



Bangladesh Inland Water Transport Authority (BIWTA)
Ministry of Shipping
Government of the People's Republic of Bangladesh



Project: Bangladesh Regional Waterway Transport Project-1
(BRWTP-1)
(IDA Credit No.: 5842-BD, Contract # BRWTP-S6)



Environmental and Social Impact Assessment of proposed new and upgradation of Cargo and Passenger River Terminals

Final Report

**Resettlement Action Plan (RAP) for Cargo and
Passenger River Terminals**

EXECUTIVE SUMMARY

(EC5706-FINAL-RAP-BRWTP-S6-ExSum-D04)

FEBRUARY 2022

TYPSA
CONSULTING
ENGINEERS
& ARCHITECTS

KS
Consultants



DOCUMENT QUALITY CONTROL SHEET

- PROJECT: ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT OF PROPOSED NEW AND UP-GRADATION OF CARGO AND PASSENGER RIVER TERMINALS. BRWTP-S6
- Cargo and Passenger River Terminals
- DOCUMENT: RESETTLEMENT ACTION PLAN FOR PASSENGER AND CARGO RIVER TERMINALS

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• REVISION HISTORY

EDITION	REGISTER OF CHANGES
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LIST OF ABBREVIATIONS

▪ ARIPA	Acquisition and Requisition of Immovable Property Act
▪ BIWTA	Bangladesh Inland Water Transport Authority
▪ BRWTP	Bangladesh Regional Water Transport Project
▪ CUL	Cash Compensation Under Law
▪ CPR	Common/Community Property Resources
▪ CSC	Construction Supervision Consultant
▪ DC	Deputy Commissioner
▪ EPFGDEMA	External Monitoring Agency
▪ EP	Entitled Person
▪ IGAGOB	Government of Bangladesh
▪ GRC	Grievance Redress Committee
▪ Ha	Hectare
▪ HH	Household
▪ ILRPIOL	Inventory of losses
▪ ILRP	Income and Livelihood Restoration Program
▪ IR	Involuntary Resettlement
▪ Km	Kilometer
▪ LA	Land Acquisition
▪ LA&R	Land Acquisition and Resettlement
▪ LGI	Local Government Institution
▪ MARC	Maximum Allowable Replacement Cost
▪ NGO	Non-Government Organization
▪ OP	Operational Policy
▪ PAH	Project Affected Household
▪ PAVC	Property Assessment and Valuation Committee
▪ PD	Project Director
▪ RAP	Resettlement Action Plan
▪ RF	Resettlement Framework
▪ RC	Replacement Cost
▪ TOR	Terms of Reference
▪ WB	World Bank

CURRENCY EQUIVALENTS(as of March 2021)

Currency unit	–	Bangladesh Taka (BDT)
BDT1.00	=	US\$ 0.0119
\$1.00	=	BDT 84.70

WEIGHTS AND MEASURES

1 ha	–	2.47 acre
1 ha	–	10,000 sq.m
1 decimal	–	40.5 m ²



GLOSSARY

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

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

Awardee- refers to person with interests in land to be acquired by the project after their ownership of said land has been confirmed by the respective Deputy Commissioner's office as well as persons with interests in other assets to be acquired by the project. Compensation for acquired assets is provided to 'awardees' through notification under Section 8 of the Acquisition and Requisition of Immovable Property Act (ARIPA) 2017.

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

Community Property Resources (CPR): Community Property Resources (CPR) denotes the religious, educational or social property which is managed/operated by a particular community. It includes mosque, graveyard, temple, madrasah/school, etc.

Cut-off date- refers to the date after which eligibility for compensation or resettlement assistance will not be considered is the cut-off date. Date of service of notice under Section 4 of Acquisition and Requisition of Immovable Property Act (ARIPA) 2017 is considered to be the cut-off date for recognition of legal compensation and the commencement date of carrying out the census/inventory of losses is considered as the cut of date for eligibility of resettlement benefits.

Dependency Ratio- a measure showing the number of dependents, aged zero to 15 and over the age of 60, to the total population, aged 15 to 60. It is also referred to as the "total dependency ratio."

Displaced Person (DP)- As per World Bank Policy OP 4.12 - displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

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

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

Entitled Persons (EP) File: This is an auto-generated HH profile and loss information file. It includes socio-demographic information (name, father's/husbands name, address, income, occupation, etc.) of the

entitled persons, category-wise quantity of loss, and previous payment status (if any) by the executing agency.

Entitlement Card (EC): Entitlement card includes socio-demographic information (name, father's/husbands name, address, income, occupation, etc.) and amount of compensation /resettlement benefit against each of the loss item.

Eminent Domain- refers to the regulatory authority of the Government to obtain land for public purpose/interest or use as described in the Acquisition and Requisition of Immovable Property Act (ARIPA) 2017.

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

Inventory of losses- includes the inventory of the affected properties during census survey for record of affected or lost assets for preparation of the resettlement plan.

Kutcha: Structure built of mud, straw, bamboo and leaves and other non-durable materials

Mouza: Mouza is composed of several villages. It is officially called as Revenue Village with specific boundary at ground and Maps with plots and benchmarks.

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

Project- refers to Bangladesh Regional Waterway Transport Project of BIWTA

Project Affected Business (PAB)-any shop, store or commercial establishment negatively affected by the project

Project Affected Entity (PAEs) - collectively indicate residential households (HHs), commercial and business enterprises (CBEs), common property resources (CPRs) and other affected entities as a whole.

Project Affected Household (PAH)- includes residential households and commercial and business enterprises except CPRs.

Project Affected Person (PAP)-all people enumerated during the census conducted in the project's impact corridor and identified as negatively affected by the project.

Pucca; Structure build with bricks concrete and solid tile roof

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

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

Resettlement- means mitigation of all the impacts associated with land acquisition including relocation and reconstruction of physical assets such as housing and restoration of income and livelihoods in post-relocation period.

Semi Pucca; structure build with a combination of durable walls of brick or concrete and roof of thatch and leaves



Significant impact- refers to severity of impact (HHs losing more than 10% of productive assets, income below poverty line) with regard to loss of housing and productive assets of affected persons/families.

Squatters- refers to non-titled and includes households, business and common establishments on public land (including those acquired earlier). Under the project this includes land on part of the crest and slopes of flood control embankments, and similar areas of the drainage channels.

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

Tin-made-structure made of corrugated metal sheets, considered flimsy and unstable.

Vendor: Petty businessmen dealing in without structure fixed on ground. They deal in on the wheels or on the ground without any shed but do not move here and there. Vendor includes shoemaker, vegetable seller, fruit seller, etc. Mobile vendors are not included in this category.

Vita/High Land: It is comparatively highland and suitable for house/building construction but not yet used as homestead. Vita/High Landland is used for multi-cropped, orchard, housing, or any other purposes since it is not usually inundated.

Vulnerable Households- include households that are (i) headed by single woman (due to divorce, widow) or woman with dependents and low incomes (below poverty line); (ii) headed by elderly/disabled people without means of support; (iii) households that fall on or below the poverty line¹ (iv) households of Tribal population or ethnic minority; (v) persons without titled to land (Landless); and (v) households of low social group or caste.

¹ The poverty line (updated for 2017)

1. INTRODUCTION

Ministry of shipping is implementing the 'Bangladesh Regional Waterway Transport Project 1', which involves investments in the development of Inland Water Transport (IWT) routes and infrastructure between Dhaka – Chittagong IWT Corridor, including branches to Ashuganj, Narayanganj, and Barisal. The World Bank is financing the Project. The project comprises Two Cargo Terminals, Four Passenger Terminals, Fifteen launch ghats, and 6 Vessels Storm Shelters under S3, S4, and S5 packages. This resettlement action plan has been developed for the S3 and S4 (Two Cargo and Four Passenger Terminals) packages.

1.1. THE PROJECT

For six terminals i.e two Cargo and four Passenger River Terminals, only 0.638 acres of land have been proposed for acquisition at the Ashuganj site. Land acquisition will not be required in other sites but some Government land of various agencies including BIWTA, Bangladesh Railway, Roads & Highways Department will be used for the development/construction of the Terminals.

Land acquisition will be carried out as per provisions under the Acquisition and Requisition of Immovable Property Act 2017 and other measures for relocation and livelihood restoration will be done following World Bank OP 4.12. According to the census and IOL survey, about 617 households and shops will be affected by the project among which 111 residential households comprising of 600 people will be physically displaced. Three community properties including one mosque and two Madrasah are affected from which the mosque is fully affected and require reconstruction in a new place. Commercial units are also to be shifted to new locations from the project footprint. Some 18 offices/institutions are fallen in the project footprint that requires dismantling and reconstruction.

1.2. METHODOLOGY

The consultant followed the methods below according to the terms of reference.

1. Consultation meetings were held at six terminals before the start census and IOL survey. Cut-off dates were declared for the non-titled PAPs during consultation meetings.
2. Each of the sites was demarcated at the ground by the BRWTP-1 Project officials and S6 consultants following the engineering design. Census surveys were undertaken after demarcation is completed.
3. Focus group meetings were held with affected various groups identified through census survey in each site.
4. Conducted property valuation survey to assess the replacement cost for land at Ashuganj site and other affected properties in all sites.
5. All of the affected properties were given an individual unique number (HH number) with permanent ink before the survey so that anyone can identify the HH.
6. All of the affected structures have been captured through video filming to prevent fraudulent claims in the future.
7. Vendors (dealing in a fixed location) were enlisted in a separate sheet including their nature of business, investment and income.
8. Data entry and table generations have been done as per the requirement of the RAP document.
9. Preparation of Resettlement Action Plan (RAP) as per the World Bank OP 4.12 and relevant government act and regulations.



2. IMPACTS IDENTIFIED BY THE PROJECT

The project will require the acquisition of private land for the Ashuganj site. The project will have also an impact on the residential and commercial structure, trees and community properties, office/institutions, and business. The Summary of the impact of the S3 and S4 terminals is presented in Table Ex-1.

Table 1. Table Ex-1: Summary of Impact

Sl. No.	Project Impacts	Total
A	Amount of Private land (acre)	0.638
B	Number of total affected Entities (Residence + Shops)	617
C	Number of squatters losing res/com and structures requiring relocation	554
D	Number of HH losing other structures	11
E	Number of HH losing land, structures and trees but no relocation required	52
F	Number of CPRs (04) and other institute (18) affected	22
	Total number of Project Affected Units (C+D+E+F)	639
G	Number of tenants affected	392
H	Number of businesses affected	598
I	Number of wage labourer affected	615
J	Number of Vendors	179
K	Number of trees affected	1,986
L	Total number of persons affected from 617 entities	3343
M	People to be physically displaced from 111 residential houses	600

Source: Census and IOL survey October 2019 to February 2020

2.1. THE RATIONALE FOR RESETTLEMENT ACTION PLAN

The project triggers the World Bank's OP 4.12 on Involuntary Resettlement which requires that the economic, social, and environmental risks are mitigated, and livelihoods of the displaced persons are restored. The unavoidable impacts related to land acquisition and economic displacement were identified through census and socio-economic survey from October 2019 to February 2020 at Six terminals under S3 & S4 packages. Consultation meetings at all six sites have been held and disseminated project information, rolled of the project and the affected people, compensation payment procedure, cut-off date, etc. A comprehensive resettlement action has been prepared for the affected people to compensate them following the ARIPA 2017 and WB OP 4.12.

Two cut-off dates are applicable for the affected people (titled and non-titled). For titled owners, the cut-off date is the date of serving notice under section 4 of the ARIPA, 2017, whereas for the non-titled persons, it is the date of commencement of PAP census. Cut off dates announced during consultation meetings i.e. date of commencement of census and IOL survey.

Table 2. Cut-Off date at Terminals (for non-titled)

Date of Consultation Meetings	Location	Start of Censns Survey	Cut off datefor the Non-titled PAPs
22/10/2019	Shashanghat	23/10/2019	23/10/2019
22/10/2019	Pangaon	23/10/2019	23/10/2019
23/10/2019	Narayanganj	24/10/2019	24/10/2019
24/10/2019	Ashuganj	25/10/2019	25/10/2019
27/10/2019	Barisal	29/10/2019	29/10/2019
29/10/2019	Chandpur	30/10/2019	30/10/2019

2.2. CONSULTATIONS AND GROUP DISCUSSIONS

A total of seven consultation meetings were held at six terminals (two at Ashuganj) with the affected people and other stakeholders. In total 488 people were present in the meetings among which 473 male and 15 female. Among others, professionals from BRWTP-1, S6 consultants, and BIWTA local offices were present in the consultation meeting. Apart from the stakeholder consultations, 24 focus group meetings were held with 413 people from various occupational groups including women, traders, tenants, vendors, etc. at the terminals.

Consultations were held with the different stakeholders such as affected people, local leaders, businessman, service holders, housewives, day labourers, tenants, wage earners, terminal users, etc. In the consultation meetings, discussions were held on the project description, scope of the project, social safeguard issues, probable impacts and mitigation measures, alternative livelihood opportunities due to improvement of the terminals, grievance mechanism including gender-based violence risks during the project construction and operation phase. It was discussed that affected people will be paid compensation and resettlement benefits as per RAP policy and alternative livelihood opportunities will be explored during construction and operation phase of the project. Professionals of S6 Consultants and PIU participated in the consultation meetings and responded to the questions of the participants. The opinion of the people has been reflected in the Resettlement Action Plan (RAP).

In the consultation meetings, affected people and other stakeholders identified some positive and adverse issues as under;

(i) Identified Positive Impacts:

- Construction/improvement of the terminals will:
- enhance the standard of living of the people by exploring alternative income opportunities.
- help to diversify business.
- improve communication system.
- reduce health hazards.
- improve safety and security of the terminal users particularly women and children.
- local employment would increase
- economic activities would be much better



- facilitate to get compensation for the structure and business on the GOB land.

(ii) Identified Adverse Impacts.

- A large number of shops will be displaced which will have a significant impact on their livelihood for the time being.
- Displacement of the shops can prohibit them to re-open business on the government land.
- Standard of living may be worse if they cannot start a business.
- Tenants businessmen will be in trouble to get alternative space for business.
- Landowners at Ashuganj will not find alternative land since the price of land is so high
- Ashuganj is a business hub and RHD gave them a site for relocation. So, displacement due to the BRWTP will throw them in trouble if they cannot get a suitable place for business
- Residence in Chandpur terminal along the access roads will be displaced from Bangladesh railway land. But they don't have alternative land for relocation.
- People's opinions have been addressed in the Resettlement Action Plan.

3. LEGAL AND POLICY FRAMEWORK.

The legal and policy framework for land acquisition and involuntary resettlement for the construction/improvement of the Cargo and Passenger terminals under S3 and S4 packages will be based on: (i) Acquisition and Requisition of Immovable Property Act (ARIPA) 2017 and (ii) World Bank OP 4.12 on Involuntary Resettlement. Government of Bangladesh has initiated National Resettlement Policy for the Project Affected People in 2018. The ARIPA 2017 doesn't cover non-titled PAPs affected on the GOB land. The National Resettlement Policy 2018 covers relocation of the displaced people (affected on private land). Only the WB OP 4.12 suggests compensation and livelihood restoration of the affected people irrespective of title to the land. The ARIPA 2017, World Bank OP 4.12 and Resettlement Policy for the Affected People 2018 have been taken into account for preparation of the RAP.

3.1. ELIGIBILITY CRITERIA AND POLICY

PAPs, eligible to receive compensation and assistance to restore livelihood, are individuals, households, communities, and private and public entities, regardless of the possession of the legal title, who are residing, working, or cultivating on lands and other assets that are acquired/affected for the project as of the cut-off date. Furthermore, those who will be affected due to temporary land use and resettlement are also eligible for compensation for disruptions in their livelihood activities.

The PAPs will receive compensation for loss of assets and income, and assistance for livelihood restoration. Entitlement options for eligible PAPs (EP) concerning each of the losses are as follows:



Table 3. Entitlement Matrices

LossItem1: Loss of Homestead, Commercial, Industrial Land and Common Property Resources	
Persons Entitled	Entitlements
Legal owner/ Title holders as identified by DC	<p>Legal owner/ Titleholders as identified by DC</p> <p>CUL by DC as per ARIPA 2017</p> <p>The difference between CUL and replacement cost (RC) of land (to be Determined by PAVC) paid by the Project as additional payments.</p> <p>Replacement cost includes Stamp duty and registration cost at the rate of 12% of the Current Market Price to be assessed by PAVC.</p> <p>Homestead development allowance (HDA) for titled holder @ BDT 20,000 for each HH</p>
Loss Item 2: Loss of Residential Structures with Title to Land	
Persons Entitled	Entitlements
Legal owner/title holders as identified by DC	<p>CUL by DC for residential structures as per 2017 LA Act</p> <p>The difference between CUL and Replacement cost (RC) for structures as determined by PAVC</p> <p>Shiftable Structure - Structure transfer grant (STG) for shiftable structures will be @ 10% (ten percent) of the replacement cost of structures and House construction grant (HCG) @ 10% (ten percent) of the replacement cost of structures;</p> <p>Non-Shiftable Structure - STG only for nonshiftable structures @ 10% of the replacement cost of the structure.</p> <p>Owners are allowed to take away all salvageable materials free of cost within the stipulated time given by BIWTA.</p>
Loss Item 3: Loss of Commercial/Industrial Structures with Title to Land	
Persons Entitled	Entitlements
Legal owner/ titleholders as identified by DC	<p>CUL by DC for commercial structures as per 2017 LA Act</p> <p>The difference between CUL and Replacement cost (RC) for structures as determined by PAVC</p> <p>Shiftable Structure - Structure transfer grant (STG) for shiftable structures will be @ 10% (ten percent) of the replacement cost of structures and House construction grant (HCG) @ 10% (ten percent) of the replacement cost of structures.</p> <p>Non-Shiftable Structure - STG only for nonshiftable structures @ 10% of the replacement cost of the structure.</p>

Loss Item 3: Loss of Commercial/Industrial Structures with Title to Land	
Persons Entitled	Entitlements
	<p>Small mobile structures on wooden or bamboo legs (poles not fixed on the ground) which can be shifted without dismantling (structures on legs) are not eligible for compensation (small panbidi shops, groceries, tea stalls, etc.) but will be assisted in finding an alternative location and given Structure Transfer Grant (STG) to cover any damage and cost of shifting @ 10% (ten percent) of the replacement cost of structures.</p> <p>Owners are allowed to take away all salvageable materials free of cost within the stipulated time given by BIWTA.</p>

Loss Item 4: Loss of Residential and other Physical Structures without Title to Land (Squatters/Informal Settlers)	
Persons Entitled	Entitlements
<p>Socially recognized owners of structures built on the Project footprint as identified during the census.</p>	<p>Replacement cost (RC) for structures as determined by PAVC</p> <p>Shiftable Structure - Structure transfer grant (STG) for shiftable structures will be @ 10% (ten percent) of the replacement cost of structures and House construction grant (HCG) @ 10% (ten percent) of the replacement cost of structures;</p> <p>Non-Shiftable Structure - STG only for nonshiftable structures @ 10% of the replacement cost of the structure.</p> <p>Small mobile structures on wooden or bamboo legs (poles not fixed on the ground) which can be shifted without dismantling (structures on legs) are not eligible for compensation (small panbidi shops, groceries, tea stalls, etc.) but will be assisted in finding an alternative location and given Structure Transfer Grant (STG) to cover any damage and cost of shifting @ 10% (ten percent) of the replacement cost of structures.</p> <p>HDA for Persons without title to the land @ BDT 50 per square feet of floor area of affected primary structure</p> <p>Owners are allowed to take away all salvageable materials free of cost within the stipulated time given by BIWTA.</p>



Loss Item 5: Loss of CPR Structures With or Without Title to Land	
Persons Entitled	Entitlements
<p>(a) Legal owners (or registered committee) identified by DC in the process of CUL payment.</p> <p>(b) Socially recognized owners of structures built on the project site as identified by JVC and in the census.</p>	<p>CUL by DC to legal owners, plus the difference between CUL and RC of structure as determined by PAVC.</p> <p>Cash compensation for CPRs on land without titles to be determined by PAVC to match RC for the structure</p> <p>Transfer and reconstruction grants respectively @ 10% and 10 % of RC of the structure</p> <p>Special allowance for the CPR @ 50,000 or as determined by PAVC; and</p> <p>The owner allowed taking away all salvageable materials free of cost within the stipulated time given by BIWTA.</p>

Loss Item 6: Loss of Trees with Title to Land and Owner of Trees on Public Land or Lessees	
Persons Entitled	Entitlements
<p>Legal owners Socially recognized owners, such as Persons without title to the land</p> <p>People with a valid lease from GOB agencies.</p> <p>Groups sponsored by public agencies/ NGOs.</p>	<p>Compensation for trees on private land as CUL as per rate assessed by Department of Forest to be paid by DC.</p> <p>Compensation Top-up (if any) on DC's CUL for timber trees, bamboo, fruit-bearing trees (with timber), etc., and 30% of timber value in case of fruit-bearing trees.</p> <p>Compensation for trees on public land to the people with a valid lease from GOB/agencies</p> <p>Banana groves: Compensation Top up on DC's CUL estimated for a one-time crop of each grown-up tree on private land or current market value planted on government land (not covered by DC).</p> <p>Trees are grown under public/NGO sponsored program compensation for fruits @30% of the timber value, or</p> <p>(b) Timber trees and bamboos: Compensation for lost trees as per DOF rates to be determined by PAVC at RC for those without title to land.</p> <p>For fruit trees: compensation for lost trees as per DOF rates to be determined by PAVC at RC for those without title to land.</p> <p>Compensation for fruits @30% of the timber value</p> <p>The owner of trees (in both cases) will be allowed to fell and take the trees free of cost within the stipulated time given by BIWTA</p>

Loss Item 7: Loss of Income from Dismantled Commercial/Business Premises	
Persons Entitled	Entitlements
Any proprietor or businessman or artisan operating in premises, at the time of issuance of notice and/or identified by the census.	<p>Small and Medium Business: Cash grant of BDT 30,000 for loss of business income by the affected trader (based on an average monthly income of BDT15,000.00 for 2 months).</p> <p>Large Scale Business (Having Trade License and IT certificate): Cash grant of BDT100,000 for loss of large business income by the affected trader (based on an average monthly income of BDT 50,000 for 2 months)</p>

Loss Item 8: Loss of Income (Wage Earners Business Enterprises Excluding Owners or Employers)	
Persons Entitled	Entitlements
Regular employees/ wage earners affected by the project as identified by the census.	A cash grant of BDT 24,000 (equivalent to 2 months average income).

Loss Item 9: Loss of Income from Rented-out Residential and Commercial Premises	
Persons Entitled	Entitlements
Owner of the rented-out premises as identified by the census.	Grant for loss of rental income equivalent to Rental assistance for rented residential and commercial structures equivalent to two (2) months rental income but not exceeding BDT10,000

Loss Item 10: Rental Assistance for Tenants in Order to Support them Finding Alternative Place to Rent	
Persons Entitled	Entitlements
Household/person rented-in (Tenants) any such structure as identified by the census.	Tenants of residential or commercial premises will be eligible for a shifting grant of BDT 5000 (five thousand) for shifting of belongings and one-month rental allowance @ BDT 3000 (three thousand).

Loss Item 11: Reconnection of Utilities (Gas, Electricity, Telephone, Water, Sewage, etc.)	
Persons Entitled	Entitlements
Legal subscriber as Identified by DC (Eligible only when the affected households can	<p>Cash grant for new utilities connection will be provided by BIWTA:</p> <p>(a) Gas connection=BDT 12,000;</p> <p>(b) Electricity connection =BDT 7,000;</p>



Loss Item11: Reconnection of Utilities (Gas, Electricity, Telephone, Water, Sewage, etc.)	
Persons Entitled	Entitlements
submit evidence of past connections/bills/receipt)	(c) Telephone connection=BDT 5,000; (d) Water connection=BDT 5,000 (e) Sewage connection=BDT 5,000

LossItem12: Assistance to Vulnerable Households	
Persons Entitled	Entitlements
Households under the Poverty level and whose head of household are elderly, disabled, and very poor	BDT 10,000 for male-headed HHs and BDT 15000 for female-headed HHs as a one-time grant in addition to other compensation

LossItem13: LivelihoodImprovement Programme	
Persons Entitled	Entitlements
One member of each Vulnerable household	Cost of program implementation (as a separate line in budget summary Table Ex-5). BDT15,000 to be provided as a "seed grant" to each trained member for investment SOCIAL NGO will assess the needs of the training requirement

Loss Item 14: Unforeseen Adverse Impacts	
Persons Entitled	Entitlements
Households/persons affected by any unforeseen impact identified during RAP implementation, for instance, any Project Induced impacts	Compensations/allowance and assistance depending on the type of loss will follow the entitlement matrix



Loss Item 15: Temporary Impact during Construction	
Persons Entitled	Entitlements
Households/persons and/or community affected by construction impacts	<p>The contractor shall bear the cost of any impact on structure or land due to movement of machinery and in connection with collection and transportation of borrow materials as per applicable entitlement matrices.</p> <p>All temporary use of lands outside the proposed Footprint to be through written approval of the landowner and contractor.</p> <p>The land will be returned to the owner rehabilitated to an original preferably better standard.</p>



4. RESETTLEMENT AND RELOCATION OPTIONS

Development of the S3 & S4 terminals will cause displacement of residential HHs, shops, CPRs, and some offices/institutions. The residential HHs are mostly displaced from GoB land (Bangladesh Railway) at Chandpur site while shops and other institutions such as mosques and madrasahs are getting displaced from all other sites. Private land acquisition is very limited (only 0.638 acres at Ashuganj) and no residential HHs will be displaced from the private land. Some shops will be affected by the proposed land.

All of the displaced HHs will be entitled to compensation and other resettlement benefits as per the policy of the RAP. The project will not arrange any resettlement sites for the displaced HHs/shops rather encourage them for self-managed resettlement but will provide adequate compensation including livelihood restoration cost. If the displaced HHs or shops can arrange resettlement site in a cluster manner (at least 10 HHs/shops together, the project (BRWTP-1) will provide necessary minimum civic amenities such as sand filling, access road, internal road, drain, water supply & sanitation, etc. As one mosque will be demolished for the project, it will be properly relocated elsewhere.

Apart from this the vulnerable HHs (extreme poor, women and disable headed) will be brought under a long-term income and livelihood restoration program (ILRP) including skill development training on income-generating activities, grant to start a business, market linkage, link with financing institutions for loan and regular monitoring of their livelihood status.

5. GRIEVANCE REDRESS MECHANISM (GRM)

Grievance Redress Mechanism (GRM) is a valuable tool which will allow affected people to voice concerns regarding environmental and social impacts for the subproject activities. Two-phased approach GRM has been proposed in this project; The First Phase of GRM will be established to mitigate resettlement compensation related impacts of the project, a grievance redress mechanism will be established to address compensation and resettlement issues throughout the project period. The Phase -2 of GRM is for the remaining issues may encounter during project implementation including procurement, social & environmental issues, financial management, quality of work, gender-based violence, sexual exploitation and abuse, sexual harassment, etc.

A three-tier Grievance Redress Committees (GRCs) will be established in the project. All 3 tiers of GRCs will be constituted by the BIWTA through an office order. PIU will recruit a Service Provider to provide support to the victim of GBV including transportation, treatment, legal support, etc. A Grievance Officer will be deployed by the PIU to keep contact with the service provider about GBV cases and to update the PIU. Contractors will have a grievance mechanism to deal with GBV issues. In case of minor GBV (Eve Teasing, bad touch, etc.) the Contractor GRC will hear and resolve the issue. In case of Major GBV (Rape, Acid Throw, etc), the Service Provider will facilitate the victim to bring him to Onestop Crisis cell (OCC), Police Station, Hospital and report to the PIU immediately. Committees (site level, port level and PIU level) for phase -1 GRM will be assigned to handle the GRM to be produced under Phase-2. GRM under Phase-2 will be functional during construction period of the project. Apart from these two phases GRM, another GRM has been proposed for the workers to be deployed by the construction contractor/sub-contractor for the project. Details of the Worker GRM has been provided in the Labor Management Procedure (LMP). Phase -1 and Phase-2 GRMs can be simultaneously functional in the project considering nature of the grievances.

The procedure will help to resolve issues/conflicts amicably and quickly, saving the aggrieved persons from having to resort to expensive, time-consuming legal action. The procedure will however not preempt a person's right to go to the courts of law.

The existence and procedures of the GRM will be communicated clearly and adequately to PAPs and other interested stakeholders during implementation. Appropriate communication modalities will be deployed to raise awareness of the availability of the GRM through project related events (e.g. stakeholder consultations) and by posting and disseminating brochures about the GRM in public locations/project sites.

During construction, BIWTA/contractors will try to engage local workers as much as possible to avoid labor influx. During consultations, people expressed concerns over the influx of migrant workers for the project's construction work and their possible engagement in illicit sexual relationships with women and children. They thought that such instances can cause the spread of sexually transmitted diseases. Addressing this concern, both BIWTA and the contractors will ensure that awareness-raising programs on sexually transmitted diseases are conducted for all local and migrant workers as well as local communities before the commencement of civil works. Furthermore, it will be also a mandatory requirement on the part of contractors to enforce a strict code of conduct for their labor teams.

Grievances will be settled with full representation in GRCs constituted by the representatives from the BIWTA, RAP implementing agency, local government institutions (LGI), and the PAPs. The PAPs will call upon the support of the IA to assist them in presenting their grievances to the GRCs. The GRCs will review grievances involving compensation & resettlement assistance and livelihood restoration. Grievances, at any of the three tiers, will be redressed within four weeks from the date of receiving the complaints/papers.



Table 4. Grievance Redress Committees

Level	Members of the GRC at different levels
Site level GRC	BIWTA representative (Not below the rank of Assistant Director/Assistant Engineer or equivalent)-Convener Representative, local government (Upazila/Union Council/City Corporation)-Member Two representatives of PAPs (at least 1 being a woman)-Member Representative, Safeguards Implementation NGO-Member Secretary
Port Level GRC	BIWTA representative (/Executive Engineer or equivalent)-Convener Representative the Local Govt. (Union Parishad/Paurashava/City Corporation)-Member BIWTA representative (Not below the rank of Assistant Director/Assistant Engineer or equivalent)-Member Representative from the Civil Society -Member Representative, Safeguards Implementation NGO-Member Secretary
PIU Level GRC	Deputy Project Director, BRWTP-1-Convener Head of BIWTA E&S Cell, BRWTP-1,PIU-Member Communication/GRM Expert, BRWTP-1 Project, PIU-Member Secretary

a) Monitoring and Evaluation

The owner rehabilitated to an original preferably better standard.

To ensure the effective and efficient implementation of land acquisition and other resettlement by the BIWTA, a two-fold monitoring system has been planned i.e. internal monitoring and external monitoring. The SOCIAL NGO, BIWTA, and the CSC will internally monitor the RAP implementation while the external monitoring agency (EMA) will conduct compliance monitoring of the RAP implementation. A monitoring tracking system will be developed through the Computerized Management Information System (CMIS) by the SOCIAL NGO for collecting and analyzing information on the RAP implementation systematically and continuously. Internal and external monitoring will provide feedback to BIWTA as well as assess the effectiveness of the RAP and its implementation.

An External Monitor will be recruited to verify the monitoring information generated by the PIU and SOCIAL NGO, by carrying out semi-annual and post-RAP implementation evaluations. The scope of external monitoring will cover progress monitoring and compliance monitoring of the RAP implementation. During its assessment, the external monitor will, if needed, recommend actions to ensure the implementation of the RAP complies with the entitlement matrix and World Bank Safeguard Policy requirements. The external monitor will cover compliance issues such as compensation and entitlements policies, adequacy of the organizational mechanism for implementing the RAP, restoration of income, resolution of grievances, and provisions for adequate budgetary support by BIWTA and its PIU for the RAP implementation.

6. IMPLEMENTATION ARRANGEMENT

BIWTA is the executing agency of the project. The Project Director (PD) will establish a Project Implementation Unit (PIU) in Dhaka for overall project execution, including monitoring of the project activities. A RAP Implementing NGO (Consulting Firm/NGO) will be recruited by BIWTA for implementation of the Resettlement Action Plan. For the overall implementation of the RAP, the Project Implementation Unit (PIU) headed by Project Director will be established within the BIWTA head office. The BIWTA will recruit the Construction Supervision Consultant (CSC) who, inter alia will coordinate and monitor the implementation of the RAP. Specialists within the PIU and CSC will guide the SOCIAL NGO as required, especially when compliance issues arising.

The SOCIAL NGO will be recruited for 60 months for assisting the PIU in RAP updating and implementation, grievance mechanism, relocation of the displaced people, and training & ILRP program implementation. For smooth implementation of the RAP, three committees will be formed at the field and project level. Property Assessment and Valuation Committee (PAVC), Grievance Redress Committee (GRC) and Physical Relocation Assistance Committee (PRAC) will be constituted by the BIWTA. Each of the committees will have a particular TOR for accomplishing their assignment.

Table 5. RAP Implementation arrangements

Sl. No.	Activities/steps	Year 1				Year 2				Year 3				Year 4				Year 5				
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
A	LAND ACQUISITION AND PAYMENT																					
1	Land Acquisition Processing by DCs																					
2	Notice under section 3, Joint Verification, Notice under section 6																					
3	LA Estimate and Fund Placement with DCs																					
4	Notice under Section 7 by DCs																					
5	Payment of CUL by DCs																					
6	Transfer of Land to BIWTA by DC																					
B	SOCIAL PREPARATION FOR COMPENSATION PAYMENT																					
1	Mobilization of IA/Social NGO to the field																					
2	Information Campaign																					
3	Updating and disclosure of RAP																					
4	Preparation and approval of Guidelines for BIWTA to pay for resettlement benefits																					
5	IA assistance to PAPs for CUL collection																					
6	Preparation and approval of final RAP budget based on PAVC recommendation																					
7	Photograph of EPs and Issuance of ID Cards																					



Sl. No.	Activities/steps	Year 1				Year 2				Year 3				Year 4				Year 5				
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
8	Determination of Entitlements for titled and non-titled Eps																					
C	PAYMENT OF COMPENSATION AND RESETTLEMENT BENEFIT																					
1	Coordinate with DC offices on land acquisition																					
2	Assist APs in the process of CUL collection																					
3	Prepare CUL statement as per DC payment																					
	Opening Bank Account and prepare papers by the PAPs																					
4	Payment of addl. Comp. and benefits to titled Eps																					
5	Preparation of files (ID card, EPEC, etc. of Non-titled EPs)																					
6	Payment of RB including GRC cases to Non-titled Eps																					
D	RELOCATION/ RESETTLEMENT																					
1	DPs relocated elsewhere after payment																					
E	GRIEVANCE REDRESS MECHANISM																					
1	Complaints from aggrieved Aps																					
2	Review, Approval and Actions																					
F	DATA RECORD AND MONITORING																					
1	Design, Develop and Operate Data record																					
2	Internal Monitoring by BIWTA																					
3	External Monitoring by Third Party																					
4	Post implementation evaluation																					
G	INCOME AND LIVELIHOOD RESTORATION																					
1	Need Assessment Survey on IGA training																					
2	Development of training Modules																					
3	Training on IGA for vulnerable people																					
H	REPORTING BY SOCIAL NGO																					
1	Inception Report																					
2	Monthly Progress Report																					
3	Final Report																					

6.1. RAP IMPLEMENTATION COMMITTEES AND ORGANIZATIONS

Several committees will be formed to assist BIWTA for smooth implementation of the RAP. They include the Property Assessment and Valuation Committee (PAVC) and Grievance Redress Committee (GRC). These committees will be formed by the BIWTA. Apart from these two committees, a Physical Relocation Assistance Committee (PRAC) will be constituted by the Project Director at site (Terminal) level to guide the displaced people to relocate elsewhere within the deadline for smooth execution of the civil construction.

6.1.1. Property Assessment and Valuation Committee

Deputy Commissioners (DC) and BIWTA will conduct joint on-site verification of affected physical properties on private land proposed for acquisition at Ashuganj site for the project. DC office Brahmanbaria will also assess the market price of the affected properties on the proposed land for acquisition with data and assistance from Sub-Registry offices for land, Public Works Department (PWD) for structure, Department of Forest (DoF) for trees, and Agriculture Extension and Agriculture Marketing departments for crops.

The DCs will not compensate the households, shops or any other entities affected on GOB land or having no legal documents/title to the assets affected for project purposes. However, as per World Bank OP 4.12 on involuntary resettlement, the authorized and unauthorized occupants on public land, tenants, wage laborers with no legal papers will also be entitled for compensation and assistance. These non-titled affected persons and their physical and economic losses will be assessed and replacement cost of affected physical assets and income will be determined by a Property Assessment and Valuation Committee (PAVC) established for each terminal (site) under the project. The PAVC will be a 5-member committee at each Terminal. The members of PAVC will be nominated by the Project Director, BRWTP-1 Project as per Office Order to be issued by BIWTA.

Table 6. Membership of PAVC

Executive Engineer, BIWTA	Convener
Assistant Director, BIWTA	Member
Sub-Assistant Engineer (Civil), Land and State Department, BIWTA	Member
Representative from concerned Union Parishad Chairman/Mayor of Municipality/ City Corporation	Member
Field Coordinator of the RAP Implementing /NGO	Member-Secretary

The PAVC will verify and cross check the field book of the joint verification survey (JVS) conducted jointly by BIWTA and the Deputy Commissioners for the landowners. The PAVC will also conduct joint verification of all affected properties on the GOB land (within the project footprint). They will review and certify the census of affected households (titled and non-titled) and assets by the BIWTA conducted through Social NGO. If there is major variation between Census and JVS data (more than 10%) in assessing affected properties, PAVC will re-visit and finalize the category and quantity of losses. Replacement cost of the affected physical property will also be determined by the PAVC based on current market price. The PAVC will design and conduct a property valuation survey (PVS) through personal contact with various cross sections of the people in the project sites. They will also consult secondary data to recommend replacement cost of land and structures and market price of trees as well as amount of loss of income at current market price.



6.1.2. Grievance Redress Committee

A three-tier grievance redress committee has proposed for this project. First tier is at site level (Terminal), second tier is at the Port level and third tier is at the BIWTA's Project level. Details of GRC's makeup are described in Chapter 9 of this RAP.

6.1.3. Physical Relocation Assistance Committee (PRAC)

A Physical Relocation Assistance Committee (PRAC) will be formed for each terminal with elected representatives from concerned Union Parishad/Municipality/City Corporation, representatives from the affected persons, BIWTA local officials and women groups.

The PRAC will be headed by the Cell Head of PIU's Safeguard Cell, BRWTP-1 Project, BIWTA and authorized to undertake land search and assist the affected squatters in relocation and resettling on a more permanent site. The PRAC will look into BIWTA's own resources in case of failure in finding out suitable alternative lands for relocation of the vulnerable affected households, owners of affected businesses and other entities including squatters.

Table 7. Membership of PRAC

Cell Head of PIU's Safeguard Cell, BRWTP-1 Project (BIWTA)	Convener
Local UP Member/Ward Councillor (nominated by concerned UP Chairman or Municipal/City Mayor)	Member
Assistant Engineer, BRWTP-1 (BIWTA)	Member
Representative from displaced households/persons	Member
Representative of the RAP Implementing NGO	Member-Secretary



7. MONITORING SYSTEM

A. Internal Monitoring- a monitoring system has been established to ensure the effective and efficient implementation of land acquisition, involuntary resettlement and compensation for lost assets. More specifically, the objectives of the monitoring will be to:

- 1) check if compensation, restoration and rehabilitation assistance, and other entitlements are completed and in a timely fashion;
- 2) see if the standards of living of PAPs are restored to pre-project levels or improved once compensation has been delivered; and,
- 3) identify problems and resolve them.

To check compliance with the RAP, monitoring will be conducted by the Social NGO and from time to time by the PIU and at least semi-annually by the CSC staff. World Bank will be updated about the progress of RAP implementation from the PIU through quarterly report and during Review Mission.

B. External Monitor- An external independent monitor will be contracted by BIWTA to report on whether entitlements are being provided in a timely and complete manner. The monitoring will be conducted at the discretion of the external monitor and at least once in every 6 months during the RAP implementation period. Each inspection will result in a compliance report.



8. COST ESTIMATE AND BUDGET

At this stage, a provisional total for land acquisition, RAP implementation and other associated costs has been estimated. The total estimated RAP budget stands at BDT 865,242,168 equivalent to USD 10.30 Million out of which 25.90% amount will be paid through DC office for land acquisition cost and remaining 74.10% amount will be paid by BIWTA for resettlement assistance and other costs. The budget also includes ILRP implementation cost, construction of civic amenities in the resettlement site (in case of group relocation) and a Mosque construction cost at Chandpur. A 7.50% contingency amount has been proposed in this budget to meet unforeseen expenses including GRC recommendation, post evaluation of the RAP implementation, legal support and unwanted issues raised during RAP implementation. This contingency budget can be used only upon official approval by the Project Director/BIWTA.

Table 8. Land Acquisition and Resettlement Budget summary

Head of Expenditure	DC	BIWTA	Total budget (BDT)	%
Compensation For Land	140,709,050	138,415,950	279,125,000	32.26
Compensation for structure	74,025,451	227,791,922	301,817,373	34.88
Compensation for Trees	1,060,800	8,700,820	9761620	1.13
Other Resettlement Benefits		136,468,819	136,468,819	15.77
Mosque Construction Cost		10,000,000	10,000,000	1.16
Resettlement Site development		60,000,000	60,000,000	6.93
Contingency @7.5% of the total budget		59,787,961	59,787,961	6.91
Administrative cost @ 2% on the DC budget	8,281,395		8,281,395	0.96
Grand Total	224,076,696	641,165,472	865,242,168	100.00
USD	2,651,795.22	7,587,757.07	10,239,552.28	
%	25.90	74.10	100	