

Chattogram-Cox's Bazar Highway Improvement Project (CCHIP)

Roads and Highways Department (RHD)

Ministry of Road Transport and Bridges (MoRTB)

Resettlement Action Plan

Five Major Bottleneck Sections

(Lohagara, Dohazari, Keranihat, Patiya and Chakaria)

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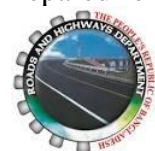
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ABBREVIATIONS AND ACRONYMS

AB	Acquiring Body
AC	Assistant Commissioner (Land)
ADC	Additional Deputy Commissioner
AH	Affected Household
AP	Affected People
APD	Additional Project Director
BBS	Bangladesh Bureau of Statistics
CCHIP	Chattogram Cox's Bazar Highway Improvement Project
CCL	Cash Compensation under Law
CMP	Current Market Price
CPR	Community Property Resources
CSC	Construction Supervision Consultant
CSS	Census and Socioeconomic Survey
DC	Deputy Commissioner
DOF	Department of Forest
DPM	Deputy Project Manager
EA	Executing Agency
EC	Entitlement Card
EP	Entitled Person
FGD	Focused Group Discussion
ft	foot / feet (3.28 ft = 1 m)
GOB	Government of Bangladesh
GRC	Grievance Redress Committee
ha	Hectare
HIES	Household Income and Expenditure Survey
HH	Household
IA	Implementing Agency
ID Card	Identify Card
IOL	Inventory of Losses
JICA	Japan International Cooperation Agency
JVS	Joint Verification Survey
JVC	Joint Verification Committee
LA	Land Acquisition
LA&R	Land Acquisition and Resettlement
LAO	Land Acquisition Officer
LAP	Land Acquisition Plan
LGI	Local Government Institution
LMS	Land Market Survey
LRP	Livelihood Restoration Program
M/m	Meter
MARV	Maximum Allowable Replacement Value
M&E	Monitoring & Evaluation
MIS	Management Information System

MOL	Ministry of Land
MORTB	Ministry of Road Transport and Bridges
PAH	Project Affected Household
PAP	Project Affected People
PAU	Project Affected Unit
PMO	Project Management Office
PD	Project Director
PIB	Public Information Brochure
PM	Project Manager
PPR	Project Progress Report
PVAC	Property Valuation Assessment Committee
PWD	Public Works Department
R&R	Resettlement and Rehabilitation
RAC	Resettlement Advisory Committee
RAP	Resettlement Action Plan
RB	Requiring Body
RF	Resettlement Framework
RHD	Roads & Highways Department
ROR	Record of Rights
RU	Resettlement Unit
RV	Replacement Value
SES	Socioeconomic Survey
sft	Square Feet
SCM	Stakeholders Consultation Meeting
TA	Technical Assistance
TOR	Terms of Reference
VH	Vulnerable Household

GLOSSARY OF TERMS

Compensation: Payment made in cash to the project affected persons/households for the assets acquired for the project, which includes the compensation provided under the Acquisition and Requisition of Immovable Property Act (ARIPA) 2017 and policy of the Resettlement Action Plan (RAP) or Resettlement Policy Framework (RPF).

Cash Compensation under Law (CCL): Refers to the compensation assessed for the acquired lands and other assets, such as houses/structures, trees, crops, fish, etc., by different government agencies as per the methods provided in the ARIPA-2017 and paid by the Deputy Commissioners (DC).

Community Property Resource (CPR): Refers to social, religious and educational institutions constructed for the community interest and maintained by a group of people of the community.

Encroacher: Households or persons having land of their own attached to the public land or elsewhere but occupy the land proposed for acquisition or in the government land (for residence and/or income earning) without legal arrangements with the GoB or any of its concerned agencies are defined as encroacher.

Entitlement: Refers to mitigation measures, which includes cash payments by DCs and RHD, as well as any non-cash measures stipulated in the RAP or RPF e.g., allowing the project affected persons to keep felled trees, salvaged building materials, employment in civil works construction, etc.

Household: A household is a group of persons who commonly live together with common incomes and take their meals from a common kitchen.

Income Restoration: Refers to re-building the capacity of the project affected households to re-establish income sources at least to restore their living standards to the pre-acquisition levels.

Involuntary Resettlement: The situation arises where the States power of eminent domain requires people to acquiesce their rights to personal properties and re-build their lives and livelihood in the same or new locations.

Government Khas Land: Khas lands are public lands those are not recorded in the name of any private citizen/entity of the country as per latest settlement record or owned by any government agencies. Deputy Commissioner in a respective district is the custodian of all khas lands in a district.

Participation/Consultation: Defined as a continuous two-way communication process consisting of “feed-forward” the information on the project’s goals, objectives, scope and social impact implications to the project beneficiaries, and their “feed-back” on these issues (and more) to the policymakers and project designers. In addition to seeking feedback on project specific issues, the participatory planning approach also serves the following objectives in all development projects: public relations, information dissemination and conflict resolution.

Physical Cultural Resources: Defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or under water. Physical cultural resources are important as sources of valuable scientific and historical information, as assets for economic and social development, and as integral parts of a people’s cultural identity and

practices. Their cultural interest may be at the local, provincial or national level, or within the international community.

Project-Affected Persons: Project Affected Persons (PAPs) refer to all persons impacted by the land acquisition and involuntary resettlement, including all members of a household (women, men, girls, boys, incl. several generations in the case of extended households); the owner and employees of a business; members of an ethnic minority group; tenants; land owners and sharecroppers; informal settlers (i.e. lacking formal titles); holders of customary land-rights; informal business-operators and their employees/assistants. Eligible PAPs may be in any of the following situations: (i) have formal legal rights to the land/structure they occupy; (ii) do not have formal legal rights to land, but have a claim to land that is recognized or recognizable under the national laws (e.g. ancestral, traditional lands); (iii) are dependent on the impacted land for their livelihood by way of customary access to natural resources; (iv) have no recognizable legal right or claim to the land or structure they occupy; and/or (v) economically displaced persons who face loss of assets or access to assets.

Rehabilitation: Refers to improving the living standards or at least re-establishing the previous living standards, which may include re-building the income earning capacity, physical relocation, rebuilding the social support and economic networks.

Relocation: Moving the project-affected households to new locations and providing them with housing, water supply and sanitation facilities, lands, schools and other social and health care infrastructure, depending on locations and scale of relocation. [Homestead losers may also relocate on their own in any location they choose.]

Resettlement Action Plan: Resettlement Action Plan (RAP) is the document in which the promoter of a project or other responsible competent authority describes the impacts of the involuntary resettlement, specifies the procedures that will be followed to identify, evaluate and compensate the impacts and defines the actions to be undertaken during all phases of the resettlement.

Replacement Cost: Replacement Cost refers to the value determined to be fair compensation for: (i) land, based on its productive potential; (ii) houses and structures, based on the current market price of building materials and labor without depreciation or deductions for salvaged building material, and (iii) crops, trees, and other commodities, based on their market value. Such cost needs to further account for any removal costs, utility connection costs, taxation costs imposed on new housing/re-established businesses etc. Where markets do not exist, surrogate values must be determined. Replacement Cost would be determined following the definitions referred by the JICA Guidelines for Environmental and Social Considerations, April 2010 (JICA Environmental Guidelines) which is equivalent to the World Bank Operational Policy 4.12 Involuntary Resettlement.

Squatter: Household or person occupying public lands without legal arrangements with the GoB or any of its concerned agencies is a squatter to the lands. Households/persons those displaced by riverbank erosion, cyclones or landlessness squat embankment /road slopes for residential, commercial and community purposes. In this project, many road squatters have their own land elsewhere for residing, but they built structure beside the road for mostly commercial purposes.

Stakeholder: Refers to recognizable persons, formal and informal groups who have direct and indirect stakes in the project, such as local government representatives, government officials associated with the project, women groups, beneficiaries, affected persons/ households, shop owners, traders, squatters, community-based and civil society organizations.

Top-Up Payment: Refers to requiring body's payment (here RHD) to supplement replacement cost of land and other assets where the cash compensation under law (CCL) determined and paid by DCs is less than the actual replacement cost.

Tribal Peoples: Tribes, minor races, ethnic sects and communities living in the Chittagong Hill Tracts and dispersed in other plain districts in Bangladesh are distinct indigenous cultural groups having customary cultural, economic, social, or political institutions separate from those of the mainstream society and culture; and they have their own indigenous language different from the mainstream Bangla language. These small groups of peoples have similar characteristics of indigenous peoples recognized in the JICA Guidelines for Environmental and Social Considerations.

Vendors: Refers to petty businessmen run business in open but a designated space without structure or in a small structure on wheels or easily movable poles. Both Formal and informal vendors are included in this survey and were surveyed.

Vulnerable Household: Vulnerable groups or individuals refers to people who, by virtue of factors beyond their control: (a) are more likely to be adversely affected by the Project's environmental and social impacts; and (b) are more likely to be limited than others in their ability to claim or take advantage of Project benefits. Such an individual or group is also more likely to be excluded from or unable to participate fully in the mainstream consultation process and may require specific measures or assistance (or both) to do so.

Homestead/Residential land: The homestead land denotes a piece of land where people are living by constructing residential structure.

Vita/High land: The vita/highland is above high flood level and suitable for construction of structure, but structure is not yet constructed.

Orchard: The orchard is same category of vita/highland and used as fruit/timber tree garden.

Agricultural land/Nul: Agricultural land, which is used for crop production in once, twice, or thrice a year. Level of land is below the homestead, vita or orchard.

Pond: A particular area of the land, which is surrounded by embankment/bund where water is found almost round the year. Fish is cultivated or even not cultivated; both are treated as pond based on characteristics of the land.

Ditch: The small water body having no embankment/ bund and not recognized as pond. Land value of such ditch is one fourth of the recognized pond.

Pucca structure: A structure with Reinforced Cement Concrete (RCC) roof, cement-sand-brick wall and cement-sand-brick or earthen floor is defined as a pucca structure. Any other structure made of cement, sand, and brick (with or without iron rods) is also considered as a pucca structure.

Semi-pucca structure: A structure with tin (corrugated iron sheet) roof, cement-sand-brick wall and cement-sand-brick or earthen floor is defined as a semi-pucca structure.

Tin-made structure (double barreled or one slanting roof): A tin house with or without additional top floor with tin roof and fence as well as cement, sand, brick, wooden or earthen floor is defined as a tin-made structure.

Kutcha structure: A structure with tin roof, mud/ straw/ bamboo wall and wooden/ bamboo/mud floor is defined as a kutcha structure or house.

Thatched structure: A house structure with materials other than tin, talli or RCC roof and wall/fence with earthen floor is defined as a thatched structure.

EXECUTIVE SUMMARY

The government of Bangladesh through Roads and Highways Department (RHD) has intended to conduct a Feasibility Study in five major bottleneck sections i.e. Patiya, Dohazari, Lohagara, Keranihat, and Chakaria along the Chattogram Cox’s Bazar Highway with financial support from Japan International Cooperation Agency (JICA). Out of the five bottleneck sections, four (Patiya, Dohazari, Lohagara and Keranihat) are in Chattogram District and remaining one (Chakaria) is at Cox’s Bazar District. The study became necessary to minimize traffic congestion and accidents and facilitate transportation of heavy vehicles of the upcoming Matarbari Port. It is planned that the detailed design of the five bottleneck sections will be completed by December 2023 and selection of contractor will be finalized by December 2024. If everything goes well, the construction of the bypasses and flyover will be completed by June 2028. Construction of these bypass and flyover will ease transportation and reduce travel time, cost and accidents.

This Resettlement Action Plan (RAP) has been prepared following the JICA Guidelines for Environmental and Social Considerations (2010) which is equivalent to the World Bank Operational Policy 4.12 Involuntary Resettlement, and Acquisition and Requisition of Immovable Property Act (ARIPA) 2017. The objective of the RAP is to provide a strategy for providing project-affected units (PAUs) with the replacement value of land, structure, trees, and other physical assets and restoration of income levels/living standards either through a compensation and rehabilitation package that ensures that PAUs are not left in a position where they are worse off with the project than without it. The RAP approach incorporates (i) land acquisition and resettlement issues; (ii) impact mitigation with special attention to the women and vulnerable groups and (iii) income generation support to the eligible members of the PAP families.

Methodology

For preparing the RAP, both primary and secondary data were obtained from various sources. For obtaining primary data, small group consultation meetings, Census & Socioeconomic Survey (SES), Inventory of Losses (IOL) and land market survey were conducted in the five bottleneck sections covering the period from August 2020 to March 2021. Cut off dates for the non-titled PAPs were declared during consultation meetings in each of the five bottleneck sections. Cut-off dates for the titled PAPs will be established by the Deputy Commissioner (DC) on the dates of serving notice under Section 4 as per ARIPA 2017 which will be after the current Feasibility Study stage.

Table 0-12–1: Cut-off dates for the non-titled PAPs

Locations	Consultation meetings held	Cut-off dates for the Non-titled PAPs	Remarks
Patiya	24 August 2020	25 August 2020	
Dohazari	23 August 2020 and 13 December 2020	14 December 2020	Initially the cut-off date was declared on 24 August 2020. But to avoid mass displacement the total alignment was shifted/ adjusted and new cut-off date was declared on 14 December 2020 for the new alignment.
Lohagara	25 August 2020 and 14	15 December 2020	Initially the cut-off date was declared on 26 August 2020. But to avoid mass displacement of the people, mosques,

Locations	Consultation meetings held	Cut-off dates for the Non-titled PAPs	Remarks
	December 2020		graveyard and weather signaling system office, the total alignment was shifted/ adjusted and new cut-off date was declared on 15 December 2020 for the new alignment.
Keranihat	14 March 2021	15 March 2021	
Chakaria	15 December 2020 and 05 June 2021	16 December 2020, 6 June 2021	Initial the cut-off date was declared on 16 December 2020 for the total alignment. But a portion of the alignment (Chainage 6+400 – 6+840) was shifted to avoid displacement of a Hindu Community. Therefore, the new cut-off date for Chainage 6+400 – 6+840 was declared on 6 June 2021.

Source: KMC RAP Team

During Detailed Design stage, the cut-off dates for the non-titled PAPs can again be established if any changes in design is happened.

Opinion of the people obtained during the first-round consultation meetings in form of Small Group Meetings (SGMs) and Focus Group Discussions (FGDs) with various occupational groups were incorporated in the RAP. After preparation of the draft RAP following the ARIPA, JICA Environmental Guidelines and people’s opinion, second-round SGMs and FGDs for the draft RAP were held in all five bottleneck sections between 19-22 September 2022 during which RAP brochures were distributed to affected people. Following was a two-week, from 23 September 2022 to 6 October 2022 RAP disclosure and receiving of comments and feedbacks through a special created email address and a mobile number.

Census and IOL survey were carried out through an online platform (ODK open-source software) using Android Tablets by visiting house to house. Land market survey was also carried out to ascertain the current market price (CMP) of land for preparation of the indicative budget for land acquisition and resettlement. On the other hand, secondary data were obtained from Bangladesh Bureau of Statistics (BBS) to supplement the primary data. All these data collected from primary and secondary sources have been reviewed carefully, the relevant information has been cited and used for the preparation of this RAP.

Summary Impacts of the Project

A total of 405.1965 acres of private land will need to be acquired for five bottleneck sections. More than 2500 Project-Affected-Units (PAUs) including residential HHs and shops, plain landowners have been affected by the project interventions. Besides, 31 community properties and 13 offices/institutions are also affected among which 20 CPRs and 10 offices will be relocated elsewhere. Apart from the HHs and shops, 573 tenants, 641 wage laborers and 206 vendors are also affected within the proposed ROW. Summary impacts of the project is shown in Table 0-1–2

Table 0-1-2: Summary impacts of the project

Sl. No.	Project Impacts	Patiya	Dohazari	Lohagara	Keranihat	Chakariia	Total
1	Amount of Private land (acre)	74.22	65.5065	116.43	1.2	147.84	405.1965
	Amount of Govt land in acre (other than RHD)	0.1	1.06	0.23	0.13	0.12	1.64
2	Total No. of affected HHs	343	414	664	252	835	2508
3	Total No. of households requiring physical relocation (residential structures are fully or mostly affected)	243	319	343	237	367	1509
4	Only Landowners	71	81	291	0	444	887
5	No. of CPRs and Offices/ Institutions affected	5	10	17	11	1	44
6	Project Affected Units	348	424	681	263	836	2552
7	No. of tenants affected	57	192	61	228	35	573
8	No. of businesses unit affected	54	204	73	344	37	712
9	No. of wage laborer affected	55	256	13	289	28	641
10	No. of Vendors affected	0	15	0	191	0	206
11	No. of trees affected owned by HHs	18,353	10,639	30,785	2,741	22,884	85,402
	No. of trees affected owned by CPRs	40	28	420	35	0	523
12	Total person affected	1,547	2,090	2,967	1,213	3,596	11,413

Source: KMC RAP Team

Apart from the acquisition of land and other properties, a plenty of land will be taken temporarily at all five major bottleneck sections for the stake-yard and engineers' facilities during construction period. Such temporary land taking will be carried out by the appointed contractor from the local people. According to the ARIPA 2017, the temporarily taken land (requisitioned) will be given back to its owner in its original condition. The contractor must be obliged by the ARIPA and written contract agreement would be signed with the land owners. Violation of contract clause with the landowners in case of requisition will not be binding upon the project authority and will not be addressed under this RAP.

Demographic Profile

In the five bottleneck sections, the total PAUs are 2552 including 2508 residential HHs & shops and 44 Community properties & offices/institutions. Total population affected by the project is 11413 with average HH size is 4.55. Among the total population, 52.96% male and 47.04% female

Among the 2508 affected households, 2289 HHs are male headed and 219 HHs are female headed. About 92.30% of the affected population is Muslim while 7.70% are Hindu by faith. No other religion was found affected by the project. No ethnic minority group is affected by the project. All the project-affected people (PAPs) are local Bengali.

Legal and Policy Framework

The land acquisition in Bangladesh is governed by the Acquisition and Requisition of Immovable Property Act (ARIPA) 2017. According to the ARIPA 2017, landowners will get compensation for land including 200% premium while for structures and trees, the premium is 100%. This RAP has been prepared following the ARIPA and JICA Environmental Guidelines. As per JICA Environmental Guidelines, replacement cost for the land and other affected properties is to be paid. There are some gaps in the land acquisition law of Bangladesh and JICA Environmental Guidelines. JICA Environmental Guidelines recognizes & address the Resettlement and Rehabilitation (R&R) impacts of all the affected persons irrespective of their titles and requires the preparation of RAP or ARAP in every instance where involuntary resettlement occurs depending on the number of affected people. Displaced people will be allowed to take away salvageable materials free of cost without delaying the project works. Tenants, wage laborers, vulnerable groups, etc. will get special assistance /benefits as per policy of this RAP. Vendors (have no business structures fixed on the ground) having trade license will get business restoration assistance while mobile vendors (selling goods on foot/wheels) will not get any compensation/assistance from the project.

Compensation and Entitlement

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

- a) compensation for the loss of land, crops/ trees at their replacement value;
- b) compensation for structures (residential/ commercial) and other immovable assets at their replacement value;
- c) assistance for loss of business/ wage income;
- d) Assistance for shifting and reconstruction of affected structures;
- e) Assistance to vulnerable households

This will ensure that persons affected by the project interventions; whether titled or non-titled will be eligible for appropriate compensation/ resettlement benefits. Persons having no legal title but using the land under acquisition if vacated for the project purpose would be provided with compensation and resettlement benefit for structures and shifting/reconstruction allowance. Households having customary rights to land and physical property like the owners and users of vested and non-resident property, lessees of the homestead, commercial and agricultural land, sharecroppers, renters of land

and structure, etc. are also covered under the RAP. The RAP also includes opportunities for occupational skill development training for income generation activities for the PAPs, especially for poor households and those losing income sources. The people involuntarily displaced from homes, assets, or income sources as well as non-titled people affected by the project will receive priority access to these income restoration measures. The resettlement activities of the project will be carried out in consultation with the Project Affected Persons (PAPs) and all efforts will be made to minimize disruption during project implementation. PAPs will be encouraged for self-relocation and their preferences will be taken into account in the selection of alternative relocation sites. In case of group relocation civic amenities will be provided by the RHD if not available in the relocation sites.

The Compensation and Entitlement Matrix is Presented in Table 0-1-3 below:

Table 0-1–3: Compensation and entitlement matrix

No.	Type of Loss	Entitled Person	Entitlement
1	Loss of land (all types of land to be acquired for the project)	Entities with legal title	i. Compensation at Replacement Cost (RC) ii. If the Replacement Cost is more than the cash Compensation under Law (CCL), the difference (top-up/assistance/grant) is to be paid by the project. iii. Stamp duty, registration cost, Tax, Value Added Tax and other fees incurred for replacement land will be paid at actual for those affected landowners purchasing alternative land within the one year from the date of CCL received. iv. Dislocation/relocation allowances/grant for affected land @BDT 300/decimal.
2	Loss of standing seasonal crops on the affected land	Owners with legal titles/sharecropper/lease holders	Compensation for standing crops as per ARIPA 2017 (Cash Compensation under Law)
		Socially recognized owner/without legal titles/squatters/encroachers.	i. Compensation for standing crops to actual owners/ cultivators as per ARIPA 2017 ii. Owner/grower to take away the crop
3	Loss of Trees/ Perennials/ fish stocks	Owners with legal title	i. Compensation for trees/perennials/fish stocks as per ARIPA 2017 (Cash Compensation under Law) ii. 2% of CCL value of trees or perennials as grant/allowance for plantation.
		Socially recognized owner/ without legal titles/ squatters/ encroachers	i. Cash compensation at market rates for replacement of trees/ perennials/ fish stocks value ii. For fruit bearing trees- compensation for trees and fruits as per Dept of Forest scheduled rate. Fruit compensation will not exceed @ 30% of timber value for one years. iii. Compensation for fish stocks as determined by DC as per ARIPA 2017 on private land and by PVAT on GoB land. iv. 5 tree saplings (2 fruit trees, 2 timber type and 1 medicinal tree) will be provided for households losing trees.

Resettlement Action Plan

No.	Type of Loss	Entitled Person	Entitlement
			v. Owners will be allowed to fell and take away their trees, perennial crops/ fishes, etc. free of cost without delaying the project works.
4	Loss of structures	Owners with legal title	<p>i. Compensation for affected structures as per ARIPA 2017 (Cash Compensation under Law)</p> <p>ii. Transfer grant @ BDT 10 per sft of main structure</p> <p>iii. Reconstruction grant at 2% of Cash Compensation under the Law (CCL) value for affected structures.</p> <p>iv. Rental assistance for 2 months' actual rent not exceeding BDT 10,000/= for the owner of the commercial & residential structures/HHS</p>
		Loss of structure on Khas/Waqf land/other government land	<p>i. Replacement Cost of affected structures to be determined by Resettlement Assessment and Valuation Committee (RAVC).</p> <p>ii. Structures (including CPR) or occupancies constructed with an intent of getting unworthy compensation or benefits, identified by RAVC, shall not be considered for entitlements. The decisions of RAVC on entitlement and compensation of encroachers or squatters shall be final.</p> <p>iii. Unauthorized Signboard on these types of land shall not be allowed for entitlements.</p>
5	Loss of residential structure by Informal Resident (Resident Squatter)	Informal Resident (Resident Squatter)	<p>i. Replacement cost of structure as assessed by PVAT considering scheduled rate of Public Works Department.</p> <p>ii. Transfer grant @ BDT 10 per sft of main structure</p> <p>iii. Reconstruction grant @ BDT 15 per sft of main structure.</p> <p>iv. Rental assistance for 2 months' actual rent not exceeding BDT 10,000/= for the owner of the commercial & residential structures/HHS</p> <p>v. Owners will be allowed to take away all salvage materials free of cost.</p>
	Loss of commercial structure by Informal Occupant (Commercial Squatter)	Informal Occupant (Commercial Squatter)	<p>i. Replacement cost of structure as assessed by PVAT considering scheduled rate of Public Works Department.</p> <p>ii. Informal occupant (commercial squatter) PAPs will be eligible for transfer grant @ BDT 10 per sft, only if PAP's shop will be physically displaced.</p> <p>iii. Informal occupant (commercial squatter) PAPs below poverty line will be eligible for reconstruction grant @ BDT 15 per sft of main structure, only if PAP's shop will be physically displaced and eligible for assistance for vulnerable PAPs.</p>

No.	Type of Loss	Entitled Person	Entitlement
			<p>iv. Rental assistance for 2 months' actual rent not exceeding BDT 10,000/= for the owner of the commercial & residential structures/HHs</p> <p>v. Owners will be allowed to take away all salvage materials free of cost</p>
	Loss of residential/commercial structure by Informal Occupant (Encroacher)	Informal Occupant (Encroacher)	<p>i. Replacement Cost of structure as assessed by PVAC considering scheduled rate of Public Works Department.</p> <p>ii. Encroacher PAPs will be eligible for transfer grant @ BDT 10 per sft, only if PAPs will be physically displaced.</p> <p>iii. Encroacher PAPs below poverty line will be eligible for reconstruction grant @ BDT 15 per sft of affected main structure, only if PAPs will be physically displaced and eligible for assistance for vulnerable PAPs.</p> <p>iv. Rental assistance for 2 months' actual rent not exceeding BDT 10,000/= for the owner of the commercial & residential structures/HHs</p> <p>v. Owners will be allowed to take away all salvage materials free of cost.</p>
6	Loss of Common Property Resources (CPRs)	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	<p>i. Special grant for reconstruction at 7% of CCL value on structures for the title holders</p> <p>ii. Special grant for reconstruction at 7% of Replacement Cost on structures determined by RAVC for non-title holders</p>
7	Loss of utility connection	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	Cash grant for utility replacement will be paid at actual amount required for replacement
8	Loss of tenancy right/access	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	Moving/shifting assistance for commercial and residential tenants at 2 months' actual rent not exceeding BDT 10,000/=
9	Loss of business due to dislocation of Commercial and Business Enterprise (CBE)	Owners with the legal title /Socially recognized owner/without legal titles/squatters/encroachers	<p>i. Business restoration grant @ BDT 10,000 for each business unit without trade license.</p> <p>ii. BDT 20,000/each entity for those who have valid trade licenses.</p> <p>iii. BDT 80,000/each entity for those who have a valid trade license & up to date BIN (Business Identification Number) certificate.</p> <p>iv. BDT 150,000/each entity for those who have a valid trade license, up-to-date BIN (Business Identification Number) certificate, company registration/ audited balance sheet.</p>
10	Loss of income and workdays due to	Owners with the legal title /Socially recognized owner/without legal	BDT 600 x 30 days = BDT 18,000/-

No.	Type of Loss	Entitled Person	Entitlement
	shifting/relocating activities	titles/squatters/encroachers	
11	Loss of grave/graveyard/tomb/cremation place relocation	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	i. BDT 50,000/each for community graveyard/cremation place ii. BDT 10,000/each for family grave/tomb
12	Assistance for Vulnerable (VG) HHS	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	One time grant to all male headed vulnerable HHS @ BDT 10,000/HH
13	Assistance for women headed HHS	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	One time grant to all female headed vulnerable HHS @ BDT 15,000/HH
14	Assistance for Indigenous HHS	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	One time grant to affected indigenous HHS @ BDT 10,000/HH
15	Loss of income/source of livelihood	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches who lost or need to change their income sources due to relocation	Training on Income Generating Activities (IGA) to one eligible member (age 15-50) from HH that has lost income source or need to change their job due to relocation. Training needs will be assessed by the RAP IA
		Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	Linkage with financing institutions (Banks, NGOs) for financial assistance such as business loans through RAP IA.
		Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches with vulnerability	Seed money @BDT 15,000/one trained member from vulnerable HHS as grant for Income Livelihood Restoration Program (ILRP)
16	Temporary impact during construction	Households/persons/community affected during construction	The contractor shall bear the impact on structure or land. It is the responsibility of the contractor to pay for any damage caused by construction works and normally the contractor enters direct contract with the households whose land/properties will be affected by the construction activities.
17	Unforeseen adverse impact	Households/persons/community affected during construction/RP implementation	Compensation/allowance/grant/assistance depending on types of loss will follow the principle of safeguard policy and entitlement matrix proposed in the document.

Source: JICA Study Team (JST)

Grievance Redress Mechanism

A two-tier Grievance Redress Mechanism (GRM) has been proposed in this RAP; one is at field level and another at project level. An IT based GRM will be developed for the purpose of documentation of the complaints filed by the PAPs for better screening. Aggrieved persons can submit the grievance in black and white, in writing or through SMS/Email to the focal person of Grievance Redress Committee (GRC). This will further enhance the overall communication between the PAPs and Project Management Office (PMO). RHD representatives will be convener in both the GRCs while representatives of RAP Implementing Agency (IA) will be the members secretary. Local level GRC will hear all grievances within their purview and make decision within 21 days. Land acquisition and arbitration related issues will not be discussed and resolved in GRC. In case of non-resolved of the grievance in the first tier, the local GRC may send the case to the project level GRC with notes and necessary documents. The aggrieved persons can go to the court of law for decision at any level of the grievance mechanism.

RAP Implementation Arrangement

RAP implementation will be carried out by an implementing agency to be recruited by the RHD PMO for five years (planned). Various committees will be formed by the Ministry of Road Transport and Bridges. The committees are Joint Verification Committee (JVC), Property Valuation Assessment Committee (PVAC) and GRC. JVC will verify and assure list of affected properties and PVAC will assess replacement cost of land and other properties. All of the committees will be on board during implementation of RAP. PMO field office will liaise with the DC office for accelerating land acquisition process.

Cost Estimate and Budget

The total estimated cost for implementation of the RAP is BDT 31,703,229,948 including the CCL amount (BDT **26,20,58,38,649**) to be determined by the DC and additional amount including resettlement benefits is BDT 5,497,391,300. The total estimated cost for private land stands at 80.65% and Govt. land is 0.38% of the total cost while compensation for structures is about 8.53% and other resettlement benefits is 2.92% of the budget. Compensation for structure on private land has been kept in the DC's head while compensation for structures on GOB land is in the RHD head. The resettlement benefits include structure transfer grants, reconstruction grants, business restoration grants and grants for vulnerable PAHs. Operation cost for the RAP implementing agency and external monitoring agency have been estimated based on experience of other similar types of projects. An estimated budget for the capacity building training of the PMO officials on land acquisition and resettlement has been kept in the budget. Summary is presented in Table 0-1-4.

Table 0-1–4: Summary cost for land acquisition and resettlement

SL.	Category of Loss	DC Budget	Additional budget and Resettlement benefits	Estimated RC amount in BDT	Percent age
A	Compensation for Private Land	22708286334	2860262411	25,568,548,745	80.65
A1	Compensation for Govt. Land	119,362,746		119,362,746	0.38
B	Compensation for structure	2,592,934,855	112,617,229	2,705,552,083	8.53
C	Compensation for Trees	271,414,740		271,414,740	0.86
	Impact Budget (A+A1+B+C)	25,691,998,675	2,972,879,640	28,664,878,315	
D	Other Resettlement Benefits		924,302,613	924,302,613	2.92
E	Operation cost for RAP Implementing Agency/ INGO		50,000,000	50,000,000	0.16
F	Operation cost for External Monitoring Agency		5,000,000	5,000,000	0.02
G	Capacity building training of the RHD PMO officials		10,000,000	10,000,000	0.03
	Civic Amenities in the Resettlement Site in case of group relocation		50,000,000	50,000,000	0.16
H	Contingency @5% of the Sub-total		1,485,209,046	1,485,209,046	4.68
I	Administrative cost @ 2% on the DC budget	513,839,974		513,839,974	1.62
	Grand Total	26,205,838,649	5,497,391,300	31,703,229,948	100

Source: KMC RAP Team

Monitoring and Reporting

RAP implementation activities will be internally monitored by PMO, construction supervision consultants (CSC). A national resettlement specialist will be deployed by the RHD in the PMO following the best practices of other development projects of RHD for regular monitoring of the RAP implementation. RAP implementing agency will report to the PMO on monthly basis on the progress of land acquisition and resettlement activities. The internal monitoring report will be prepared quarterly by CSC and RAP IA for the PMO and submitted to JICA together with the Quarterly Project Status Report of the overall Project.

Besides, an external monitoring agency will be recruited by the RHD for progress and compliance monitoring of the RAP implementation on a timely manner. They will submit bi-annual report on progress and compliance issues of RAP implementation to RHD. Above all JICA will review the reports to be sent by the RHD on the progress of RAP implementation activities.

1. INTRODUCTION TO THE PROJECT

1.1 BACKGROUND OF THE PROJECT

Japan International Cooperation Agency (JICA) and Roads and Highways Department (RHD) on behalf of Government of Bangladesh have come to an agreement to conduct a Feasibility Study in five major bottleneck sections along the Chattogram Cox’s Bazar Highway. Out of the five bottleneck sections, four (Patiya, Dohazari, Lohagara and Keranihat) are in Chattogram District and remaining one (Chakaria) is at Cox’s Bazar District. Widening of these five bottleneck sections is urgently required to minimize traffic congestion and accidents and facilitate transportation of heavy vehicles of the upcoming Matarbari Port. Taking into account of the scenarios, four bypasses at four bottleneck sections (Patiya, Dohazari, Lohagara and Chakaria) and one flyover (at Keranihat) have been proposed. It is scheduled that the Detailed Design of the five bottleneck sections will be completed by December 2023 and selection of contractor will be finalized by December 2024. If everything goes well, the construction of the bypasses and flyover will be completed by June 2028. Construction of these bypass and flyover will ease transportation and reduce travel time, cost and accidents.

1.2 DESCRIPTION OF THE PROJECT

1.2.1 Project Scope

Total length of the proposed bypasses and flyover at five bottleneck sections is approximately 24.37 km. Two major rivers Shangu and Matamuhuri at Dohazari and Chakaria will be crossed by the proposed bypasses. Two new bridges will be constructed over the rivers. Four bypasses at Patiya (expanding the existing bypass), Dohazari, Lohagara and Chakaria and flyover at Keranihat have been proposed under CCHIP. Project will affect about 2508 households and shops on private and RHD land along with 31 community properties and 13 offices/institutions at five bottleneck sections. Width of the right of way is 276-300 feet for the bypasses and 157 feet for the 6-lane flyover. Table 1-1 describes the length and width of the proposed road section at five bottleneck sections.

Table 1–1: Length and width of the proposed bypasses and flyover

Bottleneck sections	Length	Width	Comments
Patiya	5.419 km	84.2m (276 feet)	(91.5m (300ft) – 2@3.65m)
Dohazari	3.266 km	91.5m (300 feet)	
Lohagara	5.397 km	91.5m (300 feet)	
Keranihat	3.448 km	48.0m (157 feet)	Necessary minimum width for construction of 6-lane flyover
Chakaria	6.840 km	84.2m (276 feet)	(91.5m (300ft) – 2@3.65m)

Source: KMC RAP Team

Resettlement Action Plan for Five Major Bottleneck Sections

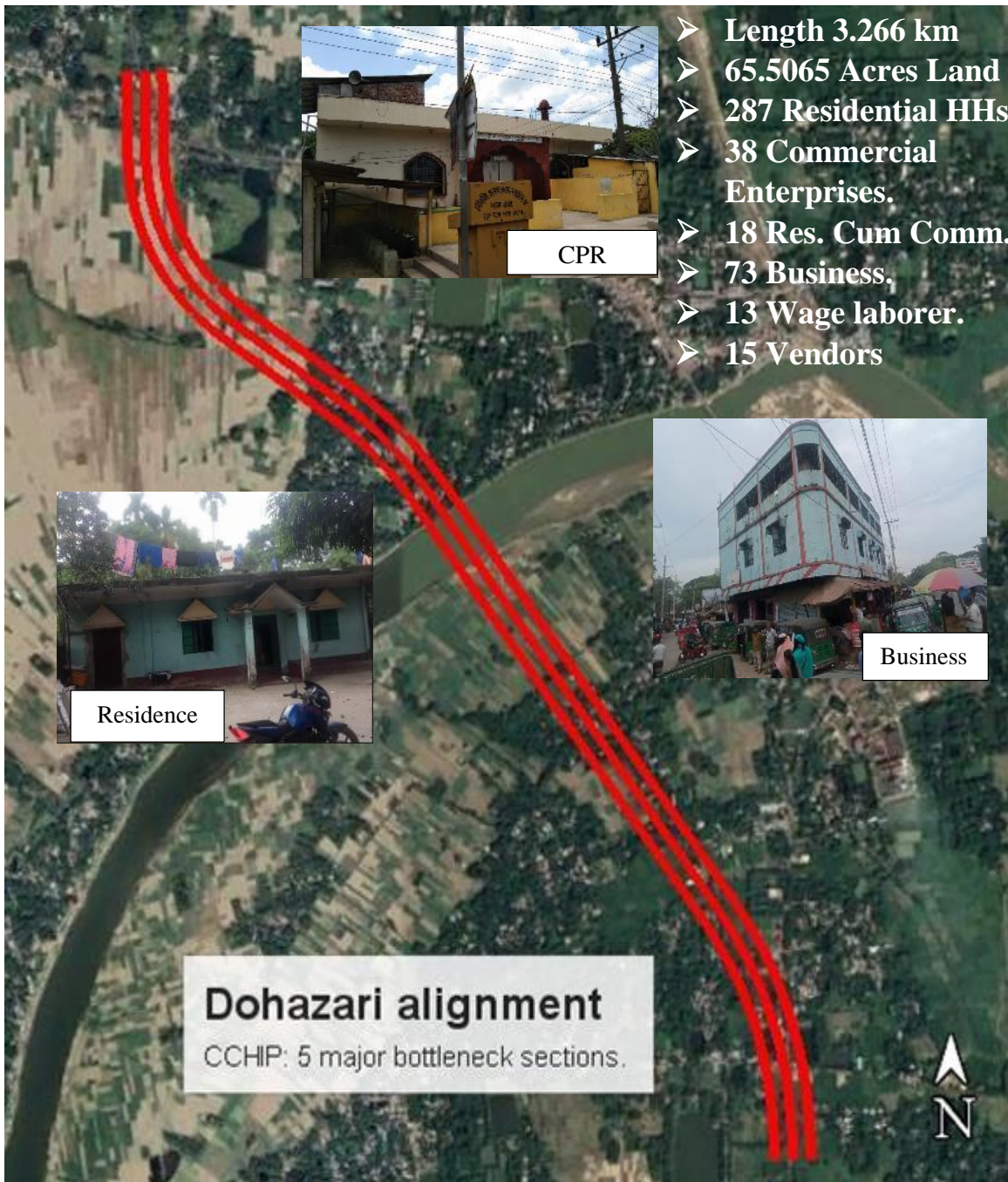
Patiya



Source: KMC RAP Team

Resettlement Action Plan for Five Major Bottleneck Sections

Dohazari



Source: KMC RAP Team

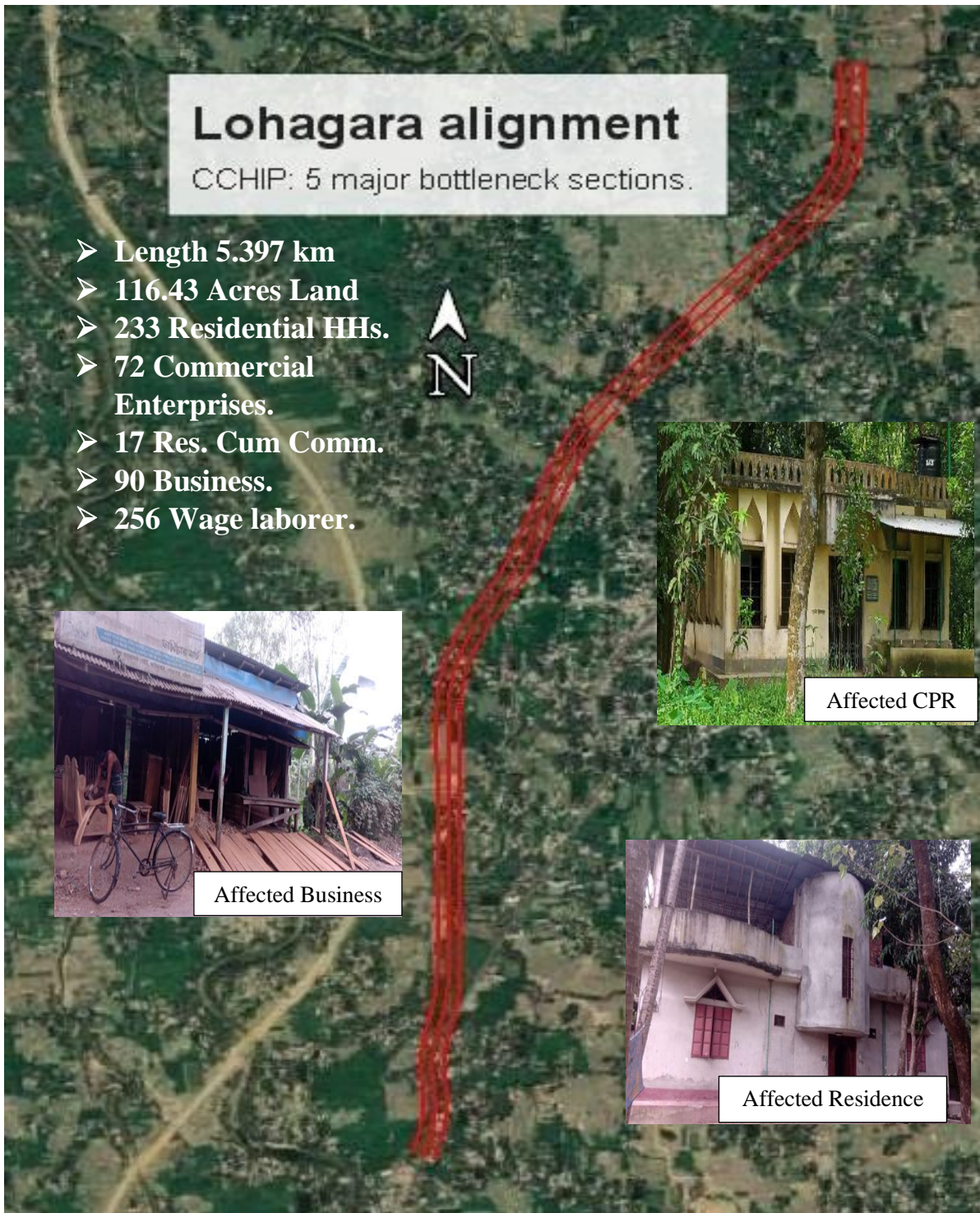
Resettlement Action Plan for Five Major Bottleneck Sections

Keranihat



Source: KMC RAP Team

Lohagara



Source: KMC RAP Team

Resettlement Action Plan for Five Major Bottleneck Sections

Chakaria

- Length 6.840 km
- 147.84 Acres Land
- 348 Residential HHs.
- 14 Commercial Enterprises.
- 5 Res. Cum Comm.
- 37 Business.
- 28 Wage laborer.



Chakaria alignment
CCHIP: 5 major bottleneck sections.



Source: KMC RAP Team

Resettlement Action Plan for Five Major Bottleneck Sections

1.2.2 Alternative Routes Analysis in the Five Bottleneck Sections

Evaluation Criteria

To prepare the preliminary design for improvement measures, alternative routes were studied for each major bottleneck section except for Patiya where the new bypass has been constructed complying with the alignment designed in Feasibility Study (F/S) and Detailed Design (D/D) for Chittagong (Chattogram)- Cox's Bazar-Teknaf Road (N1) (ADB F/S-D/D). Therefore, it was considered that the immediate improvement has been already made in Patiya. However, based on the traffic demand of Patiya as of 2040 in the traffic demand forecast, it was decided that the new Patiya bypass should be upgraded to six lanes on the main road and four lanes on the side roads, and thus be included in this project. The technical, environmental, and social evaluation criteria applied for the alternative study is presented in Table 1-2.

Table 1–2: Evaluation Criteria for Alternative Study

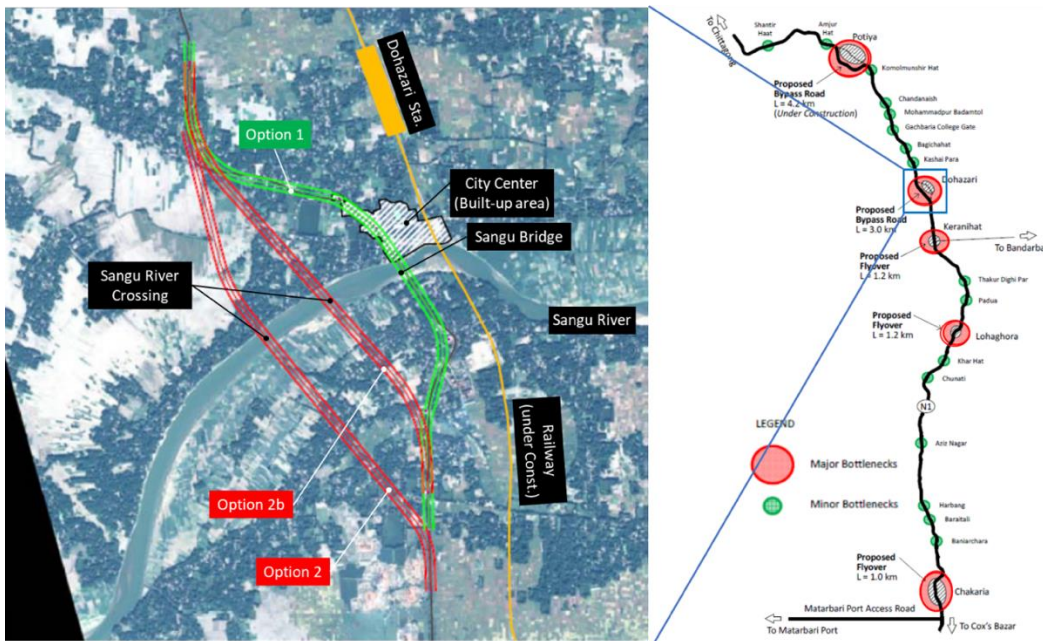
Criteria			Evaluation Contents (Score)			Weighting (Average:10)
			High (10-8)	Middle (7-4)	Low (3-0)	
1	Consistency with other plan & project	Matabari Port Development Project	Schedule risk of construction and land acquisition is low	Schedule risk of construction and land acquisition is middle	Schedule risk of construction and land acquisition is high	10
		Land Use Plan	High compatibility	Middle compatibility	Low compatibility	
2	Project effect	Shortening travel time	Large shortening travel time (w/o project-w project)	Middle shortening travel time (w/o project-w project)	Small/negative shortening travel time (w/o project-w project)	15
		Congestion mitigation	Average demand supply gap of N1 and project round in year 2040 (V/C<0.50)	Average demand supply gap of N1 and project round in year 2040 (V/C 0.75-0.50)	Average demand supply gap of N1 and project round in year 2040 (V/C>0.75)	
3	Social impact	Number of affected houses and facilities	Low (relative comparison)	Middle (relative comparison)	High (relative comparison)	15
4	Natural impact	Farming area	Small diversion of farming area	Middle diversion of farming area	Large diversion of farming area	5
5	Living condition	Noise	Low increment of noise level	Middle increment of noise level	High increment of noise level	10
6	Economic efficiency	Construction cost	Low (relative comparison)	Middle (relative comparison)	High (relative comparison)	10
		EIRR (Tentative Value)	EIRR>15%	EIRR 12%-15%	EIRR<12%	

Source: JST

1.2.3 Alternative Routes in each Major Bottleneck Section

Alternative Routes of Dohazari

In the process of considering alternatives to Dohazari, in addition to options 1 and 2 shown in Figure 1-1. After that, as a result of hydrological surveys and site investigations on each route, it was judged that the bridge length would be long at river crossing position of option 2. Therefore, option 2b was proposed as a proposal to shorten the bridge length, and comparison was carried out.

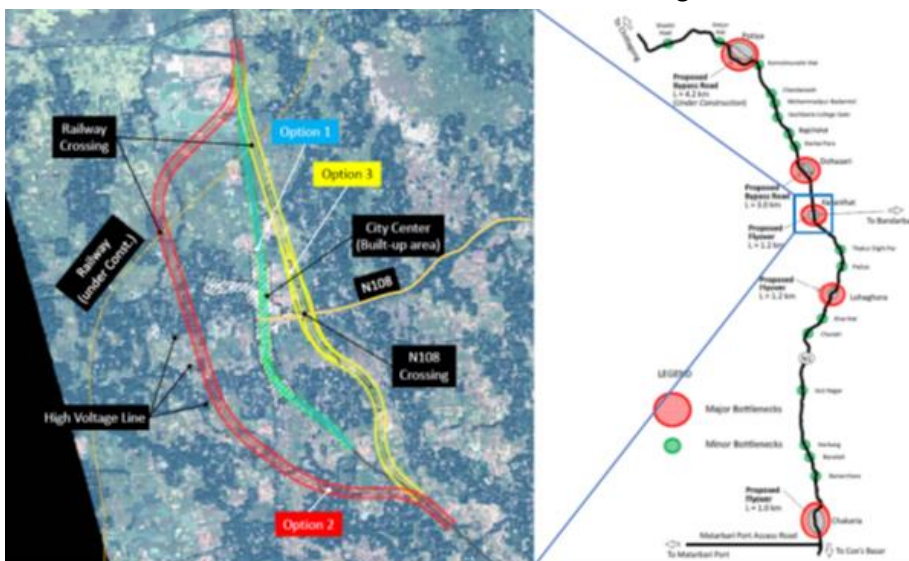


Source: JST

Figure 1-1: Proposed routes for Dohazari

Alternative Routes of Keranihat

Three alternative routes for Keranihat are as shown in Figure 1-2.

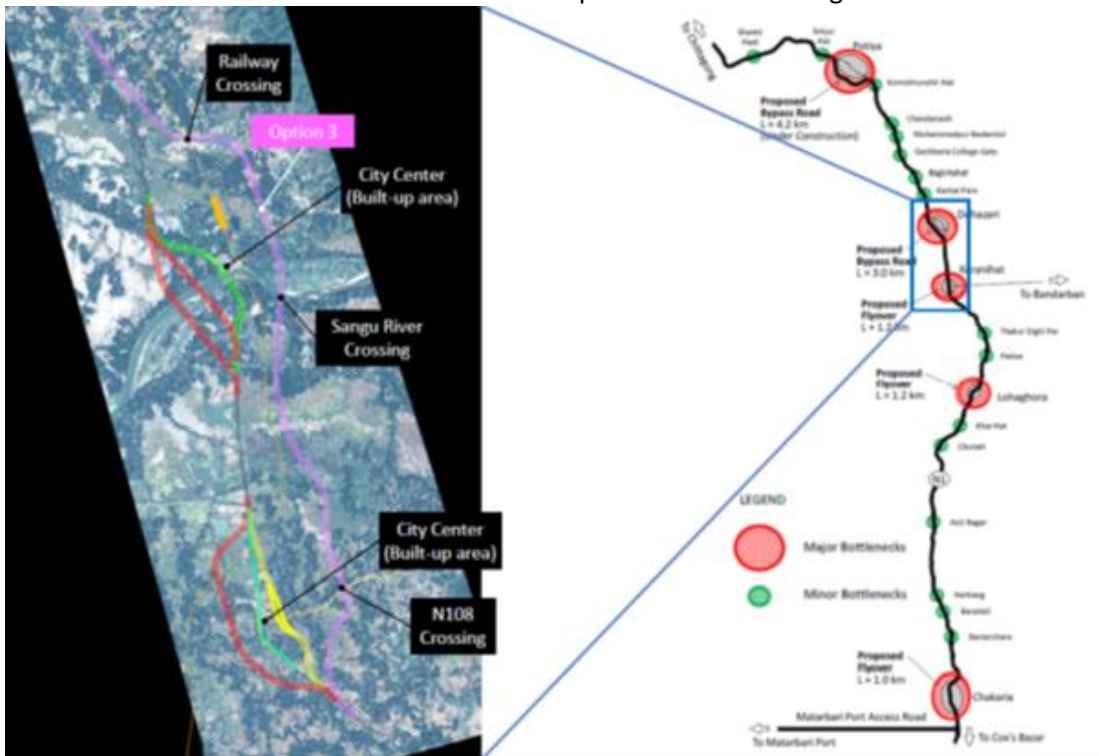


Source: JST

Figure 1-2: Proposed routes for Keranihat

Alternative Routes of Dohazari and Keranihat

Since the distance between Dohazari and Keranihat is around 10km, a bypass option avoiding city centers of both towns can be considered. This Option 3 is shown in Figure 1-3.

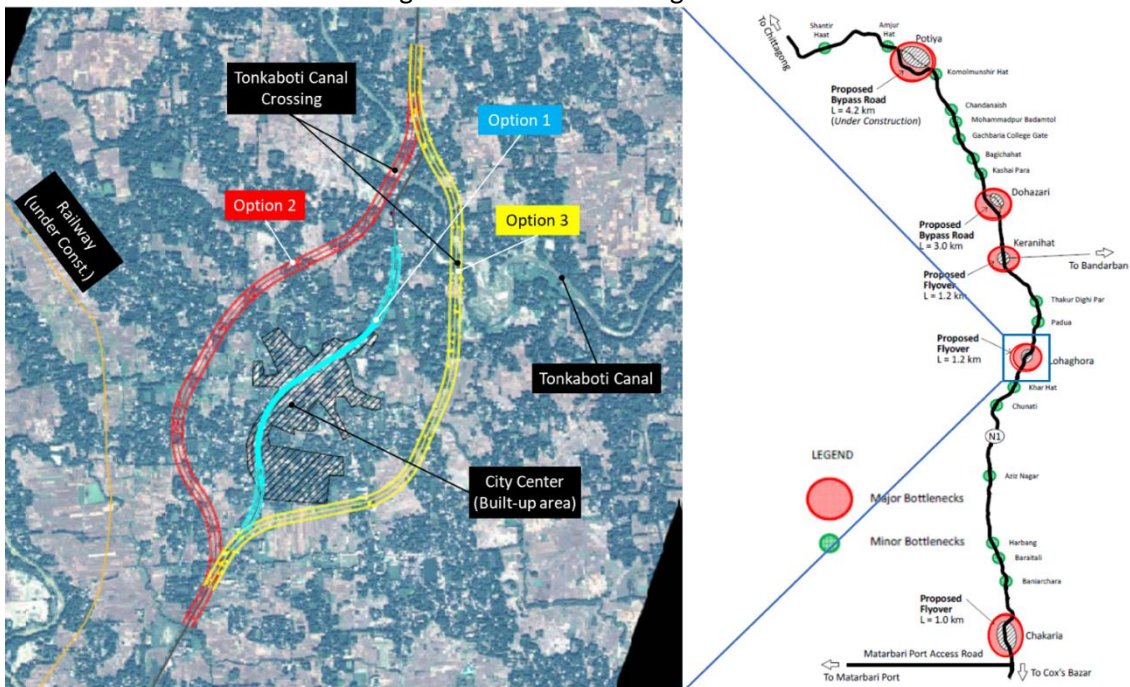


Source: JST

Figure 1-3: Proposed routes for Dohazari and Keranihat

Alternative Routes of Lohagara

Three alternative routes for Lohagara are as shown in Figure 1-4.

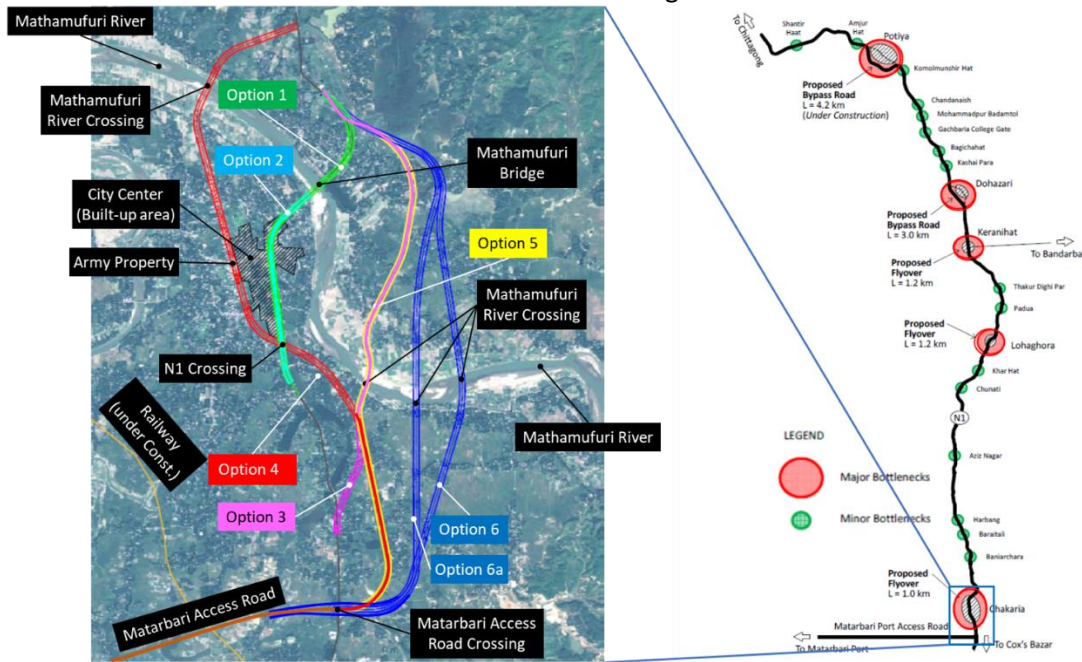


Source: JST

Figure 1-4: Proposed routes for Lohagara

Alternative Routes of Chakaria

Seven alternative routes for Chakaria are as shown in Figure 1-5.



Source: JST

Figure 1-5: Proposed routes for Chakaria

1.2.4 Evaluation Result

Based on the multi-criteria analysis that applied the evaluation criteria presented in Table 1-2, optimal plan for route alternatives for each section was selected. Additionally, the unit construction cost was set as in Applied Unit Construction Cost for Alternative Study, as shown in Table 1-4, for the road and bridge sections based on the estimated construction cost of the preliminary design in planning phase of the five major bottlenecks. The land acquisition and resettlement costs were set based on the actual costs approved for a neighboring project, the Cross Border Bridge Improvement Project, which is a yen loan project, considering inflation and other factors.

At each location, alternative plans of widening the existing road using the bridges under construction, flyover, and bypass, and bypass plans were selected as optimal plan at all locations. The main reasons for selecting the bypass plan are that the existing road widening plan has many resettlement buildings, and the flyover plan needs a high construction cost and the effect of reducing congestion is relatively low due to development in existing city area. Therefore, the evaluation of the bypass plan was relatively high and was selected as the optimal plan.

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Table 1–3: Summary of Evaluation Result of Alternative Study

	Option	1	2b	3
		Widening	Bypass	Bypass
Dohazari	Length (km)	4.31	3.51	15.24
	Preliminary Project Cost (mil USD)	195.5	319.1	1,173.0
	Congestion Mitigation(V/C)	1.13	0.79	0.80
	Number of Affected Houses and Facilities	253	114	151
	EIRR (%)	16.7	14.4	12.3
	Total Score	59.5	76.5	42.0
Keranihat	Option	1	2	3
		Flyover	Bypass	Bypass
	Length(km) (viaduct)	3.30 (2.20)	5.27	3.79
	Preliminary Project Cost (mil USD)	384.2	408.9	330.2
	Congestion Mitigation(V/C)	0.87	0.78	0.82
	Number of Affected Houses and Facilities	129	75	60
	EIRR (%)	9.9	6.4	11.1
Total Score	60.5	57.5	65.0	
Lohagara	Option	1	2	3
		Flyover	Bypass	Bypass
	Length(km) (viaduct)	2.11 (1.11)	4.27	4.24
	Preliminary Project Cost (mil USD)	218.9	308.4	306.4
	Congestion Mitigation(V/C)	0.77	0.70	0.70
	Number of Affected Houses and Facilities	175	105	105
	EIRR (%)	9.4	8.6	8.1
Total Score	60	63.5	61.0	
Chakaria	Option	1	2	3
		Widening	Flyover	Bypass
	Length(km) (viaduct)	3.87	1.97 (0.97)	5.76
	Preliminary Project Cost (mil USD)	148.4	147.9	475.2
	Congestion Mitigation(V/C)	0.92	0.92	0.82
	Number of Affected Houses and Facilities	295	160	128
	EIRR (%)	14.0	9.5	8.9
	Total Score	52.5	58.5	54.0
	Option	4	5	6a
		Bypass	Bypass	Bypass
	Length(km)	8.54	7.05	7.47
	Preliminary Project Cost (mil USD)	685.1	575.2	601.8
	Congestion Mitigation(V/C)	0.80	0.81	0.81
	Number of Affected Houses and Facilities	298	101	69
EIRR (%)	8.4	9.0	8.7	
Total Score	39.0	54.5	60.5	

Source: JST

Table 1–4: Applied Unit Construction Cost for Alternative Study

Item		Construction Cost (USD Mil. /km)
Road	6 lanes	15
	4 lanes	13
Bridge	River Bridge (6 lanes +side roads)	180
	River Bridge (4 lanes + side roads)	151
	Railway Over Bridge/Road Over Bridge (6 lanes)	105
	Railway Over Bridge/Road Over Bridge (4 lanes)	76
	Flyover (Steel-I) (6 lanes)	130
	Flyover (Steel-I) (4 lanes)	95

Source: JST

1.2.5 Re-prioritization for Keranihat based on Additional Alternative Routes and Simple Social Survey (Rapid Survey)

In the alternative study for Keranihat, the priority was given to the bypass option as presented in Table 1-3. However, based on the request of RHD, a simple social survey, Rapid Survey, for the affected peoples was conducted in Dec. 2020 before the RAP study for the ROW reduction options (45m and 48m) of the flyover option and multi-criteria evaluation was conducted to compare the alternatives based on the results of the survey. Although the bypass option was slightly superior to flyover due to the large number of affected buildings along the flyover, RHD was notified by letter dated on 24 December 2020 to select the flyover (ROW 48m).

In the comparison of alternatives of Keranihat by multi-criteria evaluation, additional items related to social environment were identified by the Rapid survey. In addition to the number of affected houses and facilities, the number of affected peoples, Community Property Resources (CPRs), and street vendors were adopted to the evaluation items. For the flyover option, 30 resident PAPs, 10 CPR and 152 vendors were identified while for the bypass option, 394 resident PAPs and 5 CPR were identified. As a result, it was confirmed that flyover has a slight advantage over bypass depending on the scoring criteria.

1.3 METHODOLOGIES ADOPTED

Both primary and secondary data were obtained from various sources for preparation of the RAP. Primary data were collected from the affected HHs, shops, community properties by visiting every PAUs within the right of way (RoW). Consultation meetings were held at all five bottleneck sections before starting the census and IOL survey. Project Affected Peoples (PAPs), who are living elsewhere and having land in the ROW were consulted through their relatives, local people's network, local government representatives, and mobile phone. All out efforts were given to collect necessary socio-demographic information and description of the lost asset. Secondary data were obtained from the government-published documents, particularly the Bangladesh Bureau of Statistics (BBS) to supplement the primary data.

1.3.1 Consultation Meetings

In the initial stage, a total of 23 small group consultation meetings with 1093 PAPs (including 119 female) were held at five bottlenecks. PAPs were informed about the meetings with prior verbal notice and necessary health measures were taken following COVID-19 norms. Following issues were addressed during the first-round consultation meetings;

- a) Dialogue with local people about goals and objective of the project.
- b) Disclosure of the project components including the alternative route options.
- c) Gather feedback on potential risks and probable mitigation measures.

Opinion of the participants were well noted and incorporated in the proposed RoW and the RAP as much as possible.

Consultation for disclosure of the draft RAP policy was conducted from 19-22 September 2022 via (1) small group meetings with representative of government officers, local leaders, ordinary PAPs and vulnerable PAP and (2) focus group discussion with affected various occupational groups. Following issues were discussed during the RAP disclosure meetings;

- a) Potential impacts of the project on the people due to land acquisition and displacement

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- b) Legal framework including ARIPA and JICA Environmental Guidelines for compensation and resettlement benefits
- c) Role of the DC office, RHD and affected people during land acquisition process and construction period
- d) Grievance redress mechanism (GRM) and people's access to the GRM.
- e) Relocation and livelihood restoration options and measures, etc.

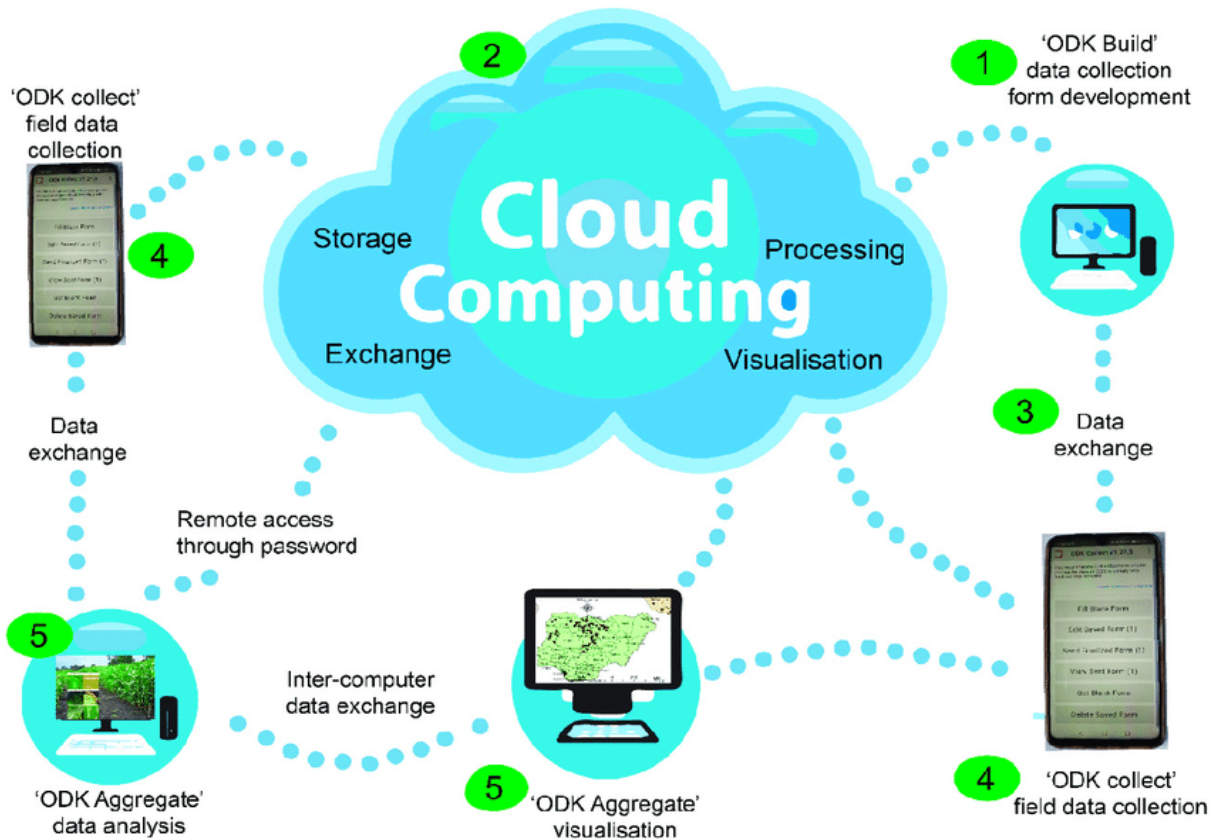
In the disclosure session, information brochure was distributed among the PAPs and a two-week window, from 23 Sept-6 Oct 2022, was announced for the PAPs to submit their feedback, comments and suggestion through mobile phone number and special created email address. Incorporating comments of the PAPs, the RAP has been finalized.

1.3.2 Census, SES and IOL Survey

Census, Socioeconomic survey (SES) and inventory of losses (IOL) survey were conducted with all affected HHs, shops, community properties. Collected socioeconomic information of all PAPs on family composition, details on age and sex of all the members of the household, income levels and occupational pattern, vulnerability status, legal ownership status of land (private, traditional and customary rights, lease), asset occupancy status and skills possessed.

Identified all the affected private and community immovable assets and prepared the inventory list of the affected assets. The affected assets were identified by interviewing with the affected households, shops and community properties on private and RHD land. Plain landowners were also interviewed by visiting their houses at nearby villages.

The surveys were conducted using electronic devices through ODK platform (Kobo Toolbox) that facilitates collection of real-time data and generate tables. The data is stored in the main server immediately after collection from the field.



Source: KMC RAP Team

Figure 1-6: Online data collection procedure through KOBO Toolbox

1.3.3 Land Market Survey

Market survey for assessing current market price of affected land in all mouzas within the RoW at 5 bottleneck areas have been conducted. Knowledgeable people of various cross sections have been asked with structured questionnaire for seeking opinion about the land price at present. About 8-10 people of various categories i.e., potential seller, buyer, deed writer, teacher and religious leader from each Mouza have been interviewed. Mouza Rates (established by the Government) for 2020 have been collected from Sub-Registrar’s office. Mouza rates have been multiplied by 3 (as per ARIPA 2017) and people opinion whichever is higher, has been used for preparation of the budget.

1.3.4 Video capturing of the affected properties

After conducting census and IOL survey, video of the affected properties along with the household head or his/her senior proxy has been captured. The HH number and affected structures/trees/business, etc. were captured during this video and the owner/proxy declared his/her identity and ownership status. This video will be for retaining with the client as an evident to match with data base and ground reality since the HH number will be, at the same time, in the survey form, database, video film and at the ground as well. This video will be used during GRC meetings in case of any fraudulent claims in the future as per the common practice in Bangladesh.

1.3.5 Preparation of Resettlement Action Plan (RAP)

Based on the census, SES and IoL data, opinions of the people from consultation meetings and following the outline of the RAP as per the TOR, RAP has been drafted. ARIPA 2017 as well as JICA Environmental Guidelines on Involuntary Resettlement has been considered in preparation of this RAP.

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The RAP has 12 chapters including project background and description, land acquisition and resettlement impacts, socio-demographic information, stakeholders consultation and participation, legal framework, resettlement policy & entitlement matrix, relocation and livelihood restoration, GRM, RAP implementation and institutional arrangement, cost estimate & budget and monitoring & Reporting.

1.4 CUT-OFF DATES

According to the GOB land acquisition law (ARIPA 2017), the date of serving notice under section 4 by the DC office is the cut-off date for the legal owners of the affected properties. Besides, commencement date of census, SES and IoL is the cut-off date for the squatters/unauthorized occupants (non-titled owners). During conducting study in five bottleneck sections the cut-off dates were declared in the small group consultation meetings for the non-titled owners prior to start the census and IOL survey. Some cut-off date was renewed due to review of the RoW based on feedback received from small group meetings or the initial ground survey to avoid and minimize the populated areas or Common Property Resources (CPRs) such as mosques. Location-wise latest cut-off dates for the non-titled owners are shown in the table below.

Table 1–5: Declaration of cut-off date

Locations	Consultation meetings held	Cut-off dates for the Non-titled PAPs	Remarks
Patiya	24 August 2020	25 August 2020	
Dohazari	23 August 2020 and 13 December 2020	14 December 2020	Initially the cut-off date was declared on 24 August 2020. But to avoid mass displacement the total alignment was shifted/ adjusted and new cut-off date was declared on 14 December 2020 for the new alignment.
Lohagara	25 August 2020 and 14 December 2020	15 December 2020	Initially the cut-off date was declared on 26 August 2020. But to avoid mass displacement of the people, mosques, graveyard and weather signaling system office, the total alignment was shifted/ adjusted and new cut-off date was declared on 15 December 2020 for the new alignment.
Keranihat	14 March 2021	15 March 2021	
Chakaria	15 December 2020 and 05 June 2021	16 December 2020, 6 June 2021	Initially the cut-off date was declared on 16 December for the total alignment. But a portion of the alignment (Chainage 6+400 – 6+840) was shifted to avoid displacement of a Hindu Community. Therefore, the new cut of date for Chainage 6+400 – 6+840 was declared on 6 June 2021.

Source: KMC RAP Team

In Bangladesh practice, the cut off dates are often changed during Detailed Design stage if any changes are occurred in alignment and/or when the updated RAP will be prepared to calculate the top-up amount of the compensation and assistance. RHD will make decision about the cut-off dates for the non-titled PAPs during detailed design stage.

2. LAND ACQUISITION AND RESETTLEMENT IMPACTS

2.1 SUMMARY OF PROJECT IMPACTS

The project has caused several types of impacts on 2,552 project affected units (PAUs) including HHs, shops, community properties and offices/institutions and local people due to loss of land, structures, trees, business, livelihood, etc. for the interventions in five major bottleneck sections. A total of approx. 405.1965 acres (164.0472 ha) of private land will be acquired for the project at five locations out of which approx. 116.43 acres in Lohagara, approx. 65.5 acres in Dohazari, approx. 1.2 acres in Keranihat, approx. 4.22 acres in Patiya and approx. 147.84 acres in Chakaria.

Major impacts on project affected units (PAUs¹) identified at Chakaria (836 PAUs), followed by Dohazari (681 PAUs), Lohagara (426 PAUs), Patiya (349 PAUs) and Keranihat (263 PAUs). Among the total affected PAUs, there are 44 community property resources (CPRs)/institutional out of which 10 CPRs are at Dohazari, 17 at Lohagara and 11 CPRs at Keranihat, 5 CPRs at Patiya and only one at Chakaria. Apart from the CPRs there are good numbers of business premises affected at Keranihat since the flyover alignment is passing through the RHD existing right of way. Total 11,413 persons in 2508 households (excluding CPRs) are affected with average HH size is 4.55.

Table 2–1: Summary of Project Impacts

Sl. No.	Project Impacts	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
1	Amount of Private land (acre)	74.22	65.5065	116.43	1.2	147.84	405.1965
	Amount of Govt land in acre (other than RHD)	74.220	65.5065	116.43	1.2	147.84	405.1965
2	Total No. of households requiring physical relocation (residential structures are fully or mostly affected)	243	319	343	237	367	1509
3	No. of titled HHs losing res/com and other structures requiring relocation	240	301	331	82	362	1316
4	No. of titled HHs losing res/com and other structures requiring No-relocation	28	14	30	4	23	99
5	No. of Non-title losing res/com and structures requiring relocation	3	18	12	155	5	193
6	No. of Non-title losing res/com and structures requiring No relocation	1	0	0	11	1	13
8	Only Landowners	71	81	291	0	444	887
9	No. of CPRs and Offices/ Institutions affected	5	10	17	11	1	44
10	No. of total affected HHs (landowners, structure owners)	343	414	664	252	835	2508
11	Total No. of Project Affected Units	348	424	681	754.4	2333.68	2552

¹ PAUs denote Project Affected Units that include affected households, business and community properties

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Sl. No.	Project Impacts	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
12	No. of residential tenants affected	22	24	8	12	5	71
	No. of Commercial tenants affected	55	168	53	216	30	522
13	No. of businesses affected	54	204	73	344	37	712
14	No. of wage laborer affected	55	256	13	289	28	641
15	No. of Informal Vendors affected	0	15	0	191	0	206
16	No. of trees affected owned by HHs	18,353	10,639	30,785	2,741	22,884	85,402
	No. of trees affected owned by CPRs	40	28	420	35	0	523
17	Total person affected ²	1,547	2,090	2,967	1,213	3,596	11,413

Source: Census, SES, IoL Survey August 2020-June 2021

2.2 AFFECTED ENTITIES BY CATEGORY OF LOSS

The data collected through census and IOL survey revealed that 1,084 (42.48%) HHs lost residential structures in five bottleneck sections while 374 (14.66%) HHs lost their commercial structures and 53 HHs lost both residence cum commercial structures. The proposed alignment is also affecting the agricultural land. A total of 887 HHs (34.76%) have been identified as the owners of only plain land without encumbrances. Among them 291 HHs at Dohazari, 81 HHs at Lohagara, 71 HHs at Patiya and 444 HHs at Chakaria. A total of 108 HHs are losing only secondary structures (boundary wall, tube well, drain, etc.) by the project. Primary structure owners (residence and shops) are required relocation elsewhere since major portion of the primary structures have been affected by the project.

Table 2–2: Total entities affected by the project in five locations

Types of affected entities	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total	%
HHs losing Residential structure	212	287	233	4	348	1084	42.48
HHs losing Commercial structure	27	38	72	223	14	374	14.66
HHs losing both Res. Cum Commercial	5	18	17	10	5	55	2.16
HHs losing only Secondary Structure	28	30	11	15	24	108	4.23
HHs losing Only Land	71	291	81	0	444	887	34.76
Community Properties (CPRs)	4	5	14	7	1	31	1.21
Other Offices/ Institutions	1	5	3	4	0	13	0.59
Total PAUs	348	424	681	263	836	2552	100

Source: Census, SES, IoL Survey August 2020-June 2021

2.3 IMPACTS ON LAND

Total 405.1965 acres (164.047 ha) of private land at five bottlenecks sections will need to be acquired out of which 147 acres (36.30%) at Chakaria followed by Lohagara 116.43 acre (28.77%), Patiya 78.45

² Members of residential and commercial entities

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acre (19.37%), Dohazari 65.50 acres (16.17%) and Keranihat 1.20 acres (0.30%). Most of the affected land is Null 322(79.47%) followed by homestead 45.79 Acre (11.30%), Pond 15.43 Acres (3.81%) and Vita (high land) 13.09 Acre (3.23%). In this RAP the category of land has been assessed based on the field visit during census and IOL survey (not the official land use). The affected land area was measured using the GIS technique based on the right of way fixed for each of the major bottleneck sections. Category of land including quantity (area) will be finally determined by the Deputy Commissioner during land acquisition process based on land acquisition plan.

Table 2–3: Category wise quantity of land to be acquired

Category of Land	Quantity of affected land by locations					Total	%
	Patiya	Dohazari	Lohagara	Keranihat	Chakaria		
Null	5,761.5	3,799.65	9,462	8	13,169	32,200.15	79.47
Residence	1,032	965.75	1,317	10	1,254	4,578.75	11.30
Commercial	55	334.25	93	94	78	654.25	1.61
Pond	357	295.5	624	0	267	1543.5	3.81
Orchard	7	68.25	0	0	11	86.25	0.21
Vita	174.5	1,069.25	66	0	0	1,309.75	3.23
Ditch	3	18	23	0	0	44	0.11
Community Property	32	0	58	8	5	103	0.25
Total (Decimal)	7422	6,550.65	11643	120	14784	40,519.65	100
Total (Acre)	74.22	65.5065	116.43	1.20	147.84	405.1965	
Total (Ha)	30.0486	26.5209	47.1377	0.4858	59.8543	164.0472	

Note: 100 Decimal = 1 Acre

Source: Census, SES, IoL Survey August 2020-June 2021

Apart from the private land about 1.64 acres of land of various agencies (other than RHD) will be used for the project. Location wise quantity of land to be taken from various agencies are presented in the table below.

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Table 2–4: Land to be taken from various agencies

Ownership of land	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total Land (Acre)
Ministry of Education	0	0	0.2	0.1	0.12	0.42
Anser Camp	0.05	0	0	0	0	0.05
BIWTA	0	1	0	0	0	1
Chattogram WASA	0.05	0	0	0	0	0.05
Ministry of Health	0	0.06	0.03	0	0	0.09
Union Parishad	0	0	0	0.03	0	0.03
Total (Acre)	0.10	1.06	0.23	0.13	0.12	1.64

Source: Estimated by KMC based on mouza maps

2.4 IMPACT ON PRIMARY STRUCTURE

There is total 3,478 primary structures with 1,692,967 square feet (sft) of various types³ (pucca, Semi-pucca, Tin-made, Katcha and Thatched) are identified in the five bottleneck sections containing 682 pucca structures with 706,590 sft, 1,088 semi-pucca with 498,655 sft, 972 tin-made structures with 264,230 sft, 674 Katcha structures with 214,476 sft and 66 thatched with 9,016 sft identified as affected structure in the five bottleneck points. It is revealed that major portion (71.19%) of the affected structures is non-shiftable (Pucca & semi-pucca) category while about 28.81% is shiftable (Katcha, Tin-made and Thatched) that indicates the economic condition of the affected people is well off. If adequate compensation is paid for the affected assets, the PAPs will be able to reconstruct their structures.

Table 2–5: Affected primary structure on Private land

Category of structure	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total (sft)
Pucca	75,050	114,879	325,396	73,423	83,362	672,109
Semi-Pucca	107,119	91,239	139,488	21,504	120,062	479,412
Tin-Made	44,419	45,930	60,584	6,576	77,173	234,682
Katcha	37,601	54,180	44,601	1,470	73,286	211,138
Thatched	609	1,724	310	-	5,829	8,472
Total	264,799	307,952	570,379	102,972	359,712	1,605,812

Source: Census, SES, IoL Survey August 2020-June 2021

Table 2–6: Affected primary structure on Government Land

Category of structure	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total (sft)
Pucca	-	54	4,140	30,287	-	34,481
Semi-Pucca	2,166	3,323	2,083	11,594	77	19,243
Tin-Made	204	2,029	2,418	23,360	1,537	29,548
Katcha	-	413	64	2,185	676	3,338
Thatched	-	-	84	-	460	544
Total	2,370	5,819	8,789	67,426	2,750	87,154

Source: Census, SES, IoL Survey August 2020-June 2021

³ Pucca= Concrete roof with brick wall and concrete/brick floor, Semi-pucca= CI Sheet roof with brick wall and brick floor, Tin-made= CI sheet roof with CI sheet fence and brick/earthen floor, Katcha= CI sheet roof with wooden/ bamboo fence and earthen floor, Thatched= Straw roof with straw/bamboo/wooden/earthen fence and earthen floor.

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2.5 IMPACT ON SECONDARY STRUCTURES

Apart from the primary structures, there are some secondary/auxiliary structures which are affected within the proposed ROW at five bottleneck sections. The secondary structures include boundary walls, septic tanks, sanitary toilets, pucca floor and deep tube-wells. Affected secondary structures will not lead to displace the HHs. Secondary structures are measured in square feet (sft), running feet (rft), cubic feet (cft) and number based on the nature and use of structure.

Table 2–7: Impact on secondary structures on Private and Government Land

Categories	Unit Code	Patiya		Dohazari		Lohagara		Keranihat		Chakaria		Total	
		No.	Qty.	No.	Qty.	No.	Qty.	No.	Qty.	No.	Qty.	No.	Qty.
Auto rice machines	No.	0	0	1	6	0	0	0	0	0	0	1	6
Bench	Sft	0	0	2	91	0	0	0	0	1	72	3	163
Boundary Wall (10")	Rft	14	1871	2	80	5	1071	0	0	4	183	25	3205
Boundary Wall (5")	Rft	47	4730	78	7122	116	17725	4	553	76	9121	321	39251
Boundary Wall (Tin)	Rft	32	2242	45	2588	19	1369	1	65	41	2603	138	8867
Bridge	Sft	0	0	1	254.6	0	0	0	0	0	0	1	254.6
Deep Tubewell	No.	54	56	22	23	0	0	3	3	1	1	80	83
Fotok (Memorial Statue)	No.	0	0	1	1	0	0	0	0	0	0	1	1
Gate	Sft	8	592	23	1721	38	2907	2	119	3	280	74	5619
Katcha Toilet	No.	4	5	13	15	9	9	0	0	11	12	37	41
Motor	No.	0	0	35	36	11	11	0	0	0	0	46	47
Pond Stair	Sft	3	696	2	171	1	180	0	0	0	0	6	1047
Pucca Floor	Sft	13	8102	7	3678	7	18124	7	6260	2	1640	36	37803
RCC Pillar	No.	16	155	19	196	17	188	0	0	19	208	71	747
Septic Tank	Cft	48	89861	14	14244	87	172735	0	0	43	52678	192	329518
Sanitary Toilet	No.	47	57	56	70	51	69	3	3	36	39	193	238
Slab Toilet	No.	68	82	77	93	72	76	4	4	192	198	413	453
Stair	Sft	5	910.36	5	465.5	15	1871	0	0	18	921	43	4168
Tube well	No.	14	15	113	127	84	87	6	7	233	245	450	481
Varanda	Sft	31	5414	48	6786	72	11404	55	10251	84	13300	290	47155
Drain	Rft	0	0	0	0	5	319	1	90	0	0	6	409
Machine Foundation	Cft	0	0	0	0	2	240	0	0	0	0	2	240
Saw Mill	Sft	0	0	0	0	1	720	0	0	0	0	1	720
Water Pump	No.	41	44	0	0	102	108	1	1	46	49	190	202
Water Tank	Cft	4	20571	0	0	2	534	0	0	0	0	6	21105
Water Tank (Plastic)	No.	2	2	0	0	1	2	0	0	0	0	3	4
Grill	Rft	0	0	0	0	0	0	1	16	0	0	1	16
Oil Machine	No.	0	0	0	0	0	0	2	8	0	0	2	8
Oil Tank	Cft	0	0	0	0	0	0	2	4560	0	0	2	4560
Grave	Sft	2	254	0	0	0	0	0	0	0	0	2	254
Monument	No.	1	2	0	0	0	0	0	0	1	1	2	3
Mobile Tower	No.	0	0	0	0	0	0	0	0	1	1	1	1
Water Pump House	Sft	0	0	0	0	0	0	0	0	1	120	1	120

Source: Census, SES, IoL Survey August 2020-June 2021

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Gate (Fotok)



Mosque



Ablution Points of the Mosque



Gate of Madrasah (CPRs)



Shohid Minar (Martyr Monument)



Passenger shed of a bus stop

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2.6 IMPACT ON TREES

A large number of trees of various species have been found affected in the proposed right of way of five bottleneck sections since the alignment is passing through villages in at least four bottleneck sections except Keranihat. A total of 85,402 trees of various sizes⁴; Large 13,691, Medium 20,611, Small 34,727 and plant (sapling) 16,373 are affected. Out of the total 30,785 trees in Lohagara, 10,639 trees in Dohazari and 2,741 trees in Keranihat, 18,353 trees in Patiya and 22,884 trees in Chakaria have been identified during the field survey. The trees have been categorized⁵ as fruit bearing, timber type, firewood, medicinal, bamboo, cane bush, papaya and banana. Size and species will be finally assessed by the Forest department during Land acquisition process and compensation will be paid adding 100% premium as per ARIPA 2017. The owners of trees will get resettlement benefits @ 2% of timber value for afforestation.

Table 2–8: Impacts on trees

Types of trees		Size of trees				Total
		Large	Medium	Small	Plant	
Patiya	Fruit bearing	298	962	1397	729	3386
	Timber	491	1065	5887	814	8257
	Timber & fruit	227	484	1129	625	2465
	Firewood	0	57	394	10	461
	Medicinal	1	2	56	14	73
	Bamboo	523	649	302	30	1504
	Banana	335	468	770	81	1654
	Papaya	64	85	76	19	244
	Cane bush	110	50	149	0	309
	Sub-Total	2049	3822	10160	2322	18353
Dohazari	Fruit bearing	358	933	1027	337	2655
	Timber	414	827	2825	442	4508
	Timber & fruit	203	202	510	280	1195
	Firewood	0	8	33	19	60
	Medicinal	0	0	8	4	12
	Bamboo	123	153	281	0	557
	Banana	325	481	602	151	1559
	Papaya	13	16	47	0	76
	Cane bush	2	0	15	0	17
	Sub-Total	1438	2620	5348	1233	10639
Lohagara	Fruit bearing	775	1159	1329	5562	8825
	Timber	1374	3305	3635	1772	10086
	Timber & fruit	472	1691	2081	1138	5382
	Firewood	122	103	117	0	342
	Medicinal	2	25	0	4	31
	Bamboo	979	863	258	10	2110
	Banana	1611	571	669	67	2918
	Papaya	122	129	78	600	929
	Cane bush	70	0	92	0	162
	Sub-Total	5527	7846	8259	9153	30785

⁴**Tree Size:** Big= 16+ feet height and girth size 30-40 Inch at chest level, Medium= 11-15 feet height and girth size 20-30 Inch at chest level, Small= 6- 10 feet height and girth size 10-20 Inch at chest level, Plant= 1- 5 feet height and girth 1-10 Inch,

Note: Tree size will be calculated based on tree measurement log sheet of Forest Department during LA process.

⁵ **Timber:** High timber value and used for furniture fixture such as, Rain Tree/Koroi, Mehgini, Shegun, etc.

Fruits and Timber: High value of Timber and fruits as well, such as Mango, Jackfruit, Litchi, Coconut, Dates, Palm tree, etc.

Fruit bearing: High value of fruits but very less value of timber such as Guava, Lemon, Sofeda/Shorifa, Dalim, etc.

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Types of trees		Size of trees				Total
		Large	Medium	Small	Plant	
Keranihat	Fruit bearing	1	2	21	0	36
	Timber	282	629	755	116	1782
	Timber & fruit	39	112	140	7	298
	Firewood	0	0	0	0	0
	Medicinal	0	0	0	0	0
	Bamboo	0	0	32	0	32
	Banana	150	135	226	37	548
	Papaya	20	10	10	5	45
	Cane bush	0	0	0	0	0
	Sub-Total	494	891	1191	165	2741
Chakaria	Fruit bearing	1335	1163	1563	507	4568
	Timber	437	1426	3691	675	6229
	Timber & fruit	273	1678	2754	1789	6494
	Firewood	70	167	325	237	799
	Medicinal	2	52	306	236	596
	Bamboo	1043	204	524	3	1774
	Banana	657	531	441	50	1679
	Papaya	41	70	23	3	137
	Cane bush	325	141	142	0	608
	Sub-Total	4,183	5,432	9,769	3,500	22,884
Total	13,691	20,611	34,727	16,373	85,402	

Source: Census, SES, IoL Survey August 2020-June 2021

2.7 IMPACT ON COMMUNITY PROPERTIES AND PUBLIC PROPERTIES

There is a total of 31 Community property resources (CPR) such as Mosque, Mazar, Graveyard, non-government school, Temple and Madrasah are affected in the project right of way. Some of the CPRs are fully affected and require relocation in new location while some are partially affected and not require relocation. Relocation requirements have been discussed in Chapter 7 of this RAP. The management committee of CPRs will be consulted during implementation of the project regarding relocation/ reconstruction of the CPRs. In practice, in case of school relocation, classes will not be stopped. The school authority will arrange alternative school for the teachers and students or wait for the new school to be constructed before demolishing the affected school.

Apart from the CPRs, some 13 government and non-government offices/institutions are also affected. The Offices/institutions include Government school, health clinic, political party club, government office, passenger shed of a bus stop, etc. which will get compensation for dismantling and reconstruction of the offices. In case of government offices, compensation will be paid to concerned authority/Ministry/ Department. Two private health clinics will be affected by this project. During the RAP survey several health clinics were observed in the nearby areas where the affected people could access health services hence demolition of the affected clinics will not cause severe impacts to the local communities. The table underneath presents the CPRs, and other offices/institutions affected in five bottleneck sections.

Table 2–9: Impact on community properties and public properties

Types	Category of Institutions	Affected by Locations					Total
		Patiya	Dohazari	Lohagara	Keranihat	Chakaria	
CPRs	Madrasa	0	1	1	1	0	3
	Mazar	1	1	2	2	0	6
	Graveyard	0	0	5	0	0	5
	Mosque	2	3	4	2	1	12

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	Mosque cum Madrasha	0	0	2	1	0	3
	Non-government school	0	0	0	1	0	1
	Temple	1	0	0	0	0	1
	Total CPRs	4	5	14	7	1	31
Offices/Institutions	Club office	0	3	0	0	0	3
	Govt. School	0	1	1	2	0	5
	Health Clinic	0	1	1	0	0	2
	Government Office	0	0	0	1	0	2
	Passenger shed	0	0	1	0	0	1
	Police Box	0	0	0	1	0	1
	Water Treatment Plant	1	0	0	0	0	1
	Total of Other Offices	1	5	31	4	2	13
	Total (CPRs and Offices)	5	10	17	11	1	44

Source: Census, SES, IoL Survey August 2020-June 2021

2.7.1 Primary Structure of Affected CPR and other offices/Institutions

Total 58 (62,412 Sft) primary structures of total 44 community properties (CPRs)⁶ and other offices/institutions⁷ in both private and government land have been identified during the census and IOL survey. Out of the total quantity of structures, major portion is pucca structure (50,173 sft.) followed by Semi-pucca (5501 sft), Tin-made (5,443 sft), and Katcha (1295 sft). Maximum quantity is affected at Keranihat section (30,136 sft) while minimum quantity is affected at Chakaria (4420 sft). The table underneath presents number and quantity of affected CPRs and other offices/institutions at five bottleneck sections.

Table 2–10: Primary structures of affected CPRs on Private Land

Category of structure	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total (sft)
Pucca	196	3,195	10,814	23,105	4,420	41,730
Semi-Pucca	-	876	845	719	-	2,440
Tin-Made	-	143	-	2,054	-	2,197
Katcha	-	-	-	-	-	-
Thatched	-	-	-	-	-	-
Total	196	4,214	11,659	25,878	4,420	46,367

Source: Census, SES, IoL Survey August 2020-June 2021

Table 2–11: Primary structures of CPRs on Government Land

Category of structure	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total (sft)
Pucca	498	461	4,855	2,628	-	8,442

⁶ CPR: (Community Property Resource) Refers to social, religious and educational institutions constructed for the community interest and maintained by a group of people of the community.

⁷ Offices/Institutions denote government offices, schools, clubs, etc. those are operated by an interest group/government, not by community.

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Semi-Pucca	1,432	-	-	1,630	-	3,062
Tin-Made	3,246	-	-	-	-	3,246
Katcha	1,295	-	-	-	-	1,295
Thatched	-	-	-	-	-	-
Total	6,471	461	4,855	4,258	-	16,046

Source: Census, SES, IoL Survey August 2020-June 2021

2.7.2 Secondary Structures of CPRs and other offices/ institutions

Apart from the primary structures of the CPRs, there are some secondary structures including donation box, gate, tube well, ablution bench and points, boundary wall, septic tank, etc. at all five major bottleneck sections. Types, nature and size/quantity of secondary structures will be finally assessed by Public Works Department (PWD) during Land acquisition process as per GOB rule. The secondary structures are measured in square feet (sft), running feet (rft), cubic feet (cft) and number (No.) based on nature of the structure.

Table 2–12: Secondary structures of CPRs and other offices/institutions

Categories	Unit Code	Patiya		Dohazari		Lohagara		Keranihat		Chakaria		Total	
		No.	Qty	No.	Qty	No.	Qty	No.	Qty	No.	Qty	No.	Qty
Donation box	Sft	0	0	1	42	0	0	0	0	0	0	1	42
Gate (iron made)	Sft	0	0	1	120	1	16	0	0	0	0	2	136
Passenger shade	Sft	0	0	1	252	1	143	0	0	0	0	2	395
Verandra	Sft	1	544	2	1631	2	270	3	2751	1	800	9	5996
Deep tube well	No.	0	0	1	1	0	0	1	1	0	0	2	2
Hand Tube well	No.	0	0	1	1	0	0	0	0	1	1	2	2
Ablution Bench	No.	0	0	1	16	1	10	0	0	0	0	2	26
Sanitary Toilet	No.	1	2	1	2	2	3	1	2	0	0	5	9
Boundary Wall (5")	Rft	1	50	1	48	8	1427	1	93	1	290	12	1908
Septic Tank	Cft	1	648	1	1440	1	1728	0	0	0	0	3	3816
Water pump	No.	1	1	0	0	4	4	0	0	0	0	5	5
Boundary Wall (10")	Rft	0	0	0	0	1	400	2	317	0	0	3	717
Gate (Pucca)	Rft	0	0	0	0	2	53	0	0	1	10	3	63
Bath Room	Sft	1	80	0	0	1	140	0	0	0	0	2	220
Latrine	Sft	0	0	0	0	1	190	0	0	0	0	1	190
Ozu Khana (Ablution Room)	Sft	0	0	0	0	3	588	1	275	1	200	5	1063
Pucca Floor	Sft	0	0	0	0	1	1276	0	0	0	0	1	1276
Shohid Minar (Martyr Monument)	Sft	0	0	0	0	1	91	0	0	0	0	1	91
RCC Pillar	No.	0	0	0	0	0	0	1	5	0	0	1	5
Minar	Sft	0	0	0	0	0	0	0	0	1	112	1	112
Stair	Sft	0	0	0	0	4	654	0	0	0	0	4	654

Source: Census, SES, IoL Survey August 2020-June 2021

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2.7.3 Trees owned by CPRs and Other offices/Institutions

Total 523 trees are identified in the CPRs & other offices/institutions premises situated at five bottleneck points. The maximum affected trees are identified in Lohagara (420) among which Timber type occupies the largest share (Large-17, Medium-11, Small-7, Plant-156). In Keranihat, most affected trees are fruit bearing (Small-20), and Banana (15). In Patiya, 14 fruit bearing trees and 26 timber trees are affected. There is no tree in the CPRs at Chakaria. Table beneath presents the trees on CPRs/offices land in five bottleneck sections.

Table 2–13: Trees affected on the CPRs and Offices/Institutions land

Type of Tree (CPR)		Fruit bearing	Timber	Timber fruit	Firewood	Medicinal	Bamboo	Banana	Papaya	Cane bush	Total
Patiya	Large	0	9	0	0	0	0	0	0	0	9
	Medium	5	17	0	0	0	0	0	0	0	22
	Small	9	0	0	0	0	0	0	0	0	9
	Plant	0	0	0	0	0	0	0	0	0	0
	Total	14	26	0	0	0	0	0	0	0	40
Dohazari	Large	0	0	0	0	0	0	0	0	0	0
	Medium	0	10	5	0	0	0	0	0	0	15
	Small	0	13	0	0	0	0	0	0	0	13
	Plant	0	0	0	0	0	0	0	0	0	0
	Total	0	23	5	0	0	0	0	0	0	28
Lohagara	Large	0	17	0	0	0	0	8	0	0	25
	Medium	161	11	14	14	3	0	0	0	0	203
	Small	3	7	15	0	0	0	11	0	0	36
	Plant	0	156	0	0	0	0	0	0	0	156
	Total	164	191	29	14	3	0	19	0	0	420
Keranihat	Large	0	0	0	0	0	0	0	0	0	0
	Medium	0	0	0	0	0	0	0	0	0	0
	Small	20	0	0	0	0	0	15	0	0	35
	Plant	0	0	0	0	0	0	0	0	0	0
	Total	20	0	0	0	0	0	15	0	0	35
Total	Large	0	26	0	0	0	0	8	0	0	34
	Medium	166	38	19	14	3	0	0	0	0	240
	Small	32	20	15	0	0	0	26	0	0	93
	Plant	0	156	0	0	0	0	0	0	0	156
	Total	198	240	34	14	3	0	34	0	0	523

Source: Census, SES, IoL Survey August 2020-June 2021

2.8 IMPACTS ON BUSINESS

Three categories of businesses have been identified based on nature and capital investment i.e. large (having TIN certificate and capital investment is more than BDT 500,000), medium (have no TIN

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certificate and capital investment is BDT 200,000 to 500,000 and small (have no TIN certificate and capital investment is less than BDT 200,000). In the five bottleneck sections, about 59.13% of business have been found small, 22.47% is medium and 18.40% business is large. During Detailed Design stage business restoration grants for large and other categories will be assessed through final census socioeconomic & IOL survey.

Table 2–14: Nature of business affected by the project

Nature of business	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total	%
Large business	9	10	12	97	3	131	18.40
Medium business	13	52	15	78	2	160	22.47
Small business	32	142	46	169	32	421	59.13
Total	54	204	73	344	37	712	100

Source: Census, SES, IoL Survey August 2020-June 2021

2.9 IMPACTS ON TENANTS

The table underneath presents the data of affected tenants at five locations. Out of the total 593 tenants, 522 are identified as commercial tenants and 71 are residential tenants. Keranihat represents the maximum number of affected commercial tenants (216) and Dohazari represents the maximum number of affected residential tenants (24). As per entitlement matrix, commercial tenant will be entitled to have resettlement benefits to restore their business, while the residential tenants will get support for alternative rental arrangement.

Table 2–15: Types of affected Tenants

Types of Tenants	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
Residential Tenant	22	24	8	12	5	71
Commercial Tenant	55	168	53	216	30	522
Total Tenants	77	192	61	228	35	593

Source: Census, SES, IoL Survey August 2020-June 2021

2.10 IMPACT ON VENDOR

Apart from the squatter and tenants there are some vendors⁸ at Dohazari (15) and Keranihat (191) section. No vendors are found in other bottleneck sections. These vendors are selling their good on the RHD land without rent or tax. Major number of vendors are found as fruit seller (61) and cloth seller (40) at Keranihat. Numbers of vendors are always changeable and new vendors may come to the site or someone may leave at any time. Therefore, the final list of the vendors will be determined by the GRC during implementation of the Resettlement Action Plan. Affected vendors with trade license will get resettlement benefits to restore their business elsewhere.

⁸ Petty businessmen who do their business on small structure on wheel or sit on the ground without structure. They sit on a particular location everyday and sale their goods. Mobile vendors who sale goods (betel leaf, nuts, cigarette, etc.) on foot are not included in this category.

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Additionally, the vendors without permanent structures but do business on the same place for almost every day were considered entitled vendors in the past international projects (e.g. MRT Line 6 project of JICA, Bus Rapid Transit Project of ADB) in Bangladesh.

Table 2–16: Affected vendors at Dohazari and Keranihat

Types of Vendors	Dohazari	Keranihat	Total
Bag seller	0	1	1
Cloth seller	0	40	40
Cosmetics shop	0	4	4
Flexi load/ Bkash shop	0	8	8
Fruits shop	0	61	61
Grocery shop	0	5	5
Jhal Muri (spicy puffed rice)	0	2	2
Lock & Key repair	0	1	1
Bycycle Mechanics	0	1	1
Betel leaf, Cigarette, betel nut	7	33	40
Shoe maker	0	17	17
Street food	2	9	11
Tailors	0	1	1
Tea Stall	0	2	2
Vegetable	4	4	8
Watch Repairing Shop	0	2	2
Dry Fish	1	0	1
Meat	1	0	1
Total	15	191	206

Source: Census, SES, IoL Survey August 2020-June 2021

At Keranihat section, all the affected vendors are informal. Some of them have moveable structure while some have no structure. The below table provides details distribution of affected vendors at Keranihat.

Table 2–17: Number of Affected vendors with/without structures at Keranihat

Type	Formal	Informal	Total
Number of vendors with a structure	0	55	55
Number of vendors without a structure	0	136	136
Total	0	191	191

Source: Census, SES, IoL Survey August 2020-June 2021

2.11 IMPACTS ON WAGE LABORERS

A total of 641 wage laborers have been identified during census and IOL survey at five bottleneck sections. Most of them are male wage laborers (625) and remaining are female (16). The female wage laborers are mainly engaged in the restaurant as assistant to the cook, supplying of drinking water, etc. On the other hand, male wage laborers are mostly engaged in restaurant, grocery shop, wholesale market, etc. Major impacts on wage laborers are found at Keranihat (289) followed by Dohazari (256). Wage laborers will be entitled to have grants for wage loss for a certain period as per policy of the RAP.

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Table 2–18: Affected wage laborers at five bottleneck sections

Impacts on Wage laborers	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
Male Wage Laborer	46	255	13	289	22	625
Female Wage Laborer	9	1	0	0	6	16
Total Wage Laborer	55	256	13	289	28	641

Source: Census, SES, IoL Survey August 2020-June 2021

2.12 IMPACT ON VULNERABLE GROUP

The vulnerable HHs have been defined as (a) income below poverty line⁹, (b) HH head with disability, (c) female headed poor¹⁰ households, and (d) old aged headed poor households. According to the census and socioeconomic survey income level of the HHs has been assessed. Considering poverty line (up to BDT 24,000/HH/month) about 1,189 HHs at five bottleneck sections are fallen under poverty line. The HHs living under poverty line are treated as vulnerable. Along with the HHs living under poverty line other vulnerable HHs will be entitled to have additional resettlement benefits as per policy of the RAP. The table underneath presents the vulnerable HHs of different categories in five bottleneck sections.

Table 2–19: Vulnerable HHs in the five bottleneck sections

Vulnerable Type	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
Male Headed HHs Under poverty line	126	121	252	48	405	952
Female headed Household under poverty line	12	15	35	1	47	110
Disabled Headed HHs under poverty line	2	8	3	2	5	20
Old Aged (>65) under poverty line	9	3	36	7	52	107
Total	149	147	326	58	509	1,189

Source: Census, SES, IoL Survey August 2020-June 2021

2.13 IMPACT ON LIVELIHOOD

As indicated in Section 1.2.1 Project Scope, two bridges will be constructed, one over Sangu River in Dohazari and another over Matamuhuri River in Chakaria. According to the field visit and contact with the location residence, there is no fishing point at the proposed bridge locations. No PAHs/PAPs will lose their fishing livelihood due to the bridge construction over the two rivers. Additionally, it was observed that water flow in the Matamuhuri River is mainly during rainy season (3-4 months) during which some wood and bamboo Marchant collect wood from the upstream through the river. However, their livelihood /business will not be affected by the project interventions since they do not dump the

⁹ According to the Household Income and Expenditure Survey (HIES) 2016 of the Bangladesh Bureau of Statistics (BBS) the upper poverty line for HH size of 4.06 in 2016 was BDT 15,988 per HH/month. Acknowledging the average HH size of the project area (4.55) BDT 23,500 (Say 24,000) has been adopted as the 2021 poverty line for the project. Therefore, HHs with average income up to BDT 24,000 per month is considered to be living under the poverty line.

¹⁰ Living under poverty line

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wood or bamboo at the project area. Recently, businessmen carry wood and bamboo mostly by road since road condition in the hill areas has been developed. On the other hand, Sangu River is not that much wide and there is very narrow strip found during dry season when water flow comes down. No crops or vegetables production is found in char during dry season. No livelihood on Char land will be impacted due to the project interventions.

3. SOCIO-ECONOMIC CHARACTERISTICS OF AFFECTED HOUSEHOLS

3.1 INTRODUCTION

The intervention of Chattogram Cox's Bazar Highway Improvement Project is being implemented in Chattogram and Cox's Bazar districts. According to the technical feasibility and engineering complexity, there are five selected bottleneck sections found in the projected area where four are located in Chattogram and one in Cox's Bazar district. The resettlement team conducted a comprehensive socio-economic survey on the affected people and properties at five bottleneck sections through a structured questionnaire using electronic devices. Socioeconomic characteristics of the affected households had been collected by face-to-face interviewing with the family head or senior proxy of all affected HHs, shops and community properties. Census & Socioeconomic Survey and Inventory of Losses (IOL) survey were carried out in the five bottleneck sections from December 2020 to August 2021 through an online data collection method using electronic devices, e.g tablet as described in Section 1.3.2 Methodic Section, Chapter 1. The survey was conducted maintaining all health measures and protection considering the COVID-19 pandemic that's why the project authority encouraged the survey online.

This survey was conducted with a view to collect a details socio-demographic profile of the Project Affected Population (PAPs) and evaluated the level of impacts on them due to the project intervention. Project Affected Units (PAUs) including residential households, plain landowners, shops, and community properties were identified through the census and inventory of losses survey. Based on the collected data and information, necessary mitigation measures have been formatted based on the magnitude of impacts on the affected people. This chapter describes the demographic information, age, sex, occupation, income, marital status, and other socio-economic issues of the project-affected peoples.

3.2 DEMOGRAPHIC CHARACTERISTICS OF PROJECT AFFECTED AREA

A large number of entity (2552 nos.) have been identified as Project-Affected Units (PAUs) where residential households, plain landowners and shops will be affected in five bottleneck sections of the project area. The survey found a total 2508 HHs will be partially affected in the project area where 2289 nos. Male headed, and 219 nos. Female headed HHs comprising a total of 11,413 population. Among them Male 6044 (52.96%) and Female 5369 (47.04). The male-female ratio is 100:89.

Apart from the HHs and shops, there are 44 community properties and offices/institutions (31 community properties and 13 offices/institutions) have been identified which will also be affected in the said five bottleneck sections. Out of the total 31 CPRs, 20 CPRs will need to be relocated while 10 offices/institutions out 13 are required relocation since primary structures are fully affected by the project. The average household size among the affected people is 4.55 which is much higher than the national average household size as per HIES 2016 is 4.06. Based on the socio-economic surveys conducted, consultations with affected persons and discussions with the local authorities, no ethnic group/indigenous populations will be affected by the project. However, a good number (219 nos.) of female headed HHs will be affected which may require special gender sensitive strategy for the successful implementation of the project. This project has allocated resettlement benefits for the women headed households as described in Chapter 6 Eligibility Policy and Entitlement Matrix. All the affected people are local Bengali with the majority of the Muslim community. The table below shows the household demographic profile.

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Table 3–1: Demographic information

Location	HH	Male HHH	Female HHH	Male No		Female No		Total Population		HH Size
				No	%	No	%	No	%	
Patiya	343	321	22	816	7.15	731	6.40	13,554.7	4.51	
Dohazari	414	384	30	1074	9.41	1016	8.90	23,019.0	5.05	
Lohagara	664	595	69	1583	13.87	1384	12.13	25,906.7	4.47	
Keranihat	252	247	5	644	5.64	569	4.99	10,231.3	4.81	
Chakaria	835	742	93	1927	16.88	1669	14.62	31,519.6	4.31	
Total	2508	2289	219	6044	52.96	5369	47.04	41,300.0	4.55	

Source: Census, SES, IoL Survey August 2020-June 2021

3.3 DEMOGRAPHIC PROFILE-AGE, MARITAL STATUS, HEALTH STATUS, AND RELIGION

The IOL survey including SES identified about 52.96 % are male and 47.04% female of the total population. In case of age distribution of the population, about 26.37% are up to 14 years of age, and about 3.90 % are more than 65+ while elderly population (more than 65+) was only about 5% as per HIES 2016. Of the total population about 47.50 % are married, 48.28% are unmarried 4.13% divorced/widow and 0.10% identified as Separated. Health status of the population shows that about 98.83% people say they do not have any chronic disease.

Table 3–2: Age, Marital status, Health status, and religion Distribution of Surveyed Population

Demographic Information	Details	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total	%
	Male	816	1074	1583	644	1927	6044	52.96

Resettlement Action Plan for Five Major Bottleneck Sections

Demographic Information	Details	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total	%
Total population	Female	731	1016	1384	569	1669	5369	47.04
	Total	1547	2090	2967	1213	3596	11413	100
Age	Up to 14	341	605	783	357	924	3010	26.37
	15 to 18	130	167	257	116	381	1051	9.21
	19 to 20	63	79	103	43	124	412	3.61
	21 to 30	288	406	517	192	602	2005	17.57
	31 to 40	214	320	436	159	531	1660	14.54
	41 to 50	212	227	387	168	465	1459	12.78
	51 to 65	231	217	357	137	429	1371	12.01
	>65 Yrs	68	69	127	41	140	445	3.90
	Total	1547	2090	2967	1213	3596	11413	100
Marital status	Married	780	949	1427	553	1712	5421	47.50
	Unmarried	688	1036	1403	625	1758	5510	48.28
	Divorced /Widow	76	103	136	34	122	471	4.13
	Separated	3	2	1	1	4	11	0.10
	Total	1547	2090	2967	1213	3596	11413	100
Health status	Chronic illness	14	15	2	3	7	41	0.36
	Disabled	15	21	13	6	17	72	0.63
	Mental disorder	2	4	9	2	4	21	0.18
	Without disability or chronic illness	1516	2050	2943	1202	3568	11279	98.83
	Total	1547	2090	2967	1213	3596	11413	100

Source: Census, SES, IoL Survey August 2020-June 2021

3.4 HOUSEHOLD BY RELIGION

Bangladesh is a Muslim majority country with 89.1% of the total population, Hindu 10%, and other religions 0.9%. The project area is more Muslim dominated where about 92.30% (2,315) of the affected Households religious are found Islam while 7.70% (1,930) are identified as Hindu by faith. There are no other religious people in the project area.

Table 3–3: Household by Religion

Religion	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total	%
Islam	283	377	664	239	752	2315	92.30
Hindu	60	37	0	13	83	193	7.70
Total	343	414	664	252	835	2508	100.00

Source: Census, SES, IoL Survey August 2020-June 2021

3.5 EDUCATION

The education level of the affected people in the 5 major bottleneck sections are found much higher than the national average education level. According to Bangladesh Economic Review 2021, the average literacy rate of the country is about 74.68% while in the project area it is about 84.79%. Remaining 15.21% are illiterate from which about 13.28 % didn't go to school and 1.93 % can only sign by virtue of adult education program of the GoB/NGO or by learning from the household members. More than 13.75 % of the affected people stopped their study after passing secondary school. Higher Secondary School Certificate (HSC) 9.13% and Degree or equivalent has been completed by 5.62% of affected people which show the decreasing pattern of higher education in the project area. Higher education (Masters and above) rate is significantly low among both groups, however, very low among the female (0.72%) than male (2.83%) population. The table below shows the educational status of the project area.

Resettlement Action Plan for Five Major Bottleneck Sections

Table 3–4: Education Level

Education	Patiya		Dohazari		Lohagara		Keranihat		Chakaria		Total					
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	%	Female	%	Total	%
No schooling	63	95	134	198	175	233	48	72	226	272	646	5.66	870	7.62	1516	13.28
Only signature	14	28	33	30	11	14	4	7	35	44	97	0.85	123	1.08	220	1.93
Primary	147	129	270	231	335	313	170	145	526	492	1448	12.69	1310	11.48	2758	24.17
High School	198	182	317	309	501	447	162	177	498	471	1676	14.69	1586	13.90	3262	28.58
SSC or equivalent	142	150	121	123	220	197	79	91	222	224	784	6.87	785	6.88	1569	13.75
HSC or equivalent	108	90	80	67	172	112	90	54	171	98	621	5.44	421	3.69	1042	9.13
Degree or equivalent	79	35	61	42	113	52	59	15	136	49	448	3.93	193	1.69	641	5.62
Master or equivalent	60	20	44	13	54	16	31	8	76	19	265	2.32	76	0.67	341	2.99
Hafez-e-Quran ¹¹	3	0	13	3	2		0	0	36		54	0.47	3	0.03	57	0.50
PhD	2	2	1	0	0	0	1	0	1	0	5	0.04	2	0.02	7	0.06
Total	816	731	1074	1016	1583	1384	644	569	1927	1669	6044	52.96	5369	47.04	11413	100

Source: Census, SES, IoL Survey August 2020-June 2021

¹¹ Hafez-e-Quran means the muslim people who captured the total Quran in his/her memory

3.6 MAJOR OCCUPATION

The survey found a diverse occupational pattern in the project area. More than 12 occupational groups except child have been found active including business, service, day laboring, expatriate, agriculture, and service as main occupation. Female persons are mostly housewife, although some females were found engaged in business, day laboring, service and domestic maid for their livelihood. The table below shows that among various types of occupation business (11.07%), housewives (24.46%), and students (32.29%) are found mostly affected in the five bottleneck areas. Among the affected adult people only 2.96% (combining male and female) are found unemployed. The table also shows that 2.99% are Agriculture and 2.40% are day laborer of total project affected people. The affected people who are unemployed or doing petty business can be selected for project civil work by the contractor. Besides, youth group within the age 18-30 can be trained on Income Generating alternatives. Livelihood restoration programs can enhance the capacity of the people particularly female and vulnerable people for doing more income-generating activities.

Resettlement Action Plan for Five Major Bottleneck Sections

Table 3–5: Major Occupations

Main Occupation	Patiya		Dohazari		Lohagara		Keranihat		Chakaria		Total					
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	%	Female	%	Total	%
Business	163	5	223	10	347	2	226	3	284	0	1243	10.89	20	0.18	1263	11.07
Service (Private/ Government/ NGO)	128	9	86	10	132	11	21	2	144	15	511	4.48	47	0.41	558	4.89
Expatriate	47	0	88	0	186	0	33	0	116	0	470	4.12	0	0.00	470	4.12
Agriculture	13	0	55	1	39	0	8	0	224	1	339	2.97	2	0.02	341	2.99
Day labor	37	4	56	5	47	6	4	0	97	18	241	2.11	33	0.29	274	2.40
Professional	39	5	16	1	36	0	8	2	90	8	189	1.66	16	0.14	205	1.80
Motor driver	16	0	35	0	39	0	8	0	33	0	131	1.15	0	0.00	131	1.15
Rickshaw/van/ push cart puller	0	0	0	0	0	0	0	0	6	0	6	0.05	0	0.00	6	0.05
Child	45	55	95	105	133	126	41	42	127	137	441	3.86	465	4.07	906	7.94
Housewife	0	398	0	500	0	742	0	278	0	874	0	0.00	2792	24.46	2792	24.46
Retired	45	30	37	53	76	60	20	20	61	42	239	2.09	205	1.80	444	3.89
Student	260	213	345	318	506	408	251	215	636	533	1998	17.51	1687	14.78	3685	32.29
Unemployed	23	12	38	13	42	29	24	7	109	41	236	2.07	102	0.89	338	2.96
Total	816	731	1074	1016	1583	1384	644	569	1927	1669	6044	52.96	5369	47.04	11413	100

Source: Census, SES, IoL Survey August 2020-June 2021

3.7 INCOME AND POVERTY LEVELS

According to the census, SES and IoL survey, it is found that nearly half (47.41%) of the population of the affected area lives below poverty line. Their maximum income range is below 24,000 taka which comparatively much lower than population whose income is more than 50,000 taka. The table below shows that only 11.44% people income is more than 50,000 while a great percentage of population (41.15) live under a lower middle class whose income level is up to BDT 50,000. When we compare the income level then it is easily found that large number of populations will be affected whose ability is very vulnerable to recover if they are not properly compensated by the project. Actually, lower income level population has limited ability to reconstruct their HH without adequate compensation.

Table 3–6: Income Levels

Income Range (in taka) per month/HH	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total	%
1-24000	149	147	326	58	509	1189	47.41
24001-30000	86	84	147	60	191	568	22.65
30001-40000	25	52	83	31	67	258	10.29
40001-50000	38	43	52	36	37	206	8.21
50001-60000	12	26	15	8	11	72	2.87
More Than 60000	33	62	41	59	20	215	8.57
Total	343	414	664	252	835	2508	100.00

Source: Census, SES, IoL Survey August 2020-June 2021

4. CONSULTATION, PARTICIPATION AND DISCLOSURE

4.1 OVERVIEW

For the construction of the Lohagara bypass, Dohazari bypass, Chakaria Bypass, Patiya Bypass and Keranihat flyover under the Chattogram-Cox's Bazar Highway Improvement Project (CCHIP), stakeholder meetings are planned at two stages; first stage which involves small group consultation meetings, is to appraise the people about the project and declare the cut off dates for the non-titled PAPs. The second round of consultation consists of small group meetings including Focus Group Discussions (FGDs) and information disclosure and request for comments was conducted when the draft RAP was ready to disclose it to the people as per the international practice.

A total of 23 small group consultation meetings were initially held with the local people particularly affected people in five bottleneck sections and local various stakeholders to inform the commencement of field survey and the cut-off date. Consultant and RHD representatives facilitated the meetings. At least three consultation meetings in each location were held maintaining COVID 19 norms. At these initial meetings, the representatives of the affected people were able to discuss and suggest changes on the proposed routes to avoid sensitive structures including temple, mazar and mosque. As a result, at Dohazari, Lohagara, and Chakaria sites double fold meetings were held due to changing/adjustment of the alignment.

In the first-round meeting, stakeholders were informed of the project, planned RoW, planned field survey, the cut-off date, potential adverse impacts related to land acquisition, involuntary resettlement through small group consultation meetings and personal contact during the census and inventory of losses survey. People were informed about the GOB law of land acquisition & resettlement and JICA Environmental Guidelines in brief in the meetings. The views of those stakeholders were collected systematically and were addressed in the report accordingly.

Due to the COVID-19 pandemic situation, special protection measures were taken in the meeting for all participants including hand sanitizing, distribute and ensure wearing masks, and sitting arrangement maintaining social distancing. The temperature of all participants was measured through Auto thermometer before entering the meeting venue. Before starting the formal discussion all of the participants introduced themselves with name, address, and occupation.

Disclosure sessions were held on the RAP policy in the form of focus group discussion and small group consultations were held at the five major bottleneck sections in September 19-22, 2022, to disclose the policy of the draft RAP to the PAPs including grievance mechanism. Total 15 focus group meetings and 15 small group consultations were held. Opinion of the PAPs were obtained through consultation and FGDs which have been incorporated in this final RAP. Information brochure in Bengali have been distributed among the PAPs and comments/observations have been sought through mobile number and email address.

4.2 KEY STAKEHOLDERS OF THE PROJECT

The consultation, discussion, and participation processes are started by identifying the stakeholders of the Project. The stakeholders of the Project were identified by the field survey team members through personal contact with the project affected people (PAPs), communicating with the UP chairman and local leaders, business community and field visits. The stakeholders include potential affected people, local government representatives and other beneficiary groups who have a stake in

the Project. Influential community people and PAPs were closely consulted during small group consultation meetings. The identified primary stakeholders are the landowners, residents, CPRs management committee, officials from affected office/institutions, squatters, traders, service holders, tenants, day laborers, driver, rickshaw/van pullers, boat owners & operators, etc., who will be directly and/or indirectly affected by the Project interventions. The identified secondary stakeholders are the public representatives, local government administration, the executing agency, a financing institution, consultants, etc.

4.3 APPROACHES AND METHODOLOGY

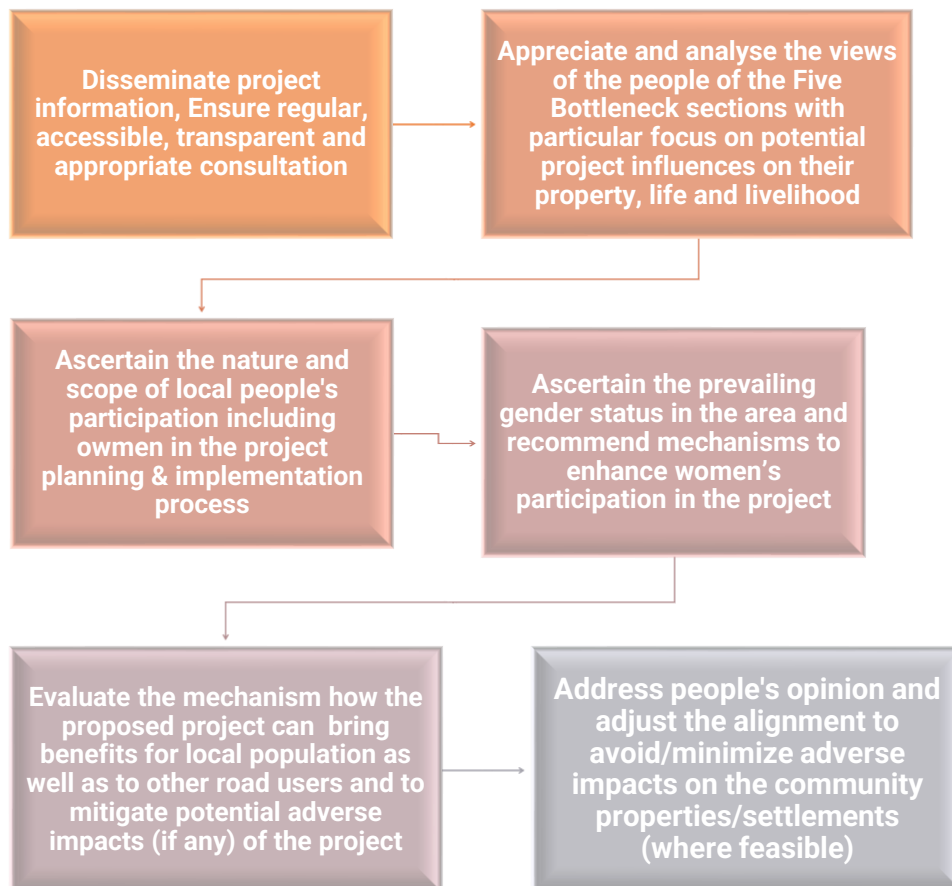
The approach for discussion, consultation and participation was structured in such a way that it would offer a platform to all the stakeholders where they may discuss, share and debate their opinions for better planning. The GOB National Resettlement policy 2018 as well as policy/guidelines of the Project financier (JICA) have been followed in designing and performing the consultation and participation process. The National Resettlement Policy of Bangladesh due to Land Acquisition, 2018, Section 5(d) stated to 'ensure transparency and participation of the affected people due to Land Acquisition in disseminating all information of the project'. The process was initiated through conducting necessary stakeholder meetings in the Project area (Five major bottleneck sections). Despite the local practice of 'Purdah' (seclusion of women) from public gatherings, the team encouraged the participation of women through the male members in the stakeholder meetings. Nevertheless, few women attended the consultation meetings, particularly in primary stakeholders' consultation meetings. Focus Group Discussions (FGDs) with women were conducted during information disclosure of the draft RAP. There is no other minority groups (ethnic groups) in the project sites therefore, any special measures for them was not required.

Taking into account of the COVID 19 pandemic situation mass gathering was avoided and small group consultation (formal and informal) and personal contact have been conducted maintaining COVID 19 norms in the project area. In spite of the consultation meetings masks and hand sanitizer were provided by the consultant and temperature of the participants was taken ahead of entering the meeting venue.

4.4 OBJECTIVES OF SMALL GROUP CONSULTATION MEETING

To assess stakeholders' needs, expectations, perceptions, and choices, and to ensure their rights and voices a two-fold consultation process was planned to be carried out during the survey. The main objectives of the public consultation meetings are to ensure timely, effective and multi-directional communications between the project and the relevant stakeholders and communities, so that people can get the benefits of the projects and the project get their cooperation to ensure successful implementation of the project. In this regard, small group meetings were conducted firstly with both the primary and secondary stakeholders following the COVID 19 norms. After preparation of the draft RAP, disclosure meetings in form of small group meetings and FGDs were held with all level stakeholders.

As part of the census, SES and IOL, a detailed stakeholder engagement process was undertaken to achieve the objectives as shown in Figure 4.1.



Source: KMC RAP Team

Figure 4-1: Detailed Stakeholder Engagement Process

4.5 VENUE AND NATURE OF PARTICIPANTS OF THE CONSULTATION MEETINGS

First-round small group consultation meetings were held in 23rd August, 2020, December 2020, March 2021 and June 2021 in the five bottleneck sections. A total of 23 meetings were held with 1,093 participants (male-976 and female-117) in 5 locations. Primarily three meetings were held in each location to disseminate project information and seek opinions of the people in addition to explaining the field activities and declared the cut-off date for non-titled holders (date of commencement of census and IOL survey). After changing/adjustment of the alignment at Lohagara, Dohazari and Chakaria sections based on participants' view and impacts identified on the ground, second round meetings were held to further disseminate project information including final ROW based on the opinion of the first-round meeting and declared the cut-off date at Dohazari and Lohagara. Due to partial changes of alignment in Chakaria, two cut off dates were established for the non-titled holders. Local government representatives, landowners, structure owners, CPRs management committee, businessmen, tenants and other categories of affected people and stakeholders were present in the meetings. The people were invited through Municipality/Union Parishad, personal contact and announcement in the mosque and public place.

After conducting survey and preparation of the draft RAP, disclosure sessions of the RAP policy were held at five bottleneck sections in the form of FGDs and SGMs between 19-22 September 2022. The meetings were held to address the affected people and other stakeholders and briefed about the project policy, entitlement, grievance mechanism, potential adverse impacts on the local people, mitigation measures including livelihood restoration activities as per GOB policy and JICA

Environmental Guidelines on involuntary resettlement, land acquisition requirements in brief. Opinions of the people were sought and well recorded during the consultation meetings. Local government representatives, affected people and beneficiary groups raised their voices and made suggestions to timely implement the project. Following the SGMs and FGDs was a two-week, 23 Sept-6 Oct 2022 RAP disclosure and collection of comments and feedbacks through a special created email address and mobile number.

The table underneath presents the date, time, number and category of participants in the consultation meetings.

Table 4–1: Stakeholder Consultation Meeting Summary

Meeting places	Date and number of meetings	Category of Participants	Number of Participant			Announced and Valid Cut-off Date
			Male	Female	Total	
Dohazari	23 rd Aug. 2020 (3 meetings)	Consultants, Business Group, Service holder, Driver, Muazzzin, Imam, Farmer, Khadim, Driver, Expatriate	77	11	88	14 December 2020
	13 th Dec. 2020 (3 meetings)		134	19	153	
Lohagara	25 th Aug. 2020 (3 meetings)	Journalist, Business, Service holder, Student, Housewife, Consultants, Retired Person, Mason, Farmer, Teacher	151	15	166	15 December 2020
	14 th Dec. 2020 (3 meetings)		159	9	168	
Keranihat	14 th Mar. 2021 (3 meetings)	Consultants, Business Group, Service holder, Driver, Imam, Farmer, Driver, Expatriate, Housewife	117	27	144	15 March 2021
Patiya	24 th Aug. 2020 (3 meetings)	Driver, Imam, Farmer, Driver, Expatriate, Housewife, Businessman, Mason, Retired Person, Teacher	64	17	81	25 August 2020
Chakaria	15 th Dec. 2020 (3 meetings)	Consultants, Service holder, Businessman, Farmer, housewife, Driver, Day Labourer, Teacher, Student, Expatriate	175	5	180	16 December 2020,
	6 th Jun. 2021 (2 meetings)		99	14	113	6 June 2021
Total= 23 meetings			976	117	1093	

Source: KMC RAP Team

4.6 SUMMARY OUTCOMES OF THE CONSULTATION MEETINGS

The meeting was started with a speech on the purpose & necessity of the project. The consultant and RHD representatives explained that, due to a huge traffic jam at Lohagara, Dohazari, Chakaria, Patiya and Keranihat Bazar on Chattogram-Cox’s Bazar highway, GoB has decided to construct bypass and flyover for smooth and hassle-free transportation. This will be an alternative way to reduce the traffic congestions on the existing road at these areas. Also, it might reduce the risks of accidents in those

places. As there are many buildings in Lohagara, Dohazari and Chakaria Bazar, the bypass is the best option among many other alternatives including flyover. And as there is enough govt. acquired land in Keranihat Bazar along the existing road, the flyover is the best option in Keranihat. The existing bypass at Patiya will be expanded under this project for smooth traffic movement and avoid/minimize accidents. It was also disseminated that it is planned the project will be financed by JICA therefore, the people's opinions are important to incorporate in preparation and implementation of the project.

The affected people and other stakeholders raised pertinent issues in the first-round meetings relating to land acquisition, displacement, business loss, impacts on livelihood, etc. Answers to the queries were given to the participants by the RHD, JICA Study Team (JST) and KMC officials. The alignment was primarily designed to share with the people for their comments and shared with the community in the first round of consultation meetings. JST finalized the alignment based on the people's opinion undertaken at the first-round consultation meeting and the final design was also shared with the people to obtain broader community support.

The project has tried to avoid mass displacement of the people and sensitive structures i.e. mosque, temple, graveyard, etc. as much as possible. In the public consultation, the consultants discussed the process of identifying affected persons, documentation and compensation process, and legal issues for the project. The major issues discussed as under-

- The land will be acquired in this project as per the Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA, 2017) of Bangladesh. According to ARIPA 2017, affected landowners will get a 200% premium on the average transacted deeds of the preceding 12 months from the date of serving notice under Section 4.
- The social surveyors will conduct a questionnaire survey among the affected households and other entities along the alignment to collect socio-demographic information and inventory of losses. All of the affected people were requested to provide accurate information to the survey team.
- After talking about all the aspects of the project, the consultant declared the cut off dates for the non-titled PAPs on the following days of consultation meetings i.e. the commencement date of census, SES and IOL survey. There will be no scope to incorporate new properties or affected persons on the GOB land after these cut-off dates.
- Various agencies including DC- as acquiring body, RHD- as requiring body, JICA- as a development partner, local government institutions (LGI) and other associated agencies will take part in the project during preparation and implementation stage.
- JICA will finance for construction of the project but GOB will be responsible for land acquisition and resettlement components following GOB ARIPA 2017 and JICA Environmental Guidelines.
- According to JICA Env. Guidelines, the affected people on the GOB land will be entitled to compensation for their affected structures and other properties on the land and resettlement benefits. Other non-titled affected people including tenants, wage laborers, sharecroppers, etc. will also be entitled to have resettlement benefits.
- If any community property is affected within the proposed RoW, the Project will take necessary measures to reconstruct a better one by the management committee or by the contractor for the Project.

4.7 IMPACTS IDENTIFIED BY THE STAKEHOLDERS

Upon disseminating information by the consultant/project authority, stakeholders identified some pertinent issues relating to the compensation, displacement, resettlement, livelihood restoration, etc. Identified potential beneficial and adverse impacts are described below;

(i) Identified Beneficial Impacts:

- Flyover at Keranihat will affect some business premises on GOB land but relocation in a permanent place will ensure better business opportunity
- Project will help to diversify business
- Improve communication system and reduce travel time
- Improve safety and security of the transport users particularly women and children
- Increase employment opportunity for local people
- Economic activities would be much better
- Massive development can be happened in the region that eventually open facilities for the local people
- Adequate compensation amount for land can help livelihood development
- Save time and money for transportation

(ii) Potential Adverse Impacts:

- A large number of landowners will lose their land, homestead and business which will have significant impact on them
- Many of the local people will be displaced from their place of origin. They will be in trouble if they can't find alternative land.
- Finding alternative land is a challenge since land price is becoming high day by day
- They might misuse their money and will fail to utilize in better way if adequate compensation is not paid and cannot find alternative land
- Relocation of business premises in a new location outside the RHD boundary is a challenge. The squatters may not find alternative location if the project does not provide support
- Community properties particularly Mosque, Madrasah and temple may face a trouble if the new one is not constructed before the affected one is demolished
- Temporary impact on the businessmen and wage laborers may lead to loss livelihood opportunity if they cannot find the alternative sources of income

4.8 MAJOR QUESTIONS AND RESPONSES BY RHD

Location-wise major issues raised by the people and responses of the consultants/RHD are furnished in the table below-

Table 4–2: Summary of Small Group Meetings at the Initial Stage (before the field survey)

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
24 th August 2020, Patiya	In 2007 when the government acquired my land for the existing bypass, I faced many problems and did not get adequate compensation. My house is two-storied with a foundation to be a four-storied building. I urge you all to secure my land and home from the alignment.	RHD Representative: DC will pay the compensation for the land and structure as per Govt law ARIPA 2017, but if there is any gap between govt price and the current market price, the RHD will provide the rest amount as per JICA Environmental Guidelines.

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	<p>He also suggested to the team for overpass, footpath, proper road sign and zebra crossing when the widening of bypass road will be constructed. There are colossal zigzag and turning in current bypass road which occurred lots of accidents recently. So it would be better to shift the zigzag & turn it into a straightway.</p>	<p>RAP Study Team: PVAC will determine the replacement cost. All other proposals have been taken thankfully by the consultants & RHD. It is also assured that the proposal will be discussed with RHD and JICA Study Team</p>
	<p>We did not get adequate compensation for the land in the year 2007. So, we want sufficient compensation this time for our loss. The bypass should be designed in such a way that will mitigate the risks of accidents.</p>	<p>RAP Study Team: There is no provision to cover earlier loss through this project. But we will try our best to ensure adequate compensation according to the market price against your loss. Your suggestions are appreciably accepted for further discussion.</p>
	<p>A big accident has occurred recently where 12 persons died. So, if you could plan and design a safe road, I agree to accept the loss of my land. Earlier many of the local people have lost their homestead. So, I request to consider all the scopes by which no one will lose their homestead. I also request for a foot-over bridge in the critical place and a one-way road. We want a fair price of the land.</p>	<p>JST Representative: Thanks for your suggestions. We will try our best to design and construct a safe road by making the zigzag and turnings it straightway to mitigate accident risks. RHD Representative: We will discuss it with the decision-maker about your proposal for footpaths and foot over bridge. The team also assured that the compensation would be given based on transparency and as per the law of government and JICA Environmental Guidelines</p>
	<p>The drainage system should be incorporated with the road extension. The road's right of way should be marked by the pillars by which everyone will be aware.</p>	<p>RHD representative assured them that they would talk with the upper level about this problem.</p>
	<p>There are lots of lands that Govt has taken for bypass earlier. It is essential to make the bypass straight by minimizing the zigzag & turnings. Can we get adequate compensation from this project for our loss? He also requested to secure mosques and temples besides the existing road.</p>	<p>RHD Representative: The existing bypass is narrow, and there are lots of zigzag & turnings, so that widening has been planned. RAP Study Team: DC will pay the compensation for the land and structure as per Govt law ARIPA 2017, but if there is any gap between govt price and current market price, the rest amount will be provided by RHD as per JICA Environmental Guidelines. PVAC will determine replacement costs, and we will try to save the mosque and temple.</p>
	<p>Is it possible to know about the alignment and how much land will be under acquisition? Is it possible to make the road straight considering the existing homestead?</p>	<p>JST Representative: The alignment will be started in front of the Indrapool Industrial Area to reach the existing highway through the north side of Komal Munshi Hat, followed by the bypass road. The land will be acquired as per the needs of the widening the bypass up to 300 ft. We will try our best to avoid homestead.</p>

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	<p>We didn't have received any notice and adequate compensation in the earlier acquisition.</p> <p>In this place, all are Hindus and needy family so please consider our problem to save our homestead, temples, and land. He urged, please take it left side of the plane land road, and the Surveyor should measure the alignment accurately.</p> <p>I am requesting you all to secure all the homestead and Ashram for widening the roads.</p>	<p>RAP Study Team: We don't know anything about previous acquisitions. So, we should talk about this project</p> <p>JICA Study Team: The alignment is primarily decided, which is not finalized yet. We will discuss this with senior officials. Even if there is no possibility of changing the alignment, you will get adequate compensation, which might help you buy new land and reconstruct a house elsewhere.</p> <p>It is assured that Surveyor will take measurements accurately.</p> <p>JICA Study Team: Alignment is not final yet, and we will try our best to avoid homestead and Ashram.</p>
<p>23rd August 2020 Dohazari</p>	<p>Is it possible to know the area planned for alignment? On which side will the bypass go?</p> <p>He also added the positive impacts to avoid accidents in livelihood, income, and businesses through this project.</p> <p>Also requested to Surveyors for identifying ditches and install signboards to avoid risks of accidents.</p> <p>He proposed a foot-over bridge in conjunction with the roads of 5 unions at Dewanhat more to avoid accidents.</p> <p>He wanted to know what would happen if there was an ongoing dispute on his land and what to do to get compensation?</p> <p>He is also happy with the proposed widening of the road and bypass.</p> <p>Is his building fallen within the alignment? He wants to know about the alignment details. There was no meeting with the landowners in the past, and why are you conducting consultation meetings with the landowners now?</p> <p>What will be the compensation process if a part of my building is in the right of way?</p>	<p>JICA Study Team: The alignment will start at Dewanhat, pass through 6 Mouzas with 300 ft width, and meet at Razmahal Community Centre near Moulvi's shop. The total length of this bypass is 3.3 km.</p> <p>Thanks for the proposal, and we will try to install signboards to avoid risks.</p> <p>RHD Representative: This proposal has been taken thankfully. The proposal will be discussed with RHD and JICA Study Team senior officials.</p> <p>RAP Study Team: As per national law, if any land has a dispute, it will be resolved by the court of law. Compensation will be given after the court issues a verdict over the disputed land. There is no scope to resolve locally. But you may get compensation for structure and properties on that land since these are socially recognized.</p> <p>RAP Study Team: The survey will be started tomorrow, and you will be confirmed by the survey team whether your building is affected or not. As JICA finances the project, potentially affected people and other stakeholders are to be consulted during the design and implementation of the project. People's opinions will be incorporated into the project design.</p> <p>In the case of a partially affected building, the engineers will assess whether the remaining portion is viable or not. If feasible, compensation will be paid for the affected part. If non-viable, then total compensation will be paid.</p> <p>The DC office will pay compensation for affected properties on private land, and additional compensation (if any) on top of</p>

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
		DC's payment will be paid by RHD. For affected properties on GoB land, RHD will pay compensation as per JICA Environmental Guidelines.
	<p>What will be the process to communicate with the Survey team? Will they meet us, or do we have to meet them?</p> <p>He also added that the valuation of land would be increased if the project implemented</p>	<p>RAP Study Team: The survey team will visit door to door and also to the affected persons. There is no need to visit them; instead, assist them in conducting the survey.</p> <p>Conclusion this is a common phenomenon that project will boost the local economy and the standard of living of the people will be high after the project.</p>
	<p>He wanted to know about the timeline of the project. For how long can they continue business in the present location? Will they get any notice to move from this place?</p>	<p>JST Representative: Now it is the feasibility stage of the project. After confirmation of the alignment, GOB will start the detailed design and land acquisition process. You will be allowed to continue your business until the DC office or RHD makes the payment of compensation. You will be informed about the timeline for vacating the site through a focus group meeting.</p>
	<p>How do you value the affected land and trees according to the Mouza rate?</p> <p>Can we get adequate compensation for the affected property?</p>	<p>RAP Study Team: DC will estimate the compensation for the land as per ARIPA 2017 that adds a 200% premium on the average transacted deeds for the preceding 12 months of notice under Section 4. Compensation for trees will be assessed as per the scheduled rate of the Department of Forest, adding a 100% premium as per ARIPA 2017. If there is a gap between DC's price and the replacement cost of affected properties, additional compensation on top of DC's payment will be paid by RHD as per JICA Environmental Guidelines.</p> <p>Replacement costs will be determined by Property Valuation Assessment Committee (PVAC).</p> <p>The project will ensure payment of adequate compensation and other benefits as per JICA Environmental Guidelines.</p>
	<p>He appealed. Is it possible to secure the Barudkhana mosque and adjacent graveyard from the alignment?</p>	<p>JST Representative: It is not the final design, and we are here to obtain the people's opinion regarding the primary alignment. The project will try to avoid sensitive community properties like mosques and graveyards by alternative design options.</p>
	<p>Why survey is being started if alignment has not been finalized?</p>	<p>JST Representative: The alignment has been designed primarily to get your comments and concerns. Incorporating people's observations/opinions, the design will be finalized. The individual household level survey will be conducted where the alignment is confirmed. People are</p>

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Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
		requested to provide necessary information to the survey team.
	I am the owner of this Rajmahal Community center which is under the proposed project right of way. The current market price of this land is 10 lac per decimal. Can I get adequate compensation?	RAP Study Team: DC will estimate the compensation for land and affected property as per ARIPA 2017, adding a 200% premium for land and a 100% premium for structures and trees. A committee, namely Property Valuation Assessment Committee, will determine replacement cost based on current market price. Everyone will be paid adequate compensation for their lost assets as per JICA Environmental Guidelines
	He wanted to know about the alignment of the bypass.	RAP Study Team: The bypass alignment will start from the Dewanhat section and meet the Rajmahal Community Centre via Barudkhana Mosque. Although this preliminary alignment will be almost the same after minor change or adjustment to avoid sensitive community properties (Mosque, Graveyard, etc.)
	Is there any possibility of getting adequate compensation for land and trees?	RAP Study Team: Affected people will get fair compensation from the DC office following the new Land Acquisition (LA) law (ARIPA 2017). Replacement cost will be assessed by PVAC, representing the current market price, and affected people will be able to purchase alternative land with the compensation money.
	What will be the rate of compensation for agricultural land and homestead land?	RAP Study Team: The rate will be assessed for each land-based category on transacted deeds to be collected from Sub-Registrar's office for the preceding 12 months from the date of the notice under Section 4 of ARIPA 2017.
	The existing bridge on the Shangu River is almost damaged. Would you please take the necessary steps to use it?	RHD Representative: A new bridge is under construction on the river parallel to the old bridge, and it will be replaced soon. Another bridge will be constructed connecting the proposed bypass road.
	Is it possible to save our Mia Khalilur Rahman Mosque and 200 years old graveyard?	JST Representative: The project will avoid all sensitive community properties, including mosques and graveyards, by alternative design options. The designers of the JICA Study Team are working on the alignment for avoiding such mosques and graveyards.
	What will be the compensation process who operate businesses as squatters	RAP Study Team: Compensation and resettlement benefits will be paid to all affected people irrespective of their title to the land. Settlers and other unauthorized occupants will be paid compensation and resettlement benefits by the RHD with assistance from a non-governmental organization.

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	What will happen to the existing road after constructed the new bypass?	The existing road will be as it is, and the RHD Dohazari Road division will maintain it.
13 th December 2020, Dohajari	Will the project ensure the local people's employment in the construction yard during the construction? How will the land-related documentary complexities be reduced during the acquisition process?	<p>RHD Representative: The project will ensure the local people's employment as their competencies in the construction yard during the construction phase.</p> <p>RAP Study Team: Suppose there are any complexities regarding land ownership. In that case, the DC office will scrutinize that land's legal ownership based on the conditions of the land ownership identification, i.e., name enlisted in the Khatian, document (Dalil), occupancy, and regular taxpayer. If anyone fulfills this evidence, then they will be entitled to that land. Further, if other cases have been found during the land acquisition process, a mis-case will run for that land, and the DC or UNO will resolve.</p>
	How will the business loss be compensated?	<p>RAP Study Team: A Resettlement Action Plan (RAP) will be prepared where an entitlement matrix for compensation will be adopted as per ARIPA- 2017, JICA Environmental Guidelines, and other relevant rules of Bangladesh. The owner of the business and the tenant, wage labor, will also receive the compensation as per the policy adopted in the RAP. RAP will be shared with the PAPs through disclosure session after finalization.</p>
	He wanted to know what would happen if there was an ongoing dispute on his land and what to do to get compensation? He is also happy about the amended alignment.	<p>RAP Study Team: As per national law, if any land has a dispute, it will be resolved by the court of law. Compensation will be given after the court issues a verdict over the disputed land. There is no scope to resolve locally. But you may get compensation for structure and properties on that land since these are socially recognized.</p>
	Is his building fallen within the alignment? I want to know the amended alignment. What will be the compensation process if a part of my building is in the right of way?	<p>RAP Study Team: The survey will be started tomorrow, and you will be confirmed by the survey team whether you're building, or asset is affected or not.</p> <p>The consultants show the amended map of alignment.</p> <p>In the case of a partially affected building, the engineers will assess whether the remaining portion is viable or not. If possible, compensation will be paid for the affected part, and if non-viable, then total compensation will be paid.</p> <p>The DC office will pay compensation for affected properties on private land, and additional compensation (if any) on top of DC's payment will be paid by RHD. For affected properties on GoB land, RHD will</p>

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Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
		pay compensation as per JICA Environmental Guidelines.
	I have all relevant documents for my land, and I am also paying taxes, but I cannot use my land due to the influential people occupant my land; in this regard, shall I get my compensation?	RAP Study Team: Land ownership is identified in 4 principles, i.e., name in the Khaitan must have daily/deed, the owner's user, and regular taxpayer. But suppose anyone has all legal evidence except possession due to powerful people's influence. In that case, the DC office will investigate the land and compensate the legal owner even if the influential people possess it.
	What will be the process to communicate with the Survey team? Will they meet us, or do we have to meet them?	RAP Study Team: The survey team will visit door to door and also to the affected persons. There is no need to visit them; instead, assist them in conducting the survey.
	Is there any scope to shift the alignment to the village's west side to avoid the mass displacement of the household structure and community? This is my humble request on behalf of other affected people?	JST Representative: The amended alignment is final for carrying out the construction since the alignment has been finalized based on the previous demand of the people. Further, your request will forward for scrutiny.
	He requested the project authority to provide proper compensation to the affected people. He also requested to make the compensation process fair and corruption-free.	RAP Study Team: The compensation process will be fair and corruption-free. The compensation will be provided as per the rules of the Resettlement Action Plan (RAP), ARIPA- 2017, JICA Environmental Guidelines, and other relevant laws of Bangladesh. The consultants also request the affected people to be aware of the payment procedures and instruct them to avoid the influence of a fraudulent person.
	I request to avoid the ShasanGhat/ Graveyard?	JST Representative: The project will try to consider it but not sure since the alignment has already been fixed.
	Shall I receive compensation for my crops in the land? Can I cultivate on my land?	RAP Study Team: Of course, you will be entitled to compensation for your standing crops, if damaged by the project. You must continue your cultivation on your land until the construction begins.
	How will the business loss be compensated? I have had to pay 10-15 lac taka advance during taking rent of my shops, what result will be of that money?	RAP Study Team: A Resettlement Action Plan (RAP) will be prepared where an entitlement matrix for compensation will be adopted as per ARIPA- 2017, JICA Environmental Guidelines, and other relevant rules of Bangladesh. The owner of the business and the tenant, wage labor, will also receive the compensation as per the policy adopted in the RAP. A Property Valuation & Assessment Committee (PVAC) will form to verify additional grants if any property is entitled to the property's loss.

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Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	<p>He requested the project authority to provide proper compensation to the affected people. He also requested to make the compensation process fair and corruption-free.</p>	<p>RHD Representative: The compensation process will be fair and corruption-free. The compensation will be provided as per the rules of the Resettlement Action Plan (RAP), ARIPA- 2017, JICA Environmental Guidelines, and other relevant laws of Bangladesh. The consultants also request the affected people to be aware of the payment procedures and instruct them to avoid the influence of a fraudulent person.</p>
	<p>Affected people who are not living in the country, how will they receive compensation?</p>	<p>RAP Study Team: The immigrant person will give a power of attorney to his reliable person for receiving his compensation.</p>
	<p>Is this alignment confirmed and final? Is the compensation money will give before or after the construction?</p>	<p>JST Representative: This alignment has been prepared based on the previous demand of the people, and it is confirmed and final. The compensation money will provide before starting the construction.</p>
	<p>How many days shall I have to remove my structure?</p>	<p>RAP Study Team: The affected structure must remove as soon as possible after receiving the compensation money.</p>
	<p>We do not have any brothers, but our land is affected. Shall we receive the compensation money?</p>	<p>RAP Study Team: If anyone has no brother and legally, the sister is the owner of the affected property and land, the sisters will undoubtedly.</p>
<p>25th August 2020 Lohagara,</p>	<p>Is it possible to know the right of way of the alignment? Is it final or in the primary stage right now?</p>	<p>JST Representative: The bypass road will start from Rupashi Community Center, situated on the north side of Amirabad Bazar & end at Lohagara Freedom Fighter Complex of the present Chittagong-Cox's Bazar Road. The width of the alignment is 300 feet, and it's a preliminary design & plan for the implementation of the project.</p>
	<p>It would be good to construct a flyover instead of a bypass to avoid land acquisition and secure the current businesses along the road.</p>	<p>RHD Representative: The construction of the flyover was in mind at first. Still, feasibility revealed that it would create massive traffic jams in the long run and might require demolishing many commercial structures and businesses. So, bypass is more valuable to secure enterprises, buildings as well as livelihoods. He added that bypass road would improve the quality of life in that particular area & without affecting the businesses at both sides of the existing road.</p>
	<p>Can you please tell us about the direction that bypass is planning for construction? Is it on the east or west side? What will be happening in the schools, colleges, madrasa, mosques, temples, and graveyards? He requested to secure those common properties from the alignment.</p>	<p>JST Representative: In the preliminary design, a bypass is planned on the west side of the existing road, but it's not final yet. The project will try to avoid Community Properties, but in case of unavoidable circumstances, adequate compensation will be paid, or relocation will be ensured. Notes have been taken to increase the road's length to connect with the main</p>

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	Also, proposed to increase the length of the bypass road and connect it with the main road behind the Lohagara police station.	highway appreciably for discussion with decision-makers.
	Many institutions, business centers, schools, and buildings on the west side will be damaged if the bypass road is planned to be constructed. But the maximum of the vacant land is on the east side. He requested to change the decision for the bypass road to the east side instead of the west side.	JST Representative: The alignment will be checked with ground reality and adjusted/modified to avoid mass structures, particularly community properties. Nevertheless, the suggestion is noted down and will be discussed with higher officials to decide on the other side.
	Bashkhaliapara Mosque, madrasah and graveyard, and Lohardighirpar Graveyards are affected by the project. Another graveyard at Dorjipara has also been affected. Please try to avoid these sensitive structures.	RAP Study Team: Mosques and graveyards are sacred structures, even though the project can relocate them with better conditions following the Islamic Shari'ah. The project couldn't avoid these sensitive structures due to technical reasons. Therefore, compensation and resettlement benefits will be paid for these structures as per the policy of the RAP. The CPRs management committee will be encouraged for self-relocation after payment of compensation.
	If the government wants the land for development activities, we are bound to give, but it's not easy to purchase alternative land. So, it would be helpful for landowners if they could get adequate compensation for the loss. If the government takes my land by giving compensation even though I cannot buy lands in my nearest area.	RAP Study Team: DC will estimate the compensation based on transacted deeds adding a 200% premium as per law written in ARIPA 2017. As per JICA Environmental Guidelines, people are entitled to have replacement costs (be determined by PVAC) for land. If there is any positive difference between DC's price and replacement cost, RHD will pay top-up. So, people will be paid adequate compensation.
	He thanked the government for taking this project and proposed to have the foot over bridges or underpasses in all the places where there are schools or madrasahs on the bypass road. He also urged all locals to provide exact information to the survey team.	RHD Representative: The project will have such a plan to construct an overpass or underpass where it is required. Truthful information is highly needed during social surveys for the preparation of RAP.
	I have purchased land, but the records still show the name of earlier landowners. In this case, who will be entitled to receive compensation?	RAP Study Team: As per ARIPA 2017, the notice under Section 4 will be served in the name of the recorded owner and current owner as per the Mutation record. But you will have to submit a relevant paper of ownership, including purchase deeds and other documents as per the requirement of the DC office. It is to be noted that any changes in the category of land or structures are prohibited after the notice under Section 4 of ARIPA 2017.
	The government established Mouza rate of land for Amirabad mouza	RAP Study Team: As per JICA Environmental Guidelines, the affected landowners will

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	<p>seems significantly less than the current market price. What will be the process of estimating a land price for adequate compensation in this case?</p>	<p>gate replacement cost to purchase alternative land with the same category and quantity. DC office pays compensation based on transacted deeds preceding 12 months of notice under Section 4 with a 200% premium. In case of Cash Compensation under Law (CCL) price is less than the replacement cost, additional compensation on top of DC's CCL price will be paid by RHD to reach the replacement cost. Replacement costs will be determined by Property Valuation Assessment Committee (PVAC).</p>
	<p>I am living on my father's land, which I am using inheritably, but no document has been prepared for that, and I have made a house on that land. Am I entitled to get compensation for the land property?</p>	<p>RAP Study Team: As per record and succession certificates/ deeds, land and property owners are entitled to get compensation. After getting notice under Section 8 of ARIPA 2017, concerned successors will have to produce documents before the DC officials as proof of ownership. They will be entitled to have compensation as per Bangladesh Law. Compensation for the structures will be paid to the socially recognized owners even in case of dispute over land ownership.</p>
	<p>A case is pending in the court to decide the inheritance of land and property. What will be the process of getting compensation?</p>	<p>RAP Study Team: You will not get compensation until the case is settled and the verdict is given. It will be highly required to settle the issue among co-sharers and withdraw the case from the court if they want to get compensation immediately after serving notice under Section 8.</p>
	<p>Is it possible to know the area planned for alignment? On which side will the bypass go? Those who live abroad want to know about alignment.</p>	<p>JST Representative: The bypass road will start from Rupashi Community Center (north side of Amirabad Bazar), run through the western side of the Bazar, and meet the Cox's Bazar Road at Lohagara Freedom Fighter Complex point. The bypass road will be around 5.4 km long and 300 feet wide.</p>
	<p>If the project acquires our total land, how will we be compensated for that? Will we be given land against our land by the government?</p>	<p>RAP Study Team: The project will pay adequate compensation for your lost land so that you can purchase alternative land. You will be given stamp duty and registration costs for registering newly purchased land. Due to the scarcity of land in Bangladesh, Project will not have land for a land option rather pay replacement</p>
	<p>I was abroad and built the house with my actual savings. I don't have any other land and also do not have money.</p>	<p>RAP Study Team: If your property is affected by the implementation of the project, you will be given adequate compensation so that you can purchase new land to build your house. For loss of structures and other</p>

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	What is the problem if the bypass alignment goes on the east side instead of on the west?	properties, you will be paid compensation and other resettlement benefits. Alignment has been fixed based on technical grounds. After discussion with you, all the Engineers will try to adjust the alignment as much as possible to avoid displacement.
	They said that there was a mosque and a graveyard beside their house. These hold a tremendous sentimental value to us. So, they requested to keep the mosque and graveyard intact.	RAP Study Team: Mosques and graveyards are sacred structures even though the project can relocate them in better condition following the Islamic Shari'ah. But the project will try to avoid the sensitive structures as much as possible.
	There is a lot of vacant lands and government land on the east side. On the other hand, the west side is full of buildings, infrastructures, schools, and common property. It will be better to change the alignment from the west side to the east side.	JST Representative: Alignment has been designed based on technical feasibility, including length of bypass, etc. Your opinion will be delivered to RHD and JICA Study Team, and they will try to avoid displacement and mass impact on the people.
	There is plenty of government land on the east side of the current highway, then why is it going through the village on the west side? Where the government has to pay more for the losses, she added. She also asked, how much time will we be given before our house is demolished?	JICA Study Team: Engineers are also aware of the government land on the east side of the current road; they have proposed this alignment of the bypass road due to various technical problems. Yet we will think about this matter again. Regarding the timeline of dismantling their structures, RAP Study Team said that the land acquisition process would be started right after the GOB approves the project. You will be then noticed by the DC office for compensation and making the alignment encumbrance-free. It will take about two years from now.
	If a building is damaged partially, what will be the procedure for compensation? How much time will we get for shifting from the place?	RAP Study Team: If any part of the building is affected within the right of way, compensation will be assessed for the affected part only. But if the remaining portion becomes non-viable, then compensation will be for the whole building. After getting compensation, you will get 30 days for relocation of structures.
	Can you tell us about the length of the bypass? What are the environmental risks associated with houses which will be in between the bypass and road?	JICA Study Team: The alignment will be from Rupashi Community Center to Lohagara Freedom Fighter Complex through the villages on the west side of the present road. The total length of the bypass will be around 5.4 km with 300 feet width. The project will take into account the potential environmental impacts and apply necessary mitigation measures.
	My father died, and I am living on the land after constructing the house on that land. But other heirs are not making any problem right now, but when compensation is paid, they can	RAP Study Team: You need to get a no-objection certificate (NOC) from other heirs of the land. If NOC is not given, the DC office will pay all heirs through mis case hearing.

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	<p>cause trouble to get a share of the money. So, what will be the process of getting compensation? What will I do to get adequate compensation in this case? Am I entitled to get compensation for the land property?</p>	<p>Compensation will not be given until the genuine owners are identified.</p> <p>Even if your property (structure, tree) is being recognized socially that you make, you will be entitled to getting compensation.</p>
<p>14th December 2020, Lohagara</p>	<p>Since flyover is constructed over the Lohagara Bazar, why construct a bypass by damaging people's land and structure?</p>	<p>RHD Representative: You have raised a significant issue. But we do not think about temporary solutions. As you know, Cox's Bazar will be the most important business hub of Bangladesh soon, and the government of Bangladesh is thinking of long-term solutions for the entire development of the country. The flyover is a temporary solution, but the bypass is essential for uninterrupted transport communication in terms of Materbari Port functions for broader context.</p>
	<p>We expect the survey will be impartial, fair, and corruption-free. When will the payment procedures start?</p>	<p>RAP Study Team: The recruited survey team has a long experience in conducting such Census, SES and IoL. They have a reputation for conducting such surveys in various essential development projects in Bangladesh. You can rely upon them 100%, and you are also requested to provide authentic information to the enumerator. You are also asked not to take any unfair means since the cut-off dates have already been declared. You are also requested not to entertain anyone for getting benefit from the project. Payment procedures will be started in the project's implementation phase, and you will be notified earlier before starting the payment procedures.</p>
	<p>Affected people who are not living in the country, how will they receive compensation? Is bypass going through the graveyard?</p>	<p>RAP Study Team: An abroad person will give a power of attorney to his reliable person for receiving his compensation. The maximum area of the graveyard has been tried to save in this alignment.</p>
	<p>We are confirming you to assist our level best. Is this alignment confirmed and final? Is the compensation money will give before or after the construction?</p>	<p>RAP Study Team: This alignment has been prepared based on the previous demand of the people, and it is confirmed and final. The compensation money will be provided before starting the construction.</p>
	<p>Some bad people have the intention to dismiss the implementation of the project. Project authorities have to be aware of their malfunctions.</p>	<p>RHD Presentative: Thank you for your suggestions. The project will consider and be aware of the malfunctions of evil people. You are requested not to entertain any person for getting benefit from the project.</p>
	<p>Our humble request is to save the graveyard; we do not want to bypass</p>	<p>JST Representative: The engineer and technical team will consider the matter, but the alignment has been finalized by</p>

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	it by damaging the graveyard. Can you change the alignment?	maximum saving the graveyard. Further, if any graveyard is partially affected, then proper compensation will be given as per ARIPA-2017.
	I have a business ground along the alignment, and I have some labor in my business. I have another structure that is rented to others along the alignment. How do tenants, wage laborers, and me will be given compensation?	RAP Study Team: A Resettlement Action Plan (RAP) will be prepared where an entitlement matrix for compensation will be adopted as per ARIPA- 2017, JICA Environmental Guidelines, and other relevant rules of Bangladesh. The owner of the business and the tenant, wage labor, will also receive the compensation as per the policy adopted in the RAP. RAP will be shared with you through disclosure session after finalization.
	What will be the process of affected property valuation?	RAP Study Team: The valuation of the affected property will be fair and transparent, and there will be no scope to provide less compensation on the affected property. The replacement value will be assessed by the PVAC during RAP implementation stage in consultation with various cross sections of the people. Local people will be consulted during assessing the replacement value.
	My kitchen, cow shade, toilet, bathroom, and chicken house are adjacent to my main household structure, are these supporting structures be measured as a whole?	RAP Study Team: Indeed not, all supporting structures will be measured separately apart from the main design. Public Works Department (PWD) will verify the measurement of the structures individually, and the compensation amount will be finalized as per policy and RAP.
	I request to shift the alignment 5-10 feet to save the graveyard, a mosque near the Amirabad Motaleb Bari area. How will the compensation for the affected graveyard be made? How will the compensation for affected private-owned roads be made?	JST representative: This alignment has been prepared based on the previous demand of the people, and it is confirmed and final. Further, your request will be verified by the technical team. Compensation for the graveyard will be given as per the policy of RAP. RAP will be shared with you through disclosure sessions after finalization. Compensation for private-owned will be given as per the policy of RAP. RAP will be shared with you through disclosure meetings at the field after finalization.
	People who donated the land earlier for the madrasah and the madrasah have active committees, but now the donated people come forward to demand compensation for their donated madrasah.	RAP Study Team: Suppose the land is registered in the name of Madrasa from the donated people. In that case, the compensation will go to the name of the madrasah, and the compensation cheques will receive by the committee's president.
	Could I take away the salvaged grave/soil of my father?	RAP Study Team: Following other similar project of RHD, you can take away your salvaged grave/soil to another place as your wish after receiving the compensation.

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	Land recorded in the name of the deceased person. How will the ancestors be selected, what amount will the ancestors be compensated, or will the compensation money be disbursed in the name of that deceased person? Or is there any scope for missing?	RAP Study Team: If the recorded person is deceased, then the compensation money will be disbursed to the ancestors as per procedures of the DC office. DC office will decide the next owner of the land as per the record. There is no scope for missing the compensation if all legal papers are authentic. Further, if any problem occurs, the DC office will set a Miss-case on that record and take the decision.
	We want to bypass it, and it is our long-time demand, but we have requested to save the mosques and graveyard. Is it possible now?	RAP Study Team: As you know, we have conducted a first-round consultation meeting earlier, and based on your suggestion and demand, we have tried to save most of the mosque and graveyard. But we should also consider the technical feasibility of the bypass. For assessing the technical feasibility, a minimum number or portion of mosques and graveyards may affect this newly designed alignment. We have to confess that effect for the entire development purpose.
	What will be the process of affected property valuation?	RAP Study Team: The valuation of the affected property will be fair and transparent, and there will be no scope to provide less compensation on the affected property. The process of property valuation will be conducted from various angles. First, the affected property will be surveyed by the KMC team. The property will be verified by the Joint Verification Survey, where DC officials, RAP implementation consultant and another relevant group will attend. Further for more verification, a Property Valuation and Assessment Committee will be formed for further investigation. So, there is no scope to lose or miss the valuation of the affected property.
	Is it possible to shift the alignment to the north side from the south?	JST Representative: Indeed not, the alignment is already finalized based on your comment and suggestion earlier in the firm.
	How do you value the affected land and trees according to the Mouza rate? Can we get adequate compensation for the affected property?	RAP Study Team: DC will estimate the compensation for the land as per ARIPA 2017 that adds a 200% premium on the average transacted deeds for the preceding 12 months of notice under Section 4. Compensation for trees will be assessed as per the scheduled rate of the Department of Forest, adding a 100% premium as per ARIPA 2017. If there is a gap between DC's price and the replacement cost of affected properties, additional compensation on top of DC's payment will be paid by RHD as per JICA Environmental Guidelines.

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
		<p>Replacement costs will be determined by the Property Valuation Assessment Committee (PVAC). The project will ensure the payment of adequate compensation and other benefits as per JICA Environmental Guidelines.</p> <p>If the government wants the land for development activities, we will give it, but it's not easy to purchase the same type of alternative land. So, it would be helpful for landowners if they could get adequate compensation for the loss. If the government takes my land by giving compensation even though I cannot buy lands in the nearest area.</p> <p>I am a poor man, working as day labor. I live on the roadside on Government Land, which is your alignment now. I have two children who are studying in primary school. Shall I also entitle to compensation?</p>
<p>14th March 2021 Keranihat</p>	<p>Will this canal be filled up during flyover construction? Here agriculture depends on this canal's water. So, you have to manage water drainage for us. And also pay us proper compensation for structures and trees.</p>	<p>RAP Study Team: The canal is a natural resource, and we shall not use this canal. According to ARIPA 2017, affected landowners will get a 200% premium on the average transacted deeds of the preceding 12 months from the date of serving notice under Section 4 of the ARIPA 2017. Engineers of PWD will visit the affected structures and then fix the value. The Forest department measure the trees and assesses price of each species by size as per scheduled rates and submits estimates to the DC office. For business, the businessman will get some compensation for their loss of business during the construction period.</p>
	<p>The local people planted some trees along the sides of the road. What are the values of these roadside trees? We have to get proper values of our lost assets. It would help if you were managed water drainage for the Aral canal. What type of flyover will you construct here? Is there any option to go up and down for local people?</p>	<p>RHD Representative: The intercity bus, truck, and Lorry are moving over the flyover. If there is any counter at Keranihat Bazar, the bus must be stopped here.</p> <p>Govt. pays little money to those people who use govt land for tree plantations.</p>
	<p>The flyover will throw our Primary school, and we demand the same school instead of this school.</p>	<p>RAP Study Team: If the government is the owner of the primary school, compensation will go to inter-departmental transfer. And if you demand a school from this project, the project will have to pay the compensation.</p>
	<p>What is the length and width of the flyover? When will the construction</p>	<p>JST representative: Flyover's length is 3.44 km, and the width of the proposed right of</p>

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	start? And how a landowner gets his compensation who has a land case in the court?	way is nearly 160 ft. After solving the case, the legal owner will get compensation for the affected properties.
	How much land do you acquire for this flyover? We need water drainage for the canal.	JST representative: The flyover will be 3.50 km. After our field survey, we will confirm how much land we need to acquire. RHD has already received enough land, but we probably need some private land. Private landowners only get compensation who will lose their land by the project. We have already analyzed the canal's water flow over the last 30 years and have now finalized the flyover design to fulfill the purpose for the next 100 years.
	You have planned bypass for four places. So why do you plan a flyover in Keranihat?	RHD representative: RHD has minimal land on both sides of the road in four places but has enough acquired land at Keranihat. The main reason for flying over here is to avoid rail crossing and reduce traffic jams at Keranihat Bazar.
	Either you give compensation according to our land deeds or mouza rate. We are previously affected people but do not get proper compensation. Will there be any loop in the flyover?	RAP Study Team: According to ARIPA 2017, affected landowners will get a 200% premium on the average value of transacted deeds preceding 12 months from the date of serving notice under Section 4 of ARIPA 2017.
	When paying compensation, it must be considered that the businessperson suffers less loss and receives adequate compensation.	RAP Study Team: We will try to ensure adequate compensation according to the market price and JICA Environmental Guidelines against your loss. Your suggestions are appreciably accepted for further discussion.
	Where will be the starting point of this flyover, and is there any loop in Keranihat? When will the construction of the flyover be started?	RHD Representative: It will be started from Arial Canal, and there will be a loop in Bandarban road. It may take 1.5/ 2 years to start the construction work.
	Is there any Opportunity for sufferer businesspeople to construct market by Govt. financing? In 4 places, the decision to construct bypass is taking, but why is the decision to make flyover in Keranihat?	RAP Study Team: You have to relocate by oneself because you are doing business in a Govt. place, but in some cases, it can be considered the gov't. will not give land but will provide facilities. Rail crossing, traffic jam at Keranihat is being considered for construction of the flyover. Besides, there is not enough place for flyovers in the remaining four areas, and there are many places acquired by gov't. in Keranihat.
	We are happy with the construction of the flyover in Keranihat.	Thank you for your opinion.
	Compensation must be paid correctly, and the decoration of the flyover must be beautiful.	RHD Representative: Every affected person will get proper compensation. Hopefully, there will be a good and beautiful decoration of the flyover.
	Will the flyover be from the middle point of the current road?	RAP Study Team: After marking, you will get the right idea about the flyover.

Resettlement Action Plan for Five Major Bottleneck Sections

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	How to compensate the affected people and valuation of property?	RAP Study Team: It primarily decided that compensation will be given the 3 times of market value, which means the deed value of the last year.
	How much of this school will be acquired within this flyover, and how will it be compensated?	RAP Study Team: After marking, you will get the right idea about the flyover, and for the Govt. organization, compensation may be given department to department.
	If the owner of the land and the structure are different, will they get the compensation differently?	RAP Study Team: Yes, in this case, compensation will be given separately.
	I do vendor business on Govt. land; will I get compensation?	RAP Study Team: Considering the same issues, you may get the same compensation.
	Will the compensation be paid for the land where there is a case?	RAP Study Team: You will get compensation after the case is settled.
	Why will flyover be constructed in Keranihat not bypass? What is the measurement of this flyover, and how much land will be acquired for flyover?	RHD Representative: In Keranihat, Govt. has a lot of acquired lands along this current road. The total width of the flyover will be 160 feet, and the length of the flyover will be 3.5 km. Minimum 1-acre land will be acquired for this flyover.
	If the house is affected, will there be enough time to move?	RAP Study Team: You will be removed after receiving the final notice. Usually, you will get the infrastructure first; you will still have one month to shift after getting the compensation.
15th December 2020 Chakaria	We are welcoming the project, which is going to be implemented soon. We are experienced in the previous projects; for example- the Matarbari-Moheskhalia project, where massive corruption happened due to DC officials. Therefore I, along with the participant, expect this project will be 100% corruption-free. The compensation procedures must be hassle-free both in the DC office and from the project authority.	RHD Representative: We are considering your comments as our suggestion. Since this is our first-round consultation meeting, and we shall keep in our mind the corruption. We will share all the information with you and will form many participatory committees. So, you have also access to monitor the activities performed in all associate agencies for this project. So, we wish we would present you with a corruption-free project with all of our cooperation. You are requested not to communicate with broker or entertain any people to get benefit from the project.
	Such a big project causes a massive displacement of the permanent habitat; when the displacement is caused, people are scattered resettled, which may cause a social problem and break the social ties amongst them. We expect this project will try to relocate the displaced people in the cluster system to break social integration and ties.	RAP Study Team: Thank you for your comment and suggestion. You have raised the most important social phenomena regarding such a big project. As social specialists, we also keep in mind breaking the social ties due to displacement. We shall try our level best to make the Entitled Persons (Eps) in cluster relocation.
	During the implementation phase, many complaints will arise. Is there	RAP Study Team: Yes, the project will implement through people's participation.

Resettlement Action Plan for Five Major Bottleneck Sections

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	any provision to form a Grievance Cell in this project?	People’s participatory committee i.e., Grievance Redress Committee (GRC) will be formed during the implementation phase of the project. So, a separate GRC will be created for the resolution of the complaints.
	As you have already known, we have experienced corruption in another project. We also faced many challenges for resettlement payment procedures in the DC office, like Dadals/Pimps becoming very active in the payment procedures.	RHD Representative: Thank you for your comment. You should also be alert from the pimps/dalals during payment procedures. We will provide information through Focus Group Discussion about the methods of DC office payment and will also disseminate the required papers we will need for the payment implementation.
	We proposed to save the mosques and graveyards from the alignment. There are some acres of land where tobacco is cultivated by British American Tobacco (BAT). Hundreds of farmers are involved in this cultivation; we heard that the alignment would affect those land. We propose to save the tobacco farming lands. Is it possible?	JST Representative: JICA study team will investigate the technical feasibility of your proposal. RHD official added that you should remind that this is the final alignment because we have prepared the alignment based on technical feasibility analysis.
	I am very old (65 yrs), and my son does not take care of me; the project will affect my house. Shall I also be compensated?	RAP Study Team: Of course, you will be compensated for your land, structure, trees, and you will also be paid as vulnerable EPs from the project as per the policy and payment matrix.
	When will the project be started? We are cultivating the crops in our land, which will be affected by this project. Shall we stop cultivation now?	RAP Study Team: The preparatory activities of the project have already been started, this consultation meeting. We want to start the survey from tomorrow is also part of this project. But do not be afraid of the cultivation on the land; you continue to cultivate. The land will require and use during the construction of the bypass; until then, you are allowed to develop. Further, if your crops become affected during the construction, you will also get some compensation for damaging your crops based on the policy of RAP and the PVAC decision. So, do not worry about damaging the standing crops on your land, and you may continue cultivation free of tension.
	Our land sale rate/mouza rate is comparatively less than the other mouza of the union. If the project wants to acquire our land, the rate must be equal to the additional mouza rate.	RAP Study Team: The compensation for land will be fixed based on the various category and procedures. A fair price will be fixed for compensating the land. The Chairman of the Kakara Union Parishad is told that the up-gradation of this village mouza rate is under process by the DC office; the new mouza rate will be circulated soon. It will be effective before starting this project. So don't worry about it.

Resettlement Action Plan for Five Major Bottleneck Sections

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	<p>If a building is damaged partially, what will be the process for compensation?</p> <p>How much time will we get for shifting from the place?</p>	<p>RAP Study Team: If any part of the building is affected within the right of way, compensation will be assessed for the affected part only. But if the remaining portion becomes non-viable, then compensation will be for the whole building. You will get 30 days after getting compensation for relocation of the structures.</p>
	<p>Land recorded in the name of the deceased person. How will the ancestors be selected, what amount will the ancestors be compensated, or will the compensation money be disbursed in the name of that deceased person? Or is there any scope for missing?</p>	<p>RAP Study Team: If the recorded person is deceased, then the compensation money will be disbursed to the ancestors as per procedures of the DC office. DC office will decide the next owner of the land as per the record. There is no scope for missing the compensation if all legal papers are authentic. Further, if any problem occurs, the DC office will set a Mis-case on that record and take the decision.</p>
	<p>During the implementation phase, many complaints will be raised. Is there any provision to form a Grievance Cell in this project?</p>	<p>RAP Study Team: Yes, the project will implement through people's participation. People's participatory committees, i.e., Grievance Redress Committee (GRC) will be formed during the implementation phase of the project. So, a separate GRC will be created for the resolution of the complaints.</p>
	<p>What is the Cut-off-date and what is its importance?</p>	<p>RAP Study Team: Cut-off-date means you are not permitted to build and change your existing structure in any mean after the announced date until the completion of the survey and video filming of the affected structure.</p> <p>The cut-off date is very important for resettlement activities because the compensation of the affected property is made based on the existing loss of the property when the affected people are delivered about the project. So, any modification, change of the current state is illegal and a breach of law.</p>
	<p>What will be the measures if there are Legal documents of the land, but the plot owner has no occupancy on the land? In this situation which will be entitled to the compensation of the land?</p>	<p>RAP Study Team: According to the Acquisition and Requisition of Immovable Property Act (ARIPA), 2017, the compensation will be provided only to the legal owner of the plot whether he is occupying his land or not. Compensation is for those who are legally entitled to land.</p>
	<p>On the whole, we will give our necessary papers. Will we directly submit our documents to the DC office or to whom?</p>	<p>RAP Study Team: This is a fundamental question. In this meeting, we are cordially requesting that no legal papers including land and other, i.e., National ID (NID) card, land-related documents, bank account number, or photography to any third person except us. Only the nominated person who will be made introduced with all of you by</p>

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
		going door to door and you will provide all necessary documents to those not others person. We will conduct several FGD in your HHs and deliver you what papers will be required for compensation procedures.
	Will the DC office provide compensation for my household structure and trees	RAP Study Team: Yes, but additional compensation will be given by RHD as per JICA Environmental Guidelines.
6 th June 2021, Chakaria	Why are you not using the previously acquired land for the bypass? You shouldn't build a bypass by displacing a huge number of families. Did you study ultimate environmental damage?	JST Representative: If we build a bypass at the present road, many markets will be demolished. Traffics will increase after completing Matarbari Deep Seaport. Another consulting firm (EQMS) is assigned to research environmental effects, and it is impossible to change the alignment for technical reasons.
	What is the compensation rate of the commercial land? From where do we get our compensation?	RAP Study Team: DC office will fix the land value according to the land acquisition law (ARIPA 2017). RHD will deploy an organization for distributing additional grand. A committee will form, and the grant will be provided according to their recommendation.
	In many projects, the RAP implementing NGOs claim bribes. Will there create any situation like that in this project? Is there any NGO in this project for fixing the compensation rate? How can we save ourselves from the broker?	RAP Study Team: You should warn the implementing organization before the work starts. The project authority can be informed if the NGO claims a bribe. If you become aware of the project policy, brokers can't take advantage of you. RHD will form a grievance redress committee (GRC) to deal with any claims over the project activities. Different institutes (RHD Union Parishad, RAP Implementing Agency) will be involved in this committee, fixing the grievance.
	Some people live in the acquired land as squatters. Can they get any compensation?	RAP Study Team: As per JICA Environmental Guidelines, affected people will get compensation and other benefits irrespective of their title to the land. But encroachers will not be compensated, and the government is very strict about willful encroachment to the GoB land.
	The proposed bypass road affects the total area of Rudro Palli (Potter village of Hindu Community). Please avoid the settlement, if possible, otherwise please resettle those affected people through this project. Many people live in their own house, but they don't have an updated record of rights to their properties to prove them as a landowner. Therefore, they will not get compensation for land and eventually will become landless.	JST Representative: We will study alternative alignment to avoid or minimize displacement of the houses. If displacement is unavoidable, the project will arrange a resettlement site for the Hindu Community. Displaced people will find alternative land for relocation in a cluster manner, and the project will provide necessary civic facilities there except electricity. Land ownership records must be updated to get compensation from the government.

Date & Venue	Question	Responses given by RHD, JST and RAP Study Team Leader
	It would help if you demarked the alignment first, and then we can understand who is affected by the alignment. The compensation cheque should be distributed in the locality of the project.	RAP Study Team: The Survey team will demarcate the alignment before starting the survey. You should help the study team by providing the correct information, and don't try to take the wrong step. The project will try to arrange handing over cheques by the DC at the locality. But the additional compensation and resettlement benefits will surely be paid at the doorsteps of the people.
	You should pay proper compensation to the affected people so that they can live peacefully.	RAP Study Team: Compensation for the affected properties will be assessed by a committee, namely Property Assessment and Valuation Committee. Replacement costs of land and structures will be paid as per JICA Environmental Guidelines, and other resettlement benefits will also be delivered as per RAP policy.
	Rudro Palli is a poor village. Although they have lived here for a long time, their paper is not fully accurate.	RAP Study Team: If the land is named to your father, you only need a certificate to establish you as a landowner.
	Please choose the 1 st alignment, which was outside the community. If it is not possible, then please finalize the current alignment avoiding the settlement. We demand compensation at our doorstep in the presence of the Union Parishad chairman.	JST Representative: Matarbari connecting road was shifted 100 meters. Consequently, the bypass alignment was adjusted. Technically this is the best alignment. According to the Environment Conservation Act, we can't select any alignments inside the reserve forest area. We will again check the technical viability and consult the seniors to consider your opinion. Compensation will be paid as per ARIPA 2017 by the DC office. Additional compensation & resettlement benefits will be paid at your doorsteps by the RHD.

Source: Meeting records

4.9 DISCLOSURE OF THE RAP

During finalization of the RAP, disclosure sessions were held in the form of FGDs and SGMs in five bottleneck sections from 19-22 September 2022. PAPs were invited to the disclosure sessions through personal contact, Union Parishad Chairmen and Members, announcement in the local mosque and bazar. Two separate teams including representatives from RHD, JST and KMC conducted the disclosure sessions. FGDs were held ahead of SGMs to seek opinion of the various affected groups and distribute information brochure in Bangla. In the SGMs, about 2000 information brochures were also distributed among the PAPs and the policy of the RAP including entitlement, grievance mechanism, roles of the various agencies and the affected people in implementation of the RAP, livelihood restoration activities were disclosed. Following the SGMs and FGDs was a two-week RAP disclosure period, where the affected people/other stakeholders were requested to submit their comments and feedback by making phone calls and send emails to the specific number and email address furnished at the end of the brochure.

In the disclosure sessions, the following issues have taken place.

- a) Legal framework including ARIPA and JICA Environmental Guidelines for compensation and resettlement benefits
- b) Disclosure of the project impacts, category of losses and mitigation measures including entitlements against each category of loss
- c) Discussion on relocation options and planned livelihood rehabilitation activities
- d) Grievance redress mechanism and the right to produce grievances by the PAPs
- e) Role of the DC office, RHD and affected people during land acquisition process and construction period
- f) Gather feedback on potential risks and probable mitigation measures.

In the 15 FGDs conducted, total 740 Project Affected People including 174 females and 566 males participated spontaneously. A total of six categories of participants attended the events among them, women group (4), business group (4), landowner group (4), tenant group (1), wage earner group (1), and vendor group (1).

Opinion of the people obtained during first-round consultation meetings in 2020 & 2021 were incorporated in the RAP and the policy of the RAP was disclosed to the affected people in the small group consultation meetings at five major bottleneck sections in September 2022. The table below portrays the key information of Focus Group Discussions (FGDs)

Table 4–3: Location-wise FGDs and participants during disclosure of the RAP Policy

SL	Venue	Location	Group	Date	Time	No. of Participants		Total
						Female	Male	
1	Korol	Patiya	Business	19.09.2022	9.30 am	0	43	43
2	Vatikhain	Patiya	Women	19.09.2022	10.30 am	52	2	54
3	Faruqipara	Patiya	Landowner	19.09.2022	11.30 am	0	31	31
4	Dewanhat	Chandanaish	Business	19.09.2022	2.30 pm	0	36	36
5	Nathpara	Chandanaish	Women	19.09.2022	3.30 pm	26	2	28
6	Kathgar	Satkania	Landowner	19.09.2022	4.30 pm	0	29	29
7	Keochia Union Parishad	Satkania	Business	19.09.2022	10.00 am	2	78	80
8	Keochia Union Parishad	Satkania	Tenant	19.09.2022	11.00 am	2	55	57
9	Keochia Union Parishad	Satkania	Wage Labor	19.09.2022	12.00 pm	2	87	89
10	Keochia Union Parishad	Satkania	Vendor	19.09.2022	2.30 pm	2	68	70
11	Amirabad	Lohagara	Landowner	20.09.2022	9.30 am	2	48	50
12	Roshidar Para	Lohagara	Women	20.09.2022	10.30 am	42	2	44
13	Shah Umorabad Bazar	Chakaria	Business	20.09.2022	12.00 pm	1	55	56
14	Hazian	Chakaria	Landowner	20.09.2022	2.30 pm	1	28	29
15	Digorpankhali	Chakaria	Women	20.09.2022	3.30 pm	42	2	44
Total						174	566	740

Source: RAP Disclosure Meetings

In the FGDs, the various occupational groups raised their concern about project impacts on them and urged solutions.

Issues raised by the PAPs and responses of the RHD, JST and RAP study team are presented in the table underneath-

Table 4–4: Summary of issues raised by the PAPs in the 15 FGDs and responses

Date & Venue	Major Issues raised	Response by RHD, JST, and RAP Study Team
19 th September 2022, Patiya	Truly will we get three times the compensation for our acquired land or it's only false assurance?	RAP Study Team: As per ARIPA 2017, you will get three times the compensation for your acquired land if you have all the updated documents and follow the process properly.
	My father purchased the land for 8 lakhs taka but according to the current mouza rate, we will get compensation of 3 lakhs taka for this land. So, how can we get the compensation according to the current market price?	RAP Study Team: DC office will provide cash compensation under the law (CCL) based on the average transacted deeds of the preceding 12 months of serving notice under Section 4 plus 200% as a premium. If the DC's price (including a 200% premium) is lower than the current market price, then the property valuation assessment PVAC committee will determine the replacement cost following the JICA Environmental Guidelines based on the current mouza rate. If the CCL is lower than the replacement cost, the RHD will provide extra compensation as a top-up/ assistance/ grant following the RAP policy.
	My husband lives abroad. In this case, will I receive compensation in his absence?	RAP Study Team: If any titleholder lives abroad then he/she will nominate a reliable person with legal power of attorney for receiving his compensation. If you want to get compensation then you must receive the power of attorney from your husband, and it will be required to submit to the concerned LA section for soliciting your compensation on behalf of your husband.
	My father-in-law is dead. Now my husband will get compensation according to inheritance. If he wants to receive compensation, then is it required to complete the mutation process in favor of his name?	RAP Study Team: It is mandatory to update the record of rights to the acquired properties for receiving compensation money for the affected land. In that case, you have to complete the mutation process. Or discuss with the DC offices after notice No. 4 is served about papers requirements and update/prepare your papers accordingly.
19 th September 2022, Dohazari	I have been doing business by renting in a shop. So, will I get compensation for my business loss?	RAP Study Team: Yes, you will get compensation for your business loss. If you have a trade license, you will get BDT 20,000, if you have a trade license and income tax certificate, you will get BDT 80,000 and if you have a trade license, income tax certificate & audited balance sheet, you will get BDT 150,000. If you don't have a trade license, then you won't get compensation for your business loss.

Resettlement Action Plan for Five Major Bottleneck Sections

Date & Venue	Major Issues raised	Response by RHD, JST, and RAP Study Team
	The case is ongoing in the court for land. So, how the tenant will get compensation?	RAP Study Team: Firstly, you will discuss with the DC office how the problem will be solved otherwise you need to have waited until the case is settled in court.
	What kind of necessary documents will require for getting compensation?	RAP Study Team: Following papers are required to get the compensation: National ID Card, updated land-related documents including mutation paper, receipt of updated tax payment, inheritance certificate, transaction deeds (where applicable), via deeds, bank account number, photograph, etc. DC office will give a list of required documents following which you have to produce papers.
19 th September 2022, Keranihat	When the activities of the project will be started?	RHD Representative: This project is already ongoing, but the process of land acquisition and the payment of compensation will be started soon after the submission of the land acquisition proposal to DC.
	How can we be free from the harassment of the DC office?	RAP Study Team: We will try our best so that all checks are given to your hand through a meeting as well as you should follow the instructions of our field staff properly to be free from the harassment of the DC office.
	Will we be allowed to take our trees after receiving compensation?	RAP Study Team: According to RAP policy and JICA Environmental Guidelines, you will be allowed to take your trees. But if the tree belongs to any community/Samity/institution under social afforestation, then the compensation will be divided according to their deed.
19 th September 2022, Lohagara	Will the width of the RoW be 300 feet?	JST Representative: There is a possibility of narrowing the width of the currently proposed RoW for the four bypasses from 300 feet to 200 feet (Case-1) or 150 feet (Case-2). The boundary of the revised RoW is not fixed yet. For the flyover section, no change of RoW is expected.
	Is required to involve any agent to get compensation money?	RAP Study Team: There is no need to involve any agent to get compensation money. Rather, RHD will deploy an Implementing Agency (NGO or Firm) for assisting you in updating papers and receiving compensation.
20 th September 2022, Chakaria	How much land will be acquired on both sides of the Road?	JST Representative: The boundary of the revised RoW is not fixed yet. A total of three studies (300 feet, 200 feet, or 150 feet) have been conducted but most of the govt. officials are considering acquiring 150 feet (75 feet on

Date & Venue	Major Issues raised	Response by RHD, JST, and RAP Study Team
		both sides of the central line) of land for the total right of way of the Road.
	In khatian, if both husband and wife's names are enlisted then who will get compensation money? Will the husband receive compensation money alone?	RAP Study Team: In khatian, if both husband and wife's names are enlisted then both are eligible to get compensation money. There is no scope to receive compensation money alone. If your husband wants to receive alone then you have to provide power of attorney to him.

Note: Details of the discussion are attached in Annex 4.

Source: RAP Disclosure Meeting records

Apart from the FGDs, 15 SGMs were held during finalization of the RAP in September 2022 where 638 Project Affected People and other stakeholders were present of which 49 females and 589 males participated spontaneously. All categories of affected people including businessmen, landowners, tenants, wage earners, vendors and other interested parties (local government representatives, senior citizens and other stakeholders attended the events).

Representatives from RHD, JST and KMC were present in the SGMs. Policies of the RAP especially entitlements against each category of loss, grievance redress mechanism, livelihood restoration activities etc. were elaborately described in the SGMs.

Table 4–5: Key information of the Small Group Consultation Meetings (SGCMs)

SL	Venue	Location	Date	Time	No. of Participants		Total
					Female	Male	
1	Vatikhain	Patiya	20.09.2022	9.30 am	0	37	37
2	Faruqipara	Patiya	20.09.2022	11.30 am	0	24	24
3	Vatikhain Hindupara	Patiya	20.09.2022	2.30 pm	0	18	18
4	Dewanhat	Chandanaish	21.09.2022	10.00 am	0	45	45
5	Nathpara	Chandanaish	21.09.2022	11.30 am	0	23	23
6	Kathgar	Satkania	21.09.2022	2.30 pm	0	57	57
7	Keranihat Primary School	Satkania	22.09.2022	10.30 am	2	51	53
8	Satkania Raster Matha	Satkania	22.09.2022	12.00 pm	1	34	35
9	Madarbari Govt. Primary School	Satkania	22.09.2022	2.30 pm	3	30	33
10	Amirabad	Lohagara	21.09.2022	10.00 am	5	37	42
11	Roshidar Para	Lohagara	21.09.2022	11.30 am	5	47	52
12	Mutoalli Para	Lohagara	21.09.2022	2.30 pm	5	45	50
13	Shah Umorabad Bazar	Chakaria	22.09.2022	10.00 am	3	57	60
14	Lakkhar Char	Chakaria	22.09.2022	11.30 am	16	37	53
15	Digorpankhali	Chakaria	22.09.2022	2.30 pm	9	47	56
Total					49	589	638

Source: RAP Disclosure Meetings

Table 4–6: Issues raised by the participants in SGMs and responses of the consultant -

Date & Venue	Issues raised	Response by Consultants
20 th September 2022, Patiya	How will we get compensation easily from the DC office without giving any bribe?	RAP Study Team: If your all documents are correctly prepared and you follow the process properly according to the requirement of the DC office, you will get compensation quickly. An implementing agency will be deployed by RHD to assist PAPs in updating papers and receive compensation from the DC office and benefits from RHD.
	If we renovate our house now, then will we get compensation for it?	RAP Study Team: If you intentionally renovate your house without necessity then you won't get compensation but if it's necessary then you will get compensation for renovation after justification by the concerned authority. But such renovation would be before the notice No. 4 serves.
	If another house is damaged to demolish my house, then will they get compensation for it?	RAP Study Team: Yes, they will get compensation if it is damaged by the contractor beyond the ROW. But this will be paid by the contractor since that structure is not primarily affected by the project.
	All bottleneck points (139) will be straightened.	RHD Representative: No, in this stage only five major bottleneck points (Patiya, Dohazari, Keranihat, Lohagara, and Chakaria) will be straightened.
21 st September 2022, Dohazari	How will the tenants get compensation?	RAP Study Team: Tenants will get the actual rent for two months from the project but not exceed BDT 10,000.
	When the notice of Section 4 will be given?	JST Representative: After submission of the land acquisition proposal to DC offices, the district land allocation committee (DLAC) will approve it and afterward notice of Section 4 will be served.
	We built a club after conducting the HH survey. Will we get compensation for this club?	RAP Study Team: If the club is constructed after the cut-off date (commencement date of census for non-titled holders and notice under Section 4 for titled holders), you will not get compensation for the club.
21 st September 2022, Keranihat	If we have a pending case in the court on our land, will we get compensation?	RAP Study Team: No, you won't get compensation for your land until the case will be resolved in court.
	What is the logic behind establishing a flyover at Keranihat?	RHD Representative: After doing various feasibility studies, govt. has decided to construct a flyover at Keranihat, because RHD has sufficient land here. A minimum (approximately) of 1.20 acres of land will need to be acquired. So, for minimizing land acquisition and displacement of residential HHs, the flyover option has been finalized.
	How wide will be the flyover?	JST Representative: The width of the flyover ROW will be 160 feet with 6 lane carriageways.

Resettlement Action Plan for Five Major Bottleneck Sections

Date & Venue	Issues raised	Response by Consultants
21 st September 2022, Lohagara	Before our land was Null category but now, we have converted it to Vita by filling soil in the null land. In this case, will we get compensation for Vita instead of Null?	RAP Study Team: If you change your category to vita after the notice under Section 4, you will not get compensation for Vita. But a joint verification survey by the DC office and RHD will be conducted after notice No. 4 and the land category will be finalized.
	We are four brothers but now two brothers live in a separate place by purchasing land and two brothers live in the ancestral land. In this case, how they will get compensation for those who are living on purchased land?	RAP Study Team: After getting the notice of Section 4, you will submit the necessary documents to the DC office including succession certificates. If no objection is given by two brothers (living in another place), the remaining two can get compensation. The decision will be taken by the DC office based on the papers and no-objection certificates.
	What is the logic for the 300 feet width of the bypass?	RHD Representative: The boundary of the revised RoW is not fixed yet. There is a possibility to narrow the width of the currently proposed RoW for the four bypasses from 300 feet to 200 feet (Case-1) or 150 feet (Case-2).
	How many lanes will be in the bypass?	JST Representative: The bypass will be four lanes.
	Khatian of the land is one's name but the land is possessed by another. In this case, who will get the notice of Section 4?	RAP Study Team: Whose name is mentioned in the Khatian, they will get the notice of Section 4.
22 nd September 2022, Chakaria	I am a tenant. I have been doing business by renting in a shop. So, will I get compensation for my business loss?	RAP Study Team: Yes, you will get compensation for your business loss. If you have a trade license, then you will get BDT 20,000. If you have a trade license and income tax certificate, then you will get BDT 80,000. If you have a trade license, income tax certificate, and an audited balance sheet then you will get BDT 1,50,000. If you don't have a trade license, then you won't get compensation for your business loss.
	After giving the notice of Section 4, how much time will we get to replace our structures?	RHD Representative: After giving the notice of Section 4, you will get at least 6 months to replace your structures. Project authority won't force you to go until you get compensation for the affected one. But if your ownership documents are not updated and that is why you don't get compensation, the project will take over the possession even prior to payment of compensation.
	The Mouza Rate of our land is lower than the current market price. In this case, will we get compensation according to the current market price?	RAP Study Team: DC office will provide compensation according to the mouza rate. If the mouza rate is lower than the current market price, then a PVAC committee will determine the replacement cost based on the current market price. If the CCL amount (including a 200% premium) is lower than the replacement cost,

Date & Venue	Issues raised	Response by Consultants
		RHD will provide additional compensation as a top-up/ assistance/ grant following the RAP policy.
	Will you take the necessary steps to reduce sound pollution?	JST Representative: Yes, the project will take the necessary steps to reduce sound pollution as much as possible.

Source: RAP Disclosure Meeting records

4.10 CONSULTATION AND PARTICIPATION DURING PROJECT IMPLEMENTATION

Stakeholder communication will be followed throughout the project life cycle. This will ensure that any concerns of PAPs are taken into consideration during project activities and any risks mitigated. A consultation and participation mechanism will be developed during RAP implementation stage by engaging the primary stakeholders in local committees— such as, grievance redress committees (GRC) and property valuation assessment committee (PVAC). The RAP Implementing Agency (IA) will be appointed for the implementation of RAP who will continue the processes of consultation and participation by involving the affected households and the beneficiaries as well.

Thus, the consultation will remain an integral part of Project management and implementation. The existence and procedures of the grievance redress mechanism (GRM) will also be communicated clearly and adequately throughout the entire project lifecycle to project-affected people, local leaders and government officials through written and printed circulars in Bangla posted on public boards. In this regard, meaningful consultations will be arranged by the RAP IA with affected persons for enabling their participation in preparing, implementing, and monitoring the RAP.

4.11 DISCLOSURE OF THE RAP DURING PROJECT IMPLEMENTATION

As per the JICA Environmental Guidelines, the RAP policy has been disclosed to the people at the field level consultations and FGDs. The RAP will be disclosed on the JICA website as well after approval for better transparency and accountability since it is a JICA Environmental Category-A project. Copies of the RAP in English and the executive summary in Bangla will be available in DC offices in Chattogram and Cox’s Bazar and in the Project sites for the general public and civil society members.

5. LEGAL AND POLICY FRAMEWORK

5.1 INTRODUCTION

The law of eminent domain is applied for the acquisition of land for infrastructure projects of public interest. The legal and policy framework for land acquisition and involuntary resettlement for the CCHIP will be based on: (i) Acquisition and Requisition of Immovable Property Act (ARIPA) 2017 and (ii) JICA Environmental Guidelines (2010). The Government of Bangladesh has initiated National Resettlement Policy for the Affected People due to Land Acquisition, 2018. The goals and objectives of the National Resettlement Policy for affected people due to the land acquisition are as follows:

- (a) The implementation of commitment of the government to remove poverty and to attain Sustainable Development Goals (SDG).
- (b) The protection of rights of displaced and affected family or person due to land acquisition.
- (c) According to productive and sustainable policy, those families and individuals who are uprooted and tampered with due to land acquisition must be resettled
- (d) After rehabilitation, rehabilitated people must take their initiative with needful help for reshaping and enhancing their life within a reasonable time duration.
- (e) In addition to compensation and rehabilitation assistance, share benefits of the project with affected people where possible.

5.2 LAND ACQUISITION AND RESETTLEMENT

The principal legal instrument governing land acquisition in Bangladesh is the “Acquisition and Requisition of Immovable Property Act (ARIPA)”, 2017. The ARIPA, 2017 requires that compensation be paid for (i) land and assets permanently acquired (including standing crops, trees, houses); and (ii) any other damages caused by such acquisition. The Act also provides for the acquisition of properties belonging to religious organizations like mosques, temples, pagodas, and graveyards if they are acquired for the public interest. The Act stipulates certain safeguards for the landowners and provides for payment of “fair value” for the properties acquired.

The Acquisition and Requisition of Immovable Property Act (ARIPA), 2017, and responsibilities during the LA process have been presented in the table below in a nutshell.

Table 5–1: Sections of ARIPA, 2017 with Steps in the Process LA and Responsibility

Relevant Section under ARIPA 2017	Steps in the Process of Land Acquisition	Responsibility
Section 4 (1)	Publication of preliminary notice of acquisition of property for a public purpose	Deputy Commissioner
Section 4 (3) (1)	Prior to the publication of Section 4(1) notice; Identify the present status of the land, structures, and trees through videography, still pictures, or appropriate technology.	Deputy Commissioner
Section 4 (3) (2)	After the publication of Section 4(1) notice, a joint verification is conducted with potentially affected households and relevant organizations.	Deputy Commissioner
Section 4 (7)	After the publication of the preliminary notice under Section 4(1), if any household has changed	Deputy Commissioner

Relevant Section under ARIPA 2017	Steps in the Process of Land Acquisition	Responsibility
	the status of the land for beneficial purposes, the changed status will not be added to the joint verification notice.	
Section 4 (8)	If the affected person is not happy with the joint verification assessment, he/she can complain to Deputy Commissioner within seven days of issuing sec 4(1) notice.	Affected Person
Section 4 (9)	Hearing by Deputy Commissioner within 15 working days after receiving the complaints. In the case of government priority projects, the hearing will be within 10 working days .	Deputy Commissioner
Section 5 (1)	Objections to acquisition by interested parties, within 15 days of the issue of Section 4 (1) Notice	Affected Person
Section 5 (2)	Deputy Commissioner submits hearing report within 30 working days after the date of Section 5(1) notice. In the case of government priority projects, it will be within 15 working days .	Deputy Commissioner
Section 5 (3)	DC submits his report to the (i) government (for properties that exceed 16.50 acres; (ii) Divisional Commissioner for properties that do not exceed 16.50 acres. Deputy Commissioner makes the final decision if no objections were raised within 30 days of inquiry. In the case of a government priority project, it will be 15 days	Deputy Commissioner
Section 6 (1) (1)	Government makes the final decision on acquisition within 60 working days after receiving the report from the Deputy Commissioner under Section 5(3) notice.	Ministry of Land
Section 6 (1) (2)	Divisional Commissioner decides within 15 days or with reasons within 30 days since the submission of the report by Deputy Commissioner under Section 5(3) notice.	Divisional Commissioner
Section 7 (1)	Publication of the Notice of final decision to acquire the property and notify the interested parties to submit their compensation claims.	Deputy Commissioner
Section 7 (2)	Interested parties submit their interests in the property and claims for compensation within 15 working days (in case of priority project 7 days).	Affected Person
Section 7 (3)	Individual notices have to be served to all interested persons including the shareholders within 15 days of issuing Section 7(1) notice	Deputy Commissioner
Section 8 (1)	Deputy Commissioner makes a valuation of the property to be acquired as at the date of issuing Section 4 Notice; determine the compensation; and apportionment of compensation among parties interested.	Deputy Commissioner
Section 8 (3)	Deputy Commissioner informs the award of compensation to the interested parties and sends	Deputy Commissioner

Relevant Section under ARIPA 2017	Steps in the Process of Land Acquisition	Responsibility
	the estimate of compensation to the requiring agency/person within 7 days of making the compensation decision.	
Section 8 (4)	The requiring agency deposits the estimated award of compensation with the Deputy Commissioner within 120 days of receiving the estimate.	Requiring Agency
Section 9 (1)	During valuation of assets, Deputy Commissioner will consider the following: (i) Average market price of land of the same category in the last 12 months; (ii) Impact on existing crops and trees; (iii) Impact on other remaining adjacent properties; (iv) Impact on properties and income; and (v) Relocation cost for businesses, residential dwellings, etc.	Deputy Commissioner
Section 9 (2)	Additional 200% compensation on transaction deeds of the preceding 12 months is added to the estimated value. If the land is acquired for private organizations, added compensation will be 300% .	Deputy Commissioner
Section 9 (3)	Additional 100% compensation on top of the current market price for impacts mentioned under Sections 9(1)	Deputy Commissioner
Section 9 (4)	Appropriate action will be taken for relocation on top of the above-mentioned subsections.	Requiring Agency
Section 11(1)	Deputy Commissioner awards the compensation to entitled parties within 60 days of receiving the deposit from the requiring agency/person.	Deputy Commissioner
Section 11 (2)	If an entitled person does not consent to receive compensation, or if there is no competent person to receive compensation, or in the case of any dispute with the title to receive compensation, Deputy Commissioner deposits the compensation amount in a deposit account in the Public Account of the Republic. Thereafter, Deputy Commissioner acquires the land. (Landowners can obtain such deposited money at any time, having appealed to the Deputy Commissioner, and providing evidence in support of his/her claim.	Deputy Commissioner Affected Persons
Section 12	When the property acquired contains standing crops cultivated by Bargadar the apportion of compensation due to him will be determined by the Deputy Commissioner and will be paid to the Bargadar in cash.	Deputy Commissioner

Source: Acquisition and Requisition of Immovable Property Act (ARIPA) 2017

Common major steps of the land acquisition process by the DC office according to ARIPA 2017 law are shown below for easy reference.

Table 5–2: Common Steps of LA Process as per ARIPA 2017

Step	Description
Administrative approval from the line ministry	The requiring body (in this case RHD) needs to take administrative approval from the line ministry (in this case Ministry of Road Transport and Bridges)
Prior consent from Ministry of Land	As per Article 18 and 19 of the 1997 LA Manual, for any land acquisition within some designated areas, prior approval is needed from Land Ministry (<i>This Project is not within those designated areas</i>)
LA proposal (Land Acquisition Plan: LAP) submission by Project owner to respective DC office	LA proposal document includes: <ul style="list-style-type: none"> • facilities layout plan, • proposed acquisition area shown on Mouza maps (indicating the project boundary in hand writing on a cloth map), • list of affected plots (known as Plot Index), • amount of land in each plot and land required (known as Land Schedule), • general running video of the affected area, • filled up “CHA” Form showing names of the owners as per Khatians (ownership records), • administrative approval from the Line Ministry, The first 6 items will be obtained from the Land Acquisition Plan (LAP) to be prepared by the project proponent
Document check and Reconnaissance survey	DC office will check if all required documents are submitted. The representative of the DC office will make a preliminary reconnaissance survey
Meeting of District Land Allocation Committee (DLAC) and allocation of case number by DC office	The submitted documents are sent to DLAC to allocate an LA case number (within 21 working days of LA proposal submission). This marks official recognition of the LA proposal. DLAC meeting may be omitted, when prior approval from Land Ministry is available
Notice of Acquisition under Sec 4	The official start of the LA process Also acts as a legal “Cut-off Date” for titleholders
Joint Verification Survey (JVS) as per Sec 4 (3) (Kha)	A joint verification survey should start within 7 working days of serving Sec-4 notice, jointly conducted by the acquiring body (DC office) and the requiring body (in this case, RHD), but must be completed before Sec 7. Joint video filming for asset confirmation is conducted.
Objection against JVS as per Sec 4 (8)	To be submitted to Divisional Commissioner within 7 working days after publication of JVS report
Decision on objection as per Sec 4 (9)	To be solved by Divisional Commissioner within 15 working days after the Sec 4–8-time limit.
Objection against acquisition (Sec 5-1)	To be submitted to DC office within 15 working days of Sec 4 notice
Decision on the objection (Sec 5-2)	To be solved by DC office within 30 working days after the Sec 5-1 time.
Submission for approval (Sec 5-3)	Depending on the acquisition amount, the LA proposal is sent to either Divisional Commissioner or Central Land Acquisition Committee (CLAC) Within 30 working days after Sec 5-2-time limit

Step	Description
Final approval by Divisional Commissioner or CLAC (Sec 6)	Maximum 60 working days after Sec 5-3-time limit It may be omitted when prior approval from Land Ministry is available
Final notice of acquisition to persons of interest (Sec 7)	Official recognition of PAPs. PAPs should submit their all documents within 15 working days of notice issuance.
Preparation of cash Compensation under Law (CUL)	The compensation amount should be prepared within 30 working days after Sec 7. Land register prepares land value, Public Works Department (PWD) prepares structure values, Department of Agriculture Extension (DAE) prepares crops values, Forestry prepares tree values, etc.
Notice of compensation amount (Sec 8)	After CUL preparation, notice is to be served within 7 working days.

Source: ARIPA 2017

Details of the Relevant Sections of ARIPA 2017 that Governs Land Acquisition and Requisition Process:

1. Section 4. Publication of preliminary notice of acquisition of immovable property:

- (1) Whenever it appears to the Deputy Commissioner that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, he shall cause a notice to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired.
- (2) In case of acquisition of immovable property for any non-governmental person or organization, whatever be the amount of the immovable property, sanction of the government must be taken before the initiation of acquisition proceeding.
- (3) The Deputy Commissioner, under Sub-section (1)-
 - (a) before the publication of notice, in the prescribed manner and form, shall record the real nature, condition and infrastructures built therein, crops and trees of the proposed immovable property in video or still picture or any other technology and thereafter prepare a report accordingly; and
 - (b) after the publication of notice, in the prescribed manner and form, shall prepare a joint list of Requiring persons or organizations and persons interested.
- (4) If the nature of land is changed in reality from its recent record of rights, the Deputy Commissioner, at the time of preparation of the joint list, shall decide about the change of the nature of the land.
- (5) The Deputy Commissioner shall mention in the joint list, in the prescribed manner, if any house or infrastructure is built or is being built in the proposed immovable property for acquisition, in contravention of public purpose for illegal gain.
- (6) The joint list prepared Sub-section 3(b) shall be affixed in the notice board of the local land office and in the convenient place of the project.
- (7) The Deputy Commissioner shall not record the change of the nature of land in the joint list, if after the initiation of proceeding under Sub-section 3(a), the nature of the land is changed by building

houses or infrastructures in bad motive.

- (8) If any person is aggrieved by the decision of the Deputy Commissioner under Sub-section 7, he may file an appeal to the Commissioner within the next 7 working days.
- (9) The Commissioner, in the prescribed manner, shall hear the appeal under Sub-section 8 and shall provide with the decision within next 15 working days and in case of a nationally important project, shall provide with the decision within the next 10 working days.
- (10) The decision of the Commissioner under Sub-section 9 shall be deemed to be final.
- (11) If there is any disposal of appeal under Sub-section 9 or no appeal is preferred within the prescribed period in Sub-section 8, within the next 24 hours, the concerned persons shall in his own cost remove the houses or infrastructures from the proposed immovable property, otherwise the Deputy Commissioner shall take steps to evict those in accordance with the existing provisions of law.
- (12) The Deputy Commissioner may, after choosing the place for nationally important project, by order, impose control over the sale of plots and building of infrastructures thereon.
- (13) Generally religious places, graves or crematoriums can be taken into acquisition; provided that, if it essential in public purpose or public interest, by relocating and rebuilding, in the own money of the requiring persons or organizations, it may be taken into acquisition.

Explanation: The term “purpose in contravention of public interest” in this section means the purpose for obstructing in the implementation of the project, creating hindrance or doing anything that retards the implementation of a project or doing something to get monetary benefit by compensation.

2. Section 5. Objections against acquisition:

- (1) Any person concerned may file an objection against the acquisition proceeding to the Deputy Commissioner within 15 working days.
- (2) The Deputy Commissioner shall, speedily hear the objection filed under Sub-section 1 in the presence of the appellant or an agent, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, prepare a report within thirty working days, and in case of a nationally important project within 15 working days, following the expiry of the period specified under Sub-section (1) containing his opinion on the objections.
- (3) The Deputy Commissioner-
 - (a) if the property exceeds 50 [fifty] standard big has (or 16.5 acre) of land, submit the record of the proceedings held by him, together with his opinion, for the decision of the Ministry of Land; and
 - (b) if the property does not exceed 50 [fifty] standard big has (or 16.5 acre) of land, submit the record of the proceeding held by him, together with his opinion, for the decision of the Commissioner: Provided that if no objection is raised within the period specified in Sub-section (1), the Deputy Commissioner shall ,instead of submitting the records of the proceedings to the Divisional Commissioner, make a decision within ten days of the expiry of the aforesaid period, or within such further period but not exceeding thirty days, as the Divisional Commissioner permits on the request of the Deputy Commissioner in writing] and

in case of a national important project within 15 days, about the acquisition of the property and such decision of the Deputy Commissioner shall be final

3. Section 6. Final decision regarding acquisition:

- (1) Under Section 5(3), after considering the report of the Deputy Commissioner, as the case may be-
 - (a) The government shall, not exceeding 60 days after the submission of the report, and
 - (b) within 15 days of the submission of the report of the Commissioner or recording the report of delay within not exceeding 30 days-shall take final decision.
- (2) When the Government, the Divisional Commissioner or the Deputy Commissioner, as the case may be, makes a decision for acquisition of the property under Sub-section (1) of this section or Section 5(3), as the case may be, such decision shall be conclusive evidence that the property is needed for a public purpose or in the public interest.

4. Section 7. Notice to persons interested:

- (1) When the Government, the Divisional Commissioner or the Deputy Commissioner, as the case may be, has made a decision for acquisition of any property under Section 5 or the proviso to Section 6, as the case may be, the Deputy Commissioner shall cause public notice to be given in the prescribed manner at convenient places on or near such property stating that the Deputy Commissioner, has decided to acquire the property and intends to take possession thereof.
- (2) Such notice shall state the particulars of the property to be acquired and taken possession of, and shall require all persons interested in the property to appear personally or by agent before the Deputy Commissioner at a time, fifteen days after the date of publication of the notice or in case of a nationally important project after 7 days, and such notice shall also contain the time and place to be present and state the nature of their respective interests in the property and the amount and particulars of their claims to compensation for such interests.
- (3) The Deputy Commissioner shall also serve notice to the same effect in the prescribed form on the occupier, if any, of such property and on all persons known or believed to be interested therein.
- (4) The Deputy Commissioner may also, by notice, require any such person to make or deliver to him at a time, not being earlier than fifteen days after the date of service of the notice, and place mentioned therein a statement containing, so far as may be practicable, the name of every other person possessing any interest in the property or any part thereof as co-sharer, mortgagee or otherwise, and of the nature of such interest and profits, if any, received or receivable on account there of.
- (5) Every person required to make or deliver a statement under this section shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Penal Code (XLV of 1860).

5. Section 8. Award of compensation by Deputy Commissioner:

- (1) On the date so fixed, or on any other date to which the enquiry has been adjourned, the Deputy Commissioner shall proceed to enquire into the statement, if any, which any person has made pursuant to a notice given under Section 7 and into the value of the property at the date of the publication of the notice under Section 4, and into the respective interests of the persons claiming the compensation and shall make an award of
 - (a) the compensation which, in his opinion, shall be allowed for the property; and

- (b) the apportionment of the said compensation among all the persons known or believed to be interested in the property, of whom, or of whose claims, he has information from the latest record of the proposed mouza for acquisition.
- (2) The award made by the Deputy Commissioner shall, except as hereinafter provided, be final.
- (3) The Deputy Commissioner shall, within seven days from the date of making award of compensation,
 - (a) give notice of his award to the person interested;
 - (b) send the estimate of the award of compensation to the Requiring persons or organizations.
- (4) The Requiring persons or organization shall pay the estimated amount within 120 working days after receiving the estimation under Sub-section 3 to the Deputy Commissioner.
- (5) within 30 working days of the publication of notice under Section 7 or in case of a national important project 15working days, as the case may be, the preparation of the estimated amount of the award of compensation shall be complete.
- 6. Section 9. Matters to be considered in determining compensation:**
 - (1) In determining the amount of compensation to be awarded for any property to be acquired under this Part, the Deputy Commissioner shall take into consideration-
 - (a) the market value of the property at the date of publication of the notice under Section 4: Provided that in determining such market value, the Deputy Commissioner shall take into account the average value, to be calculated in the prescribed manner, of the properties of similar description and with similar advantages in the vicinity during the twelve months preceding the date of publication of the notice under Section 4;
 - (b) the damage that may be sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the property at the time of the making of the joint list;
 - (c) the damage that may be sustained by the person interested by reason of severing such property from his other property;
 - (d) the damage that may be sustained by the person interested by reason of the acquisition injuriously affecting his other properties, movable or immovable, in any other manner, or his earnings; and
 - (e) if in consequence of the acquisition of the property, the person interested is likely to be compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.
 - (2) While the government is acquiring land, it shall provide the persons interested with compensation of 200 percent of the market price as defined in Sub-section 1(a): Provided that if the government acquires the land for any non-government person then the amount of compensation shall be 300 per centum.
 - (3) In cases of injuries made under Sub-section 1(b), (c), (d) and (e), additional 100 per centum compensation shall be provided.
 - (4) Notwithstanding any compensation provided under this section, necessary steps may be taken to rehabilitate evicted persons due to acquisition in the prescribed form.

7. Section 10. Matters not to be considered in determining compensation:

In determining the amount of compensation to be awarded for any property to be acquired under this Part, the Deputy Commissioner shall not take into consideration-

- (a) the degree of urgency which has led to the acquisition;
- (b) any disinclination of the person interested to part with the property to be acquired;
- (c) any damage that may be sustained by him which, if caused by a private person, would not render such person liable to a suit;
- (d) any damage which is likely to be caused to the property to be acquired, after the date of service of notice under Section 7, by or in consequence of the use to which it will be put;
- (e) any increase to the value of the property to be acquired likely to accrue from the use to which it will be put after the publication of notice under Section 7; or (f) any alteration or improvement in, or disposal of, the property to be acquired, made or effected without the sanction of the Deputy Commissioner after the date of publication of the notice under Section 4.

8. Section 11. Payment of compensation:

- (1) On making of an award under Section 8, before taking possession of the property, after the submission of the estimated amount of compensation by the Requiring persons, the Deputy Commissioner shall pay the aforesaid compensation within not exceeding 60 days from the date of deposit by the Requiring persons under Sub-section 2.
- (2) If the persons entitled to compensation do not consent to receive it, or if there be no person competent to receive the compensation, or if there be any dispute as to the title to receive the compensation or as to the apportionment of it, the Deputy Commissioner shall keep the amount of the compensation in a deposit account in the Public Account of the Republic which shall be deemed payment for the purpose of taking over possession of the property without any prejudice to the claim of the parties to be determined by the Arbitrator :Provided that any person admitted to be interested may receive such payment under protest as to the sufficiency of the amount: Provided further that no person who has received the amount otherwise than under protest shall be entitled to make any application under Section 30.
- (3) The Deputy Commissioner shall, realizing the compensation from the recipient, who may have received the whole or any part of the compensation awarded under this Part, take measures to give to pay the same to the person lawfully entitled thereto.

9. Section 12. Payment of compensation to bargadar (Sharecroppers):

Notwithstanding anything contained in this Act, when the property acquired under this Part contains standing crops cultivated by bargadar, such portion of the compensation as may be determined by the Deputy Commissioner for the crops shall be paid to the bargadar.

Explanation: In this section “bargadar” means a person who under the system generally known as ‘Adhi’, ‘Barga’ or ‘Bhag’ cultivates the land of another person on condition of delivering a share of produce of such land to that person.

10. Section 13. Acquisition and possession:

- (1) When the compensation mentioned in the award has been paid or is deemed to have been paid in pursuance of Section 11, the property shall stand acquired and vest absolutely in the

Government free from all encumbrances, and the Deputy Commissioner shall thereupon take possession of the property.

- (2) Immediately after the acquisition of the property under Sub-section (1), a declaration by the Deputy Commissioner in the prescribed form to that effect shall be published in the official Gazette

11. Section 15. Acquisition of part of a house or buildings:

- 1) an acquisition cannot be made if the owner desires that the whole of such house, manufactory or building should be so acquired: Provided that the owner may, at any time, before the Deputy Commissioner has made his award under Section 8, by notice in writing withdraw or modify his expressed desire that the whole of such house, manufactory or building should be so acquired.
- (2) If any question arises as to whether any property proposed to be taken under this Part does or does not form part of a house, manufactory or building within the meaning of this section, the decision of the Deputy Commissioner shall be final.

JICA's Guidelines for Environmental and Social Considerations (April 2010)

The resettlement policy of JICA is almost similar to other development partner's policy on involuntary resettlement. The JICA Guidelines for Environmental and Social Considerations (JICA Environmental Guidelines) (April 2010) on the other hand, recognize & address the R&R impacts of all the affected persons irrespective of their titles and requires for the preparation of RAP/ARAP in every instance where involuntary resettlement occurs depending on the number of affected persons. The JICA policy requirements are:

- i) avoid or minimize impacts where possible;
- ii) consultation with the local stakeholders people or group (including illegal dwellers), local NGOs, etc. who have views about cooperation projects.
- iii) payments of compensation for acquired assets at the replacement value;
- iv) ensure that no one is worse off as a result of resettlement and would maintain their, at least, original standard of living.
- v) Resettlement assistance to affected persons, including non-titled persons; and special attention to vulnerable groups
- vi) Appropriate and accessible grievance mechanisms must be established for the affected people and their communities
- vii) Compensation and other kinds of assistance must be provided prior to displacement
- viii) Eligibility of benefits includes, the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who do not 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

National Resettlement Policy for Affected People due to Land Acquisition, 2018

1. Background and Justification

The government had framed a national resettlement policy for the people affected by land acquisition, providing the victims' relocation and financial compensation to rehabilitate the affected people by the land acquisition as per Sub-section 4 of Section 9 of Acquisition & Requisition Immovable Property Act, 2017.

The subsection reads, 'Necessary measures can be taken to rehabilitate the displaced people due to the land acquisition in a specified manner, apart from the compensation payment mentioned in this section.

'The policy ensures to provide alternative accommodation, cash payments or alternative employment arrangements in addition to compensation payment,' This policy ensures to provide protection to the impoverished people from becoming landless and would help reduce their consequential impact on society.

2. Title and the Application

2.1 National Resettlement Policy for Affected People due to Land Acquisition, 2018

2.2 The requiring agency will follow this policy to rehabilitate displaced and affected people by land acquisition.

Goal and Objectives:

- a) Eliminate poverty and achieve SDG
- b) Protect rights of the Land Acquisition Victims
- c) Resettle Land Acquisition Victims through a productive and sustainable manner
- d) Make sure that the resettled people can reconstruct their life and livelihood within a justified time frame
- e) Ensure sharing project benefits as much as possible

3. Definition

3.1 Law means 'ARIPA 2017'

3.2 Rules means 'Rules framed as per ARIPA, 2017 by the government'

3.3 Resettlement means 'one or more systems as per Article 4 of this policy'

3.4 Affected People means 'Peoples affected by Land Acquisition'

3.5 Displaced means 'who lost their homestead'

4. Resettlement

4.1 Allocating land or plot for the affected people due to Land Acquisition by Requiring agency

4.2 Allocating flat or apartment or alternative residence by Requiring agency

4.3 Providing additional money with CCL

4.4 Providing benefit as the beneficiary of the requiring agency

4.5 Ensure alternative employment is managed by requiring agency

4.6 Any other alternative income source for the affected people due to Land Acquisition consistent with this policy

5. Resettlement Plan

Requiring agency will have to prepare an intensive Resettlement Plan in consultation with all categories of stakeholders.

Requiring agency has to consider following issues to resettle Land Acquisition Victims e.g.

- a) Ensure equality and equal dignity of men and women in all stages of resettlement
- b) Ensure proper census to determine the land title and identify Land Acquisition Victims
- c) Inform affected people about National Resettlement Policy for Land Acquisition, 2018 during acquisition, resettlement, and developing livelihood
- d) Ensure transparency and participation of the affected people due to Land Acquisition in disseminating all information of the project
- e) Ensure citizen rights and choosing options for the affected people regarding relocation places
- f) Ensure livelihood options for them
- g) All the above issues will have to be transparent and neutral.

5.1 Initial Social Assessment and Stakeholder Level Discussion

Requiring agency has to ensure Initial Social Assessment to determine PAPs and following issues:

5.1.1. Identify stakeholder groups

5.1.2. Ensure opinion sharing meetings

5.1.3 Information disclosure

5.1.4 Collect information regarding the project impacts

5.2 Social Impact Analysis and Threats Evaluation

6. Replacement and Resettlement

7. Income/Livelihood Rehabilitation Planning

8. Institutional Mechanism for the Development Project

9. Rehabilitation Guideline and Handbook

10. Financial and Technical Assistance for Resettlement Action Plan Implementation

11. Review and Updating of the Policy

5.3 GAP AND GAP FILLING MEASURES

The land acquisition law of Bangladesh, the Acquisition and Requisition of Immovable Property Act (ARIPA) 2017 is followed for acquisition and requisition of properties required for the development activities in Bangladesh, which is not consistent with the Government's commitment to reducing poverty. There are some gaps in the land acquisition law of Bangladesh and the JICA Guidelines for

Environmental and Social Considerations (April 2010). Below is the comparative analysis between the GOB laws (ARIPA) related to land acquisition, compensation and involuntary resettlement and JICA’s requirements as prescribed in the JICA Environmental Guidelines 2010. Table 5-3 describes the details.

Table 5–3: Comparison between the Government of Bangladesh and JICA Guidelines for Environment and Social Consideration - Land Acquisition and Resettlement

Sl.	JICA Environmental Guidelines (2010)	GOB’s Acquisition and Requisition of Immovable Property Act (ARIPA) 2017	Gaps Between ARIPA and JICA’s Policies and Action Taken to Bridge the Gap	Proposed Gap Filling Measures
1.	Involuntary resettlement should be avoided Wherever possible	Not specified	The 2017 Act legislated nothing, while the JICA Environmental Guidelines require to avoid/minimize resettlement/loss of livelihood	Like other donor funded projects in Bangladesh the approach of avoiding involuntary resettlement has already been taken care during preparing this project. This will be further practiced during design and implementation stage.
2.	When population displacement is unavoidable, effective measures to minimize impact and to compensate for losses should be taken.	Not specified for non-titled people	There are no provisions for compensation to the non-titled residents in Bangladesh Act, While JICA Environmental Guidelines acknowledge all affected persons whether legally residing or not, eligible for compensation	Compensations are proposed even if non-titled affected people providing: -Compensation For structures, trees -Structure transfer assistance -Structure reconstruction assistance -Moving assistance For residential house owner -Tenant moving Allowance
3.	People who must be settled 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	Not specific for keeping living standard of affected people same or above pre-project levels	There are no provisions for maintaining living standard of affected people at same or above pre-project levels in Bangladesh Act, while JICA Environmental Guidelines require that no one is worse off as a result of resettlement and would maintain their living level at least original levels	Usually, additional assistances can be proposed in the form of: - Grant for business loss - Compensation for loss of plant and fish-stock - Grant for loss of wage employment - Rental fee loss for displaced rented house owner - One time moving assistance for tenant business owner - Introduction of micro-credit - Provision of job training

Sl.	JICA Environmental Guidelines (2010)	GOB's Acquisition and Requisition of Immovable Property Act (ARIPA) 2017	Gaps Between ARIPA and JICA's Policies and Action Taken to Bridge the Gap	Proposed Gap Filling Measures
				- Provision of priority employment etc.
4.	Compensation Must be based on the full replacement Cost as much as possible	Compensation is made based on the pre-determined Government prices as are usually quite Cheaper than market price	Compensation is made based on the pre-determined government prices that are usually lower than replacement cost	The Property Valuation Assessment Committee (PVAC) will be formed to survey the affected area and establish the current market price of affected properties. Considering the current market price, the PVAC will determine the full replacement cost of the affected properties.
5.	Compensation and other kinds of assistance must be provided prior to displacement Compensation and other kinds of assistance must be provided prior to displacement.	Payment is made on predetermined time, regardless before or after the construction starts.	Compensations and other assistances are made regardless before or after construction, while JICA Environmental Guidelines require making it prior to relocation.	The resettlement plan addresses all these issues and spells out a mechanism for all the compensation will be paid prior to possession of the acquired land / prior to displacement
6.	For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public	There is no provision for the formulation of RAP and public hearing. Deputy Commissioner contacts to landowner through land Acquisition Officer (LO), and if landowner has no objection, confirm operation for compensation amount etc. will be proceeded.	There is no provision for preparation of resettlement action plan that describes all features of resettlement requirements and ready to disclose to public.	The Resettlement Action Plan (RAP) needs to be prepared for with all features of resettlement requirements and mechanism of disclosure to the public is integral part of RAP. This will be further practiced during design and implementation stages
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.	The 2017 Act have provisions to notify only the owners of property to be acquired.	There is no provision in the law for consulting the stakeholders but the land allocation committees at district, division and central government level.	The RAP/resettlement plan for the project has been prepared following a consultation process which involves all stakeholders (affected persons, government department/line agencies, local community, NGO, etc.) and the consultation will be a continuous process

Sl.	JICA Environmental Guidelines (2010)	GOB's Acquisition and Requisition of Immovable Property Act (ARIPA) 2017	Gaps Between ARIPA and JICA's Policies and Action Taken to Bridge the Gap	Proposed Gap Filling Measures
				at all stages of the project development such as project formulation, feasibility study, design, implementation, and post-implementation, including the monitoring phase.
8.	When consultation held, explanation must be given in a form, manner, and language that are understandable to the affected people	There are no provisions	Requirements of JICA Environmental Guidelines are not specifically mentioned in the Bangladesh laws and rules	The resettlement plan for the project has been prepared following a consultation process with all stakeholders in local language and by following participatory process with question and explanation on the components of the RAP through participation of all the stakeholders representing different groups and the consultation will be a continuous process at all stages of the project development such as project formulation, feasibility study, design, implementation, and post-implementation, including the monitoring phase.
9.	Appropriate participation of affected people must be promoted in planning, implementation and monitoring of resettlement action plans	There is no provision for the monitoring related activities with the participation of affected people	There are no provisions in Bangladesh Acts, while JICA Environmental Guidelines recommend a participation of affected people in planning, implementation and monitoring of RAP	The resettlement plan for the project has been prepared following a consultation process with all stakeholders and the consultation will be a continuous process at all stages of the project development such as project formulation, feasibility study, design, implementation, and post-implementation, including the monitoring phase.
10.	Appropriate and accessible grievance mechanisms must be established for the affected people	PAPs have right to objection to compensation amount, the PAP should protest and	The laws of Bangladesh states appeal to Arbitrator and court case, while JICA Environmental Guidelines recommend establishing	The RAP has made a provision of setting up of grievance redress mechanism accessible for all the affected people

Sl.	JICA Environmental Guidelines (2010)	GOB's Acquisition and Requisition of Immovable Property Act (ARIPA) 2017	Gaps Between ARIPA and JICA's Policies and Action Taken to Bridge the Gap	Proposed Gap Filling Measures
	and their communities.	entrust the matter to the Arbitrator. If AP has to appeal against compensation amount	appropriate grievance redress	including non-titled affected people.
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 socio-economic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advantage of such benefit.	No such an activity required	There is no provision in Bangladesh Acts, while JICA Environmental Guidelines recommend identification of affected people there in least possible time preferably at the project identification stage.	This RAP needs to be prepared based on the data collected through conducting a census, socioeconomic Survey for the displaced persons and making inventory of losses. Video filming has also been done for the affected properties.
12.	Eligibility of benefits includes the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who do not 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	There is no provision.	Requirements of JICA Environmental Guidelines are not specifically mentioned in the Bangladesh laws and rules.	The RAP ensures the compensation and assistance to all affected persons, whether physically displaced or economically displaced, irrespective of their legal status. The end of the census survey will be considered as the cut-off date, and affected persons listed before the cut-off date will be eligible for assistance.
13.	Preference should be given to land-based resettlement strategies for	There is no provision.	Requirements of JICA Environmental Guideline are not specifically	Though this option may be a difficult proposition given the lack of government lands and

Sl.	JICA Environmental Guidelines (2010)	GOB's Acquisition and Requisition of Immovable Property Act (ARIPA) 2017	Gaps Between ARIPA and JICA's Policies and Action Taken to Bridge the Gap	Proposed Gap Filling Measures
	displaced persons whose livelihoods are land-based.		mentioned in the Bangladesh laws and rules.	the difficulties associated with the acquisition of private lands, the RAP proposes land-for-land compensation as its priority, if feasible. Attempt will be made to find alternate land for the loss of land, in case it is available and if it is feasible, looking at the concurrence of host community and land value.
14.	Provide support for the transition period (between displacement and livelihood restoration)	There is no provision for support for the transition period.	There is no provision in Bangladesh Acts, while JICA Environmental Guidelines require providing support for the transition period.	Following are provided in the RAP: - Moving assistance for residential house owners - Tenant moving allowance
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.	There is no provision for either acknowledgment of or compensation to vulnerable groups	There is no provision in Bangladesh Acts, while JICA Environmental Guidelines require providing special attention to vulnerable people and groups.	Vulnerable allowances were proposed to poor old, disabled and female headed households such as: Special Assistance for Vulnerable households
16.	For project that entails land acquisition or involuntary resettlement of more than 200 people RAP is to be prepared	There is no provision	Requirements of JICA Environmental Guidelines are not specifically mentioned in the Bangladesh laws and rules	RAP has been prepared since the displaced people are estimated more than 200.

Source: JICA Environmental Guidelines (2010), ARIPA 2017

6. ELIGIBILITY POLICY AND ENTITLEMENT MATRIX

6.1 ELIGIBILITY CRITERIA

All Entitled Persons (EPs) irrespective of their title to land will get compensation, resettlement benefit and assistance following the JICA Environmental Guideline based on loss and impact categories identified through census, SES and IoL. Nevertheless, eligibility to receive compensation and other assistance has been limited by the cut-off date. The cut-off date for compensation under the law (ARIPA 2017) is considered for those identified on the project right of way (RoW) land to be proposed for acquisition at the time of serving notice under Section 4 for titleholders. The cut-off date of eligibility for resettlement assistance under this RAP is the commencement date of the census and socioeconomic survey for non-titleholders and the Section notice 4 issue date for titleholders. The absence of legal title will not bar PAPs from compensation and assistance, as specified in the entitlement matrix (Table 6-1).

PAPs with legal rights to the land and other assets to be acquired will receive cash compensation under law (CCL) to be paid by DC office following the ARIPA 2017 while the EPs without title will receive compensation, grants, resettlement benefits and assistance as per entitlement matrix presented in this RAP. The entitlement matrix has been developed considering the category of losses & magnitude of impacts identified during past consultation meetings and census, SES and IoL. EPs may also receive additional assistance (Top up amount which is a difference between replacement cost and CCL). Affected vulnerable household (e.g., Poor male and female headed households, disabled headed households and old aged headed households) will be eligible for one-time special subsistence allowance as per approved entitlement policy. Non-vulnerable households with structures affected will be entitled to compensation for structures and assistance for shifting and reconstruction of the same. Any structure not directly used by a non-vulnerable household i.e., rented out for income will also not qualify for additional resettlement assistance.

6.2 COMPENSATION AND ENTITLEMENTS

The Entitlement Matrix for each category of impacts has been prepared for the CCHIP RAP on the basis of the Census, SES and IoL conducted from August 2020 to June 2021 with the affected households, residential and commercial structures, businesses and community assets following the project's resettlement policy and entitlement matrix. The entitlement matrix identifies the categories of impact based on the Census, SES and IoL and shows the entitlements for each type of loss. The following tables (6-1) present compensation and entitlement matrices for various categories of losses assessed during the census and IOL survey. A person could be eligible for compensation/ entitlement in more than one category of losses and in more than one mauza. DC office will pay compensation under law (CCL) as per market value assessed through legal procedure for each mauza separately for one person whose lands/assets have been acquired in more than one mauza.¹² The resettlement benefit for indirect losses and the difference between replacement value and the CCL will be paid by RHD with assistance from RAP Implementing Agency (IA). RHD will consult JICA for any modifications to the RAP when found necessary for better implementation of the mitigation measures.

¹²The awards or CCLs are determined under units of mauza (revenue village & minimum boundary under land administration system in Bangladesh). As a result, a person becomes entitled to as many awards or CCLs as the number of mouzas where his/her property are acquired. The awards are paid separately for each mauza.

Based on the principles proposed for impact mitigation, the following matrix (Table 6-1) defines the specific entitlements for different types of losses and the entitled persons.

6.3 PRINCIPLES, LEGAL AND POLICY COMMITMENTS

The RAP has the following specific principles based on the government provisions and JICA Environmental Guidelines:

- (a). The land acquisition and resettlement impacts on persons affected by the project would be avoided or minimized as much as possible through alternate design options;
- (b). Where the negative impacts are unavoidable, the persons affected by the project and vulnerable groups will be identified and assisted in improving or regaining their standard of living.
- (c). Information related to the preparation and implementation of the resettlement plan will be disclosed to all stakeholders and people's participation will be ensured in planning and implementation. The resettlement plan will be disclosed to the PAPs in the local language;
- (d). Land acquisition for the project would be done as per the Acquisition and Requisition of Immovable Property Act (ARIPA) 2017. Additional support would be extended for meeting the replacement value of the property. The affected persons who do not own land or other properties but have economic interests or lose their livelihoods will be assisted as per the broad principles described in this document.
- (e). Before taking possession of the acquired lands and properties, compensation and Resettlement and Rehabilitation (R&R) assistance will be paid following the provisions described in this document;
- (f). An entitlement matrix for different categories of people affected by the project has been prepared. People moving in the project area after the cut-off date will not be entitled to any assistance. In the case of land acquisition, the date of notification under Section 4 for the acquisition will be treated as the cut-off date. For non-titleholders such as informal settlers/squatters and encroachers the date of census, SES and IoL survey or a similar designated date declared by the RHD will be considered as the cut-off date.
- (g). Appropriate grievance redress mechanism (GRM) will be established to ensure speedy resolution of disputes.
- (h). All activities related to resettlement planning, implementation, and monitoring would ensure the involvement of women and other vulnerable groups.
- (i). Consultations with the PAPs will continue during the implementation of resettlement and rehabilitation works.

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

- a) compensation for the loss of land, crops/ trees at their replacement value;

- b) compensation for structures (residential/ commercial) and other immovable assets at their replacement value;
- c) assistance for loss of business/ wage income;
- d) assistance for shifting and reconstruction of affected structures.
- e) Assistance to vulnerable households

This will ensure that persons affected by the project interventions; whether titled or non-titled will be eligible for appropriate compensation/ resettlement benefit. Persons having no legal title but using the land under acquisition if vacated for the project purpose would be provided with compensation and resettlement benefit for shifting/transfer of structures. Households having customary rights to land and physical property like the owners and users of vested and non-resident property, lessees of the homestead, commercial and agricultural land, sharecroppers, renters of land and structure, etc. are also covered under the resettlement action plan.

The RAP also includes opportunities for occupational skill development training for income generation activities for the PAPs, especially for poor households. The people involuntarily displaced from homes, assets, or income sources as well as non-titled people affected by the project will receive priority access to these income restoration measures. The resettlement activities of the project will be carried out in consultation with the PAPs and all efforts will be made to minimize disruption during project implementation. PAPs will be encouraged for self-relocation and their preferences will be taken into account in the selection of alternative relocation sites. In case of group relocation, civic amenities will be provided by the Project Proponent, if not available in the relocation sites.

The Compensation and Entitlement Matrix is Presented in Table 6-1 below.

Table 6–1: Compensation and entitlement matrix

No.	Type of Loss	Entitled Person	Entitlement
1	Loss of land (all types of land to be acquired for the project)	Entities with legal title	i. Compensation at Replacement Cost (RC) ii. If the Replacement Cost is more than the cash Compensation under Law (CCL), the difference (top-up/assistance/grant) is to be paid by the project. iii. Stamp duty, registration cost, Tax, Value Added Tax and other fees incurred for replacement land will be paid at actual for those affected landowners purchasing alternative land within the one year from the date of CCL received. iv. Dislocation/relocation allowances/grant for affected land @BDT 300/decimal.
2	Loss of standing seasonal crops on the affected land	Owners with legal titles/sharecropper/lease holders	Compensation for standing crops as per ARIPA 2017 (Cash Compensation under Law)
		Socially recognized owner/without legal titles/squatters/encroachers.	i. Compensation for standing crops to actual owners/ cultivators as per ARIPA 2017 ii. Owner/grower to take away the crop
3	Loss of Trees/ Perennials/ fish stocks	Owners with legal title	i. Compensation for trees/perennials/fish stocks as per ARIPA 2017 (Cash Compensation under Law) ii. 2% of CCL value of trees or perennials as grant/allowance for plantation.

No.	Type of Loss	Entitled Person	Entitlement
		Socially recognized owner/ without legal titles/ squatters/ encroachers	<ul style="list-style-type: none"> i. Cash compensation at market rates for replacement of trees/ perennials/ fish stocks value ii. For fruit bearing trees- compensation for trees and fruits as per Dept of Forest scheduled rate. Fruit compensation will not exceed @ 30% of timber value for one years. iii. Compensation for fish stocks as determined by DC as per ARIPA 2017 on private land and by PVAT on GoB land. iv. 5 tree saplings (2 fruit trees, 2 timber type and 1 medicinal tree) will be provided for households losing trees. v. Owners will be allowed to fell and take away their trees, perennial crops/ fishes, etc. free of cost without delaying the project works.
4	Loss of structures	Owners with legal title	<ul style="list-style-type: none"> i. Compensation for affected structures as per ARIPA 2017 (Cash Compensation under Law) ii. Transfer grant @ BDT 10 per sft of main structure iii. Reconstruction grant at 2% of Cash Compensation under the Law (CCL) value for affected structures. iv. Rental assistance for 2 months' actual rent not exceeding BDT 10,000/= for the owner of the commercial & residential structures/HHs
		Loss of structure on Khas/Waqf land/other government land	<ul style="list-style-type: none"> i. Replacement Cost of affected structures to be determined by Resettlement Assessment and Valuation Committee (RAVC). ii. Structures (including CPR) or occupancies constructed with an intent of getting unworthy compensation or benefits, identified by RAVC, shall not be considered for entitlements. The decisions of RAVC on entitlement and compensation of encroachers or squatters shall be final. iii. Unauthorized Signboard on these types of land shall not be allowed for entitlements.
5	Loss of residential structure by Informal Resident (Resident Squatter)	Informal Resident (Resident Squatter)	<ul style="list-style-type: none"> i. Replacement cost of structure as assessed by PVAT considering scheduled rate of Public Works Department. ii. Transfer grant @ BDT 10 per sft of main structure iii. Reconstruction grant @ BDT 15 per sft of main structure. iv. Rental assistance for 2 months' actual rent not exceeding BDT 10,000/= for the owner of the commercial & residential structures/HHs v. Owners will be allowed to take away all salvage materials free of cost.
	Loss of commercial structure by Informal Occupant	Informal Occupant (Commercial Squatter)	<ul style="list-style-type: none"> i. Replacement cost of structure as assessed by PVAT considering scheduled rate of Public Works Department. ii. Informal occupant (commercial squatter) PAPs will be eligible for transfer grant @ BDT 10 per

No.	Type of Loss	Entitled Person	Entitlement
	(Commercial Squatter)		<p>sft, only if PAP's shop will be physically displaced.</p> <p>iii. Informal occupant (commercial squatter) PAPs below poverty line will be eligible for reconstruction grant @ BDT 15 per sft of main structure, only if PAP's shop will be physically displaced and eligible for assistance for vulnerable PAPs.</p> <p>iv. Rental assistance for 2 months' actual rent not exceeding BDT 10,000/= for the owner of the commercial & residential structures/HHs</p> <p>v. Owners will be allowed to take away all salvage materials free of cost</p>
	Loss of residential/commercial structure by Informal Occupant (Encroacher)	Informal Occupant (Encroacher)	<p>i. Replacement Cost of structure as assessed by PVAC considering scheduled rate of Public Works Department.</p> <p>ii. Encroacher PAPs will be eligible for transfer grant @ BDT 10 per sft, only if PAPs will be physically displaced.</p> <p>iii. Encroacher PAPs below poverty line will be eligible for reconstruction grant @ BDT 15 per sft of affected main structure, only if PAPs will be physically displaced and eligible for assistance for vulnerable PAPs.</p> <p>iv. Rental assistance for 2 months' actual rent not exceeding BDT 10,000/= for the owner of the commercial & residential structures/HHs</p> <p>v. Owners will be allowed to take away all salvage materials free of cost.</p>
6	Loss of Common Property Resources (CPRs)	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	<p>i. Special grant for reconstruction at 7% of CCL value on structures for the title holders</p> <p>ii. Special grant for reconstruction at 7% of Replacement Cost on structures determined by RAVC for non-title holders</p>
7	Loss of utility connection	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	Cash grant for utility replacement will be paid at actual amount required for replacement
8	Loss of tenancy right/access	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroaches	Moving/shifting assistance for commercial and residential tenants at 2 months' actual rent not exceeding BDT 10,000/=
9	Loss of business due to dislocation of Commercial and Business Enterprise (CBE)	Owners with the legal title /Socially recognized owner/without legal titles/squatters/encroachers	<p>i. Business restoration grant @ BDT 10,000 for each business unit without trade license.</p> <p>ii. BDT 20,000/each entity for those who have valid trade licenses.</p> <p>iii. BDT 80,000/each entity for those who have a valid trade license & up to date BIN (Business Identification Number) certificate.</p> <p>iv. BDT 150,000/each entity for those who have a valid trade license, up-to-date BIN (Business Identification Number) certificate, company registration/ audited balance sheet.</p>

No.	Type of Loss	Entitled Person	Entitlement
10	Loss of income and workdays due to shifting/relocating activities	Owners with the legal title /Socially recognized owner/without legal titles/squatters/encroachers	BDT 600 x 30 days = BDT 18,000/-
11	Loss of grave/graveyard /tomb/cremation place relocation	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroachers	i. BDT 50,000/each for community graveyard/cremation place ii. BDT 10,000/each for family grave/tomb
12	Assistance for Vulnerable (VG) HHS	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroachers	One time grant to all male headed vulnerable HHs @ BDT 10,000/HH
13	Assistance for women headed HHs	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroachers	One time grant to all female headed vulnerable HHs @ BDT 15,000/HH
14	Assistance for Indigenous HHs	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroachers	One time grant to affected indigenous HHs @ BDT 10,000/HH
15	Loss of income/source of livelihood	Owners with legal title /Socially recognized owners/without legal titles/squatters/encroachers who lost or need to change their income sources due to relocation	Training on Income Generating Activities (IGA) to one eligible member (age 15-50) from HH that has lost income source or need to change their job due to relocation. Training needs will be assessed by the RAP IA
		Owners with legal title /Socially recognized owners/without legal titles/squatters/encroachers	Linkage with financing institutions (Banks, NGOs) for financial assistance such as business loans through RAP IA.
		Owners with legal title /Socially recognized owners/without legal titles/squatters/encroachers with vulnerability	Seed money @BDT 15,000/one trained member from vulnerable HHs as grant for Income Livelihood Restoration Program (ILRP)
16	Temporary impact during construction	Households/persons/community affected during construction	The contractor shall bear the impact on structure or land. It is the responsibility of the contractor to pay for any damage caused by construction works and normally the contractor enters direct contract with the households whose land/properties will be affected by the construction activities.
17	Unforeseen adverse impact	Households/persons/community affected during construction/RP implementation	Compensation/allowance/grant/assistance depending on types of loss will follow the principle of safeguard policy and entitlement matrix proposed in the document.

Source: JST

6.4 COMPENSATION AND RESETTLEMENT ASSISTANCES

RHD will ensure that the land and property (structure, tree, crops, and non-structure assets) to be acquired for the project interest will be compensated at their full replacement value determined by a legally constituted body like the Property Valuation Assessment Committee (PVAC) as per the RAP. The principle for determining valuation and compensation for assets, incomes, and livelihoods targets resettlement assistance for substituting and restoration of loss of income and workdays by the relocated households, especially the vulnerable households.

6.5 COMPENSATION PAYMENT PROCEDURE TO TITLE HOLDER

- Upon obtaining administrative approval of the Land Acquisition Plan/Proposal (LAP) from the line Ministry the DC serves notice under Section 4 of the ARIPA 2017 to the recorded owner of the affected property for public appraisal.
- Acquiring Body (DC) and Requiring Body (RB) (here RHD) representatives conduct joint verification of the affected property within 3 days of serving notice under Section 4.
- After that, the DC serves notice under Section 7 for entertaining claims (appeals) from the potentially affected persons.
- Based on joint verification survey data DC writes a letter to the Public Works Department (PWD) with information of affected structures, list of trees to the Forest Department, and type of crops to the Agriculture Department for valuation as per government rule.
- DC also collects recorded land price of lands of similar description from the concerned Sub-Registrar's office for preceding 12 months from the date of the notice under Section 4.
- After receiving rates from the PWD, Forest and Agriculture Department the DC prepares estimates and send it to the requiring body (here RHD) for placement of fund within 120 days.
- The DC prepares an award for compensation in the name of the recorded owner.
- Upon placement of fund, the DC serves notice u/s 8 to the PAPs for receiving cash compensation under the law (CCL) within 15 days from the date of issuing notice u/s 8
- The PAPs are notified to produce the record of rights to the property with an updated tax receipt of land, declaration on Tk. 300 non-judicial stamps, photograph, etc. before the Land Acquisition Section (LA Section) of the DC office.
- Upon fulfillment of the criteria of the DC office i.e. requisite papers and documents, the LA Section disburses CCL in the office or field level issuing prior notice to the entitled persons (EPs).
- Local Government Institutions representative identifies the PAPs during receiving CCL.
- As per Land Acquisition Law, DC pays compensation to the legal owners of the properties for land, structure, trees, and crops.
- After receiving CCL from the LA section of DC office and obtaining clearance from the Treasury Section of the DC the entitled person (EP) deposits the CCL to his bank account.
- One copy of the CCL will be submitted to the implementing agency (e.g. RAP IA or INGO) office for additional payment of compensation as per RAP policy.

- The RAP IA will create an ID No. for the CCL holder and prepare EP & Entitlement Card (EC) for payment.
- The RAP IA will prepare ID cards with a photograph of the Eps.
- The ID card will be jointly signed by the RHD, and RAP IA representative and the photograph will be attested by the concerned Ward Councilor/ Union Parishad (UP- the lowest local government Institute comprises of several villages) chairman.
- The RAP IA will assist RHD to disburse Account Payee Cheque of additional compensation/ resettlement benefit in a public place or office of the Ward Councilor/Union Parishad Chairman.

6.6 COMPENSATION PAYMENT PROCEDURE TO NON-TITLE HOLDER

The non-titled holder means having no legal ownership of the affected property but is socially recognized and enlisted during the census, SES, IoL survey, and/or Joint verification survey of the ROW. The ARIPA 2017 have no provision to compensate these types of PAPs. The JICA Environmental Guidelines of involuntary resettlement prescribes to address these people without having legal title to the property.

As per the joint verification survey (JVS) by the Joint Verification Committee (JVC), the list of affected persons will be prepared by the RAP IA, and then the following steps would be taken-

- RAP is updated during detailed design stage and updated the list of PAPs
- Individual Identity No. will be created by RAP IA against the name of all entitled persons (EPs)
- Photograph of the affected people for the preparation of ID cards
- The RAP IA will prepare the entitled person's file and entitlement card for each EP.
- The RAP IA will assist the EPs in opening Bank Account.
- The tenants of the house or commercial premises and employees will collect documents in favor of their tenancy or identification from the owner of the structure/employer who will be attested by the concerned UP Chairman
- The RAP IA will create an ID No. for each of the EP and ID cards with a photograph
- The RAP IA will prepare the Entitled Persons file and Entitlement Card (EP file & EC) based on category and quantity of losses
- The RAP IA will prepare indent and submit to RHD enclosing EP&EC
- The ID card will be jointly signed by the RHD and RAP IA representative and the photograph will be attested by the concerned UP Chairman.
- The RAP IA will arrange disbursement of Cheque (Account payee) in public place or office of the UP Chairman and representative from the RHD will hand over cheque to EPs.

6.7 ASSISTANCE FROM RELEVANT GOVERNMENT DEPARTMENTS

The Deputy Commissioner's office takes help of relevant departments for determination of prices of land and other properties. According to established procedure, the Public Works Department, the Forest Department, Department of Agriculture and Marketing and Sub-Registrar's Office are consulted. Land price from the Sub-Registrar's Offices for preceding one year from the date of serving notice under Section 4 is considered for valuation of land. But in most cases, the DC price remains far below the actual market rate. To ensure that the PAPs can replace the lost property, the transacted price, recorded price, existing price and expected prices are averaged to reach at Replacement Value (RV).

For valuation of affected property, a legal body called Property Valuation Assessment Committee (PVAC), with representatives from acquiring body (AB) DC, requiring body (RB) here RHD, and Implementing Agency will be formed by Ministry of Road Transport and Bridges (MORTB).

PVAC will have representatives from the RHD as the convener, representative from the implementing agency as the member secretary and representatives from the DC as member. A land and property valuation survey by the RAP IA based on the price recorded from formal and informal sources will determine the RV of land and structure and be recommended by PVAC to MORTB through Project Director. RHD will pay the difference between RV and CCL. Stamp duty and land registration fees will be paid to the EP, if replacement land is purchased within twelve months from the date of receiving full compensation for land. Further, the implementing agency will assist in all possible ways, including finding land for purchasing replacement land, etc. After issuance of notice under Section 4 by the DC and census cut-off date for non-title holders or a similar designated date declared by RHD, joint verification of the acquired properties will be carried-out by the requiring and acquiring bodies. The JVC records the quality and quantity of the affected properties and identifies the structure owner on the spot. A representative of the RAP IA will also be present in the JVC as a member of the team. The RAP IA will computerize the Joint Verification data to be used for payment of compensation/resettlement benefits. An External Monitoring Agency (EMA) having experience of RAP preparation and implementation can be deployed by the RHD after the RAP IA one board and a substantial progress of RAP implementation is achieved. Terms of Reference for RAP Implementing Agency and External Monitoring Agency (EMA) are enclosed in **Annex 6** and **Annex 7**.

After payment of compensation, PAPs would be allowed to take away the materials salvaged from their dismantled houses, shops or CPRs and no charges will be levied upon them for the same. A notice to that effect will be issued by RHD intimating that PAPs can take away the materials. Payment of compensation will be made at least 1 month prior to the actual possession of the acquired lands and removal of the structures from the RoW so that they have sufficient time to dismantle and remove all salvageable material for rebuilding of houses and re-establishment of businesses. Further, all compensation and assistance will be paid to all PAPs prior to displacement or dispossession of assets or 1 month before commencement of civil works whichever comes first. The possession will be handed over to the contractor after payment of compensation/assistance to the PAPs is completed.

7. RELOCATION AND RESETTLEMENT

7.1 SCOPE OF DISPLACEMENT AND RELOCATION

According to the Census, SES and IoL data, implementation of the project will require displacement of 2,508 households living/dealing in on their own private land or on RHD land in 5 major bottleneck sections. Besides, 31 CPRs (Mosque, Madrasah, Mazar, School, etc.) will be affected from which 20 CPRs will need to be relocated. Besides, 13 offices/institutions will also be affected partly or fully among which 10 will need to be relocated. About 5,624 people will be physically displaced due to loss of their housing structure and 374 people will be economically displaced due to loss of business premises.

Apart from the acquisition of land and other properties, a plenty of land will be taken temporarily at all five major bottleneck sections for the stake-yard and engineers' facilities during construction period. According to the ARIPA 2017, the temporarily taken land (requisitioned) can be executed by the DC office following the applicable laws and regulations. The requisitioned land will be given back to its owner in its' original condition as per ARIPA 2017. It is also practiced to take necessary land for the stake-yard and engineers' facilities by the Contractor from the local people. This arrangement is easy and flexible and help to reduce the amount of work to be handled by the project authority. In this project it provisioned to take land for temporary use by the appointed contractor from the local people. The contractor must be obliged by the ARIPA and written contract agreement would be signed with the land owners. Violation of contract clause with the landowners in case of requisition will not be binding upon the project authority and will not be addressed under this RAP. The area /location and impacts of such temporary land requirement is not finalized and therefore, not addressed in this RAP.

The project may provide some civic amenities i.e., water supply, sanitation, access road, internal road, drain, etc. to the self-managed relocated PAPs if they are relocated in cluster manner (at least 10 HHs together) and civil amenities are not available. Project will not arrange any resettlement site for the relocated households. A total of 3,478 primary structures with a total area of 16,91,910 sq. feet on private land and RHD land used for residence and commercial purposes. Besides, 58 structures of 44 CPRs & offices/institutions with an area of 62,412 sq. are to be dismantled. The physically displaced households, shops and CPRs are encouraged for self- relocation by their own. The shops will be relocated in cluster by themselves outside the RHD's RoW. Only in case of mosque, mazar/graveyard and temple, the Project may provide additional support to reconstruct the same on the CPR's/agency's land with better condition. In that case, compensation for structures will not be paid.

7.2 PROJECT RELOCATION STRATEGY

The dynamics of titled holders and squatters' settlement along the project road have been considered in the development of relocation strategy for displaced households, business and community premises. The project identifies self-relocation (permanent), group relocation (permanent) and temporary relocation options for the time being before permanent relocation as a strategy for relocation of the displaced households and shops on private and GoB land. The PAPs will be provided with adequate subsistence assistance to mitigate the livelihood disruption during relocation and reconstruction.

The Project Director (PD) will assign the Project Manager (PM) at the Field Offices (FOs) to handle relocation aspects of the displaced households and commercial premises with assistance from the RAP IA in consultation with the District and Upazila administration, will find out alternative land in the project areas suitable for relocation of the PAPs/PAHs and shops. PAPs/PAHs and shops are encouraged for self-relocation in groups or individual. They can also be temporarily relocated for the time being until the new site for their self-relocation is ready.

7.2.1 Self-Relocation

The project is taking land (322.18 acre) will be taken for widening of the road into four-lane. Again, the PAPs are largely affected on their own land and remaining are squatters at the Bazaar areas who are scattered all along the existing road. Developed land is scarce in the area and vacant public land is not also in plenty at suitable location to be developed for resettlement of the PAPs. Additionally, since it is a liner project, the PAHs will be from several communities and the relocation site might not be close to some of their original communities. Therefore, an organized relocation site for the PAPs is not encouraging in this situation. The project will therefore encourage permanent "self-relocation" by affected households selecting replacement homestead land in the vicinity of their own. The objective is to minimize social disruption in the resettlement process and allow people to remain together within kin groups for mutual support. Both title holders and the squatters/encroachers will be encouraged for self-relocation and assisted in the process of finding out alternative lands, where necessary. RAP IA will undertake land search and assist the affected households/squatters/ encroachers in relocation and resettlement on a more permanent site. The PAPs opting for self-relocation will declare his/her decision during RAP implementation using the format (Annex-2).

7.2.2 Group Relocation

Group relocation is organized self-relocation, and a permanent relocation option. In case, a number of households wish to relocate in a cluster, community infrastructure facilities like access roads, plantation, tube-wells, sanitary latrines and drainage will be provided in the relocated sites by the project if they are not available. Necessary budget will be claimed from the contingency head of this RAP. This option has been found to be feasible as land market in the project area permits the resettlement assistance package to afford. But as mentioned earlier, the PAPs live all along the long strip of the road which means a location to be selected for a "cluster settlement" will be in close vicinity of some PAPs, but it would be far away from others living another edge of the road. Consultation meetings and group discussion specially on relocation options will be held during implementation of the RAP to assess relocation options of the PAPs.

7.2.3 Temporary Relocation

At critical circumstances of failure by the PAPs particularly squatters to afford permanent alternative sites elsewhere within the road vicinity within given time, they may temporarily be relocated by themselves at anywhere other than RHD land. They will be moved temporally in places of their choice in affordable time of three to six months. In case of permanent relocation in groups after certain period of temporary settlement, they will be provided civic facilities, if not available as per policy of the RAP. The PAPs will not be allowed to move back on the RHD land (Project ROW) any time.

7.3 RELOCATION OF HOUSING AND OTHER ESTABLISHMENTS

The project is taking land for construction of the five bottleneck sections for facilitating easy mass communication and reduction of traffic congestion on the Chattogram Cox's Bazar Road. A total of 1,135 residential households including 5,624 population will be physically displaced and relocated elsewhere. Besides, 374 commercial enterprises will be economically displaced in five bottleneck sections. All of the potentially displaced HHs/shops opted for self-relocation after payment of compensation. The project therefore encourages "self-relocation" on their own. The RAP IA will assist them to find alternative land for relocation. The objective is to minimize social disruption in the resettlement process and allow people to remain together within kin groups for mutual support. The table underneath presents potentially relocated houses and shops along with population to be relocated.

Table 7–1: Households including population and shops to be relocated

Household & PAPs Requiring Relocation	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
Residential Household to be relocated	216	247	305	14	353	1,135
Commercial Enterprises to be relocated	27	72	38	223	14	374
Relocation of Business Unit	45	162	46	294	16	563
Number of PAPs Requiring Relocation from Residential Household.	1003	1260	1607	58	1696	5,624
Number of Vendors to be relocated	0	15	0	191	0	206

Source: IoL Survey August 2020-June 2021

7.3.1 Relocation Options

The potential displaced households were asked for their opinion on relocation options mentioning few alternatives. Most of the residential HHs (more than 95%) opted for self-relocation on new land or residual land. Only at Keranihat, more than 52% of the affected business enterprises opted for project assisted relocation since they are dealing in mostly on RHD land. However, the project has no provision to arrange relocation site for residence or shops therefore, all are encouraged for self-relocation on individual or group manner. If feasible, RHD may decide to provide a space on GOB land to relocate the shops of Keranihat with a minimum charge. The table underneath presents the opinion on relocation options given by the displaced people.

Table 7–2: Opinion of the displaced people about relocation options

Resettlement/ Relocation Option Preferred	Patiya		Dohazari		Lohagara		Keranihat		Chakaria	
	No.	%	No.	%	No.	%	No.	%	No.	%
Project Assisted Resettlement	24	7.00	9	2.17	35	5.271	132	52.38	29	3.47
Relocation on residual land	25	7.29	10	2.42	4	0.602	10	3.97	35	4.19
Self-Relocation through purchasing new land	294	85.71	395	95.41	625	94.127	110	43.65	771	92.34
Total	343	100	414	100	664	100	252	100	835	100

Source: IoL Survey August 2020-June 2021

7.4 RELOCATION OF COMMUNITY PROPERTIES

A total of 31 community properties (Mosque, Madrasah, School, etc.) are affected at five bottleneck sections out of which 20 CPRs require relocation since these are fully affected. Apart from the CPRs, total 13 offices/institutions are also affected of which 10 offices/institutions will require relocation. The CPR management committee will be paid compensation for the land, structures, trees and other affected assets of the CPR and encouraged for self-relocation. In case of Mosque, Mazar/Graveyard and Temple, the project authority may take initiative to reconstruct the community properties. Resettlement assistance will be paid by the RHD as per policy of the RAP. The management committees will find alternative land for reconstruction of the CPRs after payment of compensation. The offices/institutions will be compensated for the lost assets (land, structures, etc.) and relocated by the concerned authority.

Table 7–3: CPRs and Offices/Institutions to be relocated

Types	Category of Institutions	Patiya		Dohazari		Lohagara		Keranihat		Chakaria		Total	
		Relocation	Total	Relocation	Total	Relocation	Total	Relocation	Total	Relocation	Total	Relocation	Total
CPRs	Madrasa	0	0	1	0	1	0	0	1	0	0	2	3
	Mazar	1	0	0	1	0	2	2	0	0	0	3	6
	Graveyard	0	0	0	0	4	1	0		0	0	4	5
	Mosque	1	1	1	2	4	0	0	2	1	0	7	12
	Mosque cum Madrasah	0	0	0	0	2	0	0	1	0	0	2	3
	Non-government school	0	0	0	0	0	0	1	0	0	0	1	1
	Temple	1	0	0	0	0	0	0		0	0	1	1
Total CPRs		3	1	2	3	11	3	3	4	1	0	20	31
Offices/Institutions	Club office	0	0	3	0	0	0	0		0	0	3	3
	Govt. School	0	0	1	0	1	0	0	2	0	0	2	4
	Health Clinic	0	0	1	0	1	0	0		0	0	2	2
	Government Office	0	0	0	0	0		1	0	0	0	1	1
	Passenger shed	0	0	0	0	1	0	0		0	0	1	1
	Police Box	0	0	0	0	0		1	0	0	0	1	1
	Water Treatment Plant	0	1	0	0	0		0		0	0	0	1
Total of Other Offices		0	1	5	0	3	0	2	2	0	0	10	13
Total (CPRs and Offices)		3	2	10		14	3	5	6	1	0	33	44

Source: IoL Survey August 2020-June 2021

7.5 REPLACEMENT OF AGRICULTURAL LAND

In the five bottleneck sections agricultural land will be affected along with other categories of land. The project will not arrange any alternative land for loss of land but will pay compensation at replacement value and encourage the landowners to buy alternative land. The stamp duty and registration cost for purchasing replacement land will be paid if the alternative land is purchased within one year of CCL payment. In case of agriculture land DC will compensate for lost crops and trees at the rate estimated by the Department of Agriculture Extension (DAE) and the Department of Forest (DOF). The crop owners will be allowed to harvest the crops before handing over land to the contractor if it is near harvesting period. The landowners will be issued a notice in this regard by RHD and compensation will not be paid for crops if it is not damaged by the project activities.

8. LIVELIHOOD RESTORATION PROGRAM

8.1 INTRODUCTION

Mitigation of loss of assets and livelihood is the main focus of the RAP. Additional measures will be taken to provide appropriate support to the livelihood restoration aspects of PAHs. According to the known impacts, PAHs will be relocated and will lose income from wages and business operation during the re-establishment period. Other PAHs will lose access to agricultural and commercial land; adequate compensation will be awarded to these PAHs before relocation. In addition, vulnerable PAPs will receive other support and also get preference for employment in civil construction works.

In compliance with the JICA Environmental Guidelines, the RAP identified resources, in addition to compensation, for income restoration assistance. This will be through linking resettlement activities with a Livelihood Restoration Program (LRP) to be implemented by the RAP IA.

8.2 CATEGORIES OF PAHS TO GET LRP SUPPORT

The RAP includes the following categories of PAHs for income restoration and livelihood support:

- a) Vulnerable households to be relocated from the project right of way. Eligible members of such family will be identified during planning the livelihood restoration program (LRP).
- b) Vulnerable households having no adult male members to shoulder household responsibility (women headed households in particular). The women heading the household will preferably be the eligible member.
- c) Vulnerable households of the employees and daily wage earners of the affected businesses or their nominated representatives.
- d) Vulnerable households losing access to agriculture land including sharecropper, and leaseholders.
- e) Vulnerable households losing access to commercial land including business proprietorship.
- f) Vulnerable households losing more than 10% of their agricultural income due to acquisition of agricultural land.
- g) Training on Income Generating Activities (IGA) to one eligible member (age 15-50) from PAH including vulnerable household that has lost income source or need to change their job due to relocation. Training needs will be assessed by the RAP IA
- h) All PAHs including vulnerable PAPs will be linked to financing institutions (Banks, NGOs) for financial assistance such as business loans through RAP IA.
- i) One-time cash allowance of BDT 15,000 for one member of the affected vulnerable HH in support of livelihood recovery. A guideline for LRP is attached in Anenx-3.

8.3 NEED ASSESSMENT STUDY

For additional support to usual income restoration assistance as mentioned above, the RAP IA will specifically undertake assessment of needs and skill base of affected PAPs including vulnerable PAPs of ages between 15 to 50 years. The RAP IA will prepare a list of suitable members of affected households eligible for income restoration intervention with their relevant profile and submit to the PD for approval.

In compliance with the JICA Environmental Guidelines, RHD will identify resources for livelihood restoration assistance to the PAPs who would fail to cope with relocation in addition to compensation

payment to them. Eligible members of PAHs losing income permanently will be linked with various financing institutions and NGOs to get financial support for income generating activities (IGA) such as semi-skilled, small business, poultry rearing, cow fattening, tailoring, etc.

The project has already provisioned special allowance for affected vulnerable and female headed households. In addition, the RAP IA will initiate with the help of RHD and local administration to include all vulnerable PAPs to existing social safety net programs run by the government such as Vulnerable Group Feeding (VGF) Program, Vulnerable Group Development (VGD) Program, Employment Generation Programs, etc. The local government institutions (LGI) like the Union Parishads (UP - a sub-district comprised of several UPs) identify the vulnerable households and persons for VGF, VGD and other social safety net programs. RHD will request the elected LGI representatives (chairmen and members of UPs) to include the vulnerable PAPs in the ongoing government sponsored safety net programs through the *Upazila Nirbahi Officers* (UNO - chief executives of sub-district administrations). The RAP IA will prepare lists of vulnerable PAPs and provide those to the LGI representatives and liaise with the UNOs and LGI representatives to operationalize the mechanism.

The short-term livelihood regeneration assistance under the RAP will be organized as mentioned in the table below.

Table 8–1: Short Term Livelihood Restoration Options

1. Eligible members of poor households earning maximum BDT 24,000 per month to be affected by the project.	Compensation for affected properties including resettlement benefits and allowance as vulnerable HHs, and priority in employment in construction. Will be linked with various financing institutions and NGOs to get financial support for income generating activities (IGA).
2. Eligible members from poor female headed households having no adult male members.	Same as above

Source: RAP Study Team

Local people in the project area, whose livelihood will be affected by the project, will get preference in jobs associated with the project construction. RHD will facilitate the affected people to form labor contracting society (LCS) in each contract package with assistance from the RAP IA and Construction Supervision Consultant. The civil works contractors will hire local laborers through the LCSs. Affected persons will get preferential employment in project works based on their age, education and skills. After construction of the project the poor and vulnerable female members of the affected households will be deployed to take care of the roadside tree plantation, etc. as a member of the LCS. The construction jobs, in the semi-skilled and unskilled category, shall be offered to the PAPs in preference to others.

In the project area, it has been found that women employment is very low. Only 2.16% of the women are engaged in gainful employments getting cash income. The project will link with locally active NGOs for income generation activities. The project will request local NGOs working on women’s development to include female eligible PAPs under their existing scope.

The project will mobilize available local resources to better or at least restore the livelihoods of the PAPs. Project will communicate with development partners and NGOs with ongoing activities in the

project area and recommend them to include PAPs in their programs. The RHD will communicate with all development agencies active in the area to mobilize their resource and channel the development opportunities to all PAPs. One such initiative will be to pursuing active Microfinance Institutions (MFIs) in the area to set up a credit program specific to PAPs. A money management training will be provided to the vulnerable PAHs covering facilities linkage with MFIs, opening bank account, market linkage, etc. In such way, the project will explore the readily available opportunities provided by government, NGOs or any other development partners and guide the PAPs how to benefit from these organizations and agencies.

8.4 CAPITAL SUPPORT

Funds for income restoration programs become a major constraint to the project affected people utilizing their skill obtained/enhanced through IGA training from NGOs. Capital support for potential income generation activities to the PAPs will therefore be provided from any source i.e., local level NGO, banks, etc. arranged by the development project in the form of grant/credit. From the project, a lumpsum capital support of BDT 15,000 per trained PAP (one member from each affected vulnerable HH) for ILRP will be provided.

8.5 EMPLOYMENT IN CONSTRUCTION

During RAP survey, affected business households (only commercial structures affected) were asked for their views on income restoration assistances they would wish to get. Most of business owners especially in Keranihat, Patiya, Lohagara and Chakaria opted for employment opportunities in construction work as shown in table below. Local people whose livelihood is impacted by the project will get preference in jobs associated with the project construction. Female affected people will be provided preferential employment related to project. Affected persons will get preferential employment in project civil works based on their eligibility. The jobs, in the semi-skilled and unskilled category, shall be offered to the PAPs in preference to the others. A clause should be incorporated in the contract documents requiring contractors to give employment, if available, to project affected people having EP ID cards in preference to other persons.

Table 8–2: Income restoration preferences by affected business households

Income Restoration Assistance (Multiple Ans. By HH.)	Dohazari		Lohagara		Keranihat		Patiya		Chakaria	
	Total	%	Total	%	Total	%	Total	%	Total	%
Employment opportunities in construction work	43	10.39	48	7.23	161	63.89	25	7.29	16	1.92
Assistance/loan from other ongoing development scheme	37	8.94	16	2.41	14	5.56	3	0.87	0	0.00
Assistance/loan arranged through this project	45	10.87	7	1.05	64	25.40	11	3.21	0	0.00
Vocational training	52	12.56	15	2.26	101	40.08	14	4.08	5	0.60

Source: IoL Survey August 2020-June 2021

9. GRIEVANCE REDRESS MECHANISM (GRM)

9.1 INTRODUCTION

ARIPA, 2017 (Section 5) allows Titled PAPs to submit objections in the beginning of the legal process. Once the objections are heard and addressed, there is virtually no provision to attend complaints and grievances that individual landowners may bring in the later stages of the acquisition process. As the law does not recognize the non-titled users of land, there is no mechanism to hear and redress their grievances in the legal process.

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

The GRM is proposed to allow PAPs appealing any disagreeable decision, practice or activity arising from land and assets acquisition. The PAPs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation provision. The project planning and implementation will be cautious enough to prevent grievances through advance counselling and technical assistance to the PAPs in the land acquisition and compensation collection process. This will be ensured through careful land acquisition and resettlement design and implementation, by ensuring full participation and consultation with the PAPs, and by establishing extensive communication and coordination between the affected communities, the RHD and local governments in general.

9.2 IT-BASED GRIEVANCE REDRESS MECHANISM

The project site covers various sections e.g., 5 major bottleneck sections, it is highly suggested to adopt an IT-based Grievance Redress Mechanism so that grievances are recognized and solved by RHD and relevant stakeholders with the minimum time period.

An IT based GRM will be developed in RAP implementation stage for the purpose of documentation of the complaints filed by the PAPs for better screening. Aggrieved persons can submit the grievance in the hard copy with/without assistance from the RAP IA or through SMS/Email to the focal person of Grievance Redress Committee (GRC) which will be explained more in the following section. This will further enhance the overall communication between the PAPs and Project Management Office. Whatever form it may take, grievance procedures are intended to hear and resolve complaints in a timely and cost-effective manner by the project authority, before they result in litigation. To make a grievance procedure effective, all parties must approach the attitude that it will serve their mutual interests. To resolve the dispute of the PAPs, following procedure will be made available to the PAPs to make conversation or dialog with the Project Authority exchanging their views through SMS. The

procedure of producing grievances is as under-

- PAPs will send SMS to a fixed number to communicate with the Project Authority expressing their problems to be resolved.
- The fixed mobile number will be provided by the project authority.
- The project authority will promptly recognize the problems and to take necessary measures to resolve the problems within their legal capacity.
- The project Authority will inform the results of the problems to the PAPs through SMS. In the current project, a Grievance Management System will be introduced in the IT Solution by which it can be monitored by the relevant ministries, development partners and the project authority and other relevant agencies.

9.3 GRIEVANCE REDRESS COMMITTEE (GRC)

For long distance road development projects, the road is normally divided into more than one construction contract zones. From the RHD side, one Deputy Project Manager or Project Manager at the rank of SDE or XEN is posted at the work site. Among other works, he/she looks after the implementation of RAP and works in close contact with the RAP IA. The GRCs will be formed at all the construction contract zones for resolving the grievances involving resettlement benefits, relocation, and other assistance. A gazette notification on the formation and scope of work of the GRCs will be required from the RHD/MoRTB. The GRC for each construction contract zone will be comprised of the followings:

- **Grievance Redress Committee**
 - one representative of RHD, at least of the level of Executive Engineer, to be nominated by the Project Director as convener;
 - the Deputy Team Leader of the RAP IA as Member Secretary;
 - the Chairman or his representative of the UP/Municipality where the complaint is registered;
 - one representative of the PAPs (Female in case of female aggrieved persons) as Member;
 - women member of local Union Parishad / Municipality as Member;

RAP IA may appoint a legal advisor to make suggestions in resolving the disputes. However, he/she will not be a member of the committee. This arrangement will be made to ensure justice to the EPs outside court. It is to be noted that for project the Convener and Member Secretary are always same, but other members will be changed depending on location of meetings and PAPs union, upazila, etc.

The GRCs will be activated with power to resolve resettlement, compensation and other resettlement related social issues not to be addressed under legal suit in the courts. The GRCs will receive grievance cases from the displaced persons through the RAP Implementing Agency (RAP IA). The RAP IA will assist the PAPs or other aggrieved people in lodging their complaints in a proper format acceptable to the GRCs. The RAP IA will inform the people about the procedure of producing grievance through focus group meetings and when the compensation will be provided.

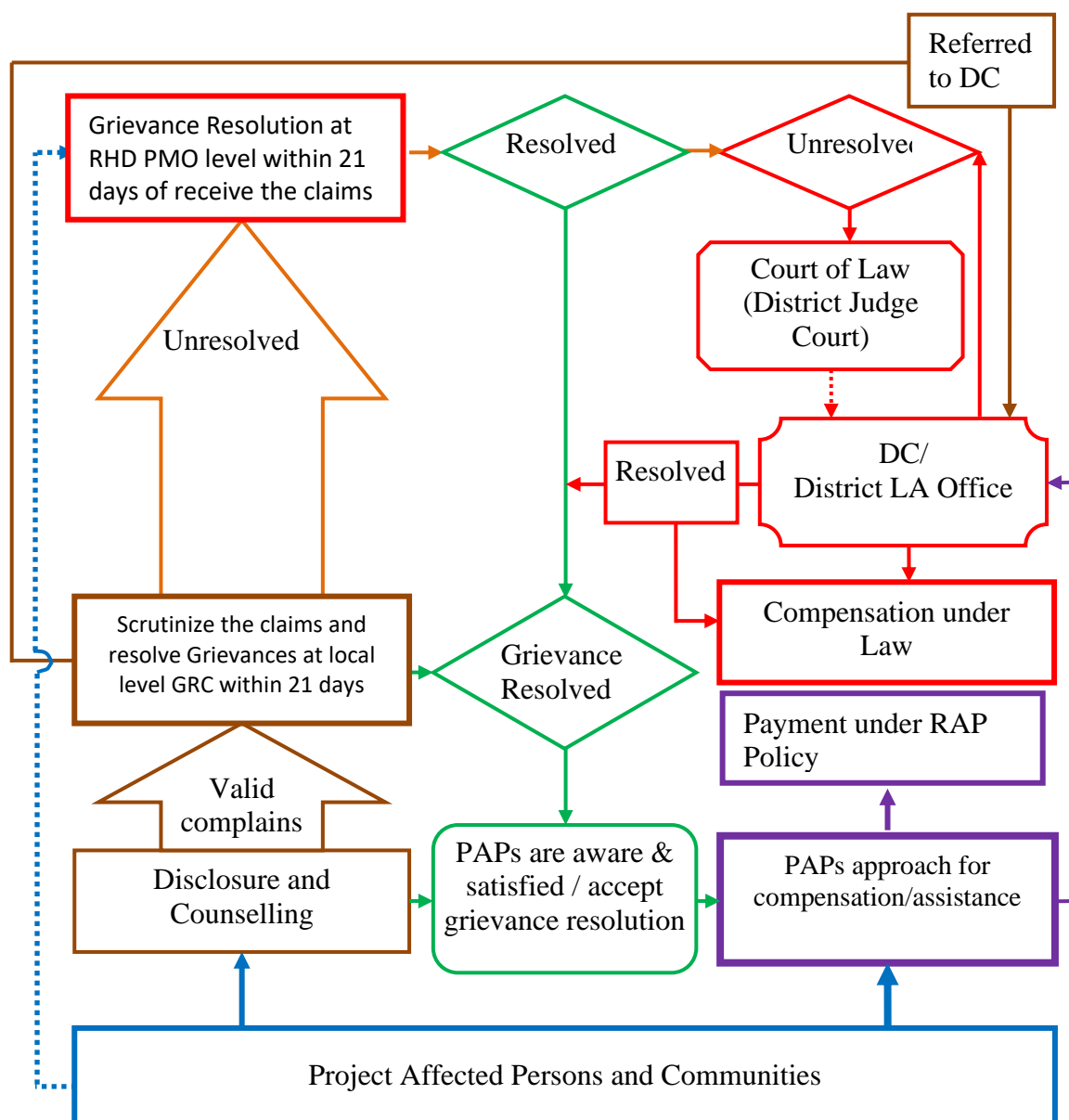
9.4 PROCEDURE OF GRIEVANCE MECHANISM

The procedures of grievance mechanism are as under:

- (i) After receiving the complaints/grievances the GRC will review, consider and resolve grievances, related to social/resettlement issues during implementation, received by the committee.
- (ii) Any grievances presented to the GRC should ideally be resolved on the first day of hearing. In cases of complicated cases requiring additional investigations, it should be resolved within a period of one month.
- (iii) Grievances of indirectly displaced persons and/or persons displaced during project implementation will also be reviewed by GRC.
- (iv) The GRC will not engage themselves in any review of the legal standing of an “awardee” other than in direct losses or distribution of shares of acquired property among the legal owners and associated compensation or entitlement issues.
- (v) GRC decisions should ideally be arrived at through consensus, failing which resolution will be based on majority vote. Any decision made by the GRC must be within the purview of land acquisition, resettlement and resettlement related social issues.
- (vi) The GRC will not deal with any matters pending in the court of law. But if the parties agree on through a written appeal, GRC can mediate. The parties will withdraw the litigation.
- (vii) A minimum of three (3) members shall form the quorum for the meeting of the GRC.

GRC meetings will be held in the Convener’s field office in the area or other location as agreed by the committee members. If needed, the GRC members may undertake field visit to verify and review the issues at dispute, including titles/share, reason for any delay in payment or other relevant matters.

All costs of travel, meeting and sitting are to be borne by the RHD from contingency head of the RAP budget through the RAP IA. Moreover, all the GRC members including the Convener should be given sitting allowance for each meeting. The RAP at detailed design stage will indicate the rate of per-diem and conveyance of the GRC members.



Source: RAP Study Team

Figure 9-1: Filing of Grievance Cases and Documentation

PAPs will be able to file their grievances without any fear and intimidation. Where required, the RAP IA will assist the PAPs in drafting the grievances. All grievances must be submitted in writing or through SMS/Email to the Chair, GRC. If necessary, the RAP IA team will assist the aggrieved PAPs in submission of the grievances. The complainant may be represented by the PAP him/herself or appointed agent such as locally elected representative/legal advisor. The judgment made by GRC will be communicated to the aggrieved PAP in writing. If dissatisfied, the PAP through GRC may request for a further review of the judgment of GRC by the PD. In such cases, the case will be forwarded to the PD with all documents. If the disputant still remains dissatisfied, he/she may go to the formal court of law. In fact, the grievance redress system of the project does not bar any aggrieved persons to seek resolution from the court of law at any stage. During RAP implementation stage GRC procedures and operational rules will be publicized widely through community meetings and pamphlets in the local language (Bangla) so that PAPs are aware of their rights and obligations, and procedure of grievance redress.

All GRC documents will be maintained by RAP IA for review and verification by supervision consultants and JICA. RHD Field Office(s) will act as the Secretariat to the GRCs as it is the office of the convener. As a result, the records will be up-to-date and easily accessible onsite. With the dissatisfactory reaction from the aggrieved PAPs, the GRC will forward the cases to the PD for further review. Convener and Member Secretary of GRC will present the case records to the PD and facilitate impartial review of the complaints. Proceedings of such review meetings will be available for review by JICA. Member secretary will present the case of the aggrieved PAPs in the upper review and settlement focal points in present of the Convener, GRC.

9.5 COMPLAINTS AND GRIEVANCE REDRESS MECHANISM

The complaint and grievance mechanism will be available to allow a PAP appealing any disagreeable decision, practice or activity arising from land and assets, and from construction related activities. PAPs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation. The project planning and implementation will be cautious enough to prevent grievances through advance counseling and technical assistance to the PAPs in the land acquisition and compensation collection process. This will be ensured through careful LAP/RAP implementation by ensuring full participation and consultation with the PAPs, and by establishing extensive communication and coordination among the affected communities, the RHD, and local governments in general. The overall system of receiving complaints, procedures of resolving/ redressing and decision making on the issues are furnished in Table 9–1.

Table 9–1: Steps for Redressing / Resolving Grievances

Step 1	The RAP Implementing Agency (IA) informs PAPs about their losses and entitlements. If satisfied, the PAP claims resettlement payments to the RHD. If not satisfied, proceed to Step 2
Step 2	The PAP approaches the IA field level officials for clarification. The IA will clarify the PAPs about their losses& entitlements as per RAP policy. If resolved, the PAP claims resettlement payments to the RHD. If not resolved, proceed to Step 3
Step 3	The PAP approaches to the GRC. RAP IA staff assists the PAPs producing the complaints and organize hearing within 21 days of receiving the complaints. Both written complaints in local dialect or verbal complaints are acceptable. RAP IA shall assist the PAPs to prepare written form for succeeding procedures at no cost to PAPs. Then proceed to Step 4
Step 4	GRC to scrutinize applications, cases referred to Deputy Commissioner through RAP IA if the case is under arbitration law and beyond their mandate as per scope of work. If the case is within the mandate of GRC, proceed to Step 5
Step 5	GRC sessions held in presence of the aggrieved PAPs, minutes recorded. If resolved, the Project Director approves the decision of the GRC. If not resolved, proceed to Step 6
Step 6	The PAP may accept GRC decision, if not, he/she may file a case to the PD for settlement. Then proceed to Step 7
Step 7	The PD with the help of Team Leader, RAP IA and Resettlement Specialist of Construction Supervision Consultant (CSC), and Convener and Member Secretary of LGRC reviews the case and the decisions are conveyed through the concerned PAP. If the decisions are not accepted, it moves to Step 8
Step 8	The GRC minutes, approved by the Project Director, received at Conveners’ office back. The approved verdict is communicated to the complainant PAP in writing. The PAP then claims resettlement payments to RHD. If the decisions are not excepted, the PAP moves to Step 9
Step 9	When the PD’s decisions are not accepted, the PAP may go to the court of law, which takes the final decisions, and the resettlement benefits are given accordingly

Source: Sylhet-Tamabil Project and other similar projects

For better understanding of the above 9 steps, a brief illustration is given below:

- i) All complaints from the PAPs will be received at the field office of the RAP IA, with a copy to the concerned local government representatives.
- ii) The RAP IA, upon receipt of complaints will inform the Convener of GRC and the Convener will organize a hearing session for the complainants in the local government office where the complaint was received.
- iii) The GRC will review the issues came through the hearing and pass verdicts to convey to the concerned PAP through the RAP IA.
- iv) If there are matters relating to arbitration or compensation under the existing law, the matter will be referred to the DC for necessary lawful decision.
- v) The PAPs will be assisted by the RAP IA in this process and will monitor the progress.
- vi) The GRC will settle the disputes within a maximum of 21 days of receiving the complaints from the PAPs.
- vii) Resolution of the GRCs will be sent to the PD for approval, and after approval these will be adopted in the process of resettlement for issuance of ID cards, determination of loss and entitlements, and payment thereof.
- viii) If the PAP does not agree with the GRC decisions, he is free to go to the court of law and this must be accepted as the final decisions.
- ix) PAP will have to accept the decisions and the entitlements of compensation along with amounts will be prepared following policy matrix of this RAP.
- x) All the GRM costs will be borne by the RHD through the RAP IA.

9.6 GRIEVANCES REDRESS MONITORING

Under the prevalent system, the RAP IA prepares the monthly progress report on the activities carries out in each month. The report may contain the result of No. of GRC meetings of the month, No. of cases referred to the DC and all others considered important by the RHD, and other organizations associated with the project. The PMO at the RHD will keep record of complaints received for its use as well as for the use of JICA during regular supervisions.

10.RAP INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENT

10.1 INTRODUCTION

For speedy and smooth implementation of the project, suitable institutional arrangements are necessary to manage and implement the Resettlement Action Plan (RAP). Institutional arrangements required for implementation of Resettlement Action Plan includes capacity augmentation of project head office personnel (at RHD), project field offices, land acquisition section of Deputy Commissioner’s office, appointment of RAP IA, formation of various committees like: GRC, JVC, PVAC, etc. The flow chart provided below indicates the institutional arrangement and linkages of different institutions/organizations involved in resettlement and rehabilitation plan of CCHIP. The Project Director at Head Office will be at the rank of Additional Chief Engineer and will function as the head of the project. Chief Resettlement Officer (CRO) at the rank of Additional Project Director (Superintending Engineer) will be overall responsible for resettlement and rehabilitation policy guidance, coordination, planning, monitoring and reporting to relevant agencies. Other officers and secretarial staffs at Head Office will assist the CRO. At the field level, the CRO will be assisted by the in-charge of field offices at the Rank of Executive Engineer/Sub-Divisional Engineer (SDE) and other field staffs. Besides, an NGO /Consulting Firm will be appointed for the implementation of Resettlement Plan. Further, Construction Supervision Consultant (CSC) will be engaged by the PD to support Project Management Office (PMO) in carrying out monitoring and reporting of the project implementation. These agencies will work in close coordination with the Office of CRO, and other offices responsible for RAP implementation.

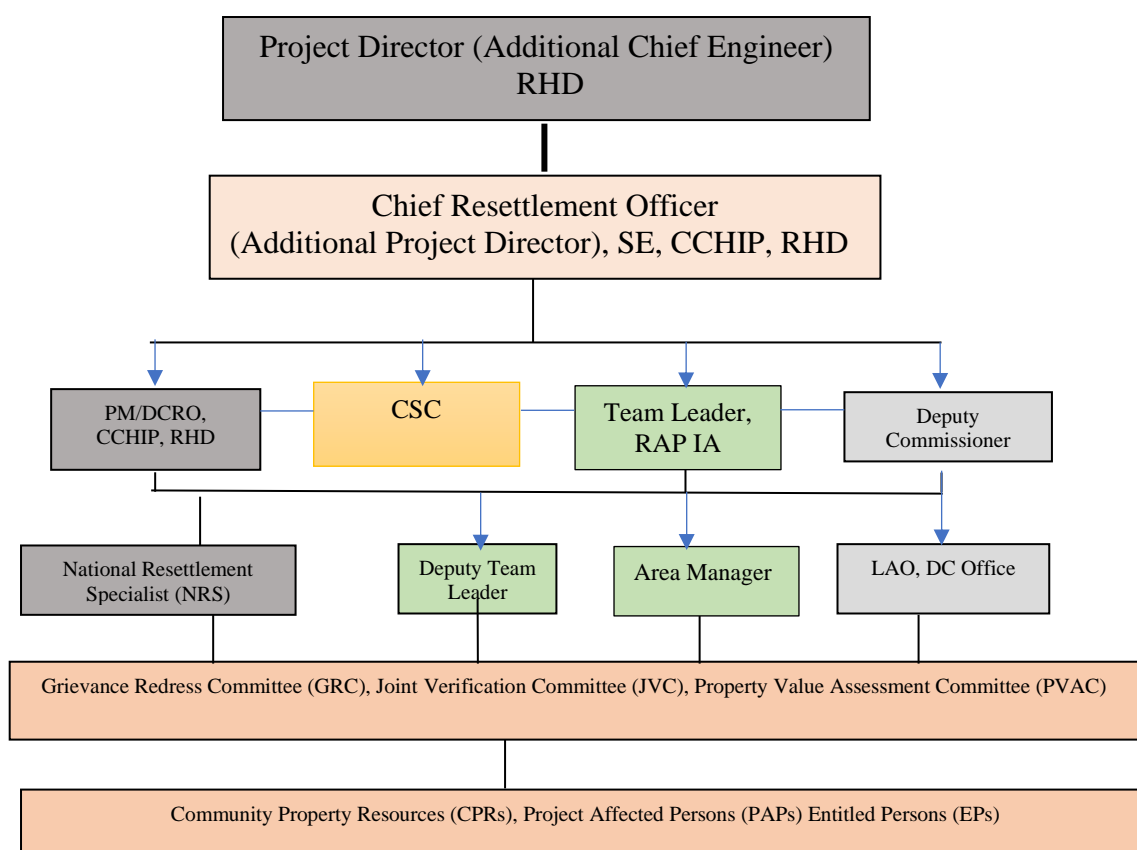


Figure 10-1: Organizational Chart of RAP Implementation

Joint Verification Committee (JVC), Property Valuation Assessment Committee (PVAC) and Grievance Redress Committee (GRC) will be constituted by the Ministry of Road Transport and Bridges (MoRTB) through official notification with representatives from various departments/ agencies associated with project implementation. Project Manager will be at the rank of Executive Engineer and look after the resettlement and rehabilitation component of the project as Deputy Chief Resettlement Officer (DCRO). Project Managers will be stationed at the Field office and PD's office as well. One Deputy Project Manager at the rank of SDE will be appointed for assisting the Project Manager. The PD/CRO, through the PM, will monitor the progress of land acquisition and resettlement management and will also ensure co-ordination between various relevant offices, particularly the Office of Deputy Commissioners. The PD at RHD head office will initiate the following activities to commence the implementation of Resettlement Action Plan:

- Establish field offices and depute requisite staff;
- Select RAP IA having experience in implementation of RAP activities;
- Orientation and awareness workshops for RHD staff likely to be involved in Resettlement and Rehabilitation;
- Appointment of a Resettlement Consultant at CSC.

RHD will establish operational links with the Office of Deputy Commissioners for land acquisition. It will provide means & mechanism for coordinating the delivery of compensation & assistance to entitled persons. Through the RAP IA it will also be responsible for disseminating the information to the public and providing opportunities for consultations.

10.2 ROLE OF PROJECT MANAGEMENT OFFICE (HEAD QUARTER)

The Roles of project management office are like;

- Overall responsible for resettlement and rehabilitation works;
- Interact and co-ordinate with the relevant section of DC office to facilitate land acquisition and taking possession of land;
- Co-ordinate the implementation of R&R activities with Head Office and Field Office;
- Appoint RAP IA for implementation of RAP and consultant for monitoring and reporting the progress of RAP implementation;
- Ensure conducting resettlement training programs for capacity building of the staffs working at field level, especially of the NGOs and other partner agencies and above all of the PMO of RHD;
- Approve the time-bound plans prepared by the RAP IA;
- Monitor the progress on R&R and land acquisition;
- Prepare monthly progress report and submit to JICA
- Guide the staff of RHD, RAP IA & CSC on policy related issues during implementation; and
- ensure timely release of fund for R&R activities.

10.3 ROLE OF PROJECT MANAGEMENT OFFICES (FIELD)

The Project Management Office (field) will be headed by an officer in the rank of Sub-divisional Engineer called Deputy Chief Resettlement Officer (DCRO) from RHD. The DCRO will coordinate with the LA section of DC office for land acquisition, payment, possession of land clearance for proposed

RoW, possession of land, etc. The DCRO will monitor all resettlement and rehabilitation activities and will be fully responsible for progress of RAP implementation works and project management. The field office will deal with all matters related to resettlement and rehabilitation. Roles and responsibility of the Deputy Chief Resettlement Officer would broadly include the following:

- i. Liaison and provide requisite materials, papers, etc. to the Office of DC for timely acquisition of land and payment of compensation;
- ii. To synchronize various activities related to R&R with construction schedule;
- iii. Ensure that EPs have received their due compensation and resettlement benefits;
- iv. Assist and advise CRO in matters related to R&R,
- v. Ensure distribution of pamphlets of R&R policy by the RAP IA in local language;
- vi. Supervise the implementation of RAP carried out by the RAP IA and participate in activities carried out by RAP IA;
- vii. Interact with RAP IA and Construction Supervision Consultants Team (CSCT) on a regular basis;
- viii. Compile data related to R&R activities and update reporting officer and suggest suitable measures to be taken;
- ix. Review monthly work plan & monthly reports submitted by RAP IA;
- x. Participate in regular meetings on monthly basis;
- xi. Ensure distribution of Identify card;
- xii. Attend meetings and participate in GRC meetings for redressal of grievances;
- xiii. Ensure budgetary provision for relocation, rehabilitation and reconstruction of CPRs;
- xiv. Verify inclusion of PAPs who missed out due to some unexpected reason during the census survey;
- xv. Facilitate the opening of bank accounts of displaced persons in local banks;
- xvi. Organize disbursement of cheques to displaced persons in public place to maintain transparency;
- xvii. Liaison with concerned department for the inclusion of PAPs in the livelihood restoration programs such as income generating schemes or vocational training programs;
- xviii. Maintain record of physical and financial progress on land acquisition and R&R activities; and
- xix. Any other work that may be assigned from time to time by the CRO / DCRO, etc.
- xx. The RHD field offices will be assisted by the RAP IA in performing their duties.

10.4 ROLE OF DEPUTY COMMISSIONER OFFICE

The Deputy Commissioner (DC) is the competent authority to acquire land for the development activities and pay cash compensation under the provisions of the ARIPA 2017. Moreover, he/she is the legal administrative authority to determine the updated title of land and eligibility of DPs for Cash Compensation under Law (CCL) for land as well as several other assets covered by the law. It is for the DC to decide whether to enhance the capacity of his concerned office by engaging additional senior LA staff to process the LA requests speedily and smoothly. The RHD and RAP IA will work with the representatives of DCs during Joint Verification Survey of affected properties and the Current Market Price Survey of the properties for ascertaining current replacement value before budgeting for total

compensation payable to the PAPs. The DC would be requested to appoint Special Land Acquisition Officer (SLAO) for project, if required, to expedite the land acquisition process.

The implementation of the activities like, JVS, PVS, assessment of current market price (CMP) of affected properties and reconciliation of the 'market value' and 'replacement value' will require a great deal of mutual understanding among the DCs' office, RHD and the RAP IA. It is therefore, essential that the DCs will accept the involvement of their representatives in JVS and PVS, budgeting of compensation, updating of land records of PAPs and in reconciliation of CCL with the additional compensation to be paid by the RHD through the RAP IA.

The DC offices will receive funds from the Project Executing Agency (RHD) for paying the CCL to the directly displaced persons immediately to facilitate quick disbursement of differentials, if any, by the RHD through RAP IA. Participation of DC office personnel will be necessary in the host area meetings. Similarly, DC's intervention/assistance will be required in matters such as land acquisition, disposal of land ownership disputes, allotment of char land and other surplus land, etc. for self-managed group relocation of the PAPs. The compensation to be paid by the DCs office are:

- cash compensation for loss of land by owners averaging the registered sale deeds values during the preceding one year from the date of serving notice u/s 4 of the ARIPA of similar land plus(+) 200 per cent enhanced amount of the average;
- cash compensation for loss of crops, trees and perennials including 100% premium; and
- cash compensation for residential and commercial structures by DC including 100% premium
- Compensation to the legally recognized lessees, tenants, sharecroppers for their losses

10.5 ROLE OF RAP IMPLEMENTING AGENCY (RAP IA)

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

It has been found that the CCL disbursed by the DCs office is in most cases, are well below the replacement value of the acquired land. Although ARIPA 2017 prescribes to pay premium @200% on the average deed value, nevertheless in some cases the CCL price do not represent the replacement cost of the land. To fill up this gap, a resettlement policy that fulfils the requirements of the JICA Environmental Guidelines was prepared. This additional amount on top of DC's CCL (if required), will be assessed based on the recommendation of the PVAC and given to each PAP by RHD through the

RAP IA. Beyond CCL, the issues covered in the proposed compensation package under RAP are as follows-

- Additional Grant to cover Replacement Value of land (agricultural, homestead, commercial and fallow land, water bodies, ponds, etc.) if CCL is less than RV;
- Compensation for structures on private and GOB land
- Stamp duty and registration cost for facilitating land purchase by PAPs in future;
- Dislocation/relocation allowances/grants for affected land
- Structure Transfer Grant (STG) for living quarters, commercial units on the basis of RV;
- Structure Reconstruction Grant (SRG) to the households/commercial or other establishments on the basis of RV;
- Grant for loss of fruit trees on Govt./ RHD land owned by PAPs;
- Compensation for fruit trees
- Additional amount to female PAPs and vulnerable households;
- Grant for the loss of business in business enterprises;
- Wage laborers or helper family members of business enterprises to compensate for the employment loss;
- Grants for the loss of rent from rented out premises
- Grant for loss of tenancy rights
- Additional amount (Lumpsum) for shifting of household/enterprise inside materials; and

Compensation and resettlement benefits to the PAPs will be paid by RHD through RAP IA following normal practice of RHD in other Donor-funded development projects.

10.6 SCOPE OF WORK OF RAP IA

Precisely, the RAP IA will have to perform the tasks principally basing on the issues included and guidelines provided in the RAP. However, the major tasks to be done by the RAP IA are to disseminate information through campaign throughout the RAP implementation period, drafting and circulation of information brochure, preparation of PAP database and preparation of ID cards, entitled persons file and entitlement card, provide assistance to the PAPs, DC office and RHD in payment of compensation and making the right of way encumbrance-free. Details of the scope of work of the RAP IA has been given in Annex-6.

10.7 JOINT VERIFICATION COMMITTEE (JVC) FORMATION AND ROLE

The main task of a JVC is to undertake a plot-to-plot survey in the affected areas, using a set questionnaire, for determining the actual quantum of losses suffered by the PAPs, compare these data with the assessment made by the DC office and establish the estimate of compensation for acquisition of land, loss of livelihood and resettlement using those of current market value of lost assets ascertained by the PVAC.

The JVC will be composed of:

- one representative of PMO, RHD (Field office), at least of the level of Sub-divisional Engineer, to be nominated by the PD, RHD, as Convener;
- one representative of the DC to be nominated by concerned DC as Member;
- the Area Manager of the RAP IA as Member Secretary; and

10.8 PROPERTY VALUE ASSESSMENT COMMITTEE (PVAC)

The main task of PVAC is to survey the land market in the areas where land will be acquired for the project and establish the current market price equivalent to the replacement value for different categories of land at different locations. PVAC will also find out the prices of other properties in the same manner.

The PVAC will be composed of:

- one representative of RHD, at least of the level of Sub-divisional Engineer to be nominated by the PD, RHD, as convener;
- one representative of the DC to be nominated by concerned DC;
- the Area Manager of the RAP IA as Member Secretary; and
- the committee can co-opt any other person considered indispensable (for Department of Agriculture Extension-DAE, Department of Forest-DoF, Department of Fisheries- DoFi, Public Works Department-PWD, etc.).

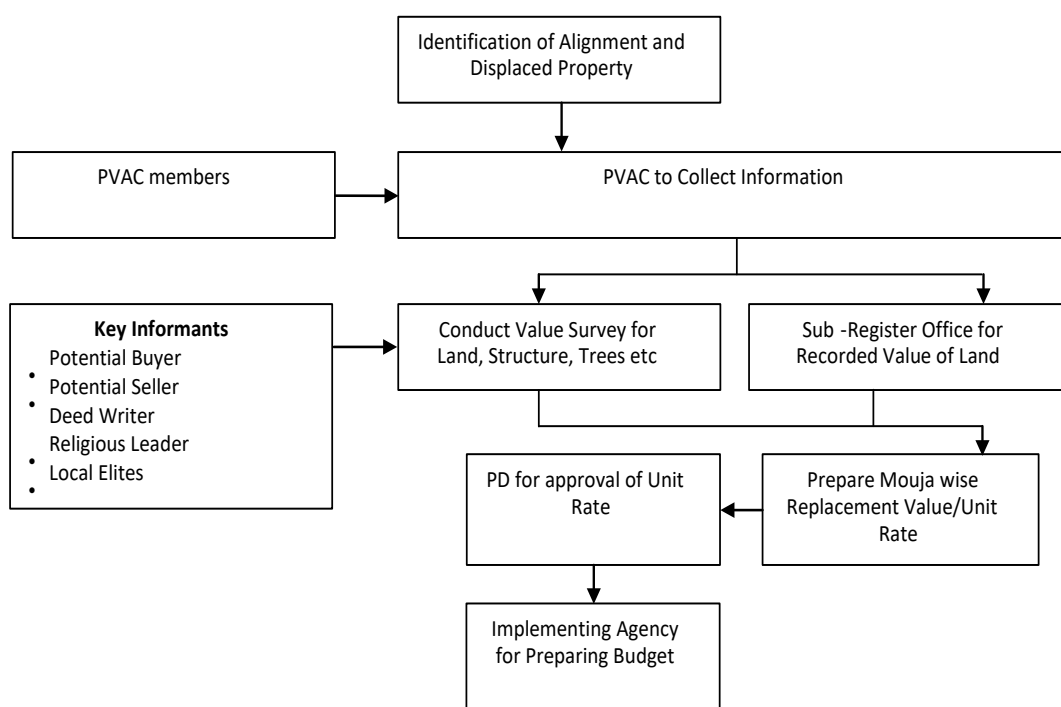


Figure 10-2: Activities of PVAC

10.9 GRIEVANCE REDRESS COMMITTEE

The project will constitute a Grievance Redress Committee (GRC) at each bottleneck within two months of commencement of implementation of the project. The composition, terms of reference and other issues have been discussed in Chapter 9. The GRC will perform the following tasks-

- All complaints from the PAPs will be received at the local level GRC scrutinize them and resolve the within 21 days of lodging the complaints
- The matters under arbitration will not be dealt with by the GRC
- The aggrieved persons will be invited on the date of hearing by the convener of GRC to explain his/her claims
- If the case is not resolved at the field level, the convener of field level GRC will refer the case to project level GRC
- The project level GRC will resolve the case within 21 days.
- If required, the GRC will visit the field before finalization of decision

10.10 ENTITLEMENT OF COMMITTEE MEMBERS

All the members of various committees will attend a training and orientation meeting prior to commencement of their work. The training will be conducted by Project staff and consultants/resettlement experts. The committee members, including the RHD and RAP IA representatives, will be entitled to sitting allowance and travel cost.

10.11 COMMUNITY (STAKEHOLDERS) PARTICIPATION

During feasibility stage of the project, the local community was consulted, and opinion was sought for finalization of the alignment. They took active part in decision making process of the alignment finalization. During the implementation of the RAP, PAPs and their communities will be informed, closely consulted, and encouraged to participate in the process. This process will be continued until completion of the implementation of RAP as well as in monitoring stage.

Besides, the local people will be consulted and taken part in the project planning and implementation activities through grievance redress committee (GRC). The PAPs can call upon the support of RAP Implementing Agency (IA) to assist them in presenting their grievances to the GRCs.

10.12 WOMEN GROUPS IN RESETTLEMENT PROCESS

The RAP implementation will ensure a gender sensitive approach in planning, management and operations of land acquisition and resettlement. Separate groups of women affected persons will be formed and operated by the implementing agency. Feedback from the female PAPs and female headed HHs will be obtained through these female focused groups for planning relocation and resettlement. Eligible female member of the affected households will get special considerations in getting job opportunities in civil construction.

The female staff engaged by implementing agency will identify needs of female PAPs for income restoration approaches and implementation of the income restoration component of the RAP. Women were consulted during FGDs and when the RAP was prepared and will be further consulted through FGDs in the process of implementation of the RAP.

10.13 RAP IMPLEMENTATION SCHEDULE

A time-bound implementation schedule for the RAP has been prepared in accordance with the project construction schedule. The overall schedule of RAP implementation is based on the principle that people affected by the project are paid their due compensation, grant, resettlement benefits and assistance prior to displacement. The RAP IA will assist the PAPs in the process of self-relocation and resettlement. Individual entitlements on a household basis will be processed by the RAP IA. Each EP will be issued an EP ID card and an entitlement card. The EP ID cards will be issued by the Project Manager (PMO-Field) to the EPs as identified during JVS or census and inventory of losses survey with joint signature of the PM and Area Manager of the RAP IA. Photographs of the EPs will be attested by the concerned-UP Chairman/Ward Councilor and pasted on the EP ID card format.

The total RAP implementation period will be tentatively expected for 5 years starting from July 2023 including land acquisition, resettlement and post-resettlement activities, taking into account of magnitude of land acquisition and resettlement impacts. Implementation of RAP will be continued during the construction period and even after construction period for addressing claims and grievances of the PAPs regarding payment of compensation and other resettlement benefits. However, some of the activities for RAP implementation may extend further. The preliminary time bound implementation schedule is placed in Table 10-1.

Resettlement Action Plan of Five Major Bottleneck Sections

Sl. No	Year Quarter	2023				2024				2025				2026				2027				2028		Total Months
		Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	
10	Serving notice under Section 7 as per ARIPA																							1
11	Collection of deed values (Sale deeds) from Sub-Registrar's office, rate of structures from PWD and trees from Department of Forest																							2
12	Preparation of Estimated budget for affected properties																							1
13	Preparation of award book for the affected persons																							2
14	Fund requisition by DC from the requiring body and fund placed with DC by RB																							2
15	Serving notice under Section 8 as per ARIPA 2017																							1

As per ARIPA, maximum 120 days is available but RB can place fund early (if fund is available)

Resettlement Action Plan of Five Major Bottleneck Sections

Sl. No	Year Quarter	2023				2024				2025				2026				2027				2028		Total Months	
		Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2		
16	Hand-over compensation cheques to the entitled persons based on updated record of rights																								41
17	Handing over land to the requiring body																								2
B	RAP Implementation Activities																							60	
1	Mobilization of the RAP IA Team																							1	
2	Information Campaign																							58	
3	Consultation and FGD																							55	
4	Design/Development of RAP Implementation Tools																							4	
5	Data Processing and Determination of Individual Entitlements for squatters																							3	

Resettlement Action Plan of Five Major Bottleneck Sections

Sl. No	Year Quarter	2023				2024				2025				2026				2027				2028		Total Months	
		Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2		
6	Preparation & Submission of Resettlement Budget and individual entitlement by RAP IA to RHD																								3
7	Approval of Resettlement Plan & Budget by RHD																								1
8	Payment of compensation/ resettlement benefits to EPs																								43
9	Redress of Grievances																								35
10	Payment of Other Resettlement benefits based on GRC decision																								33
11	Relocation of HHs and CBEs																								12
12	Implementation of Income & Livelihood Restoration Program (ILRP)																								12
13	Submission of Monthly Progress Report by RAP IA																								60

Resettlement Action Plan of Five Major Bottleneck Sections

Sl. No	Year	2023				2024				2025				2026				2027				2028		Total Months
		Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	
14	Submission of project completion report by RAP IA																							1
15	Monitoring & Evaluation		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	57

Source: RAP Study Team

11.COST AND BUDGET

11.1 BUDGETING AND FINANCIAL PLANNING

All land acquisition & resettlement funds will be provided by the RHD based on the financing plan agreed by the Government of Bangladesh and JICA. Land acquisition, compensation, relocation, and rehabilitation of livelihood will be considered as an integral component of the project costs. The rehabilitation and training to the potentially affected persons will be provided under the LRP based on vulnerability and needs to be assessed during RAP implementation stage through a special census and consultation exercise.

The cost estimate for land acquisition by the DC will be prepared by the LA section and placed to the RHD for transfer of the fund to the account of the DC. The additional benefits as per the policy will be paid by the RHD (PMO) with assistance from the RAP IA. However, the RAP IA will assess the number of losses and the eligible persons for resettlement benefits and produce a resettlement budget to RHD for approval and periodic release.

The PMO of RHD will ensure that the land acquisition and resettlement budgets are delivered on time to the DC account for payment of compensation to legal owners. The RAP budgets for compensation for land, structures, other assets, crops and trees, and special assistance have been calculated using the market rates. The costs for relocation and special assistance are consistent with the resettlement policy. Other costs involving project disclosure, public consultations and focus group discussions, LRP are also included in the RAP budget. There is also a budget allocation as contingency @5% of the resettlement cost.

Taking into account of the ARIPA 2017, compensation for land, structures, trees and crops have been assessed in this RAP. Since the LA process is not started yet therefore, the Mouza rates including 200% premium has been considered for preparation of the land price as DC's rate, while the market survey rate (people's opinion) has been taken into account as replacement cost. Higher price between Mouza rates plus 200% premium and people's opinion have been considered for preparation of the land budget.

In the case of structures and trees, the affected people are entitled to have a 100% premium as per ARIPA 2017 and the PAPs are allowed to take away salvageable materials free of cost. This is why additional compensation on top of DC's payment has not been considered for the structures and trees.

11.2 SUMMARY BUDGET

The total estimated cost for implementation of the RAP is BDT 31,703,229,948 including the CCL amount (BDT **26,20,58,38,649**) to be determined by the DC and additional amount including resettlement benefits is BDT 5,497,391,300. The total estimated cost for private land stands at 80.65% and Govt. land is 0.38% of the total cost while compensation for structures is about 8.53% and other resettlement benefits is 2.92% of the budget. Compensation for structure on private land has been kept in the DC's head while compensation for structures on GOB land is in the RHD head. The resettlement benefits include structure transfer grants, reconstruction grants, business restoration grants and grants for vulnerable PAHs. Operation cost for the RAP implementing agency and external monitoring agency have been estimated based on experience of other similar types of projects. An estimated budget for the capacity building training of the PMO officials on land acquisition and resettlement has been kept in the budget. Summary is presented in Table 11-1.

Resettlement Action Plan of Five Major Bottleneck Sections

Table 11–1: Summary cost for land acquisition and resettlement

SL.	Category of Loss	DC Budget	Additional budget and Resettlement benefits	Estimated RC amount in BDT	Percent age
A	Compensation for Private Land	22708286334	2860262411	25,568,548,745	80.65
A1	Compensation for Govt. Land	119,362,746		119,362,746	0.38
B	Compensation for Structure	2,592,934,855	112,617,229	2,705,552,083	8.53
C	Compensation for Trees	271,414,740		271,414,740	0.86
	Impact Budget (A+A1+B+C)	25,691,998,675	2,972,879,640	28,664,878,315	
D	Other Resettlement Benefits		924,302,613	924,302,613	2.92
E	Operation cost for RAP Implementing Agency/ INGO		50,000,000	50,000,000	0.16
F	Operation cost for External Monitoring Agency		5,000,000	5,000,000	0.02
G	Capacity building training of the RHD PMO officials		10,000,000	10,000,000	0.03
H	Civic Amenities in the Resettlement Site in case of group relocation		50,000,000	50,000,000	0.16
I	Contingency @5% of the Sub-total		1,485,209,046	1,485,209,046	4.68
J	Administrative cost @ 2% on the DC budget	513,839,974		513,839,974	1.62
	Grand Total	26,205,838,649	5,497,391,300	31,703,229,948	100

Source: KMC RAP Team

11.3 COMPENSATION FOR PRIVATE LAND

A total of 405.1965 acres of private land are identified in the proposed five bottleneck sections. The replacement cost for the affected lands has been estimated based on Mouza rate adopted for the year 2020 by the GOB and added 200% premium as per ARIPA 2017 or the market survey rate whichever is higher. Private land of 97 types (mutually exclusive) in five bottlenecks among which in 50 cases the Mouza rate (including 200% premium) is higher than the people’s opinion while in remaining 47 cases people’s expectation is higher than the Mouza rate including 200% premium. A land market survey was conducted during the preparation of this RAP to assess the current market price of affected land. The land market survey has been conducted to assess replacement value of the land. It is seemed that current market price at Patiya (Kachuai Mouza Vitakhain Mouza and Parigram Mouza) and in Chakaria (almost all Mouza) is higher than the Mouza rate including 200% premium. Total estimated cost for private land is BDT 25,568,548,745 from which DC’s head is BDT 22,708,286,334 and additional compensation to be paid by RHD directly BDT 2,86,02,62,411. Detailed budget is attached in Annex-5.

Table 11–2: Estimated Cost for affected private land

Location	Mouza Name	Sl. No.	Category of Land	Total (Decimal)	Mouza Rate	200% With Premium	Market Rate (Avg)	Applied Rate	DC Budget	Total Estimate	Top-up	
1	2	3	4	5	6	7 (6+200%)	8	9 (Maximum of Col. 7&8)	10 (5*7)	11 (5*9)	12 (11-10)	
Patiya	Patiya	1	Residence	100	4,74,864	14,24,592	6,91,313	14,24,592	14,24,59,200	14,24,59,200	-	
		2	Null	2363.5	2,57,255	7,71,765	4,48,125	7,71,765	1,82,40,66,578	1,82,40,66,578	-	
		3	Vita	112	9,11,593	27,34,779	11,77,500	27,34,779	30,62,95,248	30,62,95,248	-	
		4	Madrasha	12	4,74,864	14,24,592	6,91,313	14,24,592	1,70,95,104	1,70,95,104	-	
		5	Ditch	3	80,000	2,40,000	4,48,125	4,48,125	7,20,000	13,44,375	6,24,375	
		6	Chala	5	9,11,593	27,34,779	11,77,500	27,34,779	1,36,73,895	1,36,73,895	-	
		7	Boundary	38.5	9,11,593	27,34,779	11,77,500	27,34,779	10,52,88,992	10,52,88,992	-	
	Total				2634					2,40,95,99,016	2,41,02,23,391	6,24,375
	karal	1	Residence	10	1,84,000	5,52,000	3,11,250	5,52,000	55,20,000	55,20,000	-	
		2	Null	409	46,295	1,38,885	98,750	1,38,885	5,68,03,965	5,68,03,965	-	
		3	Pond	11	94,872	2,84,616	98,750	2,84,616	31,30,776	31,30,776	-	
	Total				430					6,54,54,741	6,54,54,741	-
	Vatikhain	1	Residence	437	1,29,492	3,88,476	5,98,750	5,98,750	16,97,64,012	26,16,53,750	9,18,89,738	
		2	Null	1122	66,379	1,99,137	4,85,000	4,85,000	22,34,31,714	54,41,70,000	32,07,38,286	
		3	Mazar+ Graveyard	17	1,10,120	3,30,360	5,98,750	5,98,750	56,16,120	1,01,78,750	45,62,630	

Resettlement Action Plan of Five Major Bottleneck Sections

Location	Mouza Name	Sl. No.	Category of Land	Total (Decimal)	Mouza Rate	200% With Premium	Market Rate (Avg)	Applied Rate	DC Budget	Total Estimate	Top-up
	Total			1576					39,88,11,846	81,60,02,500	41,71,90,654
	Kachuai	1	Residence	485	2,05,629	6,16,887	7,35,000	7,35,000	29,91,90,195	35,64,75,000	5,72,84,805
		2	Null	1793	1,47,066	4,41,198	4,57,500	4,57,500	79,10,68,014	82,02,97,500	2,92,29,486
		3	Commercial	19	20,690	62,070	7,35,000	7,35,000	11,79,330	1,39,65,000	1,27,85,670
		4	Pond	305	1,31,696	3,95,088	4,51,250	4,51,250	12,05,01,840	13,76,31,250	1,71,29,410
		5	Pond Side	41	1,31,696	3,95,088	4,51,250	4,51,250	1,61,98,608	1,85,01,250	23,02,642
		6	Orchard	7	30,000	90,000	3,48,750	3,48,750	6,30,000	24,41,250	18,11,250
		7	Vita	4	1,22,835	3,68,505	6,80,000	6,80,000	14,74,020	27,20,000	12,45,980
		8	Khila	8	1,16,000	3,48,000	4,57,500	4,57,500	27,84,000	36,60,000	8,76,000
		9	Ansar Camp	2	1,22,835	3,68,505	6,80,000	6,80,000	7,37,010	13,60,000	6,22,990
		10	Shoshan Ghat	3	1,22,835	3,68,505	6,80,000	6,80,000	11,05,515	20,40,000	9,34,485
	Total			2667					1,23,48,68,532	1,35,90,91,250	12,42,22,718
	Parigram	1	Null	79	1,08,755	3,26,265	4,02,500	4,02,500	2,57,74,935	3,17,97,500	60,22,565
		2	Commercial	36	88,236	2,64,708	6,05,000	6,05,000	95,29,488	2,17,80,000	1,22,50,512
	Total			115					3,53,04,423	5,35,77,500	1,82,73,077
Total Land of Patiya			7422					4,14,40,38,558	4,70,43,49,382	56,03,10,824	
Dohazari	Dohazari	1	Residence	63	1,00,000	3,00,000	8,42,857	8,42,857	1,89,00,000	5,31,00,000	3,42,00,000
		2	Commercial	124.5	2,37,705	7,13,115	13,28,571	13,28,571	8,87,82,818	16,54,07,143	7,66,24,325
		3	Vita	81.5	72,066	2,16,198	7,64,286	7,64,286	1,76,20,137	6,22,89,286	4,46,69,149
		4	Null	177	2,00,842	6,02,526	4,71,429	6,02,526	10,66,47,102	10,66,47,102	-
	Total			446					23,19,50,057	38,74,43,531	15,54,93,474
	Chagachor	1	Residence	347.25	1,90,076	5,70,228	5,57,143	5,70,228	19,80,11,673	19,80,11,673	-
		2	Weather Office	98	1,90,076	5,70,228	5,57,143	5,70,228	5,58,82,344	5,58,82,344	-
		3	Pond	70	43,172	1,29,516	4,54,286	4,54,286	90,66,120	3,18,00,000	2,27,33,880
		4	Vita	219.25	86,571	2,59,713	8,75,714	8,75,714	5,69,42,075	19,20,00,357	13,50,58,282
		5	Null	2383.15	1,79,123	5,37,369	1,92,857	5,37,369	1,28,06,30,932	1,28,06,30,932	-
		6	Khai	18	95,682	2,87,046	4,54,286	4,54,286	51,66,828	81,77,143	30,10,315
	Total			3135.65					1,60,56,99,973	1,76,65,02,449	16,08,02,477
	Katgor	1	Residence	91	3,30,000	9,90,000	3,50,000	9,90,000	9,00,90,000	9,00,90,000	-
		2	Vita	233.5	3,30,000	9,90,000	3,05,000	9,90,000	23,11,65,000	23,11,65,000	-
		3	Null	485.5	1,74,415	5,23,245	3,11,429	5,23,245	25,40,35,448	25,40,35,448	-
Total			810					57,52,90,448	57,52,90,448	-	

Resettlement Action Plan of Five Major Bottleneck Sections

Location	Mouza Name	Sl. No.	Category of Land	Total (Decimals)	Mouza Rate	200% With Premium	Market Rate (Avg)	Applied Rate	DC Budget	Total Estimate	Top-up	
	Malayabad	1	Residence	63.5	1,30,667	3,92,001	3,36,000	3,92,001	2,48,92,064	2,48,92,064	-	
		2	Pond	20	50,000	1,50,000	3,12,000	3,12,000	30,00,000	62,40,000	32,40,000	
		3	Vita	437	1,30,667	3,92,001	3,36,000	3,92,001	17,13,04,437	17,13,04,437	-	
	Total				520.5					19,91,96,501	20,24,36,501	32,40,000
	Rasulabad	1	Residence	401	3,42,354	10,27,062	4,60,000	10,27,062	41,18,51,862	41,18,51,862	-	
		2	Pond	106.5	2,01,354	6,04,062	4,14,286	6,04,062	6,43,32,603	6,43,32,603	-	
		3	Pond Side	7	2,01,354	6,04,062	4,14,286	6,04,062	42,28,434	42,28,434	-	
		4	Commercial	115.75	13,57,143	40,71,429	13,57,143	40,71,429	47,12,67,857	47,12,67,857	-	
		5	Null	727	1,55,147	4,65,441	2,57,143	4,65,441	33,83,75,607	33,83,75,607	-	
		6	Orchard	68.25	88,235	2,64,705	4,62,000	4,62,000	1,80,66,116	3,15,31,500	1,34,65,384	
	Total				1425.5					1,30,81,22,479	1,32,15,87,863	1,34,65,384
	Kaliaish	1	Pond	92	1,23,851	3,71,553	2,90,714	3,71,553	3,41,82,876	3,41,82,876	-	
		2	Commercial	94	2,08,333	6,24,999	8,42,857	8,42,857	5,87,49,906	7,92,28,571	2,04,78,665	
		3	Null	27	83,657	2,50,971	2,32,143	2,50,971	67,76,217	67,76,217	-	
	Total				213					9,97,08,999	12,01,87,664	2,04,78,665
Total Land of Dohazari				6550.65					4,01,99,68,455	4,37,34,48,455	35,34,80,000	
Keranihat	Jonar Keuchia	1	Madrasha	3	2,57,523	7,72,569	3,65,000	7,72,569	23,17,707	23,17,707	-	
		2	Commercial	64	10,48,340	31,45,020	26,40,000	31,45,020	20,12,81,280	20,12,81,280	-	
		3	Null	8	2,61,404	7,84,212	2,52,000	7,84,212	62,73,696	62,73,696	-	
	Total				75					20,98,72,683	20,98,72,683	-
	Uttor Demsha	1	School	3	2,21,965	6,65,895	4,40,000	6,65,895	19,97,685	19,97,685	-	
		2	Mosque	2	2,21,965	6,65,895	4,40,000	6,65,895	13,31,790	13,31,790	-	
		3	Commercial	38	21,58,993	64,76,979	36,40,000	64,76,979	24,61,25,202	24,61,25,202	-	
	Total				43					24,94,54,677	24,94,54,677	-
	Dakshin Demsha	1	Commercial	2	1,05,882	3,17,646	79,60,000	79,60,000	6,35,292	1,59,20,000	1,52,84,708	
	Total				2					6,35,292	1,59,20,000	1,52,84,708
Total Land of Keranihat				120					45,99,62,652	47,52,47,360	1,52,84,708	
Lohagara	Mollik Choyang	1	Commercial	39	2,08,338	6,25,014	2,36,250	6,25,014	2,43,75,546	2,43,75,546	-	
		2	Null	128	95,520	2,86,560	1,71,250	2,86,560	3,66,79,680	3,66,79,680	-	
	Total				167					6,10,55,226	-	
	Amirabad	1	Residence	884	5,86,315	17,58,945	6,49,375	17,58,945	1,55,49,07,380	1,55,49,07,380	-	
		2	Commercial	54	3,42,857	10,28,571	6,49,375	10,28,571	5,55,42,834	5,55,42,834	-	
3		Vita	19	5,86,315	17,58,945	4,85,625	17,58,945	3,34,19,955	3,34,19,955	-		

Resettlement Action Plan of Five Major Bottleneck Sections

Location	Mouza Name	Sl. No.	Category of Land	Total (Decimal)	Mouza Rate	200% With Premium	Market Rate (Avg)	Applied Rate	DC Budget	Total Estimate	Top-up	
		4	Pond	527	1,59,584	4,78,752	1,98,750	4,78,752	25,23,02,304	25,23,02,304	-	
		5	Pond Side	57	1,59,584	4,78,752	1,98,750	4,78,752	2,72,88,864	2,72,88,864	-	
		6	Mosjid	20	5,86,315	17,58,945	6,49,375	17,58,945	3,51,78,900	3,51,78,900	-	
		7	Graveyard	30	1,88,043	5,64,129	1,95,000	5,64,129	1,69,23,870	1,69,23,870	-	
		8	Community Center	28	5,86,315	17,58,945	6,49,375	17,58,945	4,92,50,460	4,92,50,460	-	
		9	Null	3632	2,22,560	6,67,680	2,83,750	6,67,680	2,42,50,13,760	2,42,50,13,760	-	
		10	Boundary	11	5,86,315	17,58,945	6,49,375	17,58,945	1,93,48,395	1,93,48,395	-	
	Total				5262					4,46,91,76,722	4,46,91,76,722	-
	Lohagara	1	Residence	433	5,92,925	17,78,775	7,26,875	17,78,775	77,02,09,575	77,02,09,575	-	
		2	Pond+Graveyard	48	1,33,754	4,01,262	2,23,125	4,01,262	1,92,60,576	1,92,60,576	-	
		3	Null	5606	3,83,998	11,51,994	3,10,625	11,51,994	6,45,80,78,364	6,45,80,78,364	-	
		4	Vita	8	5,92,925	17,78,775	5,57,500	17,78,775	1,42,30,200	1,42,30,200	-	
	Total				6095					7,26,17,78,715	7,26,17,78,715	-
	Adhu Nagar	1	Null	119	86,724	2,60,172	2,57,500	2,60,172	3,09,60,468	3,09,60,468	-	
	Total				119					3,09,60,468	3,09,60,468	-
Total Land of Lohagara				11643					11,82,29,71,131	11,82,29,71,131	-	
Chakaria	Lokkhar Chor	1	Residence	137	89,994	2,69,982	6,30,625	6,30,625	3,69,87,534	8,63,95,625	4,94,08,091	
		2	Null	1293	1,22,743	3,68,229	2,86,875	3,68,229	47,61,20,097	47,61,20,097	-	
	Total				1430					51,31,07,631	56,25,15,722	4,94,08,091
	Kakara	1	Residence	389	88,368	2,65,104	4,50,000	4,50,000	10,31,25,456	17,50,50,000	7,19,24,544	
		2	Commercial	42	42,889	1,28,667	7,35,000	7,35,000	54,04,014	3,08,70,000	2,54,65,986	
		3	Null	1125	46,153	1,38,459	2,86,875	2,86,875	15,57,66,375	32,27,34,375	16,69,68,000	
		4	Mosjid	5	88,368	2,65,104	4,50,000	4,50,000	13,25,520	22,50,000	9,24,480	
	Total				1561					26,56,21,365	53,09,04,375	26,52,83,010
	Lotony	1	Residence	62	17,039	51,117	4,23,125	4,23,125	31,69,254	2,62,33,750	2,30,64,496	
		2	Null	3860	27,268	81,804	3,20,000	3,20,000	31,57,63,440	1,23,52,00,000	91,94,36,560	
	Total				3922					31,89,32,694	1,26,14,33,750	94,25,01,056
	Haziung	1	Residence	16	22,503	67,509	3,18,125	3,18,125	10,80,144	50,90,000	40,09,856	
		2	Null	114	39,236	1,17,708	2,42,500	2,42,500	1,34,18,712	2,76,45,000	1,42,26,288	

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Location	Mouza Name	Sl. No.	Category of Land	Total (Decimals)	Mouza Rate	200% With Premium	Market Rate (Avg)	Applied Rate	DC Budget	Total Estimate	Top-up
	Total			130					1,44,98,856	3,27,35,000	1,82,36,144
	Digir Pankhali	1	Residence	19	61,086	1,83,258	3,16,250	3,16,250	34,81,902	60,08,750	25,26,848
		2	Pond	75	8,000	24,000	1,71,250	1,71,250	18,00,000	1,28,43,750	1,10,43,750
		3	Null	1480	33,795	1,01,385	2,60,625	2,60,625	15,00,49,800	38,57,25,000	23,56,75,200
	Total			1574					15,53,31,702	40,45,77,500	24,92,45,798
	Pok Pokuria Pankhali	1	Null	1127	63,156	1,89,468	2,83,125	2,83,125	21,35,30,436	31,90,81,875	10,55,51,439
	Total			1127					21,35,30,436	31,90,81,875	10,55,51,439
	Rajar Bill	1	Residence	60	47,045	1,41,135	2,65,375	2,65,375	84,68,100	1,59,22,500	74,54,400
		2	Null	633	31,318	93,954	1,69,375	1,69,375	5,94,72,882	10,72,14,375	4,77,41,493
	Total			693					6,79,40,982	12,31,36,875	5,51,95,893
	Uchitar Bill	1	Residence	222	23,730	71,190	2,23,750	2,23,750	1,58,04,180	4,96,72,500	3,38,68,320
		2	Null	1410	31,452	94,356	1,83,125	1,83,125	13,30,41,960	25,82,06,250	12,51,64,290
		3	Pond	192	30,075	90,225	91,250	91,250	1,73,23,200	1,75,20,000	1,96,800
	Total			1824					16,61,69,340	32,53,98,750	15,92,29,410
	Fashiakhali	1	Residence	349	61,102	1,83,306	3,79,375	3,79,375	6,39,73,794	13,24,01,875	6,84,28,081
		2	Null	2127	74,970	2,24,910	1,84,375	2,24,910	47,83,83,570	47,83,83,570	-
		3	Commercial	36	32,000	96,000	5,53,750	5,53,750	34,56,000	1,99,35,000	1,64,79,000
		4	Bamboo	11	12,096	36,288	1,84,375	1,84,375	3,99,168	20,28,125	16,28,957
	Total			2523					54,62,12,532	63,27,48,570	8,65,36,038
	Total Land of Chakaria			14784					2,26,13,45,538	4,19,25,32,417	1,93,11,86,879
	Total			40519.65					22,70,82,86,334	25,56,85,48,745	2,86,02,62,411

Source: RAP Study Team

11.4 COMPENSATION FOR GOVERNMENT LAND

Apart from this, about 1.64 acres of government land (several agencies other than RHD) are also affected within the right of way. The Government land affected within the ROW is homestead category (office premise) and therefore rate of homestead of the concerned Mouzas including 200% premium have been applied. The compensation for Government land stands at BDT 113,193,876. Compensation for Government land will be transferred to concerned department by the DC office or RHD as per law.

Table 11–3: Compensation for land of Other Agencies

Location	Mouza Name	Sl. No.	Category of Land	Total (Acre)	Mouza Rate	200% With Premium	Estimate
1	2	3	4	5	6	7 (6+200%)	8(5*7)
Dohazari	Chagachor	1	BIWTA	1.00	1,90,07,600	5,70,22,800	5,70,22,800
		2	Ministry of Health	0.06	1,90,07,600	5,70,22,800	34,21,368
Lohagara	Lohagara	1	Ministry of Education	0.20	5,92,92,500	17,78,77,500	3,55,75,500
		2	Ministry of Health	0.03	5,92,92,500	17,78,77,500	53,36,325
Keranihat	Uttor Demsha	1	Ministry of Education	0.10	2,21,96,500	6,65,89,500	66,58,950
		2	Union Parishad	0.03	2,21,96,500	6,65,89,500	19,97,685
Patiya	Kachuai	1	Anser VDP Camp	0.05	2,05,62,900	6,16,88,700	30,84,435
		2	Chattogram WASA	0.05	2,05,62,900	6,16,88,700	30,84,435
Chakaria	Kakara	1	Ministry of Education	0.12	88,36,800	2,65,10,400	31,81,248
Total Other Departmental Land				1.64			11,93,62,746

Source: RAP Study Team

11.5 COMPENSATION FOR STRUCTURE

Various categories of primary and secondary structures are affected on private land and government land. Structures are used for residential, commercial and community interest/offices/institutions. Affected structures are primarily categorized as main/primary structure and auxiliary/ secondary structures. Five categories of primary structures are identified such as Pucca, semi-pucca, tin-made, katcha and thatched. Besides, several categories of secondary structures are also identified. Compensation for primary and secondary structures have been assessed based on PWD rates and recent project experience of RHD (Sylhet Tamabil Project, Nov 2019).

11.5.1 Estimated cost for Primary Structures (Houses and shops)

Affected structures are owned by the households, shops, community properties and government/NGO offices on private and government land. Various categories of structures are affected within the right of way. Costs of structures have been assessed considering the rates of recent project i.e., Improvement of Sylhet-Tamabil Road to a 4 Lane Highway Project of RHD (Nov 2019). During implementation of the project, Deputy Commissioner will determine price for structure on private land based on the assessed price by

Chattogram Cox's Bazar Highway Improvement Project (CCHIP)

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the Public Works Department and adding 100% premium as per ARIPA 2017. Additional compensation on top of DC's payment will not be required since the structure owners will be allowed to take away salvageable materials free of cost after payment of compensation. Price of structures on the GOB land will be directly paid by the RHD since DC office will not pay for them. Structures on Govt land has been calculated @ 80% of the structure rate on private land considering the quality of structures and formula used in Improvement of Sylhet-Tamabil Road to a 4 Lane Highway Project (Nov 2019). Total estimated cost of primary structures on private land is BDT 2,16,17,63,848 while the cost of primary structures on Government land is BDT 9,36,53,287. Compensation for structures affected on private land will be paid by DC while on GOB land will be paid by RHD through RAP IA. Compensation for structures will be finally assessed based on the PVAC recommended rates. Tables 11-4 and 11-5 underneath present estimated cost of primary structures on private and government land.

Table 11–4: Estimated cost for primary structures on Private Land

Category of structure	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
Pucca	15,30,25,931	23,42,37,557	66,34,82,444	14,97,09,395	16,99,75,118	1,37,04,30,445
Semi-Pucca	11,54,74,664	9,83,55,813	15,03,67,795	2,31,80,773	12,94,26,836	51,68,05,881
Tin-Made	3,71,79,043	3,84,43,654	5,07,08,808	55,03,727	6,45,93,383	19,64,28,615
Katcha	1,37,24,376	1,97,75,661	1,62,79,365	5,36,550	2,67,49,390	7,70,65,342
Thatched	74,329	2,10,279	37,820	-	7,11,138	10,33,566
Total	31,94,78,341	39,10,22,965	88,08,76,232	17,89,30,445	39,14,55,865	2,16,17,63,848

Source: RAP Study Team

Table 11–5: Estimated cost for primary structures on Govt. land

Category of structure	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
Pucca	-	87,791	67,53,168	4,94,03,942	-	5,62,44,902
Semi-Pucca	18,67,958	28,65,584	17,96,379	99,98,666	66,405	1,65,94,992
Tin-Made	1,36,598	13,58,551	16,19,093	1,56,42,050	10,29,175	1,97,85,468
Katcha	-	1,20,730	18,688	6,38,020	1,97,392	9,74,830
Thatched	-	-	8,198	-	44,896	53,094
Total	20,04,557	44,32,657	1,01,95,526	7,56,82,678	13,37,868	9,36,53,287

Source: RAP Study Team

11.5.2 Estimated cost for Secondary Structure (Houses and shops)

Apart from the primary structures, there are quite large numbers of secondary structures affected in the ROW on private and GoB land. Rates of secondary structures have been applied considering other recent projects of RHD and information obtained from the PAPs. Unit rate of affected secondary structures have been taken from Improvement of Sylhet-Tamabil Road Project. Total estimated cost for secondary structures is BDT **31,31,65,781** for housing and commercial structures at five bottleneck sections.

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Table 11–6: Estimated cost for secondary structure

Category of Loss	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total Cost
Auto rice machines	-	3,00,000	-	-	-	3,00,000
Boundary Wall (10")	41,24,695	1,76,400	23,61,555	-	4,03,515	70,66,165
Boundary Wall (5")	61,44,270	92,51,634	2,30,24,775	7,18,347	1,18,48,179	5,09,87,205
Boundary Wall (Tin)	12,44,316	14,36,157	7,59,795	36,075	14,44,665	49,21,007
Bridge	-	7,49,033	-	-	-	7,49,033
Deep Tube-well	37,33,352	15,33,341	-	2,00,001	66,667	55,33,361
Gate	73,393	2,13,402	3,60,468	14,756	34,720	6,96,739
Katcha Toilet	45,000	1,35,000	81,000	-	1,08,000	3,69,000
Motor	-	18,00,000	5,50,000	-	-	23,50,000
Pond Stair	9,04,104	2,22,129	2,33,820	-	-	13,60,053
Pucca Floor	81,01,760	36,77,600	1,81,24,000	62,59,750	16,40,000	3,78,03,110
RCC Pillar	9,30,000	11,76,000	11,28,000	-	12,48,000	44,82,000
Septic Tank	2,69,58,312	42,73,314	5,18,20,500	-	1,58,03,400	9,88,55,526
Sanitary Toilet	34,20,000	42,00,000	41,40,000	1,80,000	23,40,000	1,42,80,000
Slab Toilet	9,84,000	11,16,000	9,12,000	48,000	23,76,000	54,36,000
Stair	20,02,792	10,24,100	41,16,200	-	20,26,200	91,69,292
Tube well	1,80,000	15,24,000	10,44,000	84,000	29,40,000	57,72,000
Veranda	54,13,640	67,86,430	1,14,04,000	1,02,51,250	1,33,00,000	4,71,55,320
Drain	-	-	4,14,381	1,16,910	-	5,31,291
Machine Foundation	-	-	72,000	-	-	72,000
Water Pump	13,20,000	-	32,40,000	30,000	14,70,000	60,60,000
Water Tank	61,71,315	-	1,60,200	-	-	63,31,515
Water Tank (Plastic)	20,000	-	20,000	-	-	40,000
Grill	-	-	-	4,800	-	4,800
Oil Machine	-	-	-	8,00,000	-	8,00,000
Oil Tank	-	-	-	13,68,000	-	13,68,000
Grave	3,72,364	-	-	-	-	3,72,364
Statue	1,00,000	50,000	-	-	50,000	2,00,000
Mobile Tower	-	-	-	-	1,00,000	1,00,000
Total	7,22,43,313	3,96,44,539	12,39,66,694	2,01,11,889	5,71,99,346	31,31,65,781

Source: RAP Study Team

11.5.3 Estimated cost for Primary Structures (CPRs/Offices)

There are 31 community properties and 13 offices/institutions affected in the five bottleneck sections. Four categories of primary structures i.e., Pucca, Semi-pucca, Tin-made and Katcha are found affected on GoB land while only three categories (pucca, Semi-pucca and Tin-made) are affected on private land. Following the same rate of structures applied for houses and commercial premises, the CPRs compensation has been assessed. Total estimated cost for primary structures of CPRs on private land stands at BDT 8,95,56,386 while on Govt. land the CPRs cost is BDT 1,89,63,942. CPRs on both private and government land will be paid compensation and encouraged for self-relocation. In case of Mosque and graveyard, the project may take initiative to reconstruct new CPRs in consultation with management committee. Unit rate of affected structures have been taken from Improvement of Sylhet-Tamabil Road Project. The table underneath presents the estimated cost of primary structures of CPRs on private and government land.

Table 11–7: Estimated cost for Primary Structure of CPRs on Private land

Category of structure	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
Pucca	3,99,644	65,14,299	2,20,49,746	4,71,11,625	90,12,380	8,50,87,694
Semi-Pucca	-	9,44,328	9,10,910	7,74,565	-	26,29,803
Tin-Made	-	1,19,691	-	17,19,198	-	18,38,889
Total	3,99,644	75,78,318	2,29,60,656	4,96,05,388	90,12,380	8,95,56,386

Source: RAP Study Team

Table 11–8: Estimated cost for Primary Structure of CPRs on Govt. land

Category of structure	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
Pucca	8,12,419	7,52,587	79,19,476	42,86,794	-	1,37,71,276
Semi-Pucca	12,34,957	-	-	14,06,048	-	26,41,005
Tin-Made	21,73,522	-	-	-	-	21,73,522
Katcha	3,78,140	-	-	-	-	3,78,140
Total	45,99,038	7,52,587	79,19,476	56,92,842	-	1,89,63,942

Source: RAP Study Team

11.5.4 Secondary Structures of CPRs

Apart from the primary structures, secondary structures of the CPRs/offices are also affected. Secondary structures include donation box of the mosque, boundary wall, tube-well, septic tank, etc. Unit rate of affected secondary structures have been taken from Improvement of Sylhet-Tamabil Road Project. Total estimated cost of the secondary structures of CPRs/Offices is BDT **2,84,48,840**.

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Table 11–9: Estimated cost for secondary structures of the affected CPRs

Category of Structures	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total Cost (BDT)
Donation box	-	61,572	-	-	-	61,572
Gate (iron made)	-	39,960	5,328	-	1,10,889	1,56,177
Passenger shade	-	3,69,432	2,09,638	-	-	5,79,070
Veranda	5,44,000	16,31,100	2,70,000	27,50,500	8,00,000	59,95,600
Deep tube well	-	66,667	-	66,667	-	1,33,334
Hand Tube well	-	16,928	-	-	16,928	33,856
Bench (Ablution Point)	-	35,280	22,050	-	-	57,330
Sanitary Toilet	8,40,000	1,20,000	1,80,000	1,20,000	-	12,60,000
Boundary Wall (5’)	1,10,250	1,05,840	31,46,535	2,05,065	6,39,450	42,07,140
Septic Tank	1,94,400	4,32,000	5,18,400	-	-	11,44,800
Water pump	21,333	-	85,332	-	-	1,06,665
Boundary Wall (10’)	-	-	8,82,000	6,98,985	-	15,80,985
Gate (Pucca)	-	-	1,16,865	-	22,050	1,38,915
Bath Room	24,00,000	-	42,00,000	-	-	66,00,000
Slab Latrine	-	-	9,50,000	-	-	9,50,000
Ablution Room	-	-	17,24,604	8,06,575	5,86,600	31,17,779
Pucca Floor	-	-	12,76,000	-	-	12,76,000
Shohid Minar	-	-	1,33,406	-	-	1,33,406
RCC Pillar	-	-	-	66,665	-	66,665
Stair	-	-	8,49,546	-	-	8,49,546
Total	41,09,983	28,78,779	1,45,69,704	47,14,457	21,75,917	2,84,48,840

Source: RAP Study Team

11.6 COMPENSATION FOR TREES

The compensation for trees affected on private and government land has been assessed based on the scheduled rate of the Department of Forest for various species and size. The rates of trees have been taken from recent development project (Dhaka-Chatto gram Cox’s Bazar Railway Project Preparatory Facility, PPP). Total estimated cost of affected trees of private owners stood at BDT 26,98,75,780 while cost of trees on CPRs land stood at BDT 15,38,960. Compensation for trees with 100% premium will be assessed by DC office based on scheduled rate of Department of Forest. Additional compensation on top of DC’s payment will not be required since people will be allowed to fell and take away the trees after payment of compensation as per best practice of other development projects. Table 11–10 and Table 11–11 present compensation for affected trees owned by the people and CPRs, respectively.

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Table 11–10: Compensation for trees owned by people

Size of Trees	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total (BDT)
Large	1,70,06,700	1,19,35,400	4,58,74,100	41,00,200	3,47,18,900	11,36,35,300
Medium	1,71,99,000	1,17,90,000	3,53,07,000	40,09,500	2,44,44,000	9,27,49,500
Small	1,82,88,000	96,26,400	1,48,66,200	21,43,800	1,75,84,200	6,25,08,600
Plant	1,39,320	73,980	5,49,180	9,900	2,10,000	9,82,380
Total	5,26,33,020	3,34,25,780	9,65,96,480	1,02,63,400	7,69,57,100	26,98,75,780

Source: RAP Study Team

Table 11–11: Compensation for trees owned by CPRs

Size of Trees	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total (BDT)
Large	74,700	-	2,07,500	-	-	2,82,200
Medium	99,000	67,500	9,13,500	-	-	10,80,000
Small	16,200	23,400	64,800	63,000	-	1,67,400
Plant	-	-	9,360	-	-	9,360
Total	1,89,900	90,900	11,95,160	63,000	-	15,38,960

Source: RAP Study Team

11.7 OTHER RESETTLEMENT BENEFITS

The total estimated resettlement benefit is BDT924,302,613 (2.92% of the total budget) that includes stamp duty and registration cost, dislocation allowance, structure transfer grant, reconstruction grant, business restoration grant, grants for the affected tenants and wage laborers, vulnerable HHs, etc. to be paid by RHD. Regarding stamp duty and registration cost the entitlement matrix indicates actual cost to be incurred for stamp duty and registration which is deposited to the bank through Treasury Challan. Experience on other development projects shows that few people purchase alternative land with compensation money. Taking into account of the experience, stamp duty & registration cost has been kept @ 10.50% for 25% probable cases (who might purchase alternative land) to keep the budget bottom figure minimum. Table 11-12 shows detailed of the estimated amount of resettlement benefits.

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Table 11–12: Estimated Amount of Resettlement Benefits

Sl.	Other Resettlement Benefits	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
1	Stamp Duty and Registration Cost @ 10.5% of replacement cost of land (Probable case 25%)	123,651,104	116,389,681	311,426,928	12,702,480	110,137,484	550,656,573
2	Dislocation/relocation allowances/grants for affected land @ BDT 300/decimal	2,229,600	1,997,100	3,499,800	39,900	4,438,800	9,975,600
3	2% of CCL value of trees or perennials as grant/allowance for plantation.	1,056,458	670,334	1,955,833	206,528	1,539,142	4,371,836
4	Compensation for trees and fruits as per Dept of Forest scheduled rate. Fruit compensation will not exceed @ 30% of timber value (large & Medium) for one years.	10,313,820	7,137,870	24,690,630	2,432,910	17,748,870	52,010,280
5	Households losing trees @5 tree saplings (2 fruit trees, 2 timber type and 1 medicinal tree) will be provided (1173 HH+CPR)	12,780	13,800	23,040	360	20,400	57,600
6	Transfer grant @ BDT 10 per sft of main structure	2,738,356	3,184,458	5,956,818	2,005,343	3,668,815	14,815,434
7	Structure Reconstruction Grant (SRG) @Tk.2% of the replacement value of main structure	6,529,632	8,075,731	18,439,038	6,198,227	8,036,122	40,749,118
8	Special grant for reconstruction of affected Common Property Resources (CPRs)	349,908	583,163	2,161,609	3,870,876	630,867	7,246,515
9	Business restoration grant @ BDT 10,000 for each business unit without trade license. (vondr)	-	150,000	-	1,910,000	-	2,060,000

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Sl.	Other Resettlement Benefits	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
10	Business Grant (BG) for loss of business (BDT 20,000/for each entity for those who have valid trade licenses.)	640,000	2,840,000	920,000	3,380,000	640,000	7,780,000
11	Business Grant (BG) for loss of business (BDT 80,000/each entity for those with a valid trade license & up to date BIN (Business Identification Number) certificate.)	1,040,000	4,160,000	1,200,000	6,240,000	160,000	11,760,000
12	Business Grant (BG) for loss of business (BDT 150,000/each entity for those with a valid trade license, up-to-date BIN (Business Identification Number) certificate, company registration/audited balance sheet)	1,350,000	1,500,000	1,800,000	14,550,000	450,000	18,300,000
13	Rental assistance for the owner of the commercial & residential structures/ HHs BDT 10,000	770,000	1,920,000	610,000	2,280,000	350,000	5,160,000
14	Moving/ Shifting assistance for commercial & residential tenants as loss of tenancy right/ access BDT 10,000	770,000	1,920,000	610,000	2,280,000	350,000	5,160,000
15	BDT 50,000/each for community graveyard/ cremation place relocation	50,000	-	150,000	50,000	50,000	250,000
16	Cash grant to the affected employees/wage earners equivalent to 30 days wage @ BDT 600/per day for skilled laborers.	990,000	4,608,000	234,000	5,202,000	504,000	10,548,000
17	Additional cash grant of Tk.10,000 for affected poor vulnerable households	1,260,000	1,210,000	2,520,000	480,000	4,050,000	8,260,000

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Sl.	Other Resettlement Benefits	Patiya	Dohazari	Lohagara	Keranihat	Chakaria	Total
18	Additional cash grant of Tk. 15000 for women headed households and other vulnerable households	345,000	390,000	1,110,000	150,000	1,560,000	3,210,000
19	Support for Income and Livelihood Restoration Program	2,235,000	2,205,000	4,890,000	870,000	7,635,000	15,600,000
	Total of Resettlement Allowance and Grants	156,331,658	158,955,137	382,197,695	64,848,624	161,969,500	924,302,613

Source: RAP Study Team

11.8 RAP IMPLEMENTATION COST

The estimated RAP implementation cost is BDT 106,000,000 including operation cost for RAP implementing Agency, Operation cost for External Monitoring Agency, Capacity building training for officials of RHD PMO, civic amenities in the self-managed relocation site for the PAPs, etc. Table 11-13 shows the detailed of estimated amount of RAP implementation.

Table 11–13: Estimated Amount of RAP implementation

Head of Expenditure	Unit	Estimated cost
Operation cost of RAP Implementing Agency	LS	50,000,000
Operation Cost for External Monitoring Agency	LS	5,000,000
Civic Amenities cost in relocation site in case of self-relocation in cluster manner (if necessary)	LS	50,000,000
Capacity building training for the RHD PMO officials (tentative)	LS	1,000,000
Total		106,000,000

Source: RAP Study Team

11.9 CONTINGENCY FOR RAP IMPLEMENTATION

Estimated cost for administrative and contingency head stands at BDT **1,999,049,020** including contingency budget @5% BDT **1,485,209,046** and administrative cost for DC office @2% BDT **513,839,974**. The contingency budget has been kept to meet unforeseen expenses including cost for grievance redress mechanism, meetings of the GRC, JVC and PVAC. Project Director will allocate fund from the contingency head for unforeseen expenses. Table 11-14 shows the detailed of Estimated Amount of contingency and administrative cost for RAP implementation

Table 11–14: Estimated Amount of Contingency for RAP Implementation

Head of Expenditure	Unit	Estimated budget
Administrative cost for LA process @ 2% of the total budget	2%	513,839,974
Contingency @5% of the total budget	5%	1,485,209,046
Total		1,999,049,020

Source: RAP Study Team

12. Monitoring And Reporting

12.1 INTRODUCTION

Implementation of RAP will be supervised and monitored by the Project Director of the project in coordination with the other officers associated with the project, and field officials and staffs of the RAP IA, construction supervision consultant and JICA. The monitoring will be done both internally and externally to provide feedback to the PD and to assess the effectiveness of resettlement policy and implementation. The day-to-day activities regarding the RAP implementation by the RAP IA will be supervised and monitored by the National Resettlement Specialist (NRS) of RHD and another one from Construction Supervision Consultant Team. The NRS of RHD will prepare and submit his report on monthly basis as a part of the progress report of whole project.

Monitoring in a package, is an integral part of project implementation, which must be given due emphasis if the implementation has to progress according to the projected plan and schedule. Monitoring involves collection, analysis, reporting and use of the information about the progress of all aspects of the resettlement operations, based on the approved RAP.

The objectives of setting a monitoring and evaluation system (MES) are to:

- collect, analyze, report and use information about progress of resettlement;
- ensure that inputs are being provided, procedures are being followed and outputs are monitored and verified;
- ensure timely management action if there appears to be any failure in system due to management lapse; and
- ensure necessary corrective measures at policy level, if it is seen that there is a failure in system due to flaw in the design i.e., wrong theory, hypothesis or assumption, to ensure necessary corrective action at policy level.

12.2 INSTITUTIONAL FRAMEWORK

The RHD will carry out the Internal Monitoring of RAP implementation involving the field offices, and RAP IA. The Construction Supervision Consultants team will also perform the monitoring job and submit report through their monthly progress report. The Financing Agency will monitor the project including RAP implementation activities through reviewing the progress reports and regular mission. An external monitoring agency (EMA) will be recruited by the RHD for monitoring of the RAP implementation on biannual basis. The EMA will submit report to the Project Director. The four offices to be involved in Monitoring are:

12.2.1 Office of the Project Director

The Project Director will be responsible to oversee proper and timely implementation of all activities in RAP. The PD office will operate and manage implementation of RAP with the assistance of RAP IA and Construction Supervision Consultant. The monitoring will be carried out with the support from the Field Offices of the project and RAP IA. The RAP IA will collect appropriate data from the field and provide feedback to the PD office on progress of RAP implementation and the day-to-day problems arising out of the process.

12.2.2 RAP Implementing Agency

The RAP Implementing Agency will prepare monthly/quarterly reports on the progress of RAP Implementation. The RAP IA office will collect information from the project site and assimilate in the

form of monthly progress of RAP implementation and adjust the work programs where necessary, in case of delays or problems. An automated MIS will be designed and developed by the RAP IA to monitor the output indicators at the project field offices and headquarters level.

12.2.3 Construction Supervision Consultants:

Construction Supervision Consultants will prepare the monthly progress report of RAP implementation along with other Issues associated with and submit it to the team leader for incorporating in the monthly progress report of total activities.

12.2.4 External Monitoring Agency (EMA)

An External Monitoring Agency will carry out semi-annual monitoring and report as well. A final evaluation report will also be submitted and recommend necessary changes to the PD office for consideration. The monitoring will cover both compliance and progress monitoring of the RAP implementation. The following issues will be covered in the EMA report:

1. Compensation payment progress as per entitlement policies;
2. Adequacy of resettlement implementation and organizational mechanism for implementing the RAP,
3. Restoration of PAPs incomes and livelihood,
4. Settling complaints and grievances, and

12.3 METHODOLOGY TO BE ADOPTED

The Monitoring will be to identify and select a set of appropriate indicators and gathering information on them for assessing the appropriateness & sufficiency of RAP, and efficiency & adequacy of implementation. Participation of stakeholders especially, the physically displaced persons and women and vulnerable groups will be ensured in the monitoring process. The process will also undertake various formal and informal surveys for impact analysis. Assessment of resettlement efficiency, effectiveness, impact and sustainability will be carried out through the Monitoring process for identification of lessons for building upon future policies on involuntary resettlement in the country.

The Project Director (PD) will assign the National Resettlement Specialist (NRS) and DCRO to oversee proper and timely implementation of all activities in RAP. The resettlement unit (RU) within the Office of the PD will operate and manage implementation of RAP with the assistance of RAP IA. The monitoring will be carried out by Head of RU at PMO with support from the Field Offices and the resettlement implementation agency.

The RAP IA will prepare monthly/quarterly reports on the progress of RAP Implementation. The RAP IA will collect information from the project site and assimilate in the form of monthly progress of RAP implementation and adjust work program where necessary, in case of delays or problems.

Internal Monitoring by the RHD and CSC would consider mostly quantitative methods as follows-

- **Review of Monthly Progress Report:** The NRS of RHD will review monthly progress report (MPR) to be submitted by the RAP IA. The RAP IA MPR will include DC's payment progress of CCL and the progress on payment of additional compensation and resettlement benefits.
- **Field visit:** The CSC and RHD resettlement Specialists including the Deputy Chief Resettlement Officer (DCRO) of RHD will frequently visit the field and have meetings with the field level RAP IA team and affected people

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- **Meeting with DC office:** The DCRO of RHD will have meetings with LA section of DC office to get update on the progress or land acquisition and compensation payment.
- **Monthly Coordination Meeting:** The RAP IA, CSC and RHD will have monthly coordination meeting on progress of RAP implementation including focus groups meeting, issuance & distribution of EP ID cards, payment of compensation/resettlement benefits, relocation and livelihood restoration programs.

External Monitoring tools would include both quantitative and qualitative methods as follows:

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

12.4 INTERNAL MONITORING

Implementation of RAP will be supervised and monitored by the Project Director of the project in coordination with the other officers associated with the project, and field officials and staffs of the RAP IA. The monitoring will be done both internally and externally to provide feedback to the PD and to assess the effectiveness of resettlement policy and implementation. On their behalf, the day-to-day activities regarding the RAP implementation by the RAP IA will be supervised and monitored by the Resettlement Specialist of Construction Supervision Consultant Team. He will prepare and submit his report on monthly basis as a part of the progress report of whole project. Monitoring in a package, is an integral part of project implementation, which must be given due emphasis if the implementation has to progress according to the projected plan and schedule. Monitoring involves collection, analysis, reporting and use of the information about the progress of all aspects of the resettlement operations, based on the approved RAP.

12.4.1 Internal Monitoring Indicators

Internal monitoring will be undertaken by the PMO through RU with the assistance from Construction Supervision Consultant and RAP IA. The PMO will gather information on RAP implementation covering relevant activities as per schedule. All the activities listed will be illustrated in Gantt Chart showing the target dates for completing resettlement activities. Internal monitoring reports on RAP implementation will be included in the monthly Project Progress Report (PPR) to be prepared by Construction Supervision Consultant and/or RAP IA. The report will contain:

- (I) accomplishment to-date, compared with the plan in quantitative and qualitative ways;

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- (II) objectives attained and not attained during the period;
- (III) challenges encountered and possible mitigatory measures; and
- (IV) targets for the next quarter.

The internal monitoring report will then be integrated by the RHD PMO with the overall project Status Report (PSR) and submitted to JICA and/or other agencies associated with implementation. The CSC will assist the PMO in preparing the overall PSR for JICA. However, CSC will monitor the activities of RAP IA and report to PD, PMO on a monthly basis through the report of Team Leader/Resettlement Specialist, Construction Supervision Consultants.

12.5 EXTERNAL MONITORING

RHD will engage the services of an independent external monitoring agency (EMA), not associated with project implementation, to undertake external monitoring and evaluation (M&E). The external monitor will monitor and verify RAP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. The external monitor will also evaluate the performance of PMO of RHD on resettlement issues. The external agency will report its findings simultaneously to RHD on bi-annual basis.

The EMA will advise on safeguard compliance issues, and if any significant involuntary resettlement issues are identified, a corrective action plan will be prepared by the EMA to address such issues. The EMA will closely monitor the implementation of the RAP and be engaged in the following tasks:

- Review and verify internal monitoring reports prepared by PMO, RHD;
- Review of RAP and information pamphlet disclosure;
- assessment of the way the compensation has been carried out in relation to the stipulations of the RAP;
- Verification that all PAPs have been compensated in the amounts stipulated in the RAP;
- Assessment of the accuracy of survey and asset valuation;
- Review of complaint and grievance cases and of their solution;
- Assessment of the rehabilitation program for severely affected and vulnerable PAPs;
- Assessment of the satisfaction of the PAPs;
- Lessons learnt to be applied to the next projects.

In addition, the external monitor shall document the good practices as well as the difficulties encountered in Resettlement Action Plan implementation, which shall provide lessons on the subject for subsequent projects. Table 12-1 below shows the potential monitoring indicators that can be used as guideline.

Table 12–1: Indicators of External Monitoring for Implementation of RAP

Monitoring Issues	External Monitoring Indicators
Institutional Preparedness	<ul style="list-style-type: none"> • Have all land acquisition and resettlement staff at PMO been appointed and mobilized for field and office work on schedule? • Have capacity building and training activities been completed on schedule? • Have the RAP IA been on board on time and deployed all required staff as per contract? • Are resettlement implementation activities being achieved against agreed implementation plan?
Budget and Timeframe	<ul style="list-style-type: none"> • Are funds for resettlement being allocated to resettlement agencies on time? • Have resettlement offices received the scheduled funds? • Have funds been disbursed according to RAP? • Has all land been acquired and occupied in time for project implementation?
Delivery of Entitlements	<ul style="list-style-type: none"> • Have all PAPs received entitlements according to numbers and categories of loss set out in the Entitlement Matrix? • How many displaced households have received compensation for land? • How many affected households relocated and built their new structures at new location? • Are livelihood restoration activities being implemented as planned? • Are all of the selected vulnerable PAPs got LRP training? • Have affected businesses received entitlements and restored? • Have the PAPs losing their homestead land received proper compensation? • Have the informal settlers of khas land or RHD land, displaced due to the project, been compensated? • Have the community structures are compensated and/or rebuilt at new site? • Have the tenants, vendors and wage laborers paid compensation?
Consultation, Grievance Redress and Special Issues	<ul style="list-style-type: none"> • Have resettlement information brochures/leaflets been prepared and distributed? • Have consultations taken place as scheduled including meetings, groups, community activities? • Have any PAPs used the grievance redress procedures? What were the outcomes? • How many grievances received and solved? • How many court cases filed and solved? • Any land plot which compensation was deposited in the account • Any pending payment
Benefit Monitoring	<ul style="list-style-type: none"> • Approximately how many PAPs were employed by the Project during construction and operation • What changes have occurred in patterns of occupation compared to the pre-project situation? • What changes have occurred in income and expenditure patterns compared to pre-project situation? • Have PAPs income kept pace with these changes? • What changes have occurred for vulnerable groups?

Source: MRT Line 6

12.6 REPORTING REQUIREMENTS

During the implementation phase, the PMO will prepare quarterly report on the progress of resettlement activities and forward it to the GoB and JICA. A format for resettlement implementation

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monitoring will be devised for quarterly monitoring and data collection by NRS at PMO. The Resettlement Specialist of the Construction Supervision Consultants Team, for every 4 months during the implementation stage, will conduct review and report to the PD office on the progress of all aspects of land acquisition and resettlement activities. The external monitor will submit bi-annual, report to the Project Director. A final evaluation report will also be submitted by the EMA at the end of their tenure of service. The observations / recommendations made by the external monitor will be incorporated for smooth implementation of RAP and if necessary for betterment of PAHs.

The types of report to be prepared for the project are:

- initial inception report of RAP implementation to be submitted to PD, CCHIP, RHD by the RAP IA;
- monthly progress report by the RAP IA to be submitted to PD every month;
- monthly progress report by the Construction Supervision Consultants Team in their monthly progress report to PD and JICA
- quarterly report by CSC at PMO to PD;
- report with comments by the Construction Supervision Consultants Team to PMO on quarterly basis on the RAP implementation;
- project completion report prepared by RAP IA to PMO;
- project completion report prepared by the CSC to PMO, RHD and JICA; and

No agency appointed for the project can submit the report to JICA directly. Only RHD will submit report to JICA highlighting progress of land acquisition and RAP implementation.