26.0 ha	48.9 ha	House: 50 PAHs, 255 PAPs Shop: 5 PAHs, 26 PAPs (Out of 4 PAHs and 21 PAPs are common)
	Multipurpose terminal	Same as above	Dhalghata				
	Navigation channel and basin (extended)	Same as above	Dhalghata				
	Soil dumping Site	Same as above	Dhalghata	32.4 ha	1.5ha	30.9ha	House: 7 PAHs, 36 PAPs (Common with Access Road)
	Total				107.3ha	27.5 ha	79.8 ha

Source: JICA Survey Team

3.2.1 Methodology of survey on PAHs

(1) Census survey

Project Affected Households (PAHs) and Project Affected Persons (PAPs) have been identified through door-to-door visits using mouza maps and hearings to landowners. For port, 207 households were identified whose houses/stores and/or land will be affected while 44 households were identified whose livelihood is affected though without title of the affected land..

The survey, commissioned to a local consultant, was implemented by organizing a survey team consisting of a coordinator, resettlement expert (team leader), survey supervisor and a group basically of 4 to 5 door - to - door researchers who also serve as record keepers.

(2) Survey for inventory of losses (IOL)

Information on the area of affected land and structure and the quantity of affected crops and trees has been collected from PAPs by using questionnaires. During socio-economic survey (SES), replacement cost survey (RCS) has been carried out to check the market price of land and structure. Key community persons were asked about the land price of the area regardless whether their land was affected or not, which was again verified in the focus group discussion (FGD) meeting. The amount of replacement cost to be paid in addition to the DC's payment shall be finalized after an assessment made by Property Valuation Advisory Team (PVAT). The composition of replacement cost is as follows:

- Agricultural land: market value of land of equal productive potential or use located in the vicinity of the affected land (the pre-project or pre-displacement, whichever is higher) + the cost of preparing the land to levels similar to those of the affected land + the cost of any registration and transfer taxes
- Land in urban areas: the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land +

the cost of any registration and transfer taxes

- Houses and other structures: market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure (or to repair a partially affected structure) + the cost of transporting building materials to the construction site + the cost of any labor and contractors' fees + the cost of any registration and transfer taxes

(3) Livelihood survey

In livelihood survey, respondents were interviewed by using structured questionnaire. Household composition, education level, occupation, income, utilization of public amenities were confirmed. Questions related to livelihood restoration were included in the interview, where preference for skills training was asked.

3.2.2 Survey Result for the PAHs

(1) Census

The overview of survey results is shown in the below table. 207 households were identified whose houses/stores and/or land will be affected while 44 households were identified whose livelihood is affected though without title of the affected land. For households whose houses/stores and/or land will be affected, information on their family members and living conditions were to be obtained through door-to-door visits. For residents whose livelihood is affected though without title of the affected land, information on their names, contacts and the crops cultivated on land were to be obtained through hearings to the landowners. Cut-off date for the Project Affected Persons ineligible for compensation in Bangladesh law was declared at the commencement of census, namely 11th February, 2018. Cut-off date for the Project Affected Persons eligible for compensation in Bangladesh law will be declared before Joint Verification Survey at a detailed design stage.

Table 3.2-2 Summary of the Survey

Category	Formal		Informal		Total		Remarks
	PAHs	PAPs	PAHs	PAPs	PAHs	PAPs	
1. Houses	26	140	31	151	57	291	
2. Shops	0	0	5	27	5	27	
2.1. Both Houses and Shops Affected	0	0	4	21	4	21	
2.2 Shop only	0	0	1	6	1	6	
3. Sub-total of Structures	26	140	32	157	58	297	1.Houses + 2.Shops - 2.1.Both Houses and Shops Affected
4. Loss of Salt Farm	159	856	0	0	159	856	
5. Loss of Residential Land	26	140	31	151	57	291	
5.1. Both salt farm and residential	10	60	0	0	10	60	
5.2. Residential land only	16	80	0	0	16	80	
6. Sub-total of Land	175	936	0	0	175	936	4. Salt farm + 5.Residential - 5.1. Both Salt farm and Residential
7. Sub-total of Structure/ Land	175	936	32	157	207	1,093	3. Structure + 6. Land - 5.Loss of Residential Land
8. Sharecropper	-	-	-	-	10	39	
9. Employee	-	-	-	-	34	157	
10. Sub-total of Non-title holder	-	-	-	-	44	196	
11. Total PAHs/PAPs	-	-	-	-	251	1,289	

Source: JICA Survey Team

In this survey, 207 households that will be physically affected were subjected to the survey on IOL and livelihood. Sharecroppers and daily laborers were also subjected to livelihood survey.

(2) Inventory of Loss

1) Type/ Ownership of Houses

The following table shows the type of affected housing structures. Total affected residential structures are 49 and commercial structure is 5, out of which 4 commercial structures use same structures of residential ones. 45 of the residential structures are thatched. For calculating the replacement cost, depreciation shall not be considered.

Table 3.2-3 Type of House Structure and Value of the Affected Structure

Type		Unit value /m2	No. of structure	Area(m2)	Total (BDT)
Residential	Pucca	11,000	2	74	814,000
	Tin shed	3,900	9	410	1,599,000
	Thatched	2,000	45	1,578	3,156,000
	Sub-total		56	2,062	5,569,000
Commercial	Pucca	11,000	0	0	0
	Tin shed	3,900	0	0	0
	Thatched	2,000	5	89	178,000
	Sub-total		5	89	178,000
Total	Pucca	11,000	2	74	814,000
	Tin shed	3,900	9	410	1,599,000
	Thatched	2,000	50	1,667	3,334,000
	Total		61	2,151	5,747,000

Source: JICA Survey Team

56 out of 207 households to be surveyed have house structures in the Project affected area. 24 households (42.9%) among them are located in their own land while 32 households (57.1%) are located in governmental land.

Table 3.2-4 Ownership of Residential Structures

Upazila	Union	Housing on Owned land	Housing on Government land/other's land*	No response	Total
Moheshkhali	Dhalghata	24	32**	0	56
Total:		24 (42.9%)	32** (57.1%)	0 (0%)	56 (100%)

* Uncertain Owner

** Structures of 3 HHs are partly shop and partly housing structure. All structures on government land are owned by the PAPs.

Source: JICA Survey Team

Table 3.2-5 Ownership of Commercial Structures

Upazila	Union	Shop/store on Owned land	Shop/store on government land*	No response	Total
Moheshkhali	Dhalghata	0	5	0	5
Total:		0 (0%)	5 (100%)	0 (0%)	5 (100%)

Source: JICA Survey Team

2) Land

Out of 1,073,381m² land, private land is 797,844 m², while governmental land is 275,497 m². 702,868m² of the private land and 61,014 m² of the public land are used as salt farms. In the rainy season, they are

partially used as shrimp farms.

Table 3.2-6 Land System

Upazila	Union	Ownership	Land Utilization					Total
			Salt farm	Agriculture	Residential	Commercial	Others	
Moheshkhali	Dhalghata	Private Land	702,868	0	40,603	0	54,413	797,844
		Government Land	72,518	0	10,802	0	192,177	275,497
		Total	775,387	0	51,405	0	244,710	1,073,381

Source: JICA Survey Team

The table below shows different types of loss of land in the area.

Table 3.2-7 Size wise Affected Land in the Area

Type of Land	Size wise affected land							Total
	> 10 sqm and <=100	>100 sqm and <=250 sqm	>250 sqm and <=500 sqm	>500 sqm and <=1000 sqm	> 1000 sqm and <=1500	> 1500 sqm and <=2000 sqm	> 2000 sqm	
Salt Firm	0	6	4	18	6	12	105	151
Residential	14	4	1	4	0	1	0	24
Total	14	10	5	22	6	13	105	175

Source: JICA Survey Team

3) Tree and Crops

In the proposed port terminal area, 6 PAHs will loss trees. No of affected trees are 48. No of large trees are 10, medium trees are 26 and small trees are 12.

Table 3.2-8 Loss of Trees

No. of tree		PAHs	Comments
Big	10	6	The tree varieties are Mehogoni, Cocoanut, Mango and Banana
Medium	26		
Small	12		
Total	48		

Source: JICA Survey Team

Location-wise affected trees are as shown below.

Table 3.2-9 PAH's Location Wise Affected Trees

Ref. H/H No.	Name of H/H	Village	Name of Tree	Unit Value of Tree (Tk.)	No. of Tree	Total Value of Tree (Tk.)	Annual Income from fruit tress (Tk.)
5			Coconut	3,759	4	15,036	4,000
26			Coconut	3,759	2	7,518	1,000
45			Coconut	3,759	2	7,518	2,000
81			Coconut	3,759	4	15,036	2,000
85			Mehogoni	5,894	20	117,880	N/A
			Mango	3,363	4	13,452	8,000
			Banana	4,053	8	32,424	3,000
120			Coconut	3,759	4	15,036	N/A
Total					48	223,900	20,000

Source: JICA Survey Team

(3) Livelihood (households with houses / shops and/or land affected)

In this survey, livelihood survey was conducted on all 207 households with their houses, shops, and/or land affected. The table below shows the Union/Mouza-wise number of households.

Table 3.2-10 Union/Mouza-wise HHs subject to the Survey

Sl. No.	Union	Mouza	Households	
			No.	%
1	Dhalghata	Dhalghata	207	100.0
Total:			207	100.0

Source: JICA Survey Team

1) Distribution of household members by age

The table below shows the age distribution of household members of the PAHs. Households below the age of 15 are 28.6%. As for male, the economically active population aged 15 to 59 are 37.1%, while the economically dependent age group of 60 years and older are 3.6%. As for female, they are 28.1% and 2.6% respectively.

Table 3.2-11 Age Distribution of Household Member

Age	Male		Female		Total	
	Population	%	Population	%	Population	%
<=14	159	14.5%	154	14.1%	313	28.6%
>=15-59	406	37.1%	307	28.1%	713	65.2%
60+	39	3.6%	28	2.6%	67	6.1%
Total	604	55.3%	489	44.7%	1,093	100.0%

Source: JICA Survey Team

2) Education

The union-wise education level of household member is as shown below. The illiterate rate is 16.4%, and primary- and secondary-level rates are 31.3% and 26.9% respectively.

Table 3.2-12 Educational Level of the Project Affected Persons

District	Union	Illiterate	Primary level	Second-ary level	HSC level	Gradu-ate	Post Gradu-ate	Voca-tional	Others (< 5yrs)	Total
Moheshkhali	Dhalghata	179	342	294	120	82	30	5	41	1,093
Total:		179 (16.4%)	342 (31.3%)	294 (26.9%)	120 (11.0%)	82 (7.5%)	30 (2.7%)	5 (0.5%)	41 (3.8%)	1,093 (100%)

Source: JICA Survey Team

Table below shows the gender-wise education level of the PAPs. Illiteracy rate of both male and female is around 16.4%, where significant difference cannot be found. The rate of primary level are 28.5% for males and 34.7% for females. The rate of secondary level are 21.1% for males and 34.1% for females. These mean that education level of more than 80% of females is up to secondary level. Females educated in HSC level are less than males; Males with HSC level are 13.6%, while females are 7.8%. The gender gap is more significant in graduate level; males are 11.1% while females are 3.1%.

Table 3.2-13 Gender-wise Education Level of the Project Affected Persons

Educational status	Male		Female		Total	
	No. of Member	%	No. of Member	%	No. of Member	%
(1) Illiterate	99	16.4	80	16.3	179	16.4
(2) Primary level	172	28.5	170	34.7	342	31.3
(3) Secondary level	127	21.1	167	34.1	294	26.9
(4) HSC level	82	13.6	38	7.8	120	11.0
(5) Graduate	67	11.1	15	3.1	82	7.5
(6) Post Graduate	23	3.8	7	1.4	30	2.7
(7) Vocational	4	0.7	1	0.2	5	0.5
(8) Others (Children < 5 yrs)	29	4.8	12	2.4	41	3.8
Total:	603	100.0	490	100.0	1,093	100.0

Source: JICA Survey Team

3) Employment

Table below shows 32.6% household members are working, 1.5% are unemployed, 22.4% are engaged in housework, and 41.4% are students.

Table 3.2-14 Number of Employed Members in PAHs

Upazila	Union	Employed	Unemployed	Housework	Students	Unknown*	Total
Moheshkhali	Dhalghata	356	16	245	453	13	1,093
Total:		356 (32.6%)	16 (1.5%)	245 (22.4%)	453 (41.4%)	13 (1.2%)	1,093 (100.0%)

**Vulnerability

Source: JICA Survey Team

4) Occupation

The below table shows gender-wise occupation of PAPs. A large number of males are engaged in fishery, salt cultivation, self-employed, and private service. On the other hand, approximately 50% of total females are engaged in household/ cottage industry; If “Unemployed though capable to work” and “Too young to work/disabled/student” are excluded, 90% of females are engaged in household/ cottage industry.

Table 3.2-15 Union-wise Occupation Pattern of the PAPs

Upazila	Union	Fishery	Salt Cultivation	Household Work	Self Employed	Skilled Profession	Unskilled Labour	Private Service	Govt. Service	Retired/ Pensioner	Unemployed	Too young to work/disabled/student	Others	Total
Moheshkhali	Dhalghata	34	159	245	34	6	13	58	7	1	16	453	67	1,093
Total:		34 (3.1%)	159 (14.5%)	245 (22.4%)	34 (3.1%)	6 (0.5%)	13 (1.2%)	58 (5.3%)	7 (0.6%)	1 (0.1%)	16 (1.5%)	453 (41.4%)	67 (6.1%)	1,093 (100.0%)

Source: JICA Survey Team

Table 3.2-16 Gender-wise Occupation Pattern of PAPs

Occupation	Male		Female		Total Pop.	
	No. of Member	%	No. of Member	%	No. of Member	%
(1) Fishery	33	5.5%	1	0.2%	34	3.1%
(2) Salt cultivation and shrimp culture	159	26.4%	0	0.0%	159	14.5%
(3) Household/Cottage industry	1	0.2%	244	49.8%	245	22.4%
(4) Self Employed	31	5.1%	3	0.6%	34	3.1%
(5) Skilled profession	6	1.0%	0	0.0%	6	0.5%
(6) Unskilled labour	13	2.2%	0	0.0%	13	1.2%
(7) Private Service	51	8.5%	7	1.4%	58	5.3%
(8) Govt. Service	6	1.0%	1	0.2%	7	0.6%
(9) Retired/Pensioner	1	0.2%	0	0.0%	1	0.1%
(10) Unemployed though capable to work	5	0.8%	11	2.2%	16	1.5%
(11) Too young to work/disabled/student	242	40.1%	211	43.1%	453	41.4%
(12) Others	55	9.1%	12	2.4%	67	6.1%
Total:	603	100.0%	490	100.0%	1,093	100.0%

Source: JICA Survey Team

Table 3.2-17 PAHs under Shrimp Cultivation

Serial	Type	PAHs	Comments
1	Both salt farm & shrimp cultivation	142	People normally cultivates salt and shrimp in the same land, winter and summer for salt and rainy season for shrimp cultivation
2	Only shrimp cultivation	17	

Source: JICA Survey Team

5) Income

The Table below shows the total monthly income of the PAHs. Households below poverty line are 8.1%. HHs with income range between Tk.15,000 to 20,000 are 7.7%; Tk,20,000 to 25,000 are 8.2% and income above Tk. 25,000 are 64.3%.

Table 3.2-18 Union-wise Monthly Household Income

Upazila	Union	Below Tk. 5000	Tk. 5000-10000	Above Tk. 10000-15000	Above Tk. 15000 - Tk.20000	Above Tk. 20000 - Tk. 25000	Above Tk. 25000	No response	Total H/H
Moheshkhali	Dhalghata	3	9	5	16	17	133	24	207
Total:		3 (1.4%)	9 (4.3%)	5 (2.4%)	16 (7.7%)	17 (8.2%)	133 (64.3%)	24 (11.6%)	207 (100.0%)

Source: JICA Survey Team

6) Public Amenities

The Table below indicates that 122 (58.9%) out of 207 households have electricity, which is solar and not grid electricity. Recently some transmission line of grid electricity is under process. Most of the toilets are not sanitary. 46.9% households use toilets without sewage pits, and 15.5% households have no toilet.

Table 3.2-19 Access to Electricity

Upalaza	Union	Electricity Yes	Electricity No	Total H/H
Moheshkhali	Dhalghata	122	85	207
Total:		122 (58.9%)	85 (41.1%)	207 (100.0%)

Source: JICA Survey Team

Table 3.2-20 Types of Toilet

Upalaza	Union	Latrine	Sanitary	Non Sanitary	Open field	Total H/H
Moheshkhali	Dhalghata	17	61	97	32	207
Total:		17 8.2%	61 29.5%	97 46.9%	32 15.5%	207 100.0%

Source: JICA Survey Team

7) Vulnerable households

The Table below indicates that 16 are female headed households, household heads of above 60 years old are 41, and households below poverty line are 17.

Table 3.2-21 Vulnerability

Upazila	Union	Female HH	HH above 60	Minority	Below Poverty Line	Total Vulnerable	Total HHs
Moheshkhali	Dhalghata	16	41	0	17	74	207
Total		16	41	0	17	74	207

Source: JICA Survey Team

(4) Livelihood (Non-titled Persons with their livelihood affected)

Apart from 153 HHs with their structures and/or land affected, 44 non-titled sharecropper or employees will have their livelihood affected. Total male-100, female-96 and total family member is 196. Family

size is 4.45. Average monthly income is Tk.24,061. Out of 44 PAHs 9 are below poverty line which is 20.5%. All are Muslim and no one is in minority community. No one have electricity connection. Source of water is tube well for all households. Out of 44 households 37 depend on salt farming. In the Table below, occupation pattern of the non-tiled share cropper and employees are presented.

Table 3.2-22 Occupation Pattern of Non Titled PAHs

Serial	Type of Occupation	HHs	
		Number	%
1	Shrimp and salt	37	84.1
2	Business	6	13.7
3	Dairy	1	2.3
	Total	44	100

Source: JICA Survey Team

Table below shows the income range of the household of sharecroppers and employees. 20.5% are below poverty line.

Table 3.2-23 Income Range of Non-titled Sharecropper and Employee PAHs

Serial	Monthly Income Range	HHs		Average Monthly Income(Tk)
		Number	%	
1	Below Tk. 5000	0	0.0	-
2	Tk. 5000- below Tk. 10000	2	4.5	-
3	Tk. 10000- below Tk. 15000	7	15.9	
4	Tk. 15000 - below Tk.20000	21	47.7	
5	Tk. 20000 - below Tk. 25000	1	2.3	
6	Tk. 25000 and above	13	29.6	
	Total	44	100.0	Tk.30,965

Source: JICA Survey Team

In the following table, education level of the sharecroppers and employees are presented. 13.6% are illiterate, and 34.1% are primary level of education.

Table 3.2-24 Education Level of Non-titled Sharecropper and Employee PAHs

Serial	Level of Education	HHs	
		Number	%
1	Illiterate	6	13.6
2	Primary	15	34.1
3	secondary	14	31.8
4	higher secondary	6	13.6
5	Graduate	1	2.3
6	Post graduate	2	4.5
	Total	44	100.0

Source: JICA Survey Team

3.3 Other Impacts to be Considered

3.3.1 Possibility of Impact on Fishery

The grounds of the offshore fishery around the project site are located off the southwestern coast of

Moheshkhali, which is more than 20 km away from the project site. There is no loss of fishing grounds by the Project and the Adjacent Coal Fire Power Plant Project. On the other hand, the fishermen engaged in coastal fishery have moved their fishing ground to Char, about 6 km south to the Project Site, to avoid dredging of navigation channel of the Adjacent project. Moreover, the fishermen reported that the catch volume of the coastal fishery decreased in comparison to pre-construction of the Adjacent projects, though the relation of cause and effect is unclear because only 1 year has past since the dredging began. Currently, 100 - 150 people are engaged in fishery around Hasher Char.

Table 3.3-1 Comparison of income and catch before and after Construction of the Adjacent Project (Survey in 2018)

Occupation	Interviewee	Household income before construction of Coal Fire Power Plant (BDT/Month)	Household income after the commencement of construction of Coal Fire Power Plant (BDT/Month)	Catch before construction of Coal Fire Power Plant (kg/Month*)	Catch after the commencement of Coal Fire Power Plant (kg/Month*)
Fisherman	123	45,366	23,870	4,326	1,969

* Catch per month for 1 group organized by about 20 people. In terms of per person, they will be 216 kg / month and 98 kg / month respectively.



Source: JICA Survey Team

Figure 3.3-1 Location of the Project Site and Fishing Ground

Though the nearest fishing grounds (Hasher Char) are about 6 km south from the terminal area, it will be within 1 km from the extended navigation channel. Coastline, however, will not be newly affected by the Project. Expected impact can be summarized as follows.

1. Impact during Construction

1-1. Since there is no additional coastline loss by this project, there is no cumulative impact on the fishing ground. In addition, dredging and offshore disposal of dredged soil will not cause significant water pollution is negligible impact as shown in "(4) Numerical simulation results and concluding remarks " of "2.9.2 Dredged Sediment Offshore".

No cumulative impact is expected in terms of water pollution since mitigation method as described in the environmental management plan will also be taken.

1-2. However, the possibility cannot be denied that part of the fishery around Hasher Char can be physically hampered by frequent traffic of dredger ships during dredging of the extended navigation channel. As mentioned above, it was reported that the fisherman around the Project site and the Adjacent Project site moved to Hasher Char due to dredging work of navigation channel of the Adjacent Project. There is also the possibility that they will have to move their fishing ground again to other areas. In case that the fishery is hampered by the dredging of the Project, there might be cumulative impact on their livelihood. For example, there are no other fishing grounds or unable to get enough volume of catches after moving their fishing ground.

2. Impact after operation

2-1. Since there is no thermal discharge after operation in the Project, cumulative impact will not be expected

2-2. On the other hand, supposed that this project increases the number of vessels entering the port, fishery activities might be hindered. An immediate impact, however, will not be expected since the vessels that can be handled by the Project (Phase 1) and the Adjacent Project are approximately 340 per year (or one vessel per day, which will be reached in 2028). By utilizing Vessel Traffic Management System (VTMS), hindrance to operation of fishing boat can be avoided.

Considering the above analysis, the information of all fishermen around Hasher Char was collected through this Survey for the monitoring purpose. INGO shall conduct interview on fish catch volume and income from fishery during construction and 5 years after operation. If the decrease in the volume of fish catches is not confirmed or the living standard equivalent to the previous can be maintained by moving their fishing ground, compensation/assistance will not be required. However, in case that the volume in the current fishing ground decreased, the relation between the Project and the decrease shall be surveyed, obtaining advices from local experts. In case that the obvious relation is confirmed and fishermen cannot move their fishing ground to the appropriate place, or when the volume is reduced even after moving fishing ground, they will be subject to cash compensation. In case that obvious relationship is not confirmed between the Project and the decrease of fish catch volume, livelihood restoration assistance shall be provided. This compensation policy is described in No.3 "Permanent loss of means of livelihood/ source of income" of "Table 5.5-1 Entitlement Matrix."

3.3.2 Impact on Social Infrastructure and Services

The social infrastructure and services which can be affected by the project are as follows.

Table 3.3-2 Social Infrastructures which can be Affected by the Project

Existing infrastructure to be affected in the project area	No. of Infrastructure	Address /Location	Remarks
School	0		
College	0		
Madrasa	0		
Clinic/ Hospital	0		
Graveyard	1	Dhalghata	Dhalghata Public Graveyard (affected)
Total:	1		

Source: JICA Survey Team

The graveyard will be affected mainly by port component and partially by access road component. The concerned households are as shown below. For considering future plan of the port, relocation of the graveyard, whose cost is borne by the Project, will be inevitable. Consensus has been confirmed through the concerned households. Where to be relocated shall be decided in close consultation with the concerned households considering that the households live in the area away from the Project site now.

Table 3.3-3 Concerned Households of Dhalghata public Graveyard

No.	Name of HH head	Father's Name	Village Name
1			Uttor Shuturia Dhalghata
2			Uttor Shuturia Dhalghata
3			Uttor Shuturia Dhalghata
4			Uttor Shuturia Dhalghata

Source: JICA Survey Team

Chapter 4. PUBLIC CONSULTATION

4.1 Overview

There is no provision on the resident consultation in the LARAP-related laws in Bangladesh. In this Project, in accordance with the JICA guidelines, stakeholder consultations are scheduled twice, namely at the times of scoping and preparation of draft LARAP.

CPA held public consultations in accordance with JICA Guidelines, which were supported by JICA Survey Team. FGD was held separately considering that participation rate of female to public consultation is generally low and expression of their opinion in public is restricted. Participation of educational personnel were especially encouraged to understand impact on children. Schedule of public consultations is summarized as follow.

Table 4.1-1 Schedule of Public Consultations

Name of Consultation	Year/Month	Contents of Meetings
1st Public Consultation	January 2018	Outline and scoping of the port component (Upazila)
1st Public Consultation	March 2018	Outline and scoping of the port component in combined with access road (Union)
2nd Public Consultation	July 2018	Draft LARAP (1 for Upazila and 1 for Union)
Supplemental Consultation	November 2018	Compensation Policy (Union)

Source: JICA Survey Team

4.2 1st Public Consultation

Public consultation for LARAP was held combined with stakeholder meetings for EIA. Notification of public consultation was made from CPA, DC, Upazila Office and then Union Office from the middle of January 2018. Verbal notification was made from Union Chairman considering low literacy rate in the area and local consultant confirmed that notification was properly made. Local Consultant made notification directly to NGOs. FGDs will be held separately as female participants were only three. Participants and contents are as follows.

Table 4.2-1 Participants of Public Consultations

Date	Venue	Participants								
		Total (M/F)*	EA, Survey Team	Relevant Agencies	DC, Upazila	Other Municipalities	PAPs	Religious/Education.	NGO	Others
27 Jan. 2018	Mahe-shkhali UNO	51	3	2	15	9	12	6	1	3

Source: JICA Survey Team

The below was explained. Materials were translated into Bengali; explanation, comments and question from participants and their response were also made in Bengali.

- Background of the Project
- Outline of the Project
- Purpose of the Public Consultations
- Necessity of the Port Project (Future Demand Forecast)
- Option Comparison, recommended option and its reason
- Plan for the access road connecting the port to N1
- Environmental and Socio-economic Conditions
- Impact to be caused by the Project

Remarkable comments and question from participants and their response were as follows.

Table 4.2-2 Remarkable comments, questions and their responses

Date	Venue	Remarkable Comments and Suggestion	Correspondences
27 Jan, 2018 (Sat)	Moheshkhali UNO	The port will be constructed in Dhalghata Mouza of Dhalghata union. So, it should be named as Dhalghata Deep Sea Port. (Dhalghata Union Parishad (UP) Chairman/ Member of Parliament(MP),Cox’s Bazar-2)	The organizer of the SHM meeting committed to convey the message from to the higher authority.
		The project authority shall make the project sustainable to fulfill the people’s future demand. (Upazila Chairman, Moheshkhali)	It will be examined through the Survey.
		The project will be implemented properly after finding out the problems and mitigation measures. (Upazila Chairman, Moheshkhali)	Socio-economic survey will be conducted for preparation of LARAP.
		The project authority shall make sure the proper compensation of lost assets to the project affected person (PAPs). (Dhalghata Union Parishad (UP) Chairman) The CPA shall ensure hassle free proper compensation to the PAPs. Improper compensation will create the sufferings of the project. (Member of Parliament (MP), Cox’s Bazar-2). Proper compensation issue and the job opportunities of the local peoples shall be made. (Female Ward Member, Dhalghata Union/ Teacher, Dhalghata Adarsha High School)	Compensation will be examined in LARAP in accordance with Bangladesh law and JICA GLs.
		As the land price is getting higher so there should have the resettlement plan to another mouza or area for the PAPs. (PAPs)	Compensation and resettlement will be examined in LARAP in accordance with Bangladesh law and JICA GLs.
		A technical school need to be established where the local peoples and affected peoples would be trained and directly be recruited in both the projects. (Dhalghata Union Parishad (UP) Chairman, Upazila Chairman, Moheshkhali)	Livelihood restoration including job training will be examined in LARAP
		Around 100 years salt cultivation is on going in the area, which will be hampered due to mega project. Alternative support from the government and all mitigating measures are to be taken for income and other losses. (Member of Parliament(MP),Cox’s Bazar-2)	Livelihood restoration will be examined in LARAP in accordance with Bangladesh law and JICA GLs.

Date	Venue	Remarkable Comments and Suggestion	Correspondences
		<p>For the route selection of the Port access road there must be proper consultation with the local community. (Dhalghata Union Parishad (UP) Chairman)</p> <p>As a part of participatory planning for mega project like this CPA/RHD should arrange more SHM with all section of people. (Member of Parliament (MP), Cox’s Bazar-2).</p>	<p>Consultation meeting will be held for access road. Supplemental SHM will be held.</p>



Figure 4.2-1 1st Public Consultation (for port)
(27 January, 2018:UNO Conference Room, Moheshkhali)

Considering the request for additional meeting where PAPs can attend, another meeting was held in Dhalghata in combined with a consultation meeting for access road.

Table 4.2-3 Participants of Public Consultations

Date	Venue	Participants								
		Total (M/F)*	EA, Survey Team	Relevant Agencies	DC, Upazila	Other Municipalities	PAPs	Religious/Education.	NGO	Others
15 th Mar, 2018 (Thu)	Dhalghata Union	87 (86/1)	6 (6/0)	0	1 (1/0)	7 (6/1)	72* (72/0)	1 (1/0)	0	0

*Some included in PAPs

Source: JICA Survey Team

Remarkable comments and question from participants and their response were as follows.

Table 4.2-4 Remarkable Comments, Suggestions and Correspondences

Date	Venue	Remarkable Comments and Suggestion	Correspondences
15 th Mar, 2018 (Thu)	UP Conference Room, Dhalghata, Moheshkhali Upazila	They are very serious about the naming issue of port and land price. They will have all out cooperation to the project authority. (Dhalghata Union Chairman)	The name issue is already conveyed to CPA/RHD high authority. CPA/RHD will discuss with the Member of Parliament.
		The proposed development projects in the area are blessings for the local people but the affected community is to be properly resettled. (Dhalghata Union Chairman)	Proper resettlement will be examined in LARAP in accordance with Bangladesh law and JICA GLs.
		Already price has been increased substantially, that is why land transaction is temporarily declared off by the executive order in the area. Both the naming issue and land price are to be declared before starting the work. (Dhalghata Union Parishad)	Land price will be investigated and proper compensation rate will be examined in LARAP.
		As government informal decision, no transaction of land without DC's approval. So, only mouza rate of land price will not be helpful for proper compensation. Without proper compensation, people's sufferings will not be relieved in case of land acquisition. (Dhalghata UP Member)	Ditto
		They want 100% job for the affected persons as their livelihood is being hampered. (Dhalghata UP Member) We need job, otherwise we have to survive drinking only salt water. (Women UP member, Dhalghata) The project has acquired their agriculture and salt land. Therefore, they want training and job facilities. (Pundit's Deil village)	The proposed project will improve the situation Livelihood restoration and job creation will be examined in LARAP.
		They want other infrastructure support like establishment of hospital, vocational and polytechnic institute for improving their livelihood and living standard. (Dhalghata Union Chairman)	Livelihood restoration and preparation of relocation site will be examined in LARAP. Port access road will also help in smooth transportation of locally produced goods and import other daily necessities comparatively better prices.

4.3 2nd Public Consultation (in combined with consultations for access road)

Public consultation for LARAP was held combined with Stakeholder meeting for EIA. Notification of public consultation was made from CPA/RHD, Upazila Office and then Union Office from the late June 2018. Written notification was posted on bulletin board of Upazila Offices and Union Offices while verbal notification was made from Union Chairman considering low literacy rate in the area, which was confirmed by Local Consultant. Local Consultant made notification directly to NGOs. Attendance of teachers were secured to reflect interests of children. Participants and contents are as follows.

Table 4.3-1 Participants of Public Consultations

Date	Venue	Participants								
		Total (M/F)*	EA, Survey Team	Relevant Agencies	DC, Upazila	Other Municipalities	PAPs	Religious/Education.	NGO	Others
7 July, 2018	Maheshkhali UNO	70 (69/1)	7 (6/1)	0	7 (7/0)	17 (17/0)	28 (28/0)	5 (5/0)	0	6 (6/0)
8 July, 2018	Dhalghata Union	90 (77/13)	6 (5/1)	0	0	8 (8/0)	75 (63/12)	1 (1/0)	0	0

*Some included in PAPs

Source: JICA Survey Team

The below was explained. Materials were translated into Bengali; explanation, comments and question from participants and their response were also made in Bengali.

- Outline of the Project
- Important Natural areas near the Project
- Results of Environmental Impact Assessment
- Monitoring Plan
- Management/Monitoring Implementation Structure
- Overview of Affected Area
- Examination for Minimizing Resettlement
- Overview of PAHs/ Affected Lands
- Resettlement and Rehabilitation framework (Compensation/ Rehabilitation)
- Institutional Arrangements (GRM)
- Correspondence to Opinions in 1st Consultation Meetings

Remarkable comments and question from participants and their response were as follows.

Table 4.3-2 Remarkable Comments, Suggestions and Correspondences

Date	Venue	Remarkable Comments and Suggestion	Correspondences
7 th July, 2018 (Sat)	Moheshkhali UNO	If possible in consideration of engineering view point and other social parameter, avoid homestead and housing structures. Otherwise, provide homestead land with structure before displacement of PAPs concerned. It is noted here around 66 households will loss their housing structure and they claim they have no alternative land for shifting as homestead. Their main demand is to shift the alignment around 300m north of the proposed alignment at Kalarmarchara. (MP, Cox's Bazar-2)	Viaduct or retaining wall will be installed for reducing the ROW to minimize land acquisition/ resettlement in Kalarmarchara populated area. It shall be noted, however, this is F/S and the alignment is yet finalized.
		The catchment area of the port will be 2 00 crore of people including neighboring countries. No one should be harmed. (MP, Cox's Bazar-2)	Examination for minimizing negative impact was made in EIA/LARAP.
		Present mouza rate land price of DC doesn't represent the actual land price as there is restricted transaction of land price from permission of DC. (MP, Cox's Bazar-2)	Compensation rate will be set based on Bangladesh law and JICA GLs.
		Naming of the port still is an issue. (MP, Cox's Bazar-2)	The issue needs to be solved in the ministry level.
		Provide actual market rate of land, Coal power project it was 7 million Tk. per acre and now it should be 10 million Tk. per acre. (Dhalghata Chairman)	Compensation rate will be set based on Bangladesh law and JICA GLs.
		A technical school and college are needed. (Upazila Chairman Moheshkhali)	Implementation of port will ensure the economic development. Also livelihood restoration support has been examined in LARAP.
		Local labour is to be engaged in the project and construction work. (Upazila Chairman Moheshkhali, President Upazila Awami League (AL))	Employment of local people has been considered in EIA/ LARAP.
		How proper price will be finalized while land sale is prohibited here? (President Upazila Awami League (AL))	Replacement cost survey was made through interview on PAPs, other people, register office and referring to land price in another project.
		Our houses and shelter will be affected. The project should save their home from acquisition. We are ready to sacrifice anything except shelter (PAPs)	Viaduct or retaining wall will be installed for reducing the ROW to minimize land acquisition/ resettlement in Kalarmarchara populated area. It shall be noted, however, this is F/S and the

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Date	Venue	Remarkable Comments and Suggestion	Correspondences
			alignment is yet finalized.
8 th July, 2018 (Sun)	Dhalghata Union	The area will be the development hub by the initiative of GoB and JICA as Bay of Bengal Industrial Growth Belt. So, both affected and non-affected persons will be the beneficiaries. (Assistant Manager, Land management Department)	-
		PAPs to get proper compensation as per new law enacted. (Assistant Manager, Land management Department, Principle Muhurighona Madrasa, Freedom Fighter)	Compensation will be made based on Bangladesh law and JICA GLs.
		There should be a monitoring team for identifying the real person for getting benefit as no one is deprived. (Principle Muhurighona Madrasa)	Monitoring team will be established in accordance with LARAP.
		Naming of the port still is an issue. (Principle Muhurighona Madrasa)	The issue needs to be solved in the ministry level.
		Easier processes for compensation in this project than in previous JICA project should be ensured (Shrimp and Salt Cultivator)	Procedure for compensation will be made based on Bangladesh law and JICA GLs.
		For getting payment I had to go to member of the parliament because they need for payment. LA section should have payment and finalization of documents with support of UP office and implementation NGO (Shrimp and Salt Cultivator)	This has been examined in LARAP.
		People in the area are suffering in tidal surge and cyclone; so they need embankment to protect crop and other belongings like shrimp and salt during cyclone. (Freedom Fighter)	Port access road could provide embankment as well as shelter at the time of flood.
		Need an inventory of loss for every PAPs including shrimp fingerlings collectors, crab farmer, sharecropper. They need five years demurrage for their losses as well as rehabilitation of them. (Freedom Fighter)	Persons with their livelihood affected will be eligible for compensation in accordance with JICA GLs.

Source: JICA Survey Team



SHM at Moheshkhali Upazila Auditorium
(7 July, 2018)

SHM at Moheshkhali Upazila Auditorium
(7 July 2018)

Chairman speaking in SHM at Dhalghata
(8 July, 2018)

Attendees to SHM at Dhalghata
(8 July, 2018)

Figure 4.3-1 2nd Public Consultations for Port and its Access Road

4.4 Supplemental Consultation (for compensation policy)

One consultation meeting was held for explaining compensation policy to the households to be displaced. Notification of the meeting was made directly to the households to be displaced as well as through the Union Chairman.

50 out of 57 HHs to be displaced for port component attended the meeting on 7th November, 2018. Provision of alternative land with house structures in Matarbari was explained to attended households as compensation policy for formal settlers. It was revealed, however, that the PAHs preferred cash compensation to alternative land in Matarbari. It was confirmed that all attended PAHs agreed with cash compensation.

Table 4.4-1 Participants of Public Consultations

Date	Venue	Participants						Remarks
		Total	EA, Survey Team	Union	PAPs to be displaced	Other PAPs	Others	
7 th Nov, 2018 (Wed)	Dhalghata Union	69	8	9	50	2	0	50 out of 57 HHs to be displaced attended the meeting.

Source: JICA Survey Team

Remarkable comments and question from participants and their response were as follows.

Table 4.4-2 Remarkable comments, questions and their responses

Date and Time	Venue	Remarkable Comments and Suggestion	Correspondences
7 th November 2018 (Wed) 12:00	Dhalghata Union	Proper compensation will be required. Compensation rate shall be at least three times of mouza rate. (Member of Union Council)	Proper compensation will be made in accordance with ARIPA 2017 and JICA GL.
		We prefer cash compensation to alternative land in Matarbari. (PAP to be displaced)	-
		If alternative land is provided, land inside Dhalghata or center of Moheshkhali is preferable. (PAP to be displaced)	-
		Provision of alternative land will take time, so cash compensation will be better. (PAP to be displaced)	-



Source: JICA Study Team

Figure 4.4-1 Consultation Meeting for Compensation Policy

4.5 Focused Group Discussions

Regarding the port portion of this project, it was aimed mainly to discuss relocation, compensation and rebuilding support. In February 2019, we held focus group discussions (FGD) four times around the planned harbor area, and discussions object to women groups twice. The thing that most of the project affected persons need the provision of relocation site is revealed. In addition, it is revealed that financial affected persons need technical training and facilities apart from financial compensation. Project affected persons' interests are as follows:

- Concerning compensation rate according to the increase in market price
- Request for NGO support regarding payment
- Request for vocational training
- Request for drinkable water and toilet
- Request for installation of health care center

Table 4.5-1 Outline of FGD (Port)

Date	Venue	Target group	Participant			Opinions and Questions from Participants
			Male	Female	Total	
8 February, 2018	Banjamira	Land owner/salt cultivation worker	10	0	10	1. Need appropriate compensation and land to land compensation. 2. Need to employ the local residents to construction site. 3. Concerning the social network after relocation. 4. Request for installation of health care center
9 February, 2018	Shekpara, Hamidkhali	Female	0	9	9	1. Need to construct the relocation site 2. Need to provide the vocational training and employment for woman.
10 February, 2018	Muhurghona	Salt cultivation worker	7	7	14	1. Concerning the livelihood after the project 2. Need an appropriate compensation 3. Need a support for income recovery
11 February, 2018	Hamidkhali	Female	0	8	8	1. Need the vocational training 2. Need the working place for woman 3. Need the additional assistance for poor and vulnerable 4. Need equal wage for men and women

Source : JICA Survey Team

	
<p>FGD with project affected persons in Banjamira (8 February, 2018)</p>	<p>FGD with project affected women in Hamidkhali (11 February, 2018)</p>
	
<p>FGD with project affected women in Shekpara, Hamidkhali (9 February, 2018)</p>	<p>FGD with affected persons in Muhurighona (February, 2018)</p>

Figure 4.5-1 FGD

Response Policy for Opinions at FGD

- Given that there are many requests for job training for livelihood recovery assistance, priority will be given to job training.
- Compensation payment will be done in accordance with JICA guidelines. The payment method will follow the rules of Bangladesh national law, monitoring will be done to ensure payment is made appropriately, and a complaint handling mechanism will be established so that local residents can file a complaint when problems occur.
- Local residents will be given priority for employment in construction work.
- Encourage the implementation agency for relocation site maintenance. If this is not possible, conduct another consultation with the target residents according to the policies of the implementing agency.

Interview with Key Information Providers

An interview was conducted regarding compensation and support measures for the female legislators and other Project Affected Persons of the Kalarmarchara Union.

- Since women in this region stay in their homes after marriage and have no experience finding work, it may be difficult to come up with ideas for measures to support livelihood recovery. Job training for

creating ornaments and sewing may be helpful.

- Usually, compensation costs are directly received by the men, who are the head of the household, making it difficult for the women to directly receive them.
- Compensation expenses for agricultural land can not only help in the purchase of alternative land, but can also help children go to school.

“5.6.2 Impartial compensation allocation within the Household” was detailed as a support measure based on the above.

Chapter 5. RESETTLEMENT POLICY

The resettlement policy of the project was formulated in accordance with JICA guidelines and policies and World Bank OP 4.12. The policy framework for this project can realize the following:

- I. The key objectives of this policy are (i) to safeguard the rights of the affected and/or displaced households/persons
- II. To ensure that appropriate mitigation measures and resettlement plans are implemented,
- III. To ensure that appropriate assistance is provided to affected households and communities to restore and improve their socio-economic conditions and
- IV. To establish community social systems and networks during and after resettlement has occurred.
- V. All those displaced involuntarily by development projects must be resettled and rehabilitated in a productive and sustainable manner in accordance with this policy
- VI. People who are resettled must be able, through income and livelihood restoration programs and other supports as may be required, to restore and improve upon their level of living within a reasonable period.
- VII. The right to compensation, resettlement and livelihood restoration shall not lapse or end with the conclusion of implementation of a project and shall remain an obligation of the owner of the project until fulfilled even beyond project completion.
- VIII. Vulnerable groups, including landless, Adivasis, poor women headed households, physically challenged people, elderly and the poor (falling below the nationally defined poverty line by the government) are entitled to additional benefits and assistance packages.
- IX. Cultural and customary rights of people affected by projects are to be protected, particularly those belonging to Adivasis and ethnic minorities.
- X. Gender equality and equity in all stages and processes of resettlement and rehabilitation shall be fully respected.
- XI. Adverse impacts of land acquisition and displacement are to be avoided or minimized and mitigated throughout the planning and implementation of all development projects.
- XII. All affected persons shall be identified through census by the project proponent, irrespective of titles, and shall be provided with compensation and resettlement assistance as per the entitlement matrix for relocation and rehabilitation.
- XIII. Project executing agencies will provide project brief, including entitlement matrix and implementation schedules, to all affected persons and communities. All entitlements will be delivered prior to dispossession of assets.
- XIV. Consultations with affected people shall be conducted in a transparent and participatory manner so as to provide easy access to information concerning impacts and mitigation.

The policy framework stresses on the following key values:

- The affected Community is involved from the initial phase; through community and stakeholder meetings, FGDs, that informs the people about the project and their views are noted. Information about compensation, land acquisition, loss of livelihood is shared in the preparation stage.
- The consent of the community, especially the PAPs is compulsory for initiation of the survey and the project at large.
- Inclusion is accentuated with the involvement of vulnerable and marginalized groups such as women, minority groups and others wherever present.
- When displacement is inevitable, people affected will be assisted in measures that will better their

current status of living without having to bear any cost. The socio-economic conditions of the PAPs must improve after project implementation.

- Involuntary settlement should be avoided or minimized as far as possible. Caution to affect any Religious and traditional structures, habitations, sanctuaries will be taken, through alternate routes, if not possible, all customary measures adopted by the community to remove such structures will be respected and assisted at the relevant cost.

5.1 Objective of Resettlement Policy Framework

5.2 Compensation

The main issue of compensation process entails that PAHs will be rehabilitated at the rate of full replacement cost, at least to pre-project socio economic condition.

All structures either commercial or residential will be compensated at replacement cost as per entitlement matrix. Government has no replacement cost standard. Public Works Department (PWD) rate is used by DC and this price is not the replacement cost. Replacement cost has been fixed by replacement cost survey. The Price has been calculated excluding depreciation and new structures value has been recorded. The price will be verified by Property Valuation Advisory Team (PVAT). In case of land actual market price has been collected, including stamp duty and associated cost as land replacement value. Details are described in “Chapter 8. Resettlement Budget and its Source”.

5.3 Livelihood Restoration Assistance

5.3.1 Need Assessment of Income Restoration Program

Need assessment of Income Restoration Program was conducted during SES and FGD. The table below shows the outline of the assessment.

Table 5.3-1 Outline of the interview on Income Restoration Program

Type	Implementation duration	Subject	Interview content
SES	February to May 2018	[Port] HHs with their land/ structure affected: 207	<ul style="list-style-type: none"> • Requirements for livelihood restoration assistance • Details of the required livelihood restoration assistance
FGD	February 2018	[Port] 4 FGDs <ul style="list-style-type: none"> • Land owner, salt field laborer, etc.: 18 people in total/2 FGDs • Females: 23 people in total/2 FGDs 	<ul style="list-style-type: none"> • Overall livelihood restoration requirements within the communities

Source: JICA Survey Team

In the Interviews conducted in socio-economic survey (SES) for PAHs of the port component, 48.8% answered to prefer provision of technical know-how while 8.2% preferred technical training. 18.4% preferred interest free capital for start business and 17.4% preferred extra money. Results of interviews conducted as part of the focus group discussion are detailed in “4.5 Focused Group Discussions”.

Table 5.3-2 Livelihood Restoration Priorities

Type of Assistance Needed	Port	
	No. of Response	%
1) Technical know-how	101	48.8
2) Extra money (Capital)	36	17.4
3) Assistance for getting other Land	5	2.4
4) Managerial advice	1	0.5
5) Materials	1	0.5
6) Build the building	0	0
7) Skill training	17	8.2
8) Interest Free capital for start business	38	18.4
9) Banking loan Facilities	0	0
10) NGO Loan Facilities	0	0
11) Others(mention)	5	2.4
12) No Response	3	1.4
Total:	207	100

Source: JICA Survey Team

5.3.2 Income Restoration Program (IRP)

The livelihood restoration support policies shall restore the socioeconomic condition of PAPs to at least the level before the project implementation.

5.3.3 Vocational Training

Skill development through vocational training is a local demand. In the 1st stakeholders meeting (held on 27th January, 2018 at Upazila Auditorium of Moheshkhali) during pre socio economic survey, the participants clearly stated for establishing vocational training school in the area for awarding relevant trades for getting technical job in the power plant and in the port activities. Further, they suggest to train the local youths for getting service in abroad and also inside the country viz. Chittagong and Dhaka. The meeting was participated by local member of parliament, *Upazila Chairman*, *Upazila Nirbahi officer*, concerned *Union Parishad(UP) Chairman*, local elites and affected persons of the project area.

5.3.4 Target Groups

Individuals and households engaged in farming, salt or shrimp cultivation are facing the possibility of losing portions or entirety of their livelihood. PAPs facing this possibility are entitled to the livelihood restoration assistance program regardless of their land ownership and other rights in the Project site. Furthermore, PAPs below poverty line, as well as socially vulnerable households including households headed by women are to be priority targets of the livelihood restoration assistance program. The following will be the target of the livelihood restoration assistance program.

- Among households with their land/structure affected, households engaged in salt cultivation as the primary means of livelihood: 79 households
- Households with their livelihood affected: (sharecroppers, salt field laborers, etc.) 44 households; (fishery) approx. 150 households (in case that impact on livelihood is observed)
- Socially vulnerable: 74 households

Table 5.3-3 Vulnerable who can be eligible for livelihood restoration assistance

Project	Female HH	HH above 60	Below Poverty Line	Total Vulnerable	Total HHs
Port	16	41	17	74	207

Source: JICA Survey Team

5.3.5 Priority Training choices for the implementing NGO

Some priority training programs contents have been presented for income and livelihood restoration. The training lists here provided are only tentative. Agricultural training will also be included as per necessity. During implementation period, minor change may be occurred and a need assessment will be carried out at the time implementation theoretical and practical days of duration will be finalized after consultation with the concerned training and sector specialists. They will develop specific training module and present schedule may be reorganized. These are primarily assessed during conducting socio- economic survey.

Table 5.3-4 Livelihood Restoration Priorities

Program	Program contents	Responsibility
Agriculture	<ol style="list-style-type: none"> 1. 120 days agriculture training for rice and vegetable cultivation <ol style="list-style-type: none"> 1.1 Salinity tolerant rice variety 1.2 Fish and rice cultivation in the same crop field 1.3 Disease management 1.4 Capital and financial Management 1.5 Marketing 1.6 Risk factor 1.7 Final Feed back <p>(The course will be organized for farmers only)</p>	<ol style="list-style-type: none"> 1. Implementing NGO 2. With support and supervision of RU-CPA 3. Upazila agriculture and fishery department
Poultry Rearing	<ol style="list-style-type: none"> 1. 120 days Theoretical Training Poultry Rearing <ol style="list-style-type: none"> 1.1 Inauguration of training course 1.2 Potentiality of Poultry Rearing 1.3 Disease management 1.4 Capital and financial Management 1.5 Marketing 1.6 Risk factor 1.7 Final Feed back 2. 3 month practical training in a poultry farm for interneer course 	<ol style="list-style-type: none"> 1. Implementing NGO 2. With support and supervision of RU-CPA 3. Upazila livestock officer
Furniture Technician	<ol style="list-style-type: none"> 1. 120 days theoretical training of Furniture Technician <ol style="list-style-type: none"> 1.1 Inauguration of Concerned training course 1.2 Potentiality of Furniture Technician and business 1.3 Furniture making, upholstery, repairing etc 1.4 Capital and financial Management 1.5 Marketing 1.6 Risk factors and management 1.7 Final Feed back 2. 3 months practical training in a furniture making shop for 	<ol style="list-style-type: none"> 1. Implementing NGO 2. With support and supervision of RU-CPA

Program	Program contents	Responsibility
	internee course	
Tailoring/ Industrial sewing	<ol style="list-style-type: none"> 1. 120days Theoretical of Tailoring/Industrial Sewing <ol style="list-style-type: none"> 1.1 Inauguration of Concerned training course 1.2 Potentiality of Tailoring business/Industrial sewing 1.3 Pattern, design, marking, garment cutting fabric related issue 1.4 Capital and financial Management tailoring business/job search, job placement for industrial sewing 1.5 Marketing tailoring business/ merchandising 1.6 Risk factors and management 1.7 Final Feed back 2. Minimum 3 months practical training in a tailoring shop/ garment factory for internee course 	<ol style="list-style-type: none"> 1.Implementing NGO 2. With support and supervision of RU-CPA
Pisculture/Fish Cultivation	<ol style="list-style-type: none"> 1. 120days Theoretical training of Pisciculture/Fish cultivation <ol style="list-style-type: none"> 1.1 Inauguration of Concerned training course 1.2 Potentiality of Pisciculture/Fish cultivation/ fish breeding 1.3 Selecting pond, water body/hiring pond, water body, selecting fish species, market demand, pond preparation, food supply, disease management 1.4 Capital and financial Management fish cultivation/ pisciculture 1.5 Marketing of fish, preservation in a healthy way, ice use, cold storage facility etc 1.6 Risk factors and management, ensuring profit 1.7 Final Feed back 2. Minimum 3 months practical training in a fish farm/gher for internee course 	<ol style="list-style-type: none"> 1.Implementing NGO 2. With support and supervision of RU-CPA 3. Fishery Department
Fish Breeding and agriculture	<ol style="list-style-type: none"> 1. 120days Theoretical of Fish breeding <ol style="list-style-type: none"> 1.1 Inauguration of Concerned training course 1.2 Potentiality of Fish breeding 1.3 Selecting pond, water body/hiring pond, water body, selecting fish species, market demand, pond preparation, breeding technique, cross breeding, food supply, management, fish larvae, fingerling, disease management 1.4 Capital and financial Management fish cultivation/ pisciculture 1.5 Marketing of fingerlings, transportation fingerlings 1.6 Risk factors and management, ensuring profit 1.7 Final Feed back 2. Minimum 3 months practical training in a fish farm, hatchery/ Fishery Research Institute (FRI) of Mymensing for internee course 	<ol style="list-style-type: none"> 1.INGO 2. With support and supervision of RU-CPA

Program	Program contents	Responsibility
Business Trade	<ol style="list-style-type: none"> 1. 30days Theoretical of Business Trade <ol style="list-style-type: none"> 1.1 Inauguration of Concerned training course 1.2 Potential of profitable business(fish, dry fish, salt processing, tourism, fast food etc) 1.3 Identification of profitable business 1.4 Capital and financial Management 1.5 Marketing of fingerlings, transportation fingerlings 1.6 Risk factors and management, ensuring profit 1.7 Final Feed back 2. Minimum 3 months practical training in a sole trading successful business enterprise 	<ol style="list-style-type: none"> 1. INGO 2. With support and supervision of RU-CPA 3. Fishery department 4. Bangladesh parjaton corporation (BPC), national tourism organization

Source: JICA Survey Team

5.3.6 Notification of the Implementation of the Livelihood Restoration Program

Implementation of livelihood restoration program will be informed directly to PAPs through INGO, as well as through cooperation of Union Chairman so that all PAPs can surely obtain the information. Especially for sharecroppers and, salt/shrimp farm workers, information shall be provided also through landowners for securing information dissemination.

5.3.7 Monitoring and Feedback to the Livelihood Restoration Program

Regarding livelihood restoration program, monitoring shall be implemented as follows through INGO. Livelihood restoration program will be reviewed and updated in consultation with the concerned PAPs if necessary.

- Implementation status of vocational training: quarterly after the beginning of vocational training.
- Job finding: 3 months after completion of vocational training program.
- Situation of employment and livelihood recovery: Once a year from above mentioned.

5.4 Selection of Relocation Site


The preference for compensation policy of 57 households to relocate is as follows. During socio-economic survey, approximately 70% of the total and half of the regular residents prefer the alternative site. In accordance of the survey result, provision of alternative land to formal settlers is examined; it was revealed, however, that the PAHs preferred cash compensation to alternative land in Matarbari. It was confirmed that all attended PAHs agreed with cash compensation. Regarding informal settlers, their entitlement is cash compensation only to structures, though the Executing Agency is scheduled to negotiate with DC so that they can participate in the project for providing houses by NGOs.

Table 5.4-1 Preference for compensation policy of resettlement residents (ports)

Upazila	Union	Formal Settler				Informal Settler				Total			
		Cash	Land	Don't Know	Total	Cash	Land	Don't Know	Total	Cash	Land	Don't Know	Total
Mohe shkhali	Dhalghata	12	13	1	26	3	26	2	31	15	39	3	57
Total		12	13	1	26	3	26	2	31	15	39	3	57
		46.2%	50.0%	3.8%	100.0%	9.7%	83.9%	6.5%	100.0%	26.3%	68.4%	5.3%	100.0%

Source: JICA Survey Team

Table 5.4-2 Plan Examined for Providing Alternative Land

Items	Description																								
Location of Alternative Land	<p>- Matarbari Union, north to Coal Power Plant Area</p>  <p>Legend: Alternative land developed for the Coal Power Plant Project Alternative land proposed for The Port Project</p>																								
HHs for whom the land will be provided	26 HHs (formal settlers to be displaced by the Project)																								
Total Area for the Alternative Land	1 hectare (at max.)																								
Facilities to be provided	Houseing structure with 800 ft ² (=72 m ²)/ HH will be provided.																								
Accessible Social Infrastructures	<p>Accessibility to existing social structures will be generally improved as follows;</p> <p>(1) Medical Centers</p> <ul style="list-style-type: none"> - Maternity Center: L= 2 km (6 km reduced from the area before displacement) - Resident doctor in Badarkhali: L=10 km (4 km reduced from the area before displacement) - Chakaria Upazilla Health Complex : L=27 km (4 km reduced from the area before displacement) <p>(2) School</p> <ul style="list-style-type: none"> - Matarbari High School: L=3 km (1 km increased from the area before displacement) 																								
Cost	<p>Approx. BDT 102 million will be estimated.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Items</th> <th>Unit Cost</th> <th>Quantity</th> <th>Total Cost</th> </tr> </thead> <tbody> <tr> <td>House Structure</td> <td>BDT 1,600,000/ HH</td> <td>26 HHs</td> <td>BDT 41,600,000</td> </tr> <tr> <td>Land Acquisition</td> <td>BDT 17,000,000/ ha</td> <td>1 ha</td> <td>BDT 17,000,000</td> </tr> <tr> <td>Land Development (1m embankment and soil improvement)</td> <td>BDT 20,000,000/ ha</td> <td>1 ha</td> <td>BDT 20,000,000</td> </tr> <tr> <td>Other Cost for Infrastructures</td> <td>30 % of total</td> <td></td> <td>BDT 23,580,000</td> </tr> <tr> <td>Grand Total</td> <td></td> <td></td> <td>BDT 102,180,000</td> </tr> </tbody> </table>	Items	Unit Cost	Quantity	Total Cost	House Structure	BDT 1,600,000/ HH	26 HHs	BDT 41,600,000	Land Acquisition	BDT 17,000,000/ ha	1 ha	BDT 17,000,000	Land Development (1m embankment and soil improvement)	BDT 20,000,000/ ha	1 ha	BDT 20,000,000	Other Cost for Infrastructures	30 % of total		BDT 23,580,000	Grand Total			BDT 102,180,000
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Other Cost for Infrastructures	30 % of total		BDT 23,580,000																						
Grand Total			BDT 102,180,000																						
Schedule	<ul style="list-style-type: none"> - The preparation of the land shall be completed before displacement of the concerned HHs, i.e. 1st quarter of 2020. - Consultation meeting for host community shall be held during DD stage. 																								
Other conditions	<ul style="list-style-type: none"> - Only residential plots and structures will be provided while the remaining land owned by the concerned HHs will be provided by cash compensation 																								

Source: JICA Survey Team

5.5 Entitlement Matrix

The Entitlement Matrix has been developed in accordance with the principles adopted and analysis of initial identification of project impacts. The Entitlement Matrix recognizes and lists various types of losses

associated with the project and provides the basic tools and guidelines for preparation of compensation and resettlement packages.

Entitlements for different categories of losses and their corresponding Project Affected Persons (PAPs) have been given in the entitlement matrix. Eligibility of PAPs will be governed by the entitlement matrix, cut-off dates and other conditions as per RAP Implementation Manual.

Table below provides an entitlement matrix for different types of losses and dislocation, based on established Inventory of Losses (IOL). The matrix also includes provisions for any unanticipated impacts arising during project implementation. The mitigation measures in the matrix are consistent with co-financiers' safeguard requirements. They also reflect "good practice" for examples (e.g., replacement value for land, dislocation allowance, transfer grant, relocation at project-sponsored resettlement sites, grievance redresses, income and livelihood restoration, third party independent monitoring etc.) from the Matarbari Port Development Project. Compensation and other assistance will be paid to PAPs prior to dislocation and dispossession from acquired assets or three months prior to construction activities, whichever is earlier.

Based on the findings and analyses in the field surveys, the entitlement matrix for the PAPs has been prepared. The Entitlement Matrix lists 12 types of losses and category of entitled persons and corresponding proposed entitlements to cover all possible losses to achieve at least the same level of livelihood of the affected households. Entitlement Matrix is as in the table below:

Table 5.5-1 Entitlement Matrix

No	Type of Loss	Entitled Persons (Beneficiaries)	Entitlement (Compensation Assistance Package)	Responsible Organizations
1	Loss of private land	Legal owners of land	<ul style="list-style-type: none"> ✓ Cash compensation under the law (CCL) for all the private land stipulated by the Act 2017 or provision of alternative site is the average of last 12 months backward from cut-off date of mouza rate X 3 (200% premium). ✓ Cash grant that covers the difference between CCL and the replacement value (RV) ✓ Provision of stamp duty, land registration fee incurred for replacement land (15%) ✓ Dislocation allowance in case of agriculture, salt and shrimp gher@ Tk.200 per decimal but total amount will not exceed Tk.20,000 ✓ One-time assistance for lost income (based on monthly income for three minimum wage rates) 	DC PVAT, JVT CPA
		Tenants and leaseholders	<ul style="list-style-type: none"> ✓ Provision of another land including 200% premium ✓ Provision of stamp duty, land registration fee (15%) If land is purchase by the compensation money ✓ Dislocation allowance in case of agriculture, salt and shrimp gher@ Tk.200 per decimal but total amount will not exceed Tk.20,000 ✓ One-time assistance for lost income (based on monthly income for three years at minimum wage rates) 	
2	Loss of government land including khas land	Tenants and lessee	<ul style="list-style-type: none"> ✓ Provision of another khas land (assuming tenants and lessee will seek private land, 200% premium is added) ✓ Provision of stamp duty, land registration fee (15%) If land is purchase by the compensation money ✓ Dislocation allowance in case of agriculture, salt and shrimp gher@ Tk.200 per decimal but total amount will not exceed Tk.20,000 ✓ One-time assistance for lost income 	DC PVAT, JVT CPA

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No	Type of Loss	Entitled Persons (Beneficiaries)	Entitlement (Compensation Assistance Package)	Responsible Organizations
			(based on monthly income for three years at minimum wage rates)	
3	Permanent loss of means of livelihoods/ source of income	Lessor (land owners who rent their land will lose income from land lease contract)	✓ One-time assistance for opportunity loss (based on the lease amount) (assuming the inflation rate stays 10%)	DC, DOF PVAT, JVT CPA
		Permanent laborers Temporary laborers Sharecroppers	✓ One-time assistance for lost income (based on monthly income for three years at minimum wage rates)	
		Fishermen (in case that nagative impact from the Project is confirmed)	✓ Enrollment in vocational training courses based on assessment of skills (@300 taka / day for 120 days)	
		Businessmen, employers of salt farms, shrimp farms and fishing sites, self-employed people	✓ One-time assistance for opportunity loss (based on the lease amount) (assuming the inflation rate stays 10%) ✓ One-time assistance for lost income (based on monthly income for three years at minimum wage rates)	
(Remarks)				
<p>(1) Regarding fishermen who can be affected around the project area, if the decrease in the volume of fish catches is not confirmed or the income equivalent to the previous can be kept by moving their fishing ground, livelihood restoration assistance will not be required. However, in case that they cannot move to the appropriate place though the volume in the current fishing ground decreased, or when reduction of the volume is confirmed even after moving fishing ground, they will be subject to the livelihood restoration assistance. In case that obvious relationship is confirmed between the Project and the decrease of fish catch volume after the necessary survey, cash compensation for the decreasing shall be provided.</p> <p>(2) Regarding salt and shrimp cultivation workers, INGOs will help PAPs to seek for similar land that can be utilized for salt and shrimp cultivation as a substitute site.</p>				
4	Loss of residential/ commercial structures	Legal title holders Owners of structures	✓ Cash compensation for affected portion of the structure and other fixed assets at replacement cost (plus 100% premium) ✓ Option to be compensated for entire structure if remaining structure is no longer viable ✓ Provision of all taxes, registration costs and other fees incurred for replacement structure (15%) ✓ Reconstruction grant for reconstruction / repair of the remaining structure (@30 taka / sft) ✓ Shifting allowance based on actual costs of moving (@20 taka / sft) ✓ Owners to take away all salvage	DC PVAT, JVT, PWD, CPA

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No	Type of Loss	Entitled Persons (Beneficiaries)	Entitlement (Compensation Assistance Package)	Responsible Organizations
			materials	
		Legal tenants/ lease holders of the structure	<ul style="list-style-type: none"> ✓ Cash compensation equivalent to replacement cost of structure (or part of structure) for the portions of the structure constructed by the tenant/ leaseholder (plus 50% premium) ✓ Reconstruction grant for reconstruction / repair of the remaining structure (@30 taka / sft) ✓ Shifting allowance based on actual cost of moving (@20 taka / sft) ✓ Owners to take away all salvage materials 	DC PVAT, JVT, PWD, CPA
		Socially recognized owners/ unauthorized occupants	<ul style="list-style-type: none"> ✓ Cash compensation equivalent to replacement cost of structure (or part of structure) erected by the disld person (plus 50% premium) ✓ Reconstruction grant for reconstruction / repair of the remaining structure (@30 taka / sft) ✓ Shifting allowance based on actual cost of moving (@20 taka/ sft) ✓ Owners to take away all salvage materials at free of cost ✓ Effort for incorporatig the concerned households to NGO's rehabilitation (house provision) Project 	PVAT, JVT, CPA, NGO
5.	Loss of access to Residential/ Commercial Structures	Tenants of rented leased properties (but not constructed the whole part of the structure)	<ul style="list-style-type: none"> ✓ One time cash grant for facilitating alternative housing/ CBEs Tk. 15000/= per household ✓ Shifting allowance per household based on family members @ 3000/= per member minimum Tk. 9000/= maximum 12000/= 	PVAT CPA
6	Loss of standing crops at home gardens, shrimp, and fish	Land owners, Bargadar, Lessee and Irregular resident	<ul style="list-style-type: none"> ✓ One time assistance for opportunity loss (based on the lease amount) (assuming the inflation rate stays 10%) ✓ Market price of uncropped harvest 	DC PVAT, DOF,DAM
7	Loss of timber, fruit bearing trees, and harvest	Legal owner of land/Socially recognised owner Non-titled user of land	<ul style="list-style-type: none"> ✓ Cash compensation under the law(CUL) ✓ Owner will be allowed to fell and take away their trees ✓ Five years fruit value trees for fruit trees ✓ Distribution of sapling of trees for the affected households(APHs) 	DC PVAT, BFD,DAM CPA

No	Type of Loss	Entitled Persons (Beneficiaries)	Entitlement (Compensation Assistance Package)	Responsible Organizations
		Non-titled user of land	<ul style="list-style-type: none"> ✓ Market Value of tree ✓ Owner will be allowed to fell and take away their trees ✓ Five years fruit Value of trees ✓ Distribution of sapling of trees for the affected households(APHs) 	DC,PVAT, BFD,CPA, NGO
8	Temporary loss of land during construction	Owners with legal title, tenants, leaseholders	<ul style="list-style-type: none"> ✓ Rental assistance for the period for which the land is temporarily requisitioned ✓ Temporarily requisitioned land will be returned to owners rehabilitated to original or preferably better condition 	DC PVAT, CPA
9	Temporary loss of access to land, structure, utilities, common property resource during construction	Owners with legal title, tenants, leaseholders	<ul style="list-style-type: none"> ✓ Provision of temporary access and relocation where possible ✓ Restoration of access to the land, structure, utilities 	DC PVAT, CPA
10	Temporary loss of livelihood/ source of income during construction	Business owners, tenants, leaseholders, employees, vendors	<ul style="list-style-type: none"> ✓ One-time assistance for lost income based on monthly income for three years from products, minimum wage rates or based on actual income, verified through incomes of comparable businesses in the area 	DC, DOF, DAM CPA
11	Vulnerable Groups	Women-headed, elderly-headed, handicapped and PAHs under poverty line	<ul style="list-style-type: none"> ✓ BDT 10,000.00 as one time grant in addition to other compensations ✓ Participation of one of their family members to livelihood restoration program 	CPA, NGO
12	Community Facility	Community	<ul style="list-style-type: none"> ✓ Restoration of access to the land, structure, utilities ✓ Provision of temporary access where possible ✓ Rebuilding and reinstating or replacing/reconstruction of community facilities at least pre project condition preferably better condition 	CPA, NGO

Source: JICA Survey Team

5.6 Gender

5.6.1 Support for socially vulnerable people

Special allowance in addition to general compensation is required for PAHs with widows and female-headed. In addition to cash compensation, prior employment regarding construction/ operation of the port/the road and vocational training support considering gender can be proposed.

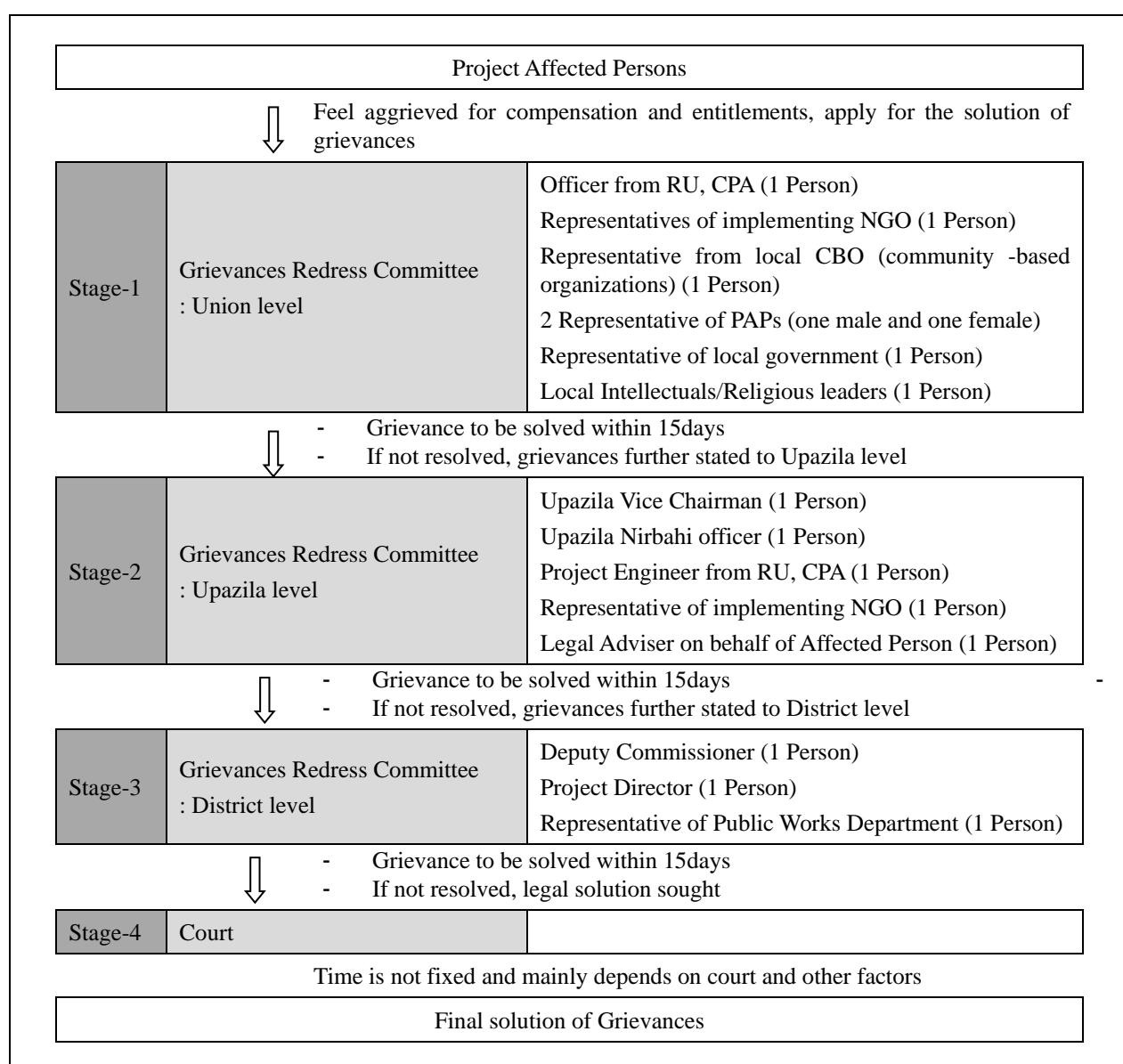
5.6.2 Impartial compensation allocation within households

Even if men are heads of households, it can be considered that compensation is paid to women directly unless the heads are property owners. However, when women other than the head of household receive compensation, it is necessary for the representative of the relevant community to give consent in writing. If deemed that the above method is not appropriate in the society, compensation will be paid to the head of household according to the custom. It is recommended to seek impartial compensation allocation within the household by raising awareness and monitoring.

Chapter 6. Grievance Redress Mechanism

6.1 Outline

The grievance redress committee (GRC) would be established prior to the implementation of land acquisition and resettlement activities, which shall be available for PAPs as well as potentially-affected persons who were not identified as PAPs through this survey such as seasonal labour (hereinafter referred to as “PAPs (including potential ones)”). There would be four-step to handle grievances from PAPs (including potential ones): first step is the union level; second is the Upazila level; third is the district level; and fourth is the court level and that the GRC will be required to resolve grievances within 45 days and maximum 15 days at each level with the exception of the fourth level. Other than disputes relating to ownership rights under the court of law, the GRC will review grievances involving all resettlement benefits, relocation, and other assistance. The Grievance Redress Mechanism and appeal procedure are given below.



Source: JICA Survey Team

Figure 6.1-1 Grievance Redress Mechanism

Other than the grievance redress mechanism stipulated by the ARIPA-2018, CPA will make efforts at project level to resolve grievances through negotiations involving representatives of PAPs, village heads and Union Parishad Chairmen. The Project Director will allocate a resettlement officer at the project office, who deals with grievances lodged by the PAPs (including potential ones). The resettlement officer will be the entry point and receive all the inquiries, concerns and complaints directly from PAPs (including potential ones). A notebook will also be installed at the project office entrance for anybody to write suggestions anonymously.

A grievance redress committee at project site will convene meetings monthly. Non-regular meetings will also be held ad-hoc basis as necessary at such places as it is considered appropriate (such as village, union, etc.) for dealing with urgent matters. The proceedings (or minutes of meetings) will be made with the object to promptly address the concerns and complaints using an accessible and transparent process to the PAPs (including potential ones), and to bring an amicable settlement between the parties. All reports will be recorded in Bengali language and provided to all parties concerned.

PAPs (including potential ones) can state the complaint or suggestion in local language. Necessary stake holder and FGD meeting will be arranged for GRM.

Any grievance or complaint from the PAPs (including potential ones) on any aspects of land acquisition, compensation and resettlement will be solved in a timely and satisfactory manner. This RAP provides the grievance redress mechanism. The Executing Agency (EA) will ensure that PAPs are aware of the procedures. They will print the detailed grievance and redress mechanism and process appeals and will distribute them to PAPs during public consultations.

6.2 Contents of Grievances

PAPs (including potential ones) can submit their grievance/complaint about any aspects of resettlement plan, implementation and compensation. Grievances can be submitted verbally or in written form, but in case of the verbal complaints, the GRCs will write them down in the first instance during the meeting at no cost to PAPs (including potential ones).

6.3 Grievance and Redress Procedural Details

Grievances of PAPs (including potential ones) will first be brought to the attention of the implementing non-government organization (NGO). Grievances not redressed by the implementing NGO will be brought to the Grievance Redress Committee (GRC) constituted for the project. The GRC will comprise resettlement officers; representatives from local NGO and community-based organizations (CBOs); two representatives of PAPs; and local intellectuals or religious leaders, who represent the local residents around the project site with integrity, good judgment, and commands respect. The GRC, will meet every month, determine the merit of each grievance, and resolve grievances within 15 days of receiving the complaint in each stage. Other than disputes relating to ownership rights under the court of law, the GRC will review grievances involving all resettlement benefits, relocation, and other assistance.

In case the local committee cannot redress the grievances, they will be handled by the Upazila level committee. The Upazila Nirbahi Officer (UNO) will chair the committee comprised of the project level GRC member, project engineer, and legal advisor. If grievances still cannot be resolved at the Upazila level, they will be referred to the Project Director who will head a committee jointly with the Deputy

Commissioner at the district level. In case of grievances cannot be settled at the district level, they will be settled through fair legal judgment. There will be no cost required when PAPs (including potential ones) appeal to the GRC and grievances will be verbally accepted at all levels.

Monthly meetings will be convened at the project site and non-regular meetings will also be held ad-hoc basis when urgent matters arise. Records will be kept of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. All reports will be recorded in Bengali language and provided to all parties concerned. The PAPs (including potential ones) can appeal the decision of the GRC in the appropriate court of law, depending on the nature of the grievance.

Chapter 7. Institutional Arrangements

7.1 Institutional Arrangements

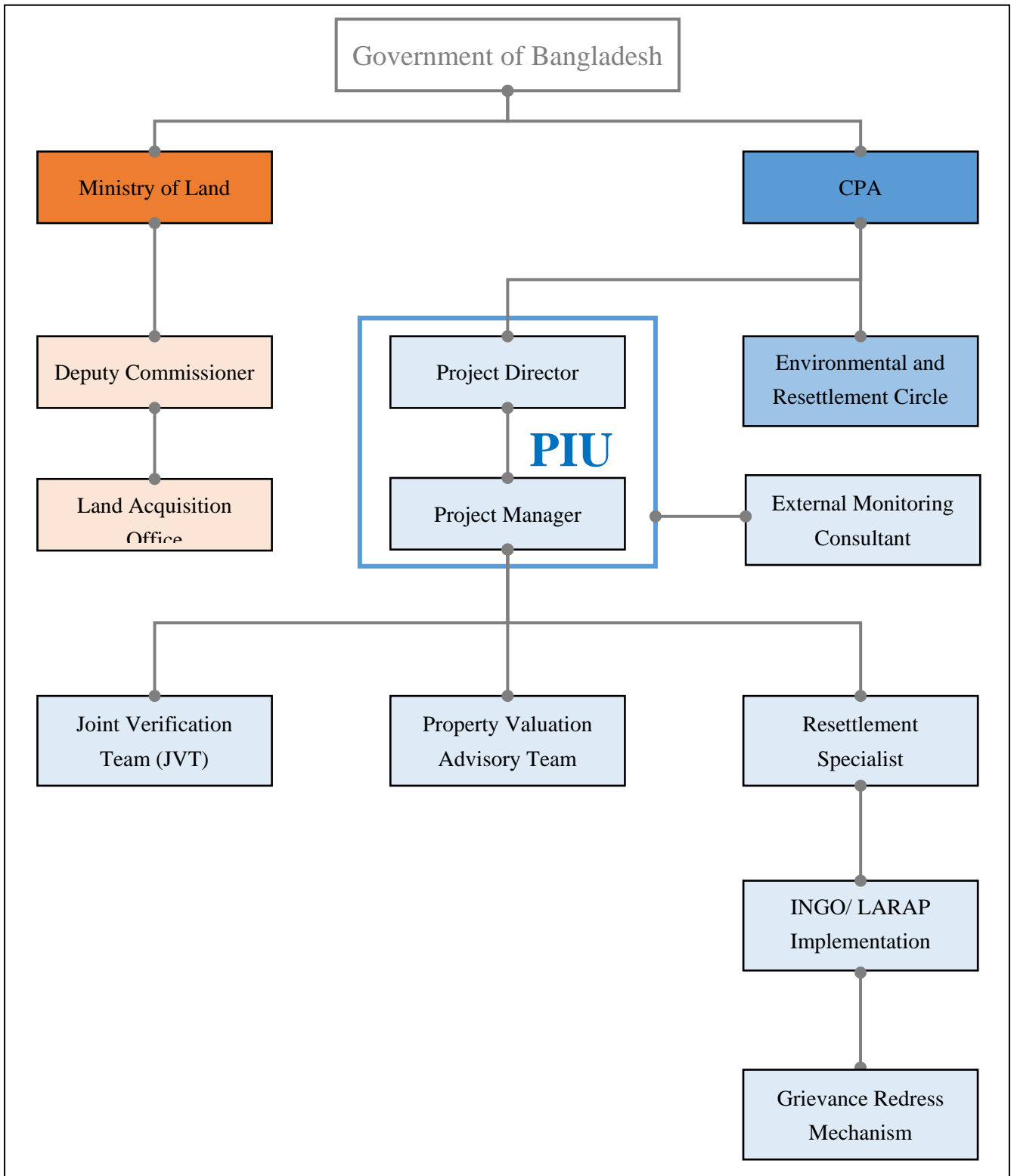
CPA is the Executing Agencies (EA) responsible for implementing the LARAP. CPA shall establish a Project Implementation Unit (PIU) for the Project, headed by a Project Director (PD) that will be responsible for the overall execution of the project including land acquisition, relocation, resettlement and other related matters. The PIU will prepare a land acquisition (LA) plan for the land to be acquired with the assistance from consultants and shall submit to the DC, Cox's Bazar.

For smooth implementation of resettlement plan and income restoration of the project affected person CPA will form a resettlement unit headed by Project Manager (PM) under guidance of Project Director (PD).

The PM/ Executive Engineer concerned under the direct supervision of the Project Director, will undertake day-to-day activities with the appointed Implementing NGO (INGO). The PM/ Executive Engineer concerned will be the convener of the Joint Verification Team (JVT) and Property Valuation Advisory Team (PVAT). There will be a Grievance Redress Committee (GRC) for resolution of disputes. Grievance Redress Mechanism (GRM)

The PIU, with assistance from the INGO will carry out the following specific tasks relating to LARAP implementation:

- Liaise with district administration to support LARAP implementation activities i.e. appointment of JVT and will take step for formation of PVAT and GRC, etc;
- Discharge overall responsibility of planning, management, monitoring and implementation of the resettlement and rehabilitation program;
- Ensure availability of budget for all activities;
- Synchronize resettlement activities and timely handover of the land to the contractor within the construction schedule;
- Develop LARAP implementation tools and form necessary committees;
- Monitor the effectiveness of entitlement packages and the payment modality



Source: JICA Survey Team

Figure 7.1-1 Institutional arrangements

7.2 Non-Governmental Organization for Implementation of LARAP

Proposed period for the Implementing NGO (INGO) is set to two years. The INGO is to be selected by the Executing Agency prior to the joint verification survey among social development NGOs with track records in land acquisition, resettlement or livelihood restoration assistance program. Scope of responsibility of the NGOs are as summarized below:

Role of NGO

Role of NGO will be support of acquisition process for the Executing Agency. Contracted NGO will support CPA in compensation payment and resettlement activities for implementation of LARAP.

Activities

- (1) Provide support in the land acquisition process.
- (2) Provide guidance to CPA in establishing strategy to speed up the joint verification survey
- (3) Identify priority sections to speed up the payment of resettlement benefits of non-titled PAPs and other PAPs who are not eligible for compensation under Bangladesh Law
- (4) Support CPA and NGO in the consultation process of non-titled Project Affected persons
- (5) Support for issuing ID cards to persons being eligible for compensation
- (6) Provide guidance to meet requirements of JICA Guidelines of environmental and social consideration
- (7) Support Payment of Compensation, Provide notification and support PAPs for preparation and submission of documents
- (8) Support in Grievance Redress Process
- (9) Liaison with the DC office in getting payment document of CCL
- (10) Implementation/promotion of livelihood restoration program (including occupational training), notification of the programs to PAPs

Reporting

Preparation monthly, quarterly, semiannual and annual and final report for LARAP implementation

Contents of report

- I. Introduction
- II. Background of the project and PAHs
- III. The report will include latest position of compensation payment.
- IV. Identification of PAPs and Photo taking
- V. Income Restoration issue
- VI. Skill training
- VII. Future plan LARAP Implementation as per LARAP target and monitoring program
- VIII. Identified Problems and solution of grievances in GRC
- IX. Report of FGD meeting and Public consultation
- X. Recommendations

Any relevant issues other than above points concerning LARAP implementation is to be included in the report.

Chapter 8. Resettlement Budget and its Source

The budget related to land acquisition/resettlement, and rehabilitation is based on compensation for land, structures, and trees affected by the project, relocation allowance, support for the socially vulnerable, vocational training, employment costs for specialists and the Implementing NGO, monitoring costs, and replacement site maintenance costs. All costs related to land acquisition/resettlement and rehabilitation are borne by the Bangladesh government. At the present initial stage, as it is difficult to estimate the land acquisition and resettlement expenses for this project separately, the estimated cost of this project will be based on the land area and number of resettled households, from the socio-economic survey (SES) to the Project Affected Persons (PAP), and the replacement cost survey for land, trees, and structures. The price will be confirmed by the Property Valuation Advisory Team (PVAT).

8.1 Replacement Cost of Structures and land

Survey results of re-acquisition price of structure and land are shown below.

Table 8.1-1 Type of House and Commercial Structure

Type		Unit value /m2	No. of structure	Area(m2)	Total (BDT)
Residential	Pucca	11,000	2	74	814,000
	Tin shed	3,900	9	410	1,599,000
	Thatched	2,000	45	1,578	3,156,000
	Sub-total		56	2,062	5,569,000
Commercial	Pucca	11,000	0	0	0
	Tin shed	3,900	0	0	0
	Thatched	2,000	5	89	178,000
	Sub-total		5	89	178,000
Total	Pucca	11,000	2	74	814,000
	Tin shed	3,900	9	410	1,599,000
	Thatched	2,000	50	1,667	3,334,000
	Total		61	2,151	5,747,000

Source: JICA Survey Team

As there are no real estate company in the area, information was gathered from local residents and key informants regarding the market transaction price. Since this price is higher than three times of the rate set by DC, this price was applied for calculating the compensation cost for private land. Since land price is reported to increase 2.5 to 5 times in the last 10 years, 30% escalation cost for next 1-2 years was considered for calculating compensation amount.

Table 8.1-2 Land Price by Category

(BDT/m²)

Union	Type	Rate determined by DC	Value of the market transaction
Dhalghata	Residential area	568	2,471
	Others	121	1,606

Source: JICA Survey Team

8.2 Market Value of Trees

48 Trees will be affected by the port area of this project. The price of the trees was calculated by the average price excluding outliers and after hearing from the residents, and the validity was confirmed by comparison with the value obtained from the timber supplier. The tree price is 223,900 taka, and the income from fruit harvest is 20,000 taka yearly.

Table 8.2-1 Tree loss in the affected area

Ref. H/H No.	Name of H/H	Village	Name of Tree	Unit price (Tk.)	Total No. of Tree	Total price (Tk.)	Annual Income from fruit tress (Tk.)
5			Coconut	3,759	4	15,036	4,000
26			Coconut	3,759	2	7,518	1,000
45			Coconut	3,759	2	7,518	2,000
81			Coconut	3,759	4	15,036	2,000
85			Mehogoni	5,894	20	117,880	N/A
			Mango	3,363	4	13,452	8,000
			Banana	4,053	8	32,424	3,000
120			Coconut	3,759	4	15,036	N/A
Total					48	223,900	20,000

Source: JICA Survey Team

8.3 LARAP Implementation Cost

Estimate of the LARAP implementation cost is shown in the following table.

Table 8.3-1 R&R Budget

Item	Unit	Unit Cost (BDT)	Port	
			Quantity	Total (BDT)
I. Compensation				
Land				1,967,898,043
Land (homestead)	m2	2,471	40,603	100,330,013
Land (salt farm)	m2	1,606	757,281	1,215,989,748
Escalation Cost for Land (1-2 years)	30% of land cost			394,895,928
Land registration cost	15% of total land cost			256,682,353
Structure				6,240,300
Pucca	m2	11,000	74	814,000
Tin shed	m2	3,900	410	1,599,000
Thatched	m2	2,000	1,667	3,334,000
Accessories	10% of Structures			493,300
Trees				223,900
Mehgoni	number	5,894	20	117,880
Coconut	number	3,759	16	60,144
Mango	number	3,363	4	13,452
Banana	number	4,053	8	32,424
Sub-Total (I)				1,974,362,243
II. Allowance				
Assistance for transition in recovering loss of income source (3 years)				291,611,000
title holder		2,383,200	93	221,637,600
non-title holder		1,588,800	44	69,907,200
income from trees	Lump sum			66,200
Moving allowance	Household	20,000	58	1,160,000
Assistance to vulnerable	Household	10,000	74	740,000
Training	Household	36,000	211	7,596,000
Sub-Total (II)				301,107,000
III. Implementation				
NGO	staff-month	330	100,000	33,000,000
External monitoring	staff-month	18	200,000	3,600,000
Information disclosure	Lump sum			1,000,000
Sub-Total (III)				37,600,000
Sub-Total (I+II+III)				2,313,069,243
IV. Transfer of gov. land				
Land (homestead)	m2	1,704	10,802	18,406,608
Land (salt farm)	m2	363	264,695	96,084,285
Sub-Total (IV)				114,490,893
Contingency (10%)				242,756,014
Total				2,670,316,149
Total (round)				2,670,000,000

Source: JICA Survey Team

Chapter 9. RESETTLEMENT SCHEDULE

9.1 Introduction

Implementation schedule shall be proposed based on the principle that compensation shall be completed prior to the displacement of PAHs and the commencement of the construction. Land acquisition process in ARIPA2017 is as shown in Figure 9.1-1, while resettlement schedule with the start/end of each is as shown in Table 9.2-1. Preliminary start date for the resettlement is to be set after the commencement of notification in accordance with Section 4 by the Deputy Commissioner's office (DC). Resettlement is to be concluded within one year, with the Implementing NGO facilitating the acquisition process upon coordination with the Executing Agency (EA). Accordingly, the entire duration for land acquisition and resettlement is proposed to be three years. Payment by the Deputy Commissioner (DC) is scheduled to be completed by June 2020. Upon the completion, the land acquisition and actual resettlement process will be implemented.

Section 4	Preliminary notice of property acquisition by DC (After submission of Land Acquisition Plan by Executing Agency to DC)
Section 4 (3) (b)	Joint verification survey by DC with concerned parties
Section 4 (6)	Disclosure of the results of the Joint verification
Section 4 (8) /Section 5	Receiving of objections against acquisition
Section 6	Decision of land acquisition by DC (within 60 days)
Section 7	Notice of land acquisition
Section 8 (1)	Inquiry about compensation amount by DC
Section 8 (2) (3)	Decision of compensation amount by DC and its notification to Executing Agency (within 7 days)
Section 8 (4)	Deposit of compensation amount by Executing Agency to DC (within 120 days)
Section 11	Payment of compensation by DC to those eligible for compensation (within 60 days)
Section 13	Land and property acquisition by DC

Figure 9.1-1 Land acquisition process specified in ARIPA2017

Consensus from concerned residents or agencies is planning to be obtained as following schedules.

- Submission of LA Plan to DC: November, 2018
- Serving section-4 notice from LA section: September,2019
- Completion of Payment by DC: June,2020
- Land Submission to Contractor: September,2020

9.2 R&R Implementation Schedule

The R& R implementation schedule will follow the below key activity:

Resettlement shall be implemented when infrastructure and social service (medical, educational service etc) of relocation site are ready to launch. Tentative date R&R implementation are as below,

- Serving section-4 notice from LA section January,2019
- Starting Implementation of R&R Implementation, January,2019

Phase of Resettlement and Rehabilitation

- Starting payment of compensation
- Resettlement site selection and preparation for resettlement
- Payment of additional grant
- Physical Displacement
- Physical and economical rehabilitation

(a).Project Preparation Phase

Project Preparation Phase are as follows,

- Submission of Land acquisition plan to DC
- Estimation compensation by DC
- Serving section -4 notice
- Fund Allocation to DC
- Starting CCL by DC

(b).LA RAP Implementation Phase

LARAP implementation period will be started after DC's Payment will be started.

- Starting payment of compensation
- Resettlement site selection and preparation for resettlement
- Payment of additional grant
- Physical Displacement
- Physical and economical rehabilitation

(c). Monitoring and Evaluation Period

Monitoring will starts at the initial stage of compensation payment and livelihood recovery support policy. Completion of resettlement as well as evaluation will be started at the same time.

Chapter 10. MONITORING AND EVALUATION

Monitoring and evaluation are important tasks for understanding the periodic progress of the resettlement program. Accordingly, progress limitations and bottlenecks can be specified, and improvement measures can be decided. LARAP implementation will be monitored on a regular basis. The relocation unit, which is a Project Implementation Unit (PIU), will establish a quarterly monitoring system, including the implementing agency/NGO staff. The PIU will prepare a progress report on all aspects of land acquisition and resettlement activities. The progress report for LARAP implementation will be listed in the report, however attention should be paid in particular to the policies stipulated in the plan and the adherence situation of the matrix. CPA will select the monitoring and consultant, and will conduct external monitoring of the resettlement work. Reports on the external monitoring should be submitted to CPA and JICA as the same time. Monitoring is carried out annually during the resettlement activities implementation period, and the overall evaluation is carried out after the implementation period.

10.1 Internal Monitoring:

Internal monitoring is an ongoing process that continues from the start to completion of LARAP implementation. Mechanisms included in internal monitoring are as follows:

- Resettlement Unit, Chittagong Port Authority (RU-CPA)
- Implementing NGO
- Construction Supervising Consultant Resettlement Specialist (Monitoring Support)

Objectives:

The objectives of internal monitoring are for ensuring effective implementation of the LARAP and achievement of the set targets. Resettlement monitoring is a continuous process of data collection, dialogue with the various stakeholders, analysis & reporting and feedback to rethink of implementation procedures, if required.

Key activities include:

The major input into the monitoring system and activities will include the following activities and information:

- Collection of affected household data
- Collection of land acquisition data
- Data on losses
- Resettlement entitlement data
- Resettlement progress monitoring and evaluation data
- Data on progress of compensatory payment
- Implementation of vocational training, job finding after vocational training, employment status and livelihood restoration after job finding

(The above result shall be fed back to Livelihood Restoration Program. The Program shall be amended where necessary.)

Internal monitoring will be undertaken by the Project Implementation Unit (PIU) under Executing Agency. The EA will gather information on LARAP implementation covering relevant activities as per schedule. All activities listed will be illustrated in Gantt Charts showing the target dates for completing resettlement activities. Internal monitoring reports on LARAP implementation will be included in the quarterly Project

Progress Report (PPR). It will be then submitted to JICA. The report of PIU will contain: (i) accomplishment to-date, (ii) objectives attained and not attained during the period, (iii) challenges encountered, and (iv) targets for the next quarter. The EA will make bi-annual reporting to JICA on monitoring.

Monitoring form

Monitoring form is to update on-going resettlement activities with its index/indicators of input/output and outcome. (see Appendix)

10.2 External Monitoring:

The EA will recruit an Independent External Monitoring Consultant for LARAP implementation and carry out external monitoring. External Monitoring Consultants (EMC) acceptable to JICA for monitoring the performance of LARAP implementation and evaluation of resettlement process and final outcome.

The fundamental objective of external monitoring is as follows:

- Independently monitoring whole process social and environmental issues in LARAP implementation process
- Identify discrepancies with resettlement and suggest remedial measures

The key activities for external monitoring include:

- Monitoring the performance of LARAP implementation and evaluation of resettlement process and final outcome.
- Confirm that mitigation measures shall reduce any negative impacts on the social and environment to allowable levels during the construction and operation phases.
- Set up an organization that is responsible for the implementation of monitoring the plan.

Perform appropriate monitoring during the construction and operation phases.

Chapter 11. CONCLUSION AND RECOMMENDATION

11.1 Cut-off Date

In accordance with the JICA guidelines, for the Project Affected Persons not eligible for compensation under Bangladesh law, the cut-off date would be the start date of the census survey, which was February 11, 2018 for port component. On the other hand, the Cut-off Date for the Project Affected Persons eligible for compensation under Bangladesh law will be declared before the Joint Verification Survey at the detailed design stage. Therefore, it is necessary to make continuous coordination in order to prevent discrepancies in recognition among relevant agencies.

11.2 Notification, Monitoring and Feedback of Livelihood Restoration Program

In the Adjacent Coal Fire Power Plant Project, more than half of the PAPs interested in vocational training are attending or completed training. Some PAPs, however, could not take courses because consensus from the family on participation in vocational training is not obtained due to local characteristics or religious reasons. The following are lessons from adjacent project.

- Livelihood restoration shall be monitored, whose result needs to be fed back to livelihood restoration program.
- PAPs shall be thoroughly informed of the implementation of vocational training through INGO. Consent from family of vocational training persons shall be obtained.

Regarding livelihood restoration program in this Project, monitoring shall be implemented as follows through INGO. Livelihood restoration program will be reviewed and updated in consultation with the concerned PAPs if necessary.

- Implementation status of vocational training: quarterly after the beginning of vocational training.
- Job finding: 3 months after completion of vocational training program.
- Situation of employment and livelihood recovery: Once a year from above mentioned.

Implementation of livelihood restoration program will be informed directly to PAPs through INGO, as well as through cooperation of Union Chairman so that all PAPs can surely obtain the information. Especially for sharecroppers and, salt/shrimp farm workers, information shall be provided also through landowners for securing information dissemination.

INGO will conduct assistance for job finding after vocational training if necessary.

11.3 Compensation and Assistance for Fisherman

Through this survey, the impact of port project on fishery are summarized as follows.

1. Impact during Construction

1-3. Since there is no additional coastline loss by this project, there is no cumulative impact on the fishing ground. In addition, dredging and offshore disposal of dredged soil will not cause significant water pollution. Consequently, no cumulative impact is expected in terms of water pollution since mitigation method as described in the environmental management plan will also be taken.

1-4. However, the possibility cannot be denied that part of the fishery around Hasher Char can be physically hampered by frequent traffic of dredger ships during dredging of the extended navigation channel.

2. Impact after Operation

2-1. Since there is no thermal discharge after operation in the Project, cumulative impact will not be expected

2-2. On the other hand, supposed that this project increases the number of vessels entering the port, fishery activities might be hindered. An immediate impact, however, will not be expected since the vessels that can be handled by the Project (Phase 1) and the Adjacent Project are approximately 340 per year (or one vessel per day, which will be reached in 2028). By utilizing Vessel Traffic Management System (VTMS), hindrance to operation of fishing boat can be avoided.

Considering the above analysis, the information of all fishermen around Hasher Char was collected through this Survey for the monitoring purpose. INGO shall conduct interview on fish catch volume and income from fishery during construction and 5 years after operation. If the decrease in the volume of fish catches is not confirmed or the living standard equivalent to the previous can be maintained by moving their fishing ground, compensation/assistance will not be required. However, in case that the volume in the current fishing ground decreased, the relation between the Project and the decrease shall be surveyed. In case that the obvious relation is confirmed and fishermen cannot move their fishing ground to the appropriate place, or when the volume is reduced even after moving fishing ground, they will be subject to cash compensation. In case that obvious relationship is not confirmed between the Project and the decrease of fish catch volume, livelihood restoration assistance shall be provided. For the survey on the relationship, advices from local experts shall be asked.

11.4 Salt Farm and Shrimp Cultivation

Regarding salt farm and shrimp cultivation, even if salt farm and shrimp farm became lost by the project, the same livelihood means can be maintained because there is plenty of similar land around the affected farms. Therefore, INGOs shall identify similar land that can be utilized for salt farm and shrimp cultivation as a substitute site.

11.5 Calculation of Compensation Cost

All costs for land acquisition/resettlement and rehabilitation will be borne by the Bangladesh government. Since it is difficult to estimate land acquisition cost and resettlement costs separately for this project in this survey, which is at the initial stage of planning, expenses were estimated based on the land area, the number of resettlement households from the socio-economic survey (SES) to the Project Affected Persons (PAP), and the replacement cost of land, trees and structures. Therefore, at the detailed design stage, it will be necessary to calculate a highly accurate cost by the Property Valuation Advisory Team (PVAT).

Also, significant land price increases have been reported in the target area. Regarding the difference which is not covered by Bangladesh national laws for the reacquisition price confirmed by the Property Valuation Advisory Team (PVAT) at the DD stage, additional payment will be made at top-up value.

11.6 Payment of compensation

In the Adjacent Project, payment from the executing agency has been completed in advance regarding compensation for losses on land and structures and compensation for income loss. However, due to

inheritance disputes or inadequate documents submitted by PAPs, the head of household might not be identified or confirmed. Therefore, there are cases that took time to pay compensation. The following are lessons from the Adjacent Project.

- PAPs shall be informed of the documents to be submitted as well as to support documentation at an early stage.
- More support shall be given for documentation of PAPs.

Based on the above, in this Project, INGO will inform PAPs of documents to be submitted and support the document preparation. It is necessary to thoroughly enforce support to all PAPs under the supervision of the executing agency.

11.7 Monitoring

CPA does not have any section specialized in social environment. For pre-construction and during construction, monitoring will be conducted through Implementing NGOs under PIU, and through an external consultant. During operation, establishment of a section in charge of monitoring needs to be considered within CPA, and monitoring will be conducted through consultants, or NGOs employed by CPA.